

**Chuck Knisell, Coal Miner  
Testimony before the  
United States House of Representatives  
Committee on Education and Labor  
Wednesday, March 28, 2007  
Rayburn House Office Building  
Room 2175  
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Mr. Chairman, members of the Committee, my name is Chuck Knisell. I'm a fourth-generation coal miner from Westover, West Virginia. I've been working in the coal mining industry for six years. I currently work at Foundation Coal Company's Cumberland mine in southwestern Pennsylvania, and am a member of the United Mine Workers of America Local Union 2300.

I appreciate this opportunity to appear before the committee as you are discussing what needs to be done to make America's mines safer places to work. I especially appreciate that you are interested in hearing directly from a working coal miner, because I think that even though there has been renewed awareness about mine safety over the last year, members of Congress have been hearing a lot from the industry and the government agencies like the Mine Safety and Health Administration (MSHA), but not enough from the miners themselves.

Everyone has heard the saying that "history repeats itself." Through the years, that has held true in the coal industry. Time after time, someone has had to die or be seriously injured before the public's attention is captured about the safety conditions in America's coal mines, and before laws are written to address and adjust those conditions.

In school, we teach history to students of all ages so that we may prevent it from repeating itself. As we sit here today, I believe it is time we take a lesson from our blood-covered mining history books and show to all that we can act to stop the deadly cycle in our nation's mines.

Accidents can be prevented. This is a fact that all of us who work in the mines know and understand. Mother Nature—the conditions in a mine, the geology of the coal seam, and many other factors—can be difficult to control at times. Every mine is different, just like a fingerprint. But just because mines are different, it does not mean that the same laws cannot be applied to every mine. They can, whether you're talking about a small operation of 30 employees or a big one of a thousand employees.

Some people say that we've got to treat smaller operations differently from large ones. The small mines get overlooked, or are allowed to do whatever they want to do in order to keep operating

and make money. But the effect is that people are being killed in those smaller operations year after year.

The message that sends to the coal miner is that as the price of coal fluctuates, so does the price of miners' lives. At times of high prices, companies tend to want to produce as much as they can, putting production ahead of safety. This is especially true in smaller mines and mines where there is no union to make them focus on safety. They spend less on safety so they can put more in their pockets. Coal miners have seen this over and over again, generation after generation.

This is where MSHA is supposed to come in. The agency is supposed to put a hand on these companies to enforce safety laws and regulations and look out for the miner. MSHA really is supposed to be the police department of the mining industry. If they were doing their job, then it's reasonable to ask: why did the miners at Sago die?

Mr. Chairman, one of the places I worked before I got my present job was at Sago. I knew some of the men who were lost there. I worked with them, and I understand the conditions that were in place at that mine. In my opinion, MSHA and the mine's operator, the International Coal Group, betrayed those men. If ICG had put safety in front of production at Sago and addressed the problems they had in that mine, and if MSHA had been a strict enforcer of the law, the men we lost there would still be alive today.

Congress took a big step in the right direction last year by passing the new MINER Act. We need to continue that, because there is still a lot more to do to protect miners. For one thing, it must be understood that as each year passes, technology advances, and the mine safety laws and regulations must advance along with it.

Communications technology has advanced, but we still don't have reliable communications in the mines in the event of a disaster. Technology for tracking miners underground has been around for a long time and is used in other countries, but MSHA has never required it in the United States. Miners shouldn't have to wait for more of us to be killed or injured for our government to demand of companies that they do whatever it takes to keep us safe.

Finally, I want to talk about one of the major differences in safety in our coal mines, and that's union representation. My first three years working in the mines were spent at non-union mines in West Virginia, including Sago. The other three have been at my present mine, the Cumberland mine in Pennsylvania, which is a union mine. The difference is like night and day.

At the non-union mines, you have no voice on safety. It's basically, "do it, or leave." I've heard

all the talk from the non-union operators about how much they care about safety, but let me tell you as a working coal miner, that's just a lot of talk that doesn't mean anything in reality. The miners just don't have a voice about their working conditions in non-union mines. I've been there, I know. I've seen it, and I've worked with it.

When someone is working in such a fragile, unstable environment hundreds or thousands of feet below the surface of the earth, that miner should have a voice when it comes to health and safety, and it should be a voice that must be listened to. I have a family that I want to come home to at the end of the day. I have a right to expect that my workplace will be as safe and healthy as it can possibly be, and that I can have a say in how to make it that way.

With a union presence, a miner has that voice. The company has to respect the safety rights we have written into our contract. We also know that a union mine is a productive mine. Statistics bear that out. The company I work for is a good example. Foundation has union mines and non-union mines, but the two most productive underground mines the company has are UMWA mines. They are where our company makes money. Management knows that, and we know that. Why they fight the union organizing at its other mines is beyond me.

Again, I appreciate the opportunity to appear before the committee today. You have a difficult task ahead of you as you work to improve and strengthen our mine safety and health laws. All I ask, as a working miner, is that you continue to hold to the declaration Congress made in the preamble of the 1977 Mine Act, that the "first priority of all in the coal or other mining industry must be the health and safety of its most precious resource—the miner."

We miners believe Congress meant those words when they were written 30 years ago. What we want to know today is, do you still mean them, and what will our government do to make sure they will never be forgotten?

Thank you, and I will be happy to answer any questions I can.