

EDUCATION & LABOR COMMITTEE

Congressman George Miller, Chairman

Strengthening America's Middle Class

Wednesday, March 28, 2007
Press Office, 202-226-0853

Chairman Miller Statement at Committee Hearing On “Protecting the Health and Safety of America’s Mine Workers”

WASHINGTON, D.C. – *Below are the prepared remarks of U.S. Rep. George Miller (D-CA), chairman of the House Education and Labor Committee, for a full committee hearing on “Protecting the Health and Safety of America’s Mine Workers.”*

Good morning. Welcome to today’s hearing on Protecting the Health and Safety of America’s Mine Workers.

Last year, the country was shocked by the accidents at the Sago, Aracoma Alma, and Darby mines, which all came in quick succession. In addition to the 19 coal miners killed in those three accidents, another 28 coal miners died on the job last year.

Many, if not most, of these 47 deaths were surely preventable. Had the federal Mine Safety and Health Administration heeded the warning signs after the accident in Brookwood, Alabama in 2001, for example, the miners at the Sago and Darby mines might well be alive today.

In 1977, recognizing that it lacked the experience and expertise to deal with myriad safety and health risks in coal mines or in other mines, Congress established the Mine Safety and Health Administration. The key question we must examine is whether, 30 years after its creation, the agency is adequately meeting the obligations imposed upon it by the Mine Safety and Health Act.

The recent record shows that the agency has *not* adequately fulfilled its obligations. Last year, the Democratic staff of this Committee issued a report that found numerous problems with MSHA – from the way the Bush administration had stacked it with industry insiders to the agency’s failure to use its authority to collect fines from mine operators that break the law.

Under the Bush administration, MSHA has rolled back safety and health rules, and has shifted its focus away from enforcing the law and toward so-called “voluntary compliance assistance.”

When MSHA fails to fulfill its obligations, fails to establish and revise rules for safe and healthful mining in a timely way, fails to ensure that each mine operator has a plan the fully implements these rules, or fails to enforce these rules with trained inspectors and meaningful sanctions, then miners’ lives are put at unacceptable risk.

This Committee will hold additional hearings to give the Bush administration an opportunity to explain its implementation of the Mine Safety and Health Act of 1977 and the Mine Improvement and New Emergency Response Act of 2006. The Committee will also be interested to hear the Bush administration's views on the causes of last year's accidents, including its perspective on what else could and should have been done to prevent them.

Of course, MSHA is not the only entity with responsibility for the health and safety of miners. The industry bears this responsibility, too. Mine operators who do not take the safety of their employees seriously should not be allowed to mine coal, period.

We know that there are mines, both in this country and abroad, that go above and beyond what is required of them to keep their workers safe. But we also know that there are mine operators who would rather pay their fines than change their behavior. Rather than resist even the most basic safety advances, the growing mining industry should work with us to make every U.S. mine as safe as possible. Sadly, it appears that the culture change about which we've been hearing so much has yet to take root.

The states play an important role in mine safety and health, too. Just this year, the state of West Virginia approved the use of five different types of underground chambers where trapped miners can go to get oxygen, food, and water while they await rescue. Had such a chamber been installed at Sago, lives may very well have been saved.

If these chambers can help miners in West Virginia, then they can help miners in Kentucky, Illinois, Alabama, or any other mining state. Today, we will hear about instances where states have moved more swiftly than the timeframes set in the MINER Act.

We are going to hear today from the loved ones of miners killed on the job. We are going to hear from miners' representatives and from miners themselves.

I cannot emphasize enough how important it is for this Committee to hear from these witnesses. They know better than anyone how important it is for us to get this right. They know better than anyone how critical it is that we do everything in our power to ensure that miners can go home safely at the end of their shifts.

I welcome all of our witnesses. I thank all of you for taking the time to educate us today. And I promise that this Committee will work in partnership with all of you to improve the safety of America's mines.

Thank you.

<http://edlabor.house.gov>