

DEPARTMENT OF LABOR
Statement by David D. Lauriski
Assistant Secretary for Mine Safety and Health
Fiscal Year 2005 Request
Mine Safety and Health Administration
Subcommittee on Labor, Health and Human Services and Education
Committee on Appropriations
U.S. House of Representatives

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to present the President's fiscal year (FY) 2005 appropriations request of \$275,567,000 and 2,334 full-time equivalent (FTE) positions for the Mine Safety and Health Administration (MSHA).

BEST SAFETY RECORD TO DATE

When I assumed leadership of this agency, I set goals that many considered unrealistic. One goal was to reduce fatalities by 15 percent annually. We have made significant progress in meeting this aggressive goal. For the third straight year, the U. S. mining industry set its best safety record since statistics were first compiled in 1910, in both fatal and non-fatal injury occurrences. Since the year 2000, fatal injuries have decreased by 29 -- from 85 to 56 in 2003; *a 34 percent reduction.*

A century ago mining was considered one of the most dangerous occupations. In 1911, over 3,500 miners lost their lives. In 1977, when the Mine Safety and Health Act was passed, 272 miners died on the job. Compare this to 56 fatalities in 2003. This tremendous progress is directly the result of the diligence of miners, mine operators, and MSHA officials to insure a safe and healthy workplace.

We must always remember the human cost and face of mining deaths. We want every miner to go home at the end of every work shift healthy and safe.

MSHA's budget request reflects these priorities.

Our initiatives, programs and strategies are specifically geared to fostering a culture of prevention -- instilling safety as a core value. And this approach is working. Let's look at the numbers:

Comparing our performance over the last three fiscal years:

- Fatal injury rate at all mines decreased by 19 percent
- Lost-time injury rate at all mines decreased by 13 percent
- Total injury rate at all mines decreased by 16 percent

Regardless of the progress we've made, we are not content with the status quo. We're reexamining our strategies and methods to further drive safety and health throughout the mining industry.

DRIVING SAFETY AND HEALTH THROUGHOUT MINING INDUSTRY

MSHA's 2005 budget is targeted to change the conditions and practices that lend themselves to injuries and fatalities. It emphasizes a balanced approach to mine safety and health – supporting an effective blend of enforcement, technical support, and education and training, with compliance assistance as a common element of all three. MSHA calls these three components our “Triangle of Success.”

This strategy complements MSHA's commitment to fulfill the Mine Act's enforcement requirements.

In coal mines (between FY 2000 and FY 2003) our inspectors continued to complete 99 percent of the required inspections. In metal and non-metal mines, our completion rate jumped from 74

percent to 88 percent of required inspections during the same time period. In the last three years, MSHA's total enforcement program site events – inspections, investigations or compliance activities – increased by 16 percent.

Inspectors are being trained and encouraged to focus their efforts on those areas or activities that are most likely to place miners at risk. All of our mine visits are now "inspections with a purpose." Our inspectors are helping to identify and correct hazardous conditions and practices that lead to both violations and accidents that cause injuries.

Our goal is to make sure these inspections benefit all parties involved. It's not enough to just issue someone a citation. We try to assist mine operators to understand and comply with the law – at all times and not just at times we are there. This change in philosophy is intended to go beyond – **not replace** – the traditional enforcement strategy.

BUILDING STRATEGIC ALLIANCES

A number of significant stakeholders have embraced our collaborative approach by entering into strategic alliances with MSHA. From trade associations to labor unions to professional societies, MSHA's stakeholders are recognizing the advantage of working directly with us rather than independently to reach health and safety goals.

The American Society of Safety Engineers (ASSE); the National Stone, Sand and Gravel Association (NSSGA); the Industrial Minerals Association—North America (IMA-NA); the National Safety Council (NSC) and the International Union of Operating Engineers (IUOE) have all demonstrated their commitment by signing alliance agreements. These agreements go further than just putting pen to paper. For example:

- The CEO's of the companies represented on the Board of Directors of the NSSGA (the principle trade association for the construction aggregates industry) have formally pledged to adopt MSHA's safety and health performance goals as their own. This is a

first for the industry.

- The NSC, not traditionally associated with the mining industry, has mobilized their diverse membership to protect children from the hazards associated with mine sites through the “Stay Out-Stay Alive” partnership, and to assist us with much needed professional development opportunities.
- The leadership of the IUOE took the bold step to join MSHA to bolster our nation’s homeland security by undertaking joint emergency response training and exercises. This is MSHA’s first formal agreement with a labor organization.

This is just the beginning – with even more alliances to follow. This is proof positive that a collective approach to safety and health can not only succeed, but also flourish.

MSHA is also working with state governments to achieve common goals. For example, the absence of an accurate underground mine map contributed to the Quecreek coal mine inundation that trapped nine brave miners for 77 hours in July 2002.

To help prevent similar incidents in the future, MSHA awarded nearly \$4.0 million in grants to 13 states to establish an electronic system of digitizing maps of abandoned underground mines. An additional \$6.0 million is being used to explore cutting edge technologies to detect mine voids before they are breached. These funds were appropriated by Congress in fiscal year 2003.

2005 BUDGET – REFLECTING TODAY’S MINE SAFETY/ HEALTH NEEDS

MSHA's 2005 budget request also reflects our commitment to bring the agency's infrastructure, human capital, and technological capabilities into the 21st Century. We have done a thorough review of our manuals, technology, security, and professional training and identified areas where additional budgetary resources are required. For example:

- After conducting an internal review to identify our strengths and weaknesses with respect to impoundments, MSHA is requesting \$250,000 to update the "Engineering and Design Coal Waste Disposal Facilities Manual," a reference guide for government and industry alike. This would be its first update since its original release 25 years ago.
- MSHA owns and operates the National Mine Health and Safety Academy located in Beckley, W.Va. It is now 28 years old and, like any other structure, requires preventive maintenance. For the first time since the Academy opened, MSHA is requesting an identifiable line item in the budget for \$700,000 to establish a comprehensive schedule to replace and maintain major systems and structures.
- In support of the President's Management Agenda, which requires investments in human capital, we are focusing on professional development. MSHA is breaking new ground by creating an agency-wide training and succession plan. We are requesting \$500,000 to develop the next generation of leaders. The succession plan specially includes a mentoring program to prepare individuals for promotion, by acquainting them with responsibilities that accompany advancement.
- In a post 9/11 world, it is essential that we expend resources to prepare for national security emergencies. To support recent executive orders mandating agencies to provide for uninterrupted execution of government operations in the event of such an emergency we are requesting \$250,000 to upgrade our communication capability and capacity.
- MSHA needs to be at the forefront of advances in information technology and infrastructure. Our budget request reflects MSHA's commitment to provide its

employees with the IT tools needed to meet today's challenges. Specifically, our request includes:

- \$750,000 to support and enhance telecommunications connectivity to the wide area network
- \$500,000 for intrusion detection, network auditing, IT security training, and infrastructure upgrades
- \$250,000 to develop web-based training modules for use by our stakeholders and employees

Overall, MSHA's FY 2005 budget request of \$275.6 million will further the agency's ability to meet its safety and health goals. It will help strengthen MSHA's capabilities to help mine operators comply with regulations. It will help support MSHA's on-going commitment to update its infrastructure, digital technologies, national security and succession plans. And, it will help reinforce MSHA's outreach programs that have brought significant improvements in the health and safety of all miners.

Over the past three years MSHA has made major progress in reducing mine injuries and fatalities. We are prepared to deliver even better results. With the proposed budget, I believe we can further our aggressive goals so that all miners can go home healthy and safe after every shift.

Mr. Chairman, this concludes my prepared statement. I appreciate this opportunity to present MSHA's budget request for meeting our safety and health performance goals. I welcome any questions you may have for us.