

July 25, 2007

The Honorable George Miller  
Chairman  
Committee on Education and Labor  
U.S. House of Representatives  
2181 Rayburn House Office Building  
Washington, DC 20515

The Honorable Howard "Buck" McKeon  
Ranking Minority Member  
Committee on Education and Labor  
U.S. House of Representatives  
2101 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Miller and Ranking Member McKeon,


Last year we, academic experts in mine safety and health, joined the entire nation in sadness about the coal mine tragedies, and we had great concern about the safety of the nation's miners as well as our graduating engineers who will be working in mines. We were thankful for passage of the MINER Act, which reflected excellent partnership among Congress-persons and mining stakeholders, and dealt with important emergency response and miner-protection issues. We acknowledge the current and potential impact of MINER Act provisions, which are being addressed in earnest by MSHA, mine operators, safety professionals, and the miners themselves. However, more time is needed to address the provisions fully and effectively; too many provisions still require significant development. In a relatively short time, the provisions will be implemented and should have lasting positive effects in protecting miners.

Unfortunately, mine safety and health experts dispersed throughout the mining industry are not being afforded the opportunity to entrench the necessary safety culture in their mines. They must ultimately ensure that many of the MINER Act provisions will be institutionalized in practice at their mines. Thus far, they have been fully occupied with the nuts-and-bolts of complying with the act and have not had adequate time to coordinate and address this next, very important step. It is imperative that every employee at a mine does his/her job thoroughly and then effectively addresses existing or potential risks. Safety professionals at mines as well as federal and state inspectors are the driving forces to inculcate such a culture of prevention, but this inculcation process requires significant time for penetration into the work environment.

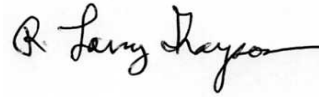
While there may be other safety and health issues that should be addressed in the future, in our opinion now is not the right time to pursue as much as is proposed in the pending bill. The intense work load on mine management, including safety professionals, and ultimately the miners who have to do the downstream MINER Act-related work is too great at this time to contemplate further legislation. Another option to consider would be to bring together miners, mine operators and other stakeholders in a partnership mode to assess the effectiveness of the MINER Act once it is fully implemented and all required studies are completed. At that time, all of us who are dedicated to improving mining safety can make an informed judgment on the need for and content of any additional legislation aimed at addressing any unresolved problems.

Many of the provisions of the MINER Act will require significant, intensive work before our mines and miners realize the full benefits of the bill. We ask you, in your guiding wisdom, to please consider our request sincerely before dramatically disrupting the very core of the industry – that is, all the people who depend on it for a stable life, including the coal used for energy.

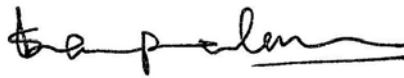
Sincerely,



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*This letter represents our position on the issues as mine safety and health experts, and does not necessarily represent the position of our respective institutions.*