



July 25, 2007

The Honorable George Miller
U.S. House of Representatives
2205 Rayburn House Office Building
Washington DC 20515

Dear Mr. Chairman:

The Miner Health Enhancement Act of 2007 (H.R. 2769) and the Supplemental Mine Improvement and New Emergency Response Act (S-MINER) of 2007 (H.R. 2768) raise serious concerns for a broad spectrum of industries that are strongly committed to safety and health in mines and provide jobs and resources that contribute to America's homes, schools, hospitals, businesses, consumer and industrial products, and roads.

The Mine Improvement and New Emergency Response (MINER) Act, which garnered overwhelming bi-partisan congressional support and was endorsed by labor and industry prior to its passage little more than one year ago, has already contributed to significant success in improving safety. But much remains to be accomplished by both the Mine Safety and Health Administration (MSHA) and the industry to achieve full implementation. Diverting attention and resources away from the critical task of fulfilling the mandates of the MINER Act towards an additional layer of statutory requirements could ultimately undermine the progress that has been made on miner training and other vital objectives of the act.

Since the MINER Act was signed into law on June 15, 2006, MSHA has taken aggressive action to implement its provisions. Industry has invested more than \$250 million thus far complying with the act's mandates. Most importantly, mining operations are on track to return to year-over-year improvements in mining safety. To impose further legislation at this time is premature, when the full impact of the original MINER Act cannot yet be comprehensively measured.

Further, and as explained in the enclosed paper, a number of the provisions of the new legislation are unnecessary and could be counterproductive to our shared mission of improving mining safety.

Safety is, and will continue to be, the highest priority of our industries. Thank you for your consideration of our concerns with the pending legislation.

Sincerely,

Industrial Minerals Association - North America
National Lime Association
National Mining Association
National Stone, Sand & Gravel Association
Portland Cement Association
The Salt Institute

Enclosure