



NATIONAL STONE, SAND  
& GRAVEL ASSOCIATION

February 22, 2024

The Honorable Bernie Sanders  
Chairman  
Committee on Health, Education, Labor, and  
Pensions  
United States Senate  
Washington, DC 20510

The Honorable Bill Cassidy  
Ranking Member  
Committee on Health, Education, Labor, and  
Pensions  
United States Senate  
Washington, DC 20510

Dear Chairman Sanders and Ranking Member Cassidy:

On behalf of the 450 members of the National Stone, Sand & Gravel Association (NSSGA), I write to express our strong opposition of Moshe Marvit's nomination for the open seat on the Federal Mine Safety and Health Review Commission. Having failed to be approved for this seat twice previously, and with a biased track record against industry operators, we do not believe Mr. Marvit is fit to serve in this position.

NSSGA represents the aggregates industry, and the equipment manufacturers and service providers who support them. Our industry has 9,000 facilities and well over 100,000 employees in high-paying jobs. The industry produces 2.5 billion tons of aggregates annually, which is crucial for sustaining our lifestyle and constructing the nation's infrastructure and communities. These products are fundamental components required for building communities, roads, airports, transit, rail, ports, providing clean water and energy networks.

We recognize the critical role of the Federal Mine Safety and Health Review Commission, as an independent agency charged with the review of legal disputes arising under the Federal Mine Safety and Health Act of 1977 (Mine Act). As you may know, the Commission was established under the Mine Act to ensure fair and impartial adjudication. Unfortunately, Mr. Marvit, a former union attorney, has a long, documented history as a labor activist showing a personal bias against industrial operators. This bias would prevent him from serving as an impartial member of the Commission and his confirmation would pose a significant threat to our industry, companies and employees.

We strongly urge you to reject Mr. Marvit's nomination and work to fill this key position with an individual who will serve impartially, as intended.

Sincerely,

Michael W. Johnson  
President & CEO  
National Stone, Sand & Gravel Association



CC: The Honorable Charles E. Schumer, Majority Leader  
The Honorable Mitch McConnell, Minority Leader  
The Honorable Patty Murray  
The Honorable Robert P. Casey, Jr  
The Honorable Tammy Baldwin  
The Honorable Christopher Murphy  
The Honorable Tim Kaine  
The Honorable Maggie Hassan  
The Honorable Tina Smith  
The Honorable Ben Ray Luján  
The Honorable John Hickenlooper  
The Honorable Ed Markey  
The Honorable Rand Paul  
The Honorable Susan Collins  
The Honorable Lisa Murkowski  
The Honorable Mike Braun  
The Honorable Roger Marshall, M.D.  
The Honorable Mitt Romney  
The Honorable Tommy Tuberville  
The Honorable Ted Budd

