

Congress of the United States
Washington, DC 20515

July 21, 2017

The Honorable Alexander Acosta
Secretary
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Dear Secretary Acosta:

As members of the Congressional Coal Caucus, we are writing regarding the Mine Safety and Health Administration (MSHA) and specifically the ratio of MSHA inspectors to operating mines. Staffing of MSHA has not been adjusted with the decline in number of coal mines in operation.

As members of the Coal Caucus, there is nothing more important to us than the safety of the coal miners. To that end, operators who are found to have violated the law and regulations should be subjected to the enforcement authority granted to MSHA under the law. But, the current state of affairs raises concerns as we strive to reduce fatalities and injuries across the mining sector.

As you know, due in-large part to the Obama Administration's War on Coal, we have seen the number of operating coal mines in America decline by 35 percent and our number of coal miners drop by more than 43 percent over the last five years. And yet, in that same timeframe, the number of MSHA coal inspectors has remained relatively steady, with only 6 percent fewer inspectors. As a result, the number of MSHA coal inspectors substantially exceeds the number necessary to conduct the number of inspections required by the Mine Safety Act.

Mines are now inspected almost daily by a large contingent of multiple Federal inspectors. MSHA was able to complete its required inspections with largely the same number of inspectors prior to the drop-off in the number of operating mines. We question why, in a time of budgetary constraint, the Agency feels it necessary to maintain such a large contingent of inspectors given the sharp decline in the number of operating coal mines.

We are concerned that the increase in daily inspections has become disruptive and detrimental to safety improvement as mine safety personnel are required to accompany the inspectors rather than focus on activities designed to enhance safety. Moreover, we are concerned that the agency has under-staffed critical technical support positions essential to MSHA's work with operators to improve safety and obtain review and approval of various plans required under the law.

We therefore encourage you to align the level and the allocation of resources at MSHA to match the restructured industry.

Thank you for your time and consideration of this matter.

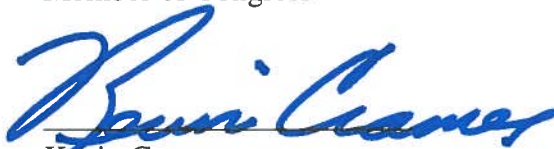
Sincerely,



David B. McKinley, P.E.
Chairman, Congressional Coal Caucus



Paul A. Gosar, D.D.S.
Member of Congress


Bill Johnson
Member of Congress


Mike Bost
Member of Congress



Kevin Cramer
Member of Congress


Lou Barletta
Member of Congress



Scott Perry
Member of Congress


Hal Rogers
Member of Congress


Rodney Davis
Member of Congress


Andy Barr
Member of Congress


Larry Bucshon, M.D.
Member of Congress


Doug Lamborn
Member of Congress


Alex X. Mooney
Member of Congress


Brett Guthrie
Member of Congress



John Shimkus
Member of Congress



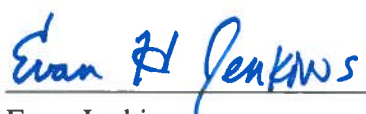
Steve Stivers
Member of Congress



Mike Kelly
Member of Congress



Darin LaHood
Member of Congress



Evan Jenkins
Member of Congress



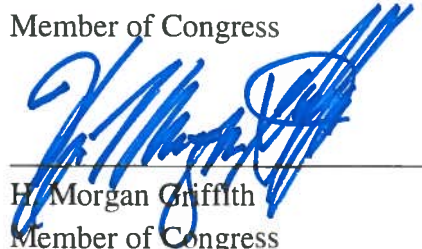
James Comer
Member of Congress



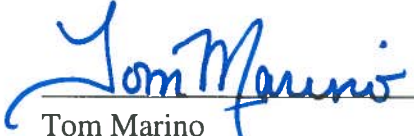
David P. Roe, M.D.
Member of Congress



Bob Gibbs
Member of Congress



H. Morgan Griffith
Member of Congress



Tom Marino
Member of Congress



Scott Tipton
Member of Congress



Tim Murphy
Member of Congress



Keith Rothfus
Member of Congress



Dave Brat
Member of Congress