

United States Senate

WASHINGTON, DC 20510

April 10, 2025

The Honorable Lori Chavez-DeRemer
Secretary
U.S. Department of Labor
200 Constitution Ave. NW
Washington, DC 20210

Dear Secretary Chavez-DeRemer:

We write to express our strong opposition to the self-proclaimed Department of Government Efficiency's (DOGE) efforts to close 35 Mine Safety and Health Administration (MSHA) field offices.¹ This proposal will seriously undermine the progress made over the past 50 years to ensure the health and safety of our nation's miners.

In 1977, MSHA was established through the bipartisan passage of the Federal Mine Safety and Health Act, also known as the Mine Act. Mining fatalities drastically dropped following the enactment of the Mine Act, yet there were still 31 fatalities in 2024.² Federal law requires MSHA to inspect each underground mine four times a year. Unfortunately, MSHA has faced challenges in carrying out its mission due to limited staff and funding resources.³ This effort from the Trump administration to further undermine MSHA under the guise of "efficiency" will only cause more harm to individuals in some of the most dangerous jobs.

To illustrate the inefficiency, an analysis by the Appalachian Citizens Law Center (ACLC)⁴ found that 16,639 inspections were conducted by 33 MSHA offices slated for closure between January 2024 and February 2025. Inspectors in those offices spent over 234,000 hours on-site locations and accrued a total of 399,000 hours in conducting their inspection duties. Now, ACLC estimates that if mines have to be re-designated to the remaining MSHA offices, inspectors could spend three to four hours round-trip to inspect them. This comes at a time, when over the last decade, there has been a 27% decline in MSHA staff, including a 50% reduction in enforcement staff for coal mines. This is an agency already struggling, and the cuts will likely be detrimental to the workers who risk their lives every day to power our nation.

Of the list released by DOGE, nearly half of the offices are located in the Appalachian coalfields. Coal worker's pneumoconiosis, commonly referred to as black lung disease, remains most prevalent in the Central Appalachian states, including Ohio, Kentucky, Pennsylvania, Virginia, and West Virginia. It is reported that Central Appalachian coal miners born in 1940 or later are over eight times more likely to die from a respiratory disease like black lung than their peers elsewhere in the nation.⁵ A study was conducted between 2013 and 2017 in Southwest Virginia, where over 400 miners were identified as having progressive massive fibrosis – a more

¹ <https://doge.gov/savings>

² <https://www.msha.gov/mine-safety-and-health-glance-fiscal-year>

³ https://www.oig.dol.gov/public/DOL-OIG%202024%20Top%20Management%20and%20Performance%20Challenges_Final.pdf

⁴ <https://aclc.org/wp-content/uploads/2025/03/MSHA-Closure-Report.pdf>

⁵ <https://publichealth.uic.edu/news-stories/modern-coal-miners-suffering-higher-fatality-rates/>

complicated form of black lung disease – representing the largest cluster ever reported in the scientific literature.⁶

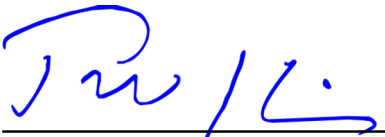
This decision by DOGE follows decades of advocacy and efforts to ensure workplace safety and prevent black lung disease, and comes on the heels of the compliance date to the new silica standard. On April 18, 2024, MSHA issued its final rule, *Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection*.⁷ Conservatively, MSHA estimates that 2.3 million U.S. workers across industries, including mining and construction, are exposed to silica each year. The National Institute for Occupational Safety and Health (NIOSH) also estimates that it is 20 times more likely for miners to die from silicosis than it is for workers in other occupations to die from other occupational illnesses. Furthermore, central Appalachian coal mines have higher concentrations of silica dust than any other mines in the United States. That is because miners often have to cut deeper into the rocks to locate any coal.⁸

The new silica standard was a monumental victory, and coal mine operators were initially meant to come into compliance by April 14, 2025. However, MSHA announced a temporary enforcement pause until August 18, 2025.⁹ The pause directly results from this administration's careless actions to gut NIOSH. Once it comes into effect, the question remains as to who will enforce the rule when there will be fewer inspections. With the 15th anniversary of the Upper Big Branch Mine Disaster approaching, we are deeply concerned that history may repeat itself.

We demand answers to the following questions by May 1, 2025:

1. Federal law requires MSHA to inspect each underground mine at least four times a year. The office closures will impact travel times and the availability of inspectors. Will inspectors be relocated to new office spaces near their existing locations? How do you plan to remain in compliance with the Mine Act?
2. Please provide a detailed plan outlining how you intend to comply with the new silica standard despite these office closures.

Sincerely,



Tim Kaine
United States Senator



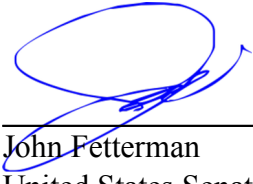
Mark R. Warner
United States Senator

⁶ <https://jamanetwork.com/journals/jama/article-abstract/2671456?redirect=true>

⁷ <https://www.msha.gov/regulations/rulemaking/silica#:~:text=On%20April%2018%2C%202024%2C%20MSHA,Standard%20Practice%20for%20Respiratory%20Protection>

⁸ <https://onlinelibrary.wiley.com/doi/abs/10.1002/ajim.22974>

⁹ <https://www.msha.gov/notice-stakeholders>



John Fetterman
United States Senator



Bernard Sanders
United States Senator