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June 3, 2011

Mr. Daniel R. Petrole
Acting Inspector General
Office of Inspector General
U.S. Department of Labor
200 Constitution Avenue, NW
Room S-5502
Washington, DC 20210

Dear Mr. Petrole:

On March 3, 2011, the Subcommittee on Workforce Protections of the Committee on Education and the Workforce held an oversight hearing on safety inspection and enforcement practices of the Mine Safety and Health Administration (MSHA). The hearing examined a previously unreleased March 25, 2010 MSHA report to the Senate Appropriations Committee highlighting serious deficiencies in MSHA's enforcement of safety and health regulations. This report was based on information collected by MSHA's Office of Accountability.

During questioning regarding the Office of Accountability's report, Assistant Secretary of Labor for Mine Safety and Health Joe Main stated the problems identified in the March 25, 2010 report had been corrected. However, the Committee discovered the document was only one of many similar audits conducted by the Office of Accountability.

On March 7, I asked MSHA to produce all documents pertaining to audits conducted by the Office of Accountability. As a result of this request, MSHA subsequently produced 60 audit documents; however, they contain substantial redactions that prevent a complete understanding of the audits. As the agency's Acting Inspector General, your office is empowered to review the documents without redactions.

Therefore, we request that your office undertake a comprehensive review of the accountability audits from 2007 to present, and examine whether MSHA has adopted the recommendations made by its Office of Accountability. We believe this is a timely request in light of reports MSHA is examining ways to improve its audit process.

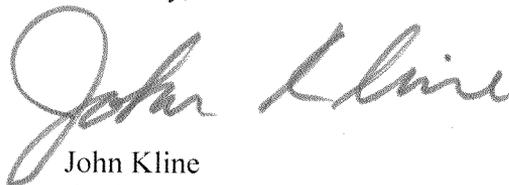
Mr. Daniel R. Petrole
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Specifically, I ask that you provide the following:

- 1) An update to the Office of Inspector General's 2007 report regarding MSHA's accountability program¹;
- 2) An evaluation as to whether MSHA implemented appropriate action related to the Inspector General's 2007 recommendations;
- 3) An evaluation as to whether MSHA corrected the particular deficiencies identified in all of the Office of Accountability reports and whether these corrective actions successfully remedied the deficiencies identified in these reports; and
- 4) Recommendations, if any, for further corrective action for the proper management of MSHA's accountability program considering the deficiencies identified in the reports.

Thank you for your time and attention to this very important matter. Given the importance of improving mine safety practices, I urge you to place a priority on completion of this review. If you have any questions regarding this request, please contact Loren Sweatt at 202-225-7101.

Sincerely,



John Kline
Chairman

cc: The Hon. George Miller, Senior Democratic Member, Committee on Education and the Workforce

¹ "MSHA's Office of Coal Mine Safety and Health Needs to strengthen its Accountability program," August 17, 2007. Report Number: 05-07-002-06-001.