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July 29, 2025

James McHugh  
Deputy Assistant Secretary for Policy  
Mine Safety and Health Administration  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, DC 20210

Dear Mr. McHugh:

On behalf of the Committee on Education and Workforce (Committee), we write to express our support for the Department of Labor's (DOL) efforts to give businesses and workers relief from the overly burdensome regulations promulgated by the Biden-Harris administration. President Trump has issued deregulatory executive orders (EOs) that require agencies to rescind or revise regulations that impose significant costs.<sup>1</sup> DOL's recent deregulatory actions show the Trump administration's commitment to reducing red tape and unleashing prosperity for the American people.<sup>2</sup>

As DOL continues to pursue these goals, we recommend DOL consider amending the Mine Safety and Health Administration (MSHA) 2024 final rule titled "Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection."<sup>3</sup> The rule was promulgated in the last year of the Biden-Harris administration and falls squarely within the purview of President Trump's deregulatory EOs.

The rule's new respiratory protection standard places undue and excessive burdens on the mining industry. While the MSHA rule better aligns with some aspects of the Occupational Safety and Health Administration's (OSHA) respirable crystalline silica standard<sup>4</sup> and reduces confusion

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<sup>1</sup> See EO No. 14,154, Unleashing American Energy, 90 Fed. Reg. 8353 (Jan. 29, 2025); EO No. 14,192, Unleashing Prosperity Through Deregulation, 90 Fed. Reg. 9065 (Feb. 6, 2025); EO No. 14,219, Ensuring Lawful Governance and Implementing the President's "Department of Government Efficiency" Deregulatory Initiative, 90 Fed. Reg. 10,583 (Feb. 25, 2025).

<sup>2</sup> News Release, DOL, Secretary Chavez-DeRemer Unveils Aggressive Deregulatory Efforts in Push to Put the American Worker First, (July 1, 2025), <https://www.dol.gov/newsroom/releases/osec/osec20250701-0>.

<sup>3</sup> 89 Fed. Reg. 28,218 (Apr. 18, 2024).

<sup>4</sup> 29 C.F.R. § 1910.1053.

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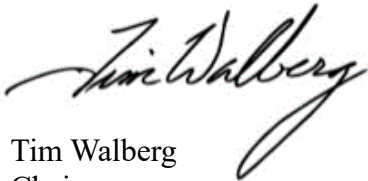
somewhat, the MSHA rule ignores controls already in place to protect miners' health. In fact, the MSHA rule excludes commonsense practices such as job rotation and personal protective equipment.

The rule imposes unwarranted and costly obligations on MSHA-regulated companies compared to those regulated by OSHA, despite the two agencies requiring compliance with the same permissible exposure limit. Moreover, disregarding the use of these tools may lead to mining facility closures, as engineering controls alone may not be technologically or economically feasible.

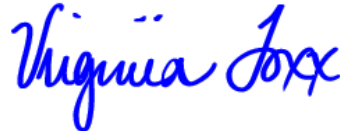
Simply put, the Biden-Harris administration's actions failed to enhance worker safety when it limited protections for miners and imposed hundreds of millions of dollars in costs. DOL should consider initiating a new rulemaking to prevent serious economic hardship.

We look forward to DOL's prompt attention to this important matter.

Sincerely,



Tim Walberg  
Chairman



Virginia Foxx  
Member of Congress



Glenn Grothman  
Member of Congress



Rick W. Allen  
Member of Congress



Burgess Owens  
Member of Congress



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