

Honorable George Miller
Chairman, House Committee on Education and Labor
Statement at Rules Committee Meeting on H.Res. 836
Wednesday, December 5, 2007

Madam Chairwoman,

Thank you for the opportunity to speak with your Committee today about H. Res. 836.

This resolution would grant authority to the Education and Labor Committee to compel witnesses to appear for depositions in our ongoing investigation into the tragic deaths of nine men at the Crandall Canyon Mine in Utah in August 2007.

Six coal miners who were trapped in a collapse at the mine remain entombed there. Three rescuers who made valiant efforts to reach the trapped miners also paid with their lives.

Given the seriousness of this disaster, it clearly warrants a full and independent investigation.

Although the federal Mine Safety and Health Administration has begun its own investigation, the agency simply cannot be entrusted with this responsibility.

That is why, soon after the tragedy, I began a Committee investigation into the circumstances leading up to, during, and following the collapse.

I believe that a mechanism for full and independent investigations of mining tragedies must be enshrined into law. My committee has already approved legislation that would do just that.

But now, in the absence of such a mechanism, it is essential that Congress fully investigate what happened at Crandall Canyon.

In most investigations, a combination of documentary and testimonial evidence provides the greatest insight. Our committee has begun to receive documentary evidence, including emails and memoranda, that have helped our work.

To conduct a thorough investigation, however, we also need to have the ability to collect testimonial evidence.

We need to know who knew what, when they knew it, and how they came to know it. We need to know about face-to-face meetings and telephone conversations they had.

Emails and memos are important, but they will only tell a part of the story. The technical aspects of mining plans, the mining plan approval process, and other features specific to the mining industry will require precise questioning in fully transcribed, bipartisan deposition sessions.

While we would prefer that individuals come forward voluntarily to supply the Committee with information, we believe this step is necessary to ensure that we get the information we need from all relevant witnesses, whether they volunteer the information or not.

And the seriousness of this matter requires that interviews be conducted under oath, as they would be in a deposition.

I am pleased to say that, earlier today, the Education and Labor Committee approved new bipartisan committee rules governing the use of this deposition authority.

We developed these rules in close consultation with Senior Republican Member McKeon and his staff. These rules will protect the rights of the deponents and the rights of the minority.

The Committee's majority and minority staffs include attorneys experienced in litigation, investigations, and House procedure. This deposition authority will enable them to pursue this investigation as effectively and efficiently as possible.

Madam Chairwoman, earlier this year my Committee heard from family members of the miners and rescuers who died at Crandall. They want to know what happened to their loved ones. They have a right to know what happened.

With a full and independent investigation, we will learn what went wrong and what steps could be taken now to help prevent future tragedies. We owe that to the families of the miners who have died and to the thousands of miners who risk their lives working underground every day.

Thank you.