

# Mine Safety Czar Richard Stickler: Another Bush Fox Guarding the Henhouse

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The man who will oversee the federal government's investigation into the disaster that has trapped six workers in a Utah coal mine for over a week was twice rejected for his current job by senators concerned about his own safety record when he managed mines in the private sector.

President George W. Bush resorted to a [recess appointment](#) in October 2006 to anoint [Richard Stickler](#) as the nation's mine safety czar after it became clear he could not receive enough support even in a GOP-controlled Senate.

In the wake of the January 2006 Sago mine disaster in West Virginia, senators from both sides of the aisle expressed concern that Stickler was not the right person to combat climbing death rates in the nation's mines.

Democrats, led by West Virginia Sens. [Robert Byrd](#) and [Jay Rockefeller](#), and Massachusetts Sen. [Ted Kennedy](#), questioned the safety record of the mines Stickler ran when he was a coal company executive.

Over the course of his career in the private sector, Stickler managed various mining operations for Bethlehem Steel subsidiary BethEnergy Mines, Inc.

The *Charleston (W.Va.) Gazette* reported in January 2006 that three workers died at BethEnergy mines managed by Stickler during the 1980s and 1990s.

*Gazette* reporter Ken Ward, Jr. wrote that in the worst of the incidents, one mechanic was killed, and eight other workers were injured when the portal bus that was carrying them to the mine-shaft bottom derailed. A report later said the portal bus had not been properly maintained.

Stickler began his career as a general laborer at BethEnergy, eventually rising to manage the company's operations in Pennsylvania and Boone County, West Virginia.

He worked briefly for Massey Energy subsidiary Performance Coal in 1996 and 1997 before becoming head of the Pennsylvania mine safety office. Stickler retired from the post in 2003.

In addition to concerns about the safety record at his mines, Stickler also faced opposition from senators, union leaders and relatives of those killed in mine accidents who felt an industry insider should not oversee safety inspectors.

United Mine Workers of America President Cecil Roberts said that miners "could not tolerate" another industry executive overseeing their health and safety.

"Too often these mining executives place priority on productivity, but fail to focus on miners' health and safety," Roberts **told Mike Hall** at the AFL-CIO's blog in June 2006.

The wife and daughter of a miner killed at Sago wrote a letter to lawmakers that same month urging them to reject Stickler's nomination.

"Mr. Stickler is a longtime coal executive and because of his connections with the coal industry, we are concerned that his primary objectives may be solely on compliance and production, not on miners' health and safety," Debbie Hamner and Sara Bailey wrote in a letter quoted by the *Gazette*.

Bush first **nominated** Stickler to head the **Mine Safety and Health Administration** in September 2005. He received renewed attention from lawmakers following the Sago disaster. By May 2006 it was clear that Byrd and other Senate opponents would not allow Stickler's nomination to pass, and Republicans withdrew a scheduled vote on his job.

In July 2006, **Labor Secretary Elaine Chao** hired Stickler as a consultant and adviser, but insisted through a spokeswoman that she was not attempting to circumvent the nomination process.

In August and September of the same year, the Senate twice voted to send the Stickler nomination back to the White House.

In October 2006, Bush used a recess appointment to install Stickler -- a decision that was quickly denounced by senators from both sides of the aisle.

Pennsylvania Sen. **Arlen Specter**, a Republican, told the *Pittsburgh Post-Gazette* that he "didn't think Mr. Stickler was the right man for the job." Another Pennsylvania Republican, Rick Santorum, also told the paper he was "disappointed" the White House had not let senators debate and vote on the nomination.

In a written statement Wednesday, Byrd told *The Huffington Post* that MSHA's response to the Crandall Canyon incident will be a test of Stickler's "worthiness to be properly confirmed by the United States Senate."

Byrd also expressed concern about the slow pace of the implementation of new mining safety laws established in the wake of the Sago disaster.

"I told Mr. Stickler about my concerns earlier this summer," he said. "Until I see better progress from MSHA, I will retain my hold on Mr. Stickler's nomination."

## 'Stickler Recess Appointment Disregards Workers' Safety'

**By James Parks, Oct 20, 2006**

We noted this morning that since President Bush couldn't get his nomination of coal executive Richard Stickler to head the Mine Safety and Health Administration (MSHA) through Congress, he gave Stickler a **recess appointment**.

Mine Workers (**UMWA**) President Cecil Roberts said today the recess appointment "has demonstrated that the pleas of coal miners throughout the land for him to appoint a strong advocate for their safety to that position have fallen on deaf ears."

It's truly disappointing that President Bush passed up this opportunity to send a message to America's coal miners that he cares about their health and well being by appointing someone who would put safety first. He has instead sent a very different message, and we're going to make sure that coal miners throughout America understand what that message is: That the companies are in charge of mine safety in America, not the safety professionals.

AFL-CIO President **John Sweeney** also said the recess appointment "demonstrates this administration's total disregard for safety and health of this nation's workers."

Following a series of deadly coal mine disasters this year, including the Sago mine disaster that killed 12, family members of those killed had urged the president to change course and appoint a strong committed leader to the mine safety post....But just like on so many other matters, the president refused to listen and proceeded on a dangerous and unwise course of action.

Hopefully, the November elections will send a clear message to the President and his allies in Congress that the American people oppose their anti-worker policies, and the outcome changes the balance of power in Congress so worker's concerns and interests will be a priority.

This year, 40 coal miners have been killed on the job, more than in any full year since 2001. The Senate sent **Stickler's nomination** back to the White House twice because of his troubling **mine safety record**—the mines he managed from 1989 to 1996 incurred injury rates double the national average.

## Congress Backs off from Appointing Coal Industry Insider to Head Mine Safety

**By Mike Hall, Jun 13, 2006**

Coal miners have seen 33 of their colleagues killed on the job this year, and they have watched the Mine Safety and Health Administration (MSHA) become a second home for coal industry executives—instead of a strong voice for miner safety.

Today, miners and their families won a major victory when they helped derail the Bush administration's attempt to salt MSHA with yet another industry insider.

Senate Republican leaders, knowing they didn't have the votes to win, **pulled back a scheduled vote** to confirm Richard Stickler, a coal industry executive, as head of MSHA where he would be in charge of mine safety.

During his **confirmation hearings in January**, Stickler said he believed current mine safety laws were adequate. At the time, 15 miners had been killed in explosions and fires, and since then another 18 have died on the job—the highest number of mine deaths in any full year since 2001.

The nomination drew fierce opposition from safety advocates, the Mine Workers, **families of miners killed** and others.

Debbie Hamner and Sara Bailey, the wife and daughter of George Hamner Jr., one of the miners killed in a **Jan. 2 explosion** at the Sago Mine in West Virginia, wrote to Senate members:

Mr. Stickler is a longtime coal executive and because of his connections with the coal industry, we are concerned that his primary objectives may be solely on compliance and production, not on miners' health and safety.

Saying today's Senate decision is an encouraging victory for coal miners and their families, AFL-CIO President John Sweeney said, "It's up to President Bush to honor the 33 miners who have given their lives on the job this year by appointing an advocate to MSHA who will fight for miners and their families."

Recognizing that federal mine safety laws are inadequate, Congress **gave final approval June 7 to legislation** that will strengthen safety rules. And some in Congress are pushing for additional improvements.

Stickler's **track record on mine safety** while working in the industry is troubling. The mines Stickler managed from 1989 to 1996 incurred injury rates at double the national average, according to statistics assembled by the UMWA before Stickler's appointment to head the Pennsylvania Bureau of Deep Mine Safety.

Sen. Robert Byrd (D-W.Va.) had placed a hold on the nomination, and Republican leaders had scheduled a vote today to overcome the hold. But they refused to take the vote after realizing they would fall far short of the 60 votes needed to end debate.

It is unclear whether Bush will withdraw the nomination or try to win support for another vote. In the past, when Bush nominees could not win Senate approval, he has used recess appointments to bypass controversial votes. When Congress is not in session, the president can make recess appointments. But Republican leaders agreed to a Democratic demand that a cloture vote would be held if Bush indicates he will recess-appoint Stickler.

Mine Workers President Cecil Roberts praised Byrd, other lawmakers, **mining families and UMWA members** for their efforts against the nomination:

I want to thank Sen. Byrd for his efforts to make sure that the person who eventually holds this critical post...is someone who will change the culture at MSHA and be a true watchdog for mine safety and health. This vote would not have been stopped without the families of those killed in the mines...taking a strong and public stand in opposition to Mr. Stickler's nomination. Their voices had a clear impact on this process.... Thousands of UMWA members called and e-mailed their senators...Our voices were heard loud and clear on Capitol Hill.

