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February 19, 2026

The Honorable Wayne D. Palmer
Assistant Secretary of Labor
Mine Safety and Health Administration
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20001

Dear Assistant Secretary Palmer:

Thank you again for testifying before the Subcommittee on Workforce Protections at the hearing titled "Examining the Policies and Priorities of the Mine Safety and Health Administration." Enclosed are additional questions following the hearing. Please provide a written response no later than March 12, 2026, for inclusion in the hearing record. The response should be sent to Kane Riddell of the Committee staff who can be contacted at (202) 226-3873 or Kane.Riddell@mail.house.gov.

We appreciate your contribution to the work of the Committee

Sincerely,

A handwritten signature in black ink that reads "Ryan Mackenzie".

Ryan Mackenzie
Chairman
Subcommittee on Workforce Protections

**Questions for the Record from
REPRESENTATIVE MARK MESSMER (R-IN)**

**Committee on Education and Workforce
Subcommittee on Workforce Protections Hearing titled: “Examining the Policies and
Priorities if the Mine Safety and Health Administration”**

**Thursday, January 22, 2026
10:15 A.M.**

**Question(s) for The Honorable Wayne D. Palmer, Assistant Secretary of Labor for Mine
Safety and Health Administration**

1. Mr. Palmer, we understand that the MSHA silica rule is in legal limbo at the moment, and I hope that we can figure out a workable solution for all our industries covered by this rule. One of the main concerns I am hearing from industry is the extreme difficulty in finding local, qualified health providers for medical monitoring. Of those that businesses can find, there is a lot of confusion or outright naivety in the medical field on the standard and need for quick response to companies in all our Districts. Can you assure us that MSHA, during continued review of this rule, will allow flexibility to our companies who are trying to comply but are confronted with roadblocks outside of their control?

2. Mr. Palmer, as you know, the MSHA silica rule covers a multitude of industries, and the one size fits all approach in government regulations is never an ideal solution. I have heard from brick manufacturers that there is a lot of confusion and frustration with how the current rule dictates when and why you need to take new samples when in the same pit, using the same equipment. When a final rule is promulgated, will you assure us that MSHA will take the tact of working with the brick industry to ensure that their employees are actually safe and healthy and not take the tact of looking to collect as many citations as possible as we have seen under other Administrations?