



New Commissioners on the Horizon?

Insights

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UPDATE: On August 1, 2013, the full Senate by unanimous consent confirmed Robert F. Cohen Jr. and William I. Althen to serve on the Federal Mine Safety and Health Review Commission.

Yesterday, the Senate Health, Education, Labor, and Pensions Committee, chaired by Senator Harkin (D-IA), approved President Obama's two nominees to the Federal Mine Safety and Health Review Commission ("Commission"). One of the nominees, Robert Cohen, was already a Commissioner, but his term expired last year. Commissioner Cohen was a lawyer in Fairmont and Morgantown, West Virginia before he was appointed to the Commission in 2008. For the past year, he has served as special counsel to the Commission.

The other nominee, William Althen, is currently a health and safety consultant and attorney who attended my *alma mater*, Georgetown University Law Center. Hopefully, Mr. Althen's experience with the defense bar and as a safety consultant will provide him a strong foundation to be a voice of reason for the mining community in a time of increasing MSHA enforcement.

If Commissioner Cohen and Mr. Althen are confirmed by the full Senate, which I expect will be the case, they will serve six-year terms that expire August 30, 2018. Commissioner Cohen and Mr. Althen would join Chairman Mary Lucille Jordan, Commissioner Michael Young, and Commissioner Patrick Nakamura, who currently serve at the Commission.