

Remarks on the Accident at the Upper Big Branch Mine in Montcoal, West Virginia April 9, 2010

Supreme Court Associate Justice John Paul Stevens

Good afternoon, everybody. I want to say a few words about the tragedy that took place this week in West Virginia. But before I do, I'd first like to comment on the news that Justice John Paul Stevens will retire from the Supreme Court at the end of its current term.

When President Ford was faced with a Supreme Court vacancy shortly after the Nation was still recovering from the Watergate scandal, he wanted a nominee who was brilliant, non-ideological, pragmatic, and committed above all to justice, integrity, and the rule of law. He found that nominee in John Paul Stevens.

Justice Stevens has courageously served his country from the moment he enlisted the day before Pearl Harbor to his long and distinguished tenure on the Supreme Court. During that tenure, he has stood as an impartial guardian of the law. He's worn the judicial robe with honor and humility. He has applied the Constitution and the laws of the land with fidelity and restraint. He will soon turn 90 this month, but he leaves his position at the top of his game. His leadership will be sorely missed, and I just had an opportunity to speak with him and told him on behalf of a grateful nation that I thanked him for his service.

Now, as Justice Stevens expressed to me in the letter announcing his retirement, it is in the best interests of the Supreme Court to have a successor appointed and confirmed before the next term begins. And so I will move quickly to name a nominee, as I did with Justice Sotomayor.

Once again, I view the process of selecting a Supreme Court nominee as among my most serious responsibilities as President. And while we cannot replace Justice Stevens's experience or wisdom, I will seek someone in the coming weeks with similar qualities: an independent mind, a record of excellence and integrity, a fierce dedication to the rule of law, and a keen understanding of how the law affects the daily

lives of the American people. It will also be someone who, like Justice Stevens, knows that in a democracy, powerful interests must not be allowed to drown out the voices of ordinary citizens. Much like they did with Justice Sotomayor, I hope the Senate will move quickly in the coming weeks to debate and then confirm my nominee so that the new Justice is seated in time for the fall term.

Now, let me say a few words about what has happened in West Virginia.

This has been a unimaginably difficult week for the people who live near Montcoal. Thirty-one workers were inside the Upper Big Branch mine when an explosion ripped through its walls on Monday afternoon. Two were saved, twenty-five were lost, and for the four who remain missing, we are praying for a miracle.

I want to offer my deepest condolences to the friends and the families of the fathers and the husbands and brothers, nephews, and sons who were killed in this accident. I'm also in awe of the courage and selflessness shown by the rescue teams who've risked their lives over and over and over this week for the chance to save another. They've worked around the clock, with little sleep, for the past few days, and this Nation owes them a debt of gratitude.

Now, mining has a long and proud history in West Virginia. And for many families and communities, it's not just a way to make a living, it's a way of life. And the jobs they do in these mines help bring heat and electricity to millions of Americans.

It's a profession that's not without risks and danger, and the workers and their families know that. But their Government and their employers know that they owe it to these families to do everything possible to ensure their safety when they go to work each day.

When I was in the Senate, I supported the efforts of Senator Byrd and Rockefeller to try to improve mine safety, but it's clear that more needs to be done. And that's why I've asked my Secretary of Labor as well as the head of Mine Safety and Health Administration to give me a

preliminary report next week on what went wrong and why it went wrong so badly, so that we can take the steps necessary to prevent such accidents in the future.

Because mining is a tradition that's often passed down through generations, it's not uncommon to see an entire family choose this line of work. And sadly, when a tragedy like this occurs, it's also not uncommon to lose almost an entire family all at once.

I spoke to some surviving members of one such family on Wednesday. This week, Tim Davis and two of his nephews, Josh, age 25, and Cory, age 20, were killed in the explosion in the Upper Big Branch mine. Rescuers have reported that Tim and his two nephews were all found together. Two other members of their families that worked in the mine were able to escape unharmed.

And before he left for the mine on Monday, Josh wrote a letter for his girlfriend and young daughter. And in it, he said, "If anything happens to me, I'll be looking down from heaven at you all. I love you. Take care of my baby.

Tell her that daddy loves her. She's beautiful. She's funny. Just take care of my baby girl."

Reflecting on that letter and the losses she endured in just one week, Josh's mother Pam simply said, "It is just West Virginia. When something bad happens, we come together." When something bad happens, we come together.

Through tragedy and heartache, that's the spirit that has sustained this community and this country for over 200 years. And as we pray for the souls of those that we've lost and the safe return of those who are missing, we are also sustained by the words of the Psalm that are particularly poignant right now. Those words read: "You, O Lord, keep my lamp burning; my God turns my darkness into light."

Thank you very much.

NOTE: The President spoke at 2:03 p.m. in the Rose Garden at the White House. In his remarks, he referred to Assistant Secretary of Labor for Mine Safety and Health Joseph A. Main. The Office of the Press Secretary also released a Spanish language transcript of these remarks.

The President's Weekly Address *April 10, 2010*

All across America are good, decent folks who meet their obligations each and every day. They work hard. They support their families. They try to make an honest living the best they can. And this weekend, many are sitting down to pay the taxes they owe, not because it's fun, but because it's a fundamental responsibility of our citizenship.

But in tough times, when many families are having trouble just making it all work, tax day can seem even more daunting. This year, however, many Americans are seeing some welcome relief.

So far, Americans who have filed their taxes have discovered that the average refund is up nearly 10 percent this year to an alltime high of about \$3,000. This is due in large part to the Recovery Act. In fact, one-third of the Recovery Act was made up of tax cuts—tax cuts that have already provided more than \$160 billion

in relief for families and businesses, and nearly 100 billion of that goes directly into the pockets of working Americans.

No one I've met is looking for a handout, and that's not what these tax cuts are. Instead, they're targeted relief to help middle class families weather the storm, to jump-start our economy, and to bring the fundamentals of the American Dream—making an honest living, earning an education, owning a home, and raising a family—back within reach for millions of Americans.

First, because folks who work hard should be able to make a decent living, I kept a promise I made when I campaigned for this office and cut taxes for 95 percent of working Americans. For most Americans, this Making Work Pay tax credit began showing up in your paychecks last April. And it continues this year,