

GENERAL NOTICE

September 2026

As of August 30, 2026, the terms of Commissioners Mary Lu Jordan and Timothy J. Baker expired, leaving the Commission with one sitting member. As a result, the Commission lacks a quorum of members and is therefore without authority to take substantive action in any of the cases pending before it until at least two additional Commissioners, nominated by the President, are confirmed by the Senate.

In accordance with Section 113 of the Mine Act, a single sitting Commissioner lacks the requisite authority to grant review of any petition for discretionary review filed with the Commission. A single sitting Commissioner also lacks the requisite authority to grant *sua sponte* review of any Administrative Law Judge decision regardless of whether a petition for discretionary review has been filed or a petition for review of a temporary reinstatement case. 30 U.S.C. § 823(d)(2)(A)(ii)(V), (d)(2)(B).

Motions filed after August 21, 2026, to reopen cases in which a default order has been entered will be acted on once the Commission's quorum has been restored.

Finally, upon the seating of at least two additional Commissioners nominated by the President and confirmed by the Senate, the Commission will resume consideration of all matters pending before it.