

FY 2020

CONGRESSIONAL BUDGET JUSTIFICATION

MINE SAFETY AND HEALTH ADMINISTRATION

This page is intentionally left blank.

MINE SAFETY AND HEALTH ADMINISTRATION

TABLE OF CONTENTS

Appropriation Language	1
Amounts Available for Obligation.....	2
Summary of Changes	3
Summary Budget Authority and FTE by Activity	5
Budget Authority by Object Class	7
Authorizing Statutes.....	8
Appropriation History	9
Overview	10
Organization Chart.....	13
Budget Activities	15
Mine Safety and Health Enforcement.....	15
Coal Mine Safety and Health.....	23
Metal and NonMetal Mine Safety and Health	31
Office of Standards, Regulations, and Variances	39
Office of Assessments.....	45
Educational Policy and Development.....	51
Technical Support	57
Program Evaluation and Information Resources	65
Program Administration.....	71

This page is intentionally left blank.

MINE SAFETY AND HEALTH ADMINISTRATION

APPROPRIATION LANGUAGE

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, [\$373,816,000] \$376,043,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to \$2,000,000 for mine rescue and recovery activities and not less than \$10,537,000 for State assistance grants: *Provided*, That amounts available for State assistance grants may be used for the purchase and maintenance of new equipment required by the final rule entitled "Lowering Miners' Exposure to Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors" published by the Department of Labor in the Federal Register on May 1, 2014 (79 Fed. Reg. 24813 et seq.), for operators that demonstrate financial need as determined by the Secretary: *Provided further*, That notwithstanding 31 U.S.C. 3302, not to exceed \$750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities: *Provided further*, That notwithstanding 31 U.S.C. 3302, the Mine Safety and Health Administration is authorized to collect and retain up to \$2,499,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities: *Provided further*, That the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: *Provided further*, That the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations: *Provided further*, That the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization: *Provided further*, That any funds available to the Department of Labor may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster. (*Department of Labor Appropriations Act, 2019.*)

MINE SAFETY AND HEALTH ADMINISTRATION

AMOUNTS AVAILABLE FOR OBLIGATION						
(Dollars in Thousands)						
	FY 2018 Enacted		FY 2019 Enacted		FY 2020 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	2,053	\$373,816	1,984	\$373,816	1,984	\$376,043
Offsetting Collections From:						
Reimbursements	0	\$3,249	0	\$3,249	0	\$3,249
<i>Subtotal</i>	<i>2,053</i>	<i>\$377,065</i>	<i>1,984</i>	<i>\$377,065</i>	<i>1,984</i>	<i>\$379,292</i>
B. Gross Budget Authority	2,053	\$377,065	1,984	\$377,065	1,984	\$379,292
IT Consolidation	0	\$0	0	\$0	0	\$0
Offsetting Collections to:						
Reimbursements	0	-\$3,249	0	-\$3,249	0	-\$3,249
<i>Subtotal</i>	<i>2,053</i>	<i>\$373,816</i>	<i>1,984</i>	<i>\$373,816</i>	<i>1,984</i>	<i>\$376,043</i>
C. Budget Authority Before Committee	2,053	\$373,816	1,984	\$373,816	1,984	\$376,043
Offsetting Collections From:						
Reimbursements	0	\$1,409	0	\$3,249	0	\$3,249
<i>Subtotal</i>	<i>2,053</i>	<i>\$375,225</i>	<i>1,984</i>	<i>\$377,065</i>	<i>1,984</i>	<i>\$379,292</i>
D. Total Budgetary Resources	2,053	\$375,225	1,984	\$377,065	1,984	\$379,292
Unobligated Balance Expiring	-60	-\$760	0	\$0	0	\$0
E. Total, Estimated Obligations	1,993	\$374,465	1,984	\$377,065	1,984	\$379,292

MINE SAFETY AND HEALTH ADMINISTRATION

SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2019 Enacted	FY 2020 Request	Net Change
Budget Authority			
General Funds	\$373,816	\$376,043	+\$2,227
Total	\$373,816	\$376,043	+\$2,227
Full Time Equivalents			
General Funds	1,984	1,984	0
Total	1,984	1,984	0

Explanation of Change	FY 2020 Change							
	FY 2019 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Increases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	1,984	\$178,082	0	\$0	0	\$0	0	\$0
Personnel benefits	0	\$63,568	0	\$0	0	\$0	0	\$0
One day more of pay	0	\$0	0	\$0	0	\$912	0	\$912
Federal Employees' Compensation Act (FECA)	0	\$0	0	\$0	0	\$0	0	\$0
Benefits for former personnel	0	\$30	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$10,399	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$6,298	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$16,477	0	\$0	0	\$0	0	\$0
Rental payments to others	0	\$95	0	\$0	0	\$20	0	\$20
Communications, utilities, and miscellaneous charges	0	\$2,691	0	\$0	0	\$0	0	\$0
Printing and reproduction	0	\$230	0	\$0	0	\$0	0	\$0
Advisory and assistance services	0	\$114	0	\$0	0	\$0	0	\$0
Other services from non-Federal sources	0	\$5,017	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$0	0	\$0	0	\$0	0	\$0
Other Federal sources (DHS Charges)	0	\$770	0	\$0	0	\$0	0	\$0
Other goods and services from Federal sources	0	\$2,335	0	\$0	0	\$0	0	\$0
Research & Development Contracts	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of facilities	0	\$1,506	0	\$0	0	\$0	0	\$0
Operation and maintenance of equipment	0	\$13,564	0	\$0	0	\$0	0	\$0
Supplies and materials	0	\$2,976	0	\$0	0	\$0	0	\$0
Equipment	0	\$2,951	0	\$0	0	\$0	0	\$0
Grants, subsidies, and contributions	0	\$10,787	0	\$0	0	\$0	0	\$0

MINE SAFETY AND HEALTH ADMINISTRATION

FY 2020 Change

Explanation of Change	FY 2019 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Insurance claims and indemnities	0	\$38	0	\$0	0	\$0	0	\$0
Land and Structures	0	\$0	0	\$0	0	\$0	0	\$0
Built-Ins Subtotal	1,984	+\$317,928	0	\$0	0	+\$932	0	+\$932
B. Programs:								
Create Mine Safety and Health Enforcement	0	\$0	0	\$0	1,450	\$252,913	1,450	\$252,913
WCF-Worker Protection IT Modernization Efforts	52	\$19,083	0	\$0	0	\$2,500	0	\$2,500
Programs Subtotal			0	\$0	1,450	+\$255,413	1,450	+\$255,413
Total Increase	1,984	+\$317,928	0	\$0	1,450	+\$256,345	1,450	+\$256,345
Decreases:								
A. Built-Ins:								
To Provide For:								
Federal Employees' Compensation Act (FECA)	0	\$7,551	0	\$0	0	-\$32	0	-\$32
Working Capital Fund	0	\$48,337	0	\$0	0	-\$105	0	-\$105
Built-Ins Subtotal	0	+\$55,888	0	\$0	0	-\$137	0	-\$137
B. Programs:								
Merging the Coal Mine Safety and Health Budget Activity	866	\$156,704	0	\$0	-866	-\$156,704	-866	-\$156,704
Merging the Metal and Nonmetal Mine Safety and Health Budget Activity	584	\$96,209	0	\$0	-584	-\$96,209	-584	-\$96,209
Reduction to Absorb One More Day of Pay and Inflationary Costs	534	\$120,903	0	\$0	0	-\$795	0	-\$795
Reduction in Enforcement	0	\$0	0	\$0	0	-\$273	0	-\$273
Programs Subtotal			0	\$0	1,450	-\$253,981	1,450	-\$253,981
Total Decrease	0	+\$55,888	0	\$0	1,450	-\$254,118	1,450	-\$254,118
Total Change	1,984	+\$373,816	0	\$0	0	+\$2,227	0	+\$2,227

MINE SAFETY AND HEALTH ADMINISTRATION

SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY (Dollars in Thousands)

	FY 2018 ¹ Enacted		FY 2019 ² Enacted		FY 2020 Request		Diff. FY20 Request / FY19 Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Mine Safety and Health Enforcement	0	0	0	0	1,450	252,640	1,450	252,640
General Funds	0	0	0	0	1,450	252,640	1,450	252,640
Coal Mine Safety and Health	905	156,704	866	156,704	0	0	-866	-156,704
General Funds	905	156,704	866	156,704	0	0	-866	-156,704
Metal and Nonmetal Mine Safety and Health	554	96,209	584	96,209	0	0	-584	-96,209
General Funds	554	96,209	584	96,209	0	0	-584	-96,209
Office of Standards, Regulations, and Variances	16	5,382	19	5,382	19	5,382	0	0
General Funds	16	5,382	19	5,382	19	5,382	0	0
Office of Assessments	49	7,445	49	7,445	49	7,445	0	0
General Funds	49	7,445	49	7,445	49	7,445	0	0
Technical Support	201	34,079	205	34,079	205	34,079	0	0
General Funds	201	34,079	205	34,079	205	34,079	0	0
Educational Policy and Development	127	38,559	122	38,559	122	38,559	0	0
General Funds	127	38,559	122	38,559	122	38,559	0	0

¹ FY 2018 Budget Authority reflects a reprogramming as reported in the Department's budget operating plan.

² FY 2019 Budget Authority reflects a reprogramming as reported in the Department's budget operating plan.

MINE SAFETY AND HEALTH ADMINISTRATION

SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY

(Dollars in Thousands)

	FY 2018 ¹ Enacted		FY 2019 ² Enacted		FY 2020 Request		Diff. FY20 Request / FY19 Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Program Evaluation and Information Resources	51	19,083	52	19,083	52	21,583	0	2,500
General Funds	51	19,083	52	19,083	52	21,583	0	2,500
Program Administration	90	16,355	87	16,355	87	16,355	0	0
General Funds	90	16,355	87	16,355	87	16,355	0	0
Total	1,993	373,816	1,984	373,816	1,984	376,043	0	2,227
General Funds	1,993	373,816	1,984	373,816	1,984	376,043	0	2,227

NOTE: 2018 reflects actual FTE.

MINE SAFETY AND HEALTH ADMINISTRATION

BUDGET AUTHORITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
	Full-Time Equivalent				
	Full-time Permanent	2,010	1,983	1,983	0
	Other	13	1	1	0
	Total	2,023	1,984	1,984	0
	Average ES Salary	\$183,480	\$186,838	\$190,388	\$3,550
	Average GM/GS Grade	11/5	11/5	11/5	0
	Average GM/GS Salary	\$85,090	\$86,647	\$88,293	\$1,646
	Average Salary of Ungraded Positions	54,260	55,253	56,303	1,050
11.1	Full-time permanent	173,404	174,269	174,269	0
11.3	Other than full-time permanent	180	105	818	713
11.5	Other personnel compensation	3,709	3,708	3,708	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	177,293	178,082	178,795	713
12.1	Civilian personnel benefits	70,804	71,119	71,315	196
13.0	Benefits for former personnel	23	30	1	-29
21.0	Travel and transportation of persons	10,760	10,399	9,734	-665
22.0	Transportation of things	6,288	6,298	6,088	-210
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	17,769	16,477	16,477	0
23.2	Rental payments to others	80	95	115	20
23.3	Communications, utilities, and miscellaneous charges	2,647	2,691	2,691	0
24.0	Printing and reproduction	272	230	230	0
25.1	Advisory and assistance services	169	114	114	0
25.2	Other services from non-Federal sources	4,637	5,017	4,893	-124
25.3	Other goods and services from Federal sources 1/	51,768	51,442	53,837	2,395
25.4	Operation and maintenance of facilities	1,213	1,506	1,506	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	11,705	13,564	13,564	0
26.0	Supplies and materials	2,585	2,976	2,976	0
31.0	Equipment	4,903	2,951	2,882	-69
32.0	Land and Structures	0	0	0	0
41.0	Grants, subsidies, and contributions	10,787	10,787	10,787	0
42.0	Insurance claims and indemnities	113	38	38	0
	Total	373,816	373,816	376,043	2,227
	1/Other goods and services from Federal sources				
	Working Capital Fund	48,027	48,337	48,232	-105
	DHS Services	925	770	770	0
	HHS Services	1,600	1,465	1,465	0
	Services by Other Government Departments	1,216	870	870	0

MINE SAFETY AND HEALTH ADMINISTRATION

AUTHORIZING STATUTES

Public Law / Act	Legislation	Statute No. / US Code	Volume No.	Page No.	Expiration Date
91-173	Federal Mine Safety and Health Act of 1977, As Amended By Public Law 95-164	30 U.S.C., 801 et. seq.	30	823	None
109-236	Mine Improvement and New Emergency Response Act of 2006 (MINER Act)	30 U.S.C., 801 et. seq.	30	823	None

MINE SAFETY AND HEALTH ADMINISTRATION

APPROPRIATION HISTORY					
(Dollars in Thousands)					
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
2010					
Base Appropriation...1/	\$353,693	\$353,193	\$357,443	\$357,293	2,425
2011					
Base Appropriation...2/	\$360,780		\$377,000	\$363,115	2,328
2012					
Base Appropriation...3/	\$384,277	\$379,854	\$384,277	\$373,293	2,365
2013					
Base Appropriation...4/	\$371,896			\$353,768	2,388
2014					
Base Appropriation	\$380,721			\$375,887	2,366
2015					
Base Appropriation	\$377,234			\$375,887	2,316
2016					
Base Appropriation	\$394,932	\$371,000	\$356,878	\$375,887	2,271
2017					
Base Appropriation	\$397,372			\$373,816	2,152
2018					
Base Appropriation...5/	\$375,172	\$359,975		\$373,816	2,023
2019					
Base Appropriation...6/	\$375,906		\$373,816	\$373,816	1,984
2020					
Base Appropriation	\$376,043				1,984

1/ Does not include \$7,259 provided to MSHA for the Upper Big Branch mine investigation and the caseload backlog at the Federal Mine Safety and Health Review Commission in the Supplemental Appropriations Act, P.L. 111-212. This amount was transferred from the Departmental Management account via a nonexpenditure transfer.

2/ This bill was only reported out of Subcommittee and was not passed by the Full House. Reflects a \$2,000 transfer to the Office of the Solicitor.

3/ Reflects a \$707 reduction pursuant to P.L. 112-74, and a \$770 transfer to the Office of the Solicitor.

4/ Reflects a 0.2% across the board rescission pursuant to P.L. 113-6 and the sequestration reduction pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

5/ A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared.

6/ This bill was passed by the Senate. It was passed out of the House Subcommittee but was not reported out of the House Committee or by the full House.

MINE SAFETY AND HEALTH ADMINISTRATION

OVERVIEW

Introduction

The Mine Safety and Health Administration (MSHA) works to prevent death, disease, and injury from mining and promote safe and healthful workplaces for the nation's miners. MSHA enforces provisions of the Federal Mine Safety and Health Act of 1977 (Mine Act), as amended by the Mine Improvement and New Emergency Response Act of 2006 (MINER Act).

More than 300,000 people work directly in the mining sector, including initial mining of raw materials through processing in preparation for commercial distribution. This industry provides essential materials for the nation's energy, power, transportation infrastructure, construction and housing, communications, medicine, manufacturing, consumer goods, and agricultural industries.

MSHA is committed to its mission and promotes safety and health through inspections and enforcement, stakeholder outreach, compliance and technical assistance, education and training, and improved safety and health standards. Effective approaches to reducing the risk of injury and disease to miners include workplace examinations, hazard recognition and elimination, and continual monitoring of the work environment to protect against new hazards and to ensure compliance with safety and health standards. MSHA also protects the rights of miners. The Mine Act gives miners the right to have a role in their safety and health by participating in the inspection process through a representative of their choosing, speaking out about hazards, refusing to work in dangerous conditions, and exercising other rights.

Since 2010, MSHA's data indicate that work-related accidents at coal and metal and nonmetal mines have declined, however, challenges remain. While the mining industry recorded the lowest fatality rates in mining history in 2016, there was a small uptick in the number of fatalities in 2017 and 2018. MSHA will utilize 2020 resources to reduce accidents, enforce safety and health standards, provide compliance and technical assistance, and train miners and mine operators on hazard recognition and elimination to decrease fatality and injury rates. Starting in 2018, MSHA focused its compliance and technical assistance efforts on reducing accidents caused by powered haulage equipment, which continue to be a leading cause of mining fatalities. MSHA continues to devote sufficient resources toward a competitive grant activity for effective emergency response and recovery training in various types of mine conditions. MSHA will measure the Agency performance of reducing the reportable injury rate associated with powered haulage equipment by 10 percent per year. This performance goal is based on a rolling five-year average per 200,000 hours worked. In FY 2018, the five-year rolling average of reportable injuries was 0.19, the same as FY 2017.

Resources, Priorities, and Performance

In FY 2020, MSHA is requesting \$376,043,000 and 1,984 FTE. This request builds on the FY 2019 Revised Enacted and reflects MSHA's commitment to enforcement of the Mine Act and providing compliance and technical assistance. MSHA's budget includes discretionary program changes listed below.

MINE SAFETY AND HEALTH ADMINISTRATION

- Program increases:
 - \$252,913,000 and 1,450 FTE to create the Mine Safety and Health Enforcement budget activity by merging the Coal Mine Safety and Health budget activity with the Metal and Nonmetal Mine Safety and Health budget activity. The new enforcement structure will provide the flexibility to address industry changes, and maximize the efficient use of MSHA's resources.
 - \$2,500,000 for MSHA to support the Department's Worker Protection Agencies' IT Modernization efforts. In total, the Department is requesting \$20,000,000 for this initiative with resources requested in the following appropriations: Employee Benefits Security Administration, Office of Workers' Compensation Programs, Office of Federal Contract Compliance Programs, Office of Labor-Management Standards, Wage and Hour Division, Occupational Safety and Health Administration, Mine Safety and Health Administration, and the Office of the Solicitor in the Departmental Management appropriation. These resources will be managed by OCIO on behalf of the worker protection agencies and OCIO will work in collaboration with the worker protection agencies to determine the specific funding requirements and where funding can best support the Department's IT modernization efforts.
- Program decreases:
 - \$156,704,000 and 866 FTE for merging the Coal Mine Safety and Health budget activity to create the Mine Safety and Health Enforcement budget activity.
 - \$96,209,000 and 584 FTE for merging the Metal and Nonmetal Mine Safety and Health budget activity to create the Mine Safety and Health Enforcement budget activity.
 - \$273,000 to reduce funding within the Mine Safety and Health Enforcement budget activity to account for economies of scale.

MSHA's enforcement program supports the following President's Management Agenda key drivers and goals:

- IT Modernization - Enhance mission effectiveness by improving the quality and efficiency of critical citizen-facing services, including through the increased utilization of cloud-based solutions such as email and collaboration tools.
- Shifting from Low-Value to High-Value Work – By merging MSHA's two enforcement programs under a single Administrator, the Agency is providing needed flexibility to address changing industry trends and is minimizing cost, and increasing effectiveness and productivity. This is achieved by eliminating duplicative tasks and focusing resources to ensure the Agency meets statutory obligations and high priority initiatives to ensure the safety and health of our nation's miners.
- People: Workforce for the 21st Century – Under MSHA's new enforcement structure, the Agency will be able to more efficiently use its experienced personnel and align their skills to address evolving mission needs. MSHA's inspector training programs

MINE SAFETY AND HEALTH ADMINISTRATION

will be designed for a workforce that will inspect both coal and metal/nonmetal underground and surface mines. Travel times between mining operations will decrease, allowing for more onsite presence at mines.

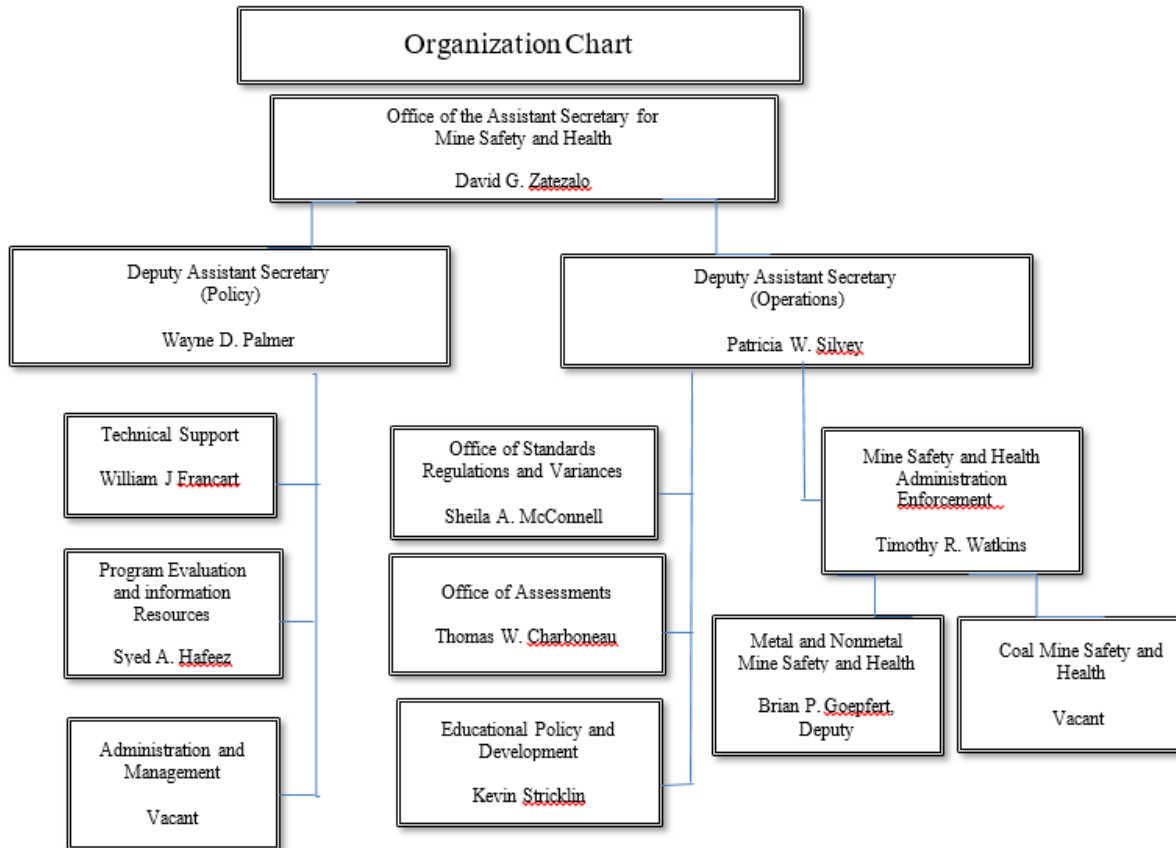
MSHA will continue to meet the Agency's statutory obligations under the Mine Act that include completing its mandatory mine inspections -- four inspections per year in underground mines and two inspections per year in surface mines, as well as enforcing mandatory health and safety standards to protect the safety and health of the nation's miners.

MSHA continues to identify ways to improve efficiency, effectiveness and accountability. MSHA continues efforts to align the Agency's organizational structure with its core mission and operating plan, and focus on activities that will increase operational efficiency and provide greater cost effectiveness. Additionally, MSHA continues to work with stakeholders to strengthen collaborative relationships, to better understand the mining community's needs, and to develop guidance and outreach materials that will help to ensure miners' safety and health. MSHA will continue to evaluate the locations of mining activity and may assign mines to other Districts to improve miners' safety and health.

- MSHA recognizes the current trend in the coal industry and has taken actions to align its resources accordingly. MSHA has closed three district offices and five field offices since 2014. MSHA also plans to close the Jacksboro, Tennessee field office location. Further, MSHA has shifted 75 employees from Coal Mine Safety and Health to support Metal and Nonmetal Mine Safety and Health, Technical Support, and Educational Policy and Development.
- MSHA anticipates that production will increase in several metal and nonmetal mining sectors, particularly the aggregates, due to infrastructure revitalization, which would require additional resources for enforcement, and compliance and technical assistance. The Agency continues to monitor industry forecasts and will adjust resources as necessary.

MSHA continues to work with the National Institute for Occupational Safety and Health (NIOSH), industry, labor, and other stakeholders in the mining community to identify best practices and new technologies that can improve miners' safety and health. MSHA and NIOSH will place particular focus collaborating on research priorities, so that research will be directed to those issues that present the greatest hazards to miners' safety and health. The MSHA/NIOSH partnership continues to provide a forum for the exchange of scientific findings on the health effects of diesel exhaust in underground mines. MSHA also has a number of industry alliances through which it works to foster best practices and information sharing focused on health and safety.

MINE SAFETY AND HEALTH ADMINISTRATION



MINE SAFETY AND HEALTH ENFORCEMENT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	0	0	252,640	252,640
FTE	0	0	1,450	1,450

Introduction

Historically, MSHA's enforcement function has been bifurcated into Coal and Metal/Nonmetal program areas, each with its own Administrator and culture. MSHA has already consolidated the two programs into one unified reporting structure with one Administrator. MSHA will create a single enforcement budget activity, Mine Safety and Health Enforcement (MSHE), by combining the Coal Mine Safety and Health (CMSH) budget activity with the Metal and Nonmetal Mine Safety and Health (MNMSH) budget activity. MSHA will continue to evaluate the field and district enforcement structures to better align agency resources with current mining activity and to better allocate resources to improve mine safety such as providing increased compliance assistance to small mines. Historically, MSHA's enforcement function has been bifurcated into Coal and Metal/Nonmetal program areas, each with its own Administrator and culture. MSHA is executing a gradual phase in approach merger by 2nd quarter FY 2020. The merger will consist of two program areas, while still accommodating situations unique to certain types of mines. MSHA will create a single enforcement budget activity, Mine Safety and Health Enforcement (MSHE), by combining the Coal Mine Safety and Health (CMSH) budget activity with the Metal and Nonmetal Mine Safety and Health (MNMSH) budget activity.

- The Administrator for MSHE will be supported by two Deputy Administrators: one for CMSH and one for MNMSH.
- The new enforcement structure of MSHE will provide the needed flexibility to address industry changes. MSHA acknowledges the long-term trends in coal production, particularly in the Appalachian region, and estimates that production in several metal and nonmetal mining sectors will increase due to infrastructure revitalization.
- MSHE will be able to make efficient use of the Agency's cadre of experienced personnel, and will be better able to ensure consistent enforcement and compliance assistance.
- MSHE will consist of a small headquarters office located in Arlington, Virginia. MSHA will review office locations with respect to mining operations to ensure that districts and field offices are located in areas that maximize efficient use of MSHA's resources. The Agency may consolidate district offices and field offices beginning in FY 2020 or earlier.

MSHE will administer the provisions of the Mine Act, as amended by the MINER Act, to promote compliance with safety and health standards, prevent fatalities, reduce the frequency and severity of accidents, and minimize health hazards in the nation's approximately 1,200 coal

MINE SAFETY AND HEALTH ENFORCEMENT

mines and 12,000 metal and nonmetal mines. MSHE inspects all active underground mines at least four times per year and all surface mines twice per year. These inspections form the core of MSHA's efforts, regularly providing a first-hand look at conditions in each of the nation's mines.

The majority of MSHE employees are located across 15 district offices and 89 field/satellite offices throughout the United States and Puerto Rico. Most field employees are mine safety and health enforcement personnel who perform inspection activities and investigations of fatal accidents, non-fatal and non-injury accidents, verbal and written hazard complaints, and discrimination complaints.

MSHE will continue efforts to improve workplace safety and health in the mining industry and will remain committed to targeted enforcement and compliance assistance in its efforts to improve safety and health conditions in the mining workplace by continuing the following strategies:

- **Enforcing mandatory health and safety standards through complete inspections of each mine.** MSHE will complete mandated inspections four times per year in underground mines and twice per year in surface mines.
- **Inspection and enforcement effectiveness.** MSHE will enhance its enforcement efforts of violations that contribute to fatalities and serious accidents through:
 - **Targeted inspections** - MSHE will continue the Agency's Targeted Inspections initiative, as needed. These inspections target mines with specific conditions, problems, or compliance issues.
 - **Promote adoption of prevention-focused, health and safety programs by mine operators.** MSHE will conduct health sampling activities to ensure that miners' overexposure to respirable dust, silica, and noise are addressed by mine operators. Technical investigations, which evaluate the root causes of hazards and accidents in mines, will be conducted. MSHE will also conduct accident prevention inspections in response to specific mine hazards.

Protect miners from discrimination - MSHE will conduct timely investigations of discrimination complaints and enhance miners' knowledge regarding their rights and responsibilities under the Mine Act.

FY 2020

In FY 2020, MSHA requests \$252,640,000 and 1,450 FTE for MSHE. All program increases and reductions are itemized below.

Program Change: \$252,640,000 and 1,450 FTE to create the Mine Safety and Health Enforcement (MSHE) budget activity by merging the Coal Mine Safety and Health (CMSH) budget activity with the Metal and Nonmetal Mine Safety and Health (MNMSH) budget activity. This includes a reduction \$273,000 to account for economies of scale within the Mine Safety and Health Enforcement budget activity. The reductions is attributable to travel.

MINE SAFETY AND HEALTH ENFORCEMENT

Program	Total	FTE
CMSH	\$156,704,000	866
MNMSH	\$96,209,000	584
Decrease	(\$273,000)	
Total	\$252,640,000	1,450

Funding will support MSHA's continued efforts to encourage the mining community to develop and implement safety and health programs and to use an integrated approach toward the prevention of serious accidents, injuries and occupational illnesses in the mining industry. In FY 2020, MSHE will continue to ensure safe and healthful workplaces for the nation's miners through the following:

- Conduct all regular mandated inspections;
- Conduct targeted inspections;
- Provide compliance assistance;
- Conduct comprehensive health inspections;
- Conduct accident investigations (including root cause analyses);
- Perform accident prevention and outreach activities;
- Educate miners to enable them to exercise their rights and protections; and
- Conduct investigations of safety and discrimination complaints made by miners or their representative.

MSHE projects that it will conduct approximately 20,200 mandated inspections. The actual number of mandated inspections completed will depend on the number of operating mines. MSHE will conduct other enhanced enforcement activities, such as targeted inspections. These inspections target not only mines with a poor compliance history, but also those that have adverse conditions such as increased methane liberation. The program will focus inspection activity on improved impoundment safety by conducting inspections of all impoundments classified as high-hazard potential.

MSHE will continue to enforce health standards to prevent occupational illnesses in the mining industry. The elimination of black lung disease will continue to be a priority. MSHE will continue to enforce the standards to reduce miners' exposure to respirable coal mine dust; to review the quality of coal mine dust controls in mine ventilation and dust control plans; and to monitor operator sampling equipment in conjunction with regular inspections. MSHE will also continue to share best practices for controlling exposures to respirable dust, quartz/silica and noise.

MSHE will conduct compliance assistance activities to prevent fatalities, injuries, and occupationally-related illnesses. These activities include assisting mine operators in solving difficult health and safety problems, distributing training materials to mine operators, conducting seminars, and speaking on mine health and safety in critical areas. MSHE will offer these services especially to small mine operators, contractors, and miners who have not received adequate training. It will continue to provide compliance assistance to new mine operators,

MINE SAFETY AND HEALTH ENFORCEMENT

which often employ less experienced miners and need additional initial assistance to establish safe and healthful workplaces.

MSHE will continue to conduct accident and technical investigations, including root cause analyses. These investigations will allow MSHE to analyze accidents to identify conditions and practices that contribute to injuries and deaths such as safety standards violated, root causes, and abatement practices. MSHE will also perform accident prevention and outreach activities such as Winter Alert campaign, Spring Thaw workshops, the Preventive Roof/Rib Outreach Program, and Powered Haulage Outreach.

MSHE will investigate hazard complaints and miner discrimination complaints in a timely manner. MSHE will continue to educate miners on their rights under the Mine Act through its outreach programs.

MSHE will continue to provide entry-level training programs for new inspectors, and retraining every two years for journeyman inspectors. In addition, field office supervisors will attend a two-week training program. All new supervisors will attend appropriate training as required by DOL. MSHA will continue to utilize technology such as video teleconferencing and online courses to provide some of the training as a cost-effective method of delivery.

MSHE will also begin to implement regular mine safety inspection efficiencies. Currently MSHA conducts full inspections at mines that have entered into active non-producing status. Mines are considered to be in active non-producing status when the work of all miners has been terminated and production related activities has ceased. In FY 2020, MSHA will begin to reduce inspection hours spent at mines in active non-producing status. MSHA estimates that recalibrating to a lower level of inspection would achieve projected savings of 25 FTE while maintaining the same level of safety and health. MSHA will recalibrate to a full inspection as a mine enters and exits active non-producing status, with less than full but appropriate levels of periodic inspections in the interim, to ensure safety for any miners who maintain such a mine.

FY 2019

See the CSMH and MNMSH budget activity narratives.

FY 2018

See the CSMH and MNMSH budget activity narratives.

MINE SAFETY AND HEALTH ENFORCEMENT

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request
		Target	Result	Target	Target
Mine Safety and Health Enforcement					
Strategic Goal 2 - Promote Safe Jobs and Fair Workplaces for All Americans					
Strategic Objective MSHA 2.2 - Prevent fatalities, disease, and injury from mining, and secure safe and healthful working conditions for America's miners.					
MSHA- INSP1.1	Percent of regular mandated underground inspections	--	--	--	100%
MSHA- INSP2.1	Percent of regular mandated surface inspections	--	--	--	100%
MSHA-01.1	Percent of 105(c) investigations of miner discrimination complaints that are completed within 60 days of receipt	--	--	--	85%
MSHA-02.1	Percent of investigations of miner requests for temporary reinstatements that are completed within 20 days of receipt	--	--	--	75%
MSHA-03.1	Number of 103(g) imminent danger complaint investigations initiated within 1 day of receipt	--	--	--	100%

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

MINE SAFETY AND HEALTH ENFORCEMENT

MSHE will implement its enforcement strategies and initiatives through the following:

- *MSHA-INSP1 and MSHA-INSP2*: In FY 2020, MSHE projects it will complete 100 percent of its regular mandated inspections. These inspections provide an examination of mining conditions and play a key role in assuring the safety and health of the nation's miners. The actual number of surface and underground inspections completed will depend on the number of active mines for each year. The projected number of underground and surface mandated inspections in FY 2020 is 20,200. MSHE will conduct targeted inspections at mines with poor compliance history or that have adverse conditions such as increased methane liberation. MSHE will inspect all existing high-hazard potential impoundments during regular mandated inspections in order to reduce the risk to miners, the general public, and the environment should these impoundments fail.

The Mine Act gives miners the right to participate in their safety and health by participating in the inspection process through a representative of their choosing, speaking out about hazards, refusing to work in dangerous conditions, and exercising other rights. MSHE will continue to ensure that all miner requests for temporary reinstatements, investigations of 105(c) miner discrimination complaints, and 103(g) imminent danger complaints are investigated within the established timeframes. Prompt investigation of discrimination complaints and reported hazardous conditions is of utmost importance in assuring miners that MSHA will protect their rights through the following efforts in FY 2020:

- *MSHA-01*: Complete 85 percent of 105(c) investigations of miner discrimination complaints within 60 days of receipt of a complaint.
- *MSHA-02*: Complete 85 percent of investigations of miner requests for temporary reinstatement within 20 days of receipt.
- *MSHA-03*: Initiate 100 percent of 103(g) imminent danger complaint investigations within one day of receipt.

MINE SAFETY AND HEALTH ENFORCEMENT

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	0	0	123,330	123,330
11.3	Other than full-time permanent	0	0	522	522
11.5	Other personnel compensation	0	0	2,759	2,759
11.9	Total personnel compensation	0	0	126,611	126,611
12.1	Civilian personnel benefits	0	0	53,360	53,360
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	0	0	8,714	8,714
22.0	Transportation of things	0	0	5,561	5,561
23.1	Rental payments to GSA	0	0	13,833	13,833
23.2	Rental payments to others	0	0	36	36
23.3	Communications, utilities, and miscellaneous charges	0	0	840	840
24.0	Printing and reproduction	0	0	36	36
25.1	Advisory and assistance services	0	0	14	14
25.2	Other services from non-Federal sources	0	0	356	356
25.3	Other goods and services from Federal sources 1/	0	0	35,798	35,798
25.4	Operation and maintenance of facilities	0	0	8	8
25.7	Operation and maintenance of equipment	0	0	3,540	3,540
26.0	Supplies and materials	0	0	1,903	1,903
31.0	Equipment	0	0	2,027	2,027
42.0	Insurance claims and indemnities	0	0	3	3
	Total	0	0	252,640	252,640
	1/Other goods and services from Federal sources				
	Working Capital Fund	0	0	33,885	33,885
	DHS Services	0	0	636	636
	HHS Services	0	0	610	610
	Services by Other Government Departments	0	0	667	667

MINE SAFETY AND HEALTH ENFORCEMENT

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	657
Federal Employees' Compensation Act (FECA)	-25
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	6
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	-76
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$562**

Net Program **\$252,078**

Direct FTE **1,450**

	Estimate	FTE
Base	\$562	0
Program Increase	\$252,913	1,450
Program Decrease	-\$835	0

COAL MINE SAFETY AND HEALTH

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	156,704	156,704	0	-156,704
FTE	905	866	0	-866

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 933.

Introduction

Coal Mine Safety and Health (CMSH) administers the provisions of the Mine Act, as amended by the MINER Act, promotes compliance with safety and health standards to prevent fatalities, reduces the frequency and severity of accidents, and minimizes health hazards in the nation’s approximately 1,200 coal mines. CMSH inspects all active underground mines at least four times per year and all surface mines twice per year. These inspections form the core of MSHA’s enforcement, regularly providing a first-hand look at conditions in each of the nation’s mines.

Most of the CMSH employees are located across 9 district offices and 37 field offices throughout the United States. The majority of field employees are mine safety and health enforcement personnel who perform inspection activities and investigations, including investigations of fatal accidents, non-fatal and non-injury accidents, verbal and written hazard complaints, and discrimination complaints.

CMSH will continue efforts to improve workplace safety and health in the mining industry by continuing the following strategies:

- **Enforcing mandatory safety and health standards.** CMSH will complete mandated inspections four times per year in underground coal mines and twice per year at surface coal mines.
- **Inspection and enforcement effectiveness.** CMSH will continue to enhance its enforcement efforts of violations that contribute to fatalities and serious accidents through:
 - **Targeted inspections** - CMSH will continue the Agency’s Targeted Inspections initiative on an as needed basis. These inspections target mines with specific conditions, problems, or compliance issues.
 - **Promote adoption of prevention-focused, health and safety programs by mine operators.** CMSH will continue its health sampling activities to ensure that miners’ overexposure to respirable dust, silica, and noise are addressed by mine operators. Compliance assistance initiatives will focus on identified issues. Technical investigations, which evaluate the root causes of hazards and accidents in mines, will be conducted. CMSH will also conduct accident prevention inspections in response to specific mine hazards.

COAL MINE SAFETY AND HEALTH

- **Reduce Powered Haulage Accidents.** CMSH will continue the Agency's initiative to reduce accidents associated with powered haulage equipment using a collaborative approach involving MSHA program areas and mine safety stakeholders.
- **Protect miners from discrimination** - CMSH will conduct timely investigations of discrimination complaints and enhance miners' knowledge regarding their rights and responsibilities under the Mine Act. During outreach efforts, it will distribute educational materials to ensure that miners are aware of their rights and responsibilities under the Mine Act, without fear of retaliation.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$167,859	1,151
2016	\$167,859	1,099
2017	\$160,000	995
2018	\$156,704	933
2019	\$160,000	887

FY 2020

In FY 2020, MSHA will create a single enforcement budget activity (Mine Safety and Health Enforcement) by merging CMSH and the MNMSH.

FY 2019

CMSH will continue an integrated approach toward the prevention of serious accidents, injuries and occupational illnesses in the coal mining industry. CMSH will continue to ensure safe and healthful workplaces for the nation's miners through the following:

- Conduct all regular mandated inspections;
- Enforce respirable dust standards;
- Conduct targeted inspections;
- Perform accident prevention and outreach activities including various aspects of powered haulage;
- Perform accident investigations (including root cause analyses);
- Conduct special initiatives to address particular issues;
- Conduct investigations of safety and discrimination complaints made by miners or their representatives.

CMSH estimates that it will conduct approximately 3,150 mandated inspections, but this number may vary depending on the number of operating mines. CMSH will conduct other enhanced enforcement activities, such as targeted inspections. These inspections target not only mines with a poor compliance history, but also those that have adverse conditions such as increased

COAL MINE SAFETY AND HEALTH

methane liberation and miners' overexposures to silica. The program will focus inspection activity on improved impoundment safety by conducting inspections of all impoundments classified as high-hazard potential. CMSH will also focus its efforts on mine operators that fail to meet dust and noise standards.

CMSH will continue to enforce health standards to reduce miners' exposure to respirable coal mine dust. The standard reduces the allowable amount of respirable dust to which a miner can be exposed as well as increases the frequency of dust sampling and requires coal operators to take immediate action when dust levels exceed the standard. MSHA will continue to update and share best practices for controlling exposures to respirable dust, quartz/silica, and noise.

CMSH will continue to conduct accident and technical investigations, including root cause analyses. These investigations will allow CMSH to analyze accidents to identify conditions and practices that contribute to injuries and deaths such as safety standards violated, root causes, and abatement practices. CMSH will also perform accident prevention and outreach activities such as Winter Alert campaign and the Preventive Roof/Rib Outreach Program.

CMSH will investigate hazard complaints and miner discrimination complaints in a timely manner. CMSH will continue to educate miners on their rights under the Mine Act through its outreach programs. CMSH will also continue to encourage miners to report hazards through the use of the MSHA.gov website, MSHA's National Hazard Reporting Page, and the 1-800 "One Call Does It All" phone number. This is critical in reducing safety and health risks. CMSH will continue to encourage an industry-wide culture in which mine operators take ownership of health and safety through effective prevention-oriented health and safety management programs; conduct thorough inspections and robust enforcement; promote stakeholder outreach, education, and training; and propose improved regulations.

CMSH and MNMSH will begin to merge program functions and train all relevant personnel. Classroom and on-the-job training will be provided to inspectors and management personnel. The FY 2019 journeyman retraining will focus on the "crossover" training.

FY 2018

In FY 2018, CMSH completed 100 percent of its regular mandated underground and surface inspections. It also conducted 53 targeted inspections resulting in 524 citations, 10 orders, and 2 safeguards, for a total of 536 issuances and a Significant and Substantial rate of 23 percent. These inspections targeted not only mines with compliance issues, but also hazards pertaining to the transportation of miners and materials in underground coal mines, and specific areas of concern such as increased methane liberation, rock dust sampling, belt conveyors, and roof control.

CMSH continued to reallocate resources from areas in which trends indicated a shift in mining. This reallocation was accomplished through attrition, personnel transfers, and district office closures. In FY 2018, CMSH finalized the closure of District 11 in Birmingham, AL, and initiated plans to close the McHenry, MD field office in District 3 by FY 2020.

COAL MINE SAFETY AND HEALTH

CMSH conducted special emphasis respirable coal mine dust inspections as needed. CMSH continued to enforce the standards and inspection requirements established in the Respirable Dust Rule.

CMSH continued to conduct accident investigations, including root cause analyses. These investigations allowed CMSH to analyze fatal accidents to identify conditions and practices that contributed to injuries and deaths. CMSH also performed accident prevention and outreach activities.

CMSH investigated 795 miner hazard complaints with 315 positive findings in a timely manner.

CMSH received 45 complaints of discrimination complaints. Of these cases, 19 complainants requested temporary reinstatement. The Secretary filed eleven applications for temporary reinstatement of discharged miners.

MSHA announced that it would be gradually merging CMSH and MNMSH into one enforcement program. Preparation began by selecting mines and training inspectors to conduct the initial crossover inspections. Implementation started October 1, 2018, and selected approximately 90 primarily small, less complex metal and nonmetal mines to be inspected by CMSH inspectors and five coal mines to be inspected by MNMSH Inspectors.

COAL MINE SAFETY AND HEALTH

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request
		Target	Result	Target	Target
Coal Mine Safety and Health					
Strategic Goal 2 - Promote Safe Jobs and Fair Workplaces for All Americans					
Strategic Objective MSHA 2.2 - Prevent fatalities, disease, and injury from mining, and secure safe and healthful working conditions for America's miners.					
MSHA-01	Percent of 105(c) investigations of miner discrimination complaints that are completed within 60 days of receipt	85%	94%	85%	--
MSHA-CM-01.1	Number of regular mandated coal underground inspections	1,200	1,216	1,200	--
MSHA-CM-01.2	Number of regular mandated coal surface inspections	2,000	1,964	1,950	--
MSHA-02	Percent of investigations of miner requests for temporary reinstatements that are completed within 20 days of receipt	75%	90%	75%	--
MSHA-03	Number of 103(g) imminent danger complaint investigations initiated within 1 day of receipt	100%	100%	100%	--

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

COAL MINE SAFETY AND HEALTH

CMSH will continue enforcement strategies and initiatives through the following:

- *MSHA-INSP1 and MSHA-INSP2*: CMSH projects it will complete 100 percent of its regular mandated inspections. The actual number of surface and underground inspections completed will depend on the number of active coal mines for each year. CMSH will conduct targeted inspections at mines with a poor compliance history or that have adverse conditions.

The Mine Act gives miners the right to have a role in their safety and health by participating in the inspection process through a representative of their choosing, speaking out about hazards, refusing to work in dangerous conditions, and exercising other rights. These efforts support workers' rights through the following in FY 2019:

- *MSHA-01*: Complete 85 percent of 105(c) investigations of miner discrimination complaints within 60 days of receipt of a complaint.
- *MSHA-02*: Complete 85 percent of investigations of miner requests for temporary reinstatement within 20 days of receipt.
- *MSHA-03*: Initiate 100 percent of 103(g) imminent danger complaint investigations within one day of receipt.

COAL MINE SAFETY AND HEALTH

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	74,660	72,914	0	-72,914
11.3	Other than full-time permanent	5	0	0	0
11.5	Other personnel compensation	1,773	1,715	0	-1,715
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	76,438	74,629	0	-74,629
12.1	Civilian personnel benefits	33,915	33,160	0	-33,160
13.0	Benefits for former personnel	8	29	0	-29
21.0	Travel and transportation of persons	1,654	1,586	0	-1,586
22.0	Transportation of things	2,827	2,942	0	-2,942
23.1	Rental payments to GSA	9,315	8,648	0	-8,648
23.2	Rental payments to others	40	20	0	-20
23.3	Communications, utilities, and miscellaneous charges	361	354	0	-354
24.0	Printing and reproduction	61	23	0	-23
25.1	Advisory and assistance services	16	10	0	-10
25.2	Other services from non-Federal sources	288	188	0	-188
25.3	Other goods and services from Federal sources 1/	28,591	31,286	0	-31,286
25.4	Operation and maintenance of facilities	12	8	0	-8
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	510	2,214	0	-2,214
26.0	Supplies and materials	678	745	0	-745
31.0	Equipment	1,877	861	0	-861
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	113	1	0	-1
	Total	156,704	156,704	0	-156,704
	1/Other goods and services from Federal sources				
	Working Capital Fund	26,988	30,114	0	-30,114
	DHS Services	479	397	0	-397
	HHS Services	495	378	0	-378
	Services by Other Government Departments	629	397	0	-397

COAL MINE SAFETY AND HEALTH

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	0
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$0**

Net Program **-\$156,704**

Direct FTE **-866**

	Estimate	FTE
Base	\$156,704	866
Program Increase	\$0	0
Program Decrease	-\$156,704	-866

METAL AND NONMETAL MINE SAFETY AND HEALTH

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	96,209	96,209	0	-96,209
FTE	554	584	0	-584

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 558.

Introduction

Metal and Nonmetal Mine Safety and Health (MNMSH) administers the Mine Act as amended by the MINER Act, and promotes compliance with safety and health standards to prevent fatalities, reduce the frequency and severity of accidents, and minimize health hazards in the nation’s approximately 12,000 metal and nonmetal mines. MNMSH inspects all active underground mines at least four times per year and surface mines twice per year. These inspections form the core of MSHA’s enforcement, regularly providing a first-hand look at conditions in each of the nation’s mines.

Most of the MNMSH employees are located across six district offices and 52 field/satellite offices throughout the United States and Puerto Rico. The majority of field employees are mine safety and health professionals who perform inspection activities and investigations, including investigations of fatal accidents, non-fatal and/or non-injury accidents, verbal and written hazard complaints, and discrimination complaints.

MNMSH remains committed to targeted enforcement and compliance assistance and will continue to improve safety and health conditions in the mining workplace through the following strategies:

- **Enforcing mandatory safety and health standards.** MNMSH will continue to conduct mandated inspections twice per year in metal and nonmetal surface mines and four times per year in underground mines.
- **Increase inspection and enforcement effectiveness** - MNMSH will continue to enhance enforcement efforts for violations of the standards associated with fatalities and serious accidents, with emphasis on powered haulage accidents. MNMSH will continue its focus on improving dam safety by continuing inspection activity at dams classified as high-hazard potential.
 - **Targeted inspections** - MNMSH will continue to conduct targeted inspections. The actual number of inspections will depend on how many mines need additional inspections. MNMSH will not conduct inspections in order to meet a specific number.
 - **MNMSH Health Program** - MNMSH will continue to conduct health inspections at mines. It will place emphasis on mine operators’ responsibility for

METAL AND NONMETAL MINE SAFETY AND HEALTH

conducting required health surveys to determine adequate control measures and explore additional innovative initiatives to effectively address the health program.

- **Reduce Powered Haulage Accidents.** MNMSH will continue the Agency's initiative to reduce accidents associated with powered haulage equipment using a collaborative approach involving MSHA program areas and mine safety stakeholders.

Protect miners from discrimination - MNMSH will continue to ensure that all miners' discrimination complaints are investigated within established timeframes. During outreach efforts, it will distribute educational materials to ensure that miners are aware of their rights and responsibilities under the Mine Act, without fear of retaliation.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$91,697	586
2016	\$91,697	598
2017	\$94,500	589
2018	\$96,209	558
2019	\$94,500	573

FY 2020

MSHA proposes to merge the MNMSH budget activity with the Coal Mine Safety and Health (CMSH) budget activity in FY 2020. See the FY 2020 write-up within the Mine Safety and Health Enforcement budget activity narrative.

FY 2019

MNMSH will continue an integrated approach toward the prevention of serious accidents, injuries and occupational illnesses in the mining industry. MNMSH will continue to ensure safe and health the workplaces for the nation's miners through the following:

- Conduct all of its regular mandated inspections;
- Conduct targeted inspections;
- Conduct comprehensive health inspections;
- Perform accident prevention and outreach activities including various aspects of powered haulage;
- Perform accident investigations (including root cause analyses);
- Conduct investigations of safety and discrimination complaints made by miners or their representatives.

METAL AND NONMETAL MINE SAFETY AND HEALTH

MNMSH will conduct over 16,300 inspections. These include over 16,000 regular mandated inspections, as well as other enforcement activities, including investigations of hazard complaints, special investigations and accident investigations, spot inspections, and follow-up visits. The actual number of mandated inspections completed will depend on the number of operating mines. Spot inspections will be based on reported injuries and occupational illnesses, and investigations of safety and discrimination complaints made by miners or their representatives. MNMSH will also focus on improving dam safety by increasing inspection activity at the dams classified as high-hazard potential.

MNMSH will continue its target Inspection program. MNMSH will select mines for target inspections based on several criteria, including compliance and accident and injury history. These targets are data-driven and subject to change dependent on mining industry data and performance.

Miners must be free to exercise their right to identify hazardous conditions and request MSHA inspections without fear of retaliation or discrimination. MNMSH will continue to encourage miners to report hazards through the use of the MSHA.gov website, MSHA's National Hazard Reporting Page, and the 1-800 "One Call Does It All" phone number. This is critical in reducing safety and health risks. MNMSH special investigators will continue to monitor, manage, and reduce the time to process miner discrimination complaints and complete investigations of knowing and willful violations. MSHA will continue to demonstrate to miners its commitment to protect their right to report health and safety hazards without fear of retaliation.

MNMSH estimates that it will conduct health inspections at a minimum of 20 percent of mines under its jurisdiction. Inspections will assess the effectiveness of controls and sampling programs through data collection, observations of mining cycle and work practices, interviews, plan reviews, and sampling. The data collected forms the basis of appropriate enforcement actions as well as assuring that mine operators are adequately protecting miners from overexposures to airborne contaminants.

MSHA will continue to provide entry-level training programs for new inspectors, and retraining every two years for journeyman inspectors. In addition, field office supervisors will attend a two-week training program. All new supervisors will attend appropriate training as required by DOL. MSHA will continue to utilize technology such as video teleconferencing and online courses to provide some of the training as a cost-effective method of delivery. CSMH and MNMSH will begin to merge program functions and train all relevant personnel. Classroom and on-the-job training will be provided to inspectors and management personnel. The FY 2019 journeyman retraining will focus on the "crossover" training.

FY 2018

The metal and nonmetal mining sector experienced 12 fatal accidents, the lowest number recorded for a fiscal year in MSHA's history. MNMSH believes that this is due in large part to the number of inspectors available at mine sites conducting inspections and compliance assistance "walk and talks," and participation in stakeholder/miner outreach and prevention-focused activities.

METAL AND NONMETAL MINE SAFETY AND HEALTH

MNMSH completed 100 percent of its regular mandated underground and surface inspections in FY 2018. MNMSH exceeded its estimate of conducting health inspections at mines under its jurisdiction. MNMSH received 1,209 hazardous condition complaints during FY 2018, which 442 had positive findings. It completed 51 targeted inspections at metal and nonmetal mines, resulting in 503 citations and 22 orders.

MNMSH continued to roll out a number of prevention-focused activities, including outreach with stakeholders and utilizing the agency's training and enforcement tools. MNMSH has taken a number of measures to prevent mining deaths, injuries and illnesses: increased surveillance and strategic enforcement through target inspections at mines with troubling complaint histories; special initiatives such as "Powered Haulage," which focuses attention on the most common fatal accident classification.

MNMSH developed a Compliance and Policy Updates section on MSHA's website in an effort to promote consistency within MSHA and to provide guidance for the mining industry. Items posted included Policy Information Bulletins, Program Policy Letters, and answers to frequently asked questions.

MNMSH fostered and maintained alliances with metal and nonmetal mining associations across the country and arranged and/or participated in stakeholder summits and outreach activities with the associations.

MNMSH continued to inform the industry and miners of their rights and responsibilities, and conducted timely investigations of 103(g) imminent danger complaints, 105(c) investigations of miner discrimination complaints, and miner requests for temporary reinstatements.

MNMSH received 55 complaints of discrimination under Section 105(c) of the Mine Act. Of these cases, 29 complainants requested temporary reinstatement. The Secretary filed five applications for temporary reinstatement of discharged miners.

MSHA announced that it would be "gradually merging CSMH and MNMSH into one enforcement program. Preparation began by selecting mines and training inspectors to conduct the initial crossover inspections. Implementation started October 1, 2018, and selected approximately 90 primarily small, less complex metal and nonmetal mines to be inspected by CSMH inspectors and five coal mines to be inspected by MNMSH Inspectors.

METAL AND NONMETAL MINE SAFETY AND HEALTH

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request
		Target	Result	Target	Target
Metal and Nonmetal Mine Safety and Health					
Strategic Goal 2 - Promote Safe Jobs and Fair Workplaces for All Americans					
Strategic Objective MSHA 2.2 - Prevent fatalities, disease, and injury from mining, and secure safe and healthful working conditions for America's miners.					
MSHA-01	Percent of 105(c) investigations of miner discrimination complaints that are completed within 60 days of receipt	85%	85%	85%	--
MSHA-MNM-01.1	Number of regular mandated MNM underground inspections	960	899	960	--
MSHA-MNM-01.2	Number of regular mandated MNM surface inspections	16,300	15,032	16,300	--
MSHA-02	Percent of investigations of miner requests for temporary reinstatements that are completed within 20 days of receipt	75%	75%	75%	--
MSHA-03	Number of 103(g) imminent danger complaint investigations initiated within 1 day of receipt	100%	100%	100%	--

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

METAL AND NONMETAL MINE SAFETY AND HEALTH

MNMSH will continue its enforcement strategies and initiatives through the following:

- *MSHA-INSP1 and MSHA-INSP2*: MNMSH will continue to complete all regular mandated inspections. The actual number of surface and underground inspections completed will be dependent on the number of active metal and nonmetal mines for each year. MNMSH will conduct targeted inspections at mines with poor compliance history or that have adverse conditions.

The Mine Act gives miners the right to be full stakeholders in their own safety and health by participating in the inspection process through a representative of their choosing, speaking out about hazards, refusing to work in dangerous conditions, and exercising other rights. These efforts support workers' rights through the following in FY 2019:

- *MSHA-01*: Complete 85 percent of 105(c) investigations of miner discrimination complaints within 60 days of receipt of a complaint.
- *MSHA-02*: Complete 85 percent of investigations of miner requests for temporary reinstatement within 20 days of receipt.
- *MSHA-03*: Initiate 100 percent of 103(g) imminent danger complaint investigations within one day of receipt.

METAL AND NONMETAL MINE SAFETY AND HEALTH

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	48,181	50,416	0	-50,416
11.3	Other than full-time permanent	26	0	0	0
11.5	Other personnel compensation	953	1,044	0	-1,044
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	49,160	51,460	0	-51,460
12.1	Civilian personnel benefits	19,341	20,061	0	-20,061
13.0	Benefits for former personnel	2	0	0	0
21.0	Travel and transportation of persons	8,016	7,705	0	-7,705
22.0	Transportation of things	2,808	2,808	0	-2,808
23.1	Rental payments to GSA	5,586	5,185	0	-5,185
23.2	Rental payments to others	13	10	0	-10
23.3	Communications, utilities, and miscellaneous charges	399	486	0	-486
24.0	Printing and reproduction	16	13	0	-13
25.1	Advisory and assistance services	7	4	0	-4
25.2	Other services from non-Federal sources	290	168	0	-168
25.3	Other goods and services from Federal sources 1/	8,469	4,588	0	-4,588
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	518	1,326	0	-1,326
26.0	Supplies and materials	923	1,158	0	-1,158
31.0	Equipment	661	1,235	0	-1,235
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	2	0	-2
	Total	96,209	96,209	0	-96,209
	1/Other goods and services from Federal sources				
	Working Capital Fund	7,547	3,847	0	-3,847
	DHS Services	286	239	0	-239
	HHS Services	232	232	0	-232
	Services by Other Government Departments	404	270	0	-270

METAL AND NONMETAL MINE SAFETY AND HEALTH

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	0
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal \$0

Net Program -\$96,209

Direct FTE -584

	Estimate	FTE
Base	\$96,209	584
Program Increase	\$0	0
Program Decrease	-\$96,209	-584

OFFICE OF STANDARDS, REGULATIONS, AND VARIANCES

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	5,382	5,382	5,382	0
FTE	16	19	19	0

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 11.

Introduction

The Office of Standards, Regulations, and Variances (OSRV), in coordination with the Office of the Solicitor Mine Safety and Health Division and other MSHA program offices, develops standards and regulations for the mining industry that protect the safety and health of miners. These standards and regulations establish enforcement requirements for compliance in accordance with the Mine Act, as amended by the MINER Act. OSRV maintains MSHA’s rulemaking docket and assures transparency in the regulatory process by posting all rulemaking documents on Regulations.gov.

OSRV also administers MSHA’s Petition for Modification program, the Freedom of Information Act (FOIA) program, and information collection activities under the Paperwork Reduction Act of 1995.

OSRV proposes and promulgates new and improved safety and health standards and regulations on the basis of information submitted to the Secretary by interested parties, including representatives of any organization of employers or employees, nationally recognized standards-producing organizations, the Secretary of Health and Human Services (HHS), HHS’s National Institute for Occupational Safety and Health (NIOSH), and States or political subdivisions, or on the basis of information developed by the Secretary or otherwise available.

In accordance with Executive Orders (E.O.) 12866 and 13563, MSHA performs an analysis of anticipated benefits and costs of each significant regulatory action, develops and publishes MSHA’s Semi-Annual Regulatory Agenda and Regulatory Plan, and reviews existing rules to identify regulations that are inconsistent with E.O. policy directives.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$5,416	23
2016	\$5,416	24
2017	\$4,500	18
2018	\$5,382	11
2019	\$4,500	13

OFFICE OF STANDARDS, REGULATIONS, AND VARIANCES

FY 2020

MSHA requests \$5,382,000 and 19 FTE for OSRV. Funding supports MSHA's priority to strengthen regulatory efforts through the following:

- Continue to work with NIOSH and the mining community on approaches to control and monitor miners' exposure to diesel exhaust in underground coal and metal and nonmetal mines. MSHA and NIOSH will continue to work with the Diesel Exhaust Effects Partnership to share data and information on the effectiveness of the Agency's existing standards and policy guidance on controlling underground miners' exposure to diesel exhaust.
- Continue to work with stakeholders on regulatory reform of existing standards. MSHA will review and analyze data and information received from the mining community to develop regulatory actions responsive to develop frequency, in accordance with E.O. 13777, Enforcing the Regulatory Reform Agenda.
- Continue to work with stakeholders on the Agency's efforts to prevent accidents that involve mobile equipment at surface mines and belt conveyors at surface and underground mines.
- Continue to work on the Agency's retrospective review of the final rule entitled, Lowering Miners' Exposure to the Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors (CPDM). MSHA will work with NIOSH and the coal mining community to evaluate existing standards to determine if these standards are achieving regulatory objectives and respirable dust levels to protect miners' health. MSHA will review the National Academy of Sciences study to determine if new regulatory and/or non-regulatory actions should be taken.
- Continue to work on a request for information seeking input from stakeholders on existing regulations that could be revised to include alternatives to safety standards which MSHA has approved in Petitions for Modification submitted by mine operators.

FY 2020 funding will also support OSRV's efforts to process and publish documents related to requests for variances from existing safety standards (Petitions for Modification). In FY 2020, OSRV estimates 40 requests for variances from safety standards will be processed.

OSRV also administers MSHA's FOIA program and information collection activities under the Paperwork Reduction Act of 1995. In FY 2020, OSRV will:

- Process approximately 1,000 requests for information under FOIA.
- Publish an estimated 19 *Federal Register* notices to notify the public that MSHA is reviewing the Agency's information collection requirements and requesting public comments in accordance with the Paperwork Reduction Act of 1995. As new rules are drafted, additional paperwork packages will be developed, as appropriate.

OFFICE OF STANDARDS, REGULATIONS, AND VARIANCES

FY 2019

FY 2019 funding supports MSHA's priority to strengthen regulatory efforts through work on the following:

- Published a Notice in the Federal Register on December 21, 2018, that announced revised hourly rate for the fees charged to applicants and approval holders for testing, evaluating, and approving products for use in mines.
- Review and analyze comments and data received in response to the Retrospective Study of Respirable Coal Mine Dust Rule to develop the framework for a study.
- Continue to review and analyze comments and data received in response to an RFI on safety improvement technologies for mobile equipment at surface mines, and for belt conveyors at surface and underground mines.
- Continue to work with NIOSH and the mining community on approaches to control and monitor miners' exposure to diesel exhaust in underground coal and metal and nonmetal mines. MSHA and NIOSH Diesel Health Effects Partnership sponsored a Diesel Technology Workshop on January 23, 2019.
- Publish a final rule on refuge alternatives for underground coal mines. The final rule is in response to an order of the United States Court of Appeals for the District of Columbia Circuit.
- Continue to review for potential rulemaking standards for which mine operators frequently request variances, such as non-permissible surveying equipment (30 C.F.R. §§ 75.500(d), 75.507-1(a), and 75.1002(a)) and drilling oil and gas wells around coal mine shafts (30 C.F.R. § 75.1700).
- Continue to review and analyze comments received from stakeholders on those regulations that could be repealed, replaced, or modified without reducing miners' safety or health, as required by Executive Order 13777, entitled "Enforcing the Regulatory Reform Agenda."
- MSHA reviewed the Mine Rescue Teams Instruction Guides IG7 and IG7A and determined that the existing guidance provides team members with the necessary knowledge and skills to respond effectively in the event of an emergency. MSHA is requesting comments on the existing Instruction Guides to improve the quality and effectiveness of instruction and skills training for coal mine rescue teams. Comments were due on February 22, 2019.

FY 2019 funding will also support OSRV's efforts to process and publish documents related to requests for variances from existing safety standards (Petitions for Modification). In FY 2019, OSRV estimates 45 requests for variances from safety standards will be processed.

OFFICE OF STANDARDS, REGULATIONS, AND VARIANCES

OSRV also administers MSHA's FOIA program and information collection activities under the Paperwork Reduction Act of 1995. In FY 2019, OSRV will:

- Process approximately 1,000 requests for information under FOIA in accordance with the President's Memorandum on Transparency and Open Government that includes identifying and posting agency information in anticipation of potential FOIA requests.
- Publish an estimated 26 Federal Register notices to notify the public that MSHA is reviewing the agency's information collection requirements and requesting public comments in accordance with the Paperwork Reduction Act of 1995. As new rules are drafted, additional paperwork packages will be developed, as appropriate.

OSRV will continue to provide transparency in the regulatory process by posting background documents, comments, and transcripts for each rulemaking at www.Regulations.gov.

FY 2018

MSHA's regulatory accomplishments include the following:

- On June 26, 2018, MSHA published an RFI on safety improvement technologies for mobile equipment at surface mines, and for belt conveyors at surface and underground mines. MSHA held stakeholder meetings August 2018 through September 2018. The comment period closed on December 24, 2018.
- On July 8, 2018, MSHA published an RFI on a Retrospective Study of the final rule Lowering Miners' Exposure to Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors to solicit comments, data, and information from industry, labor, NIOSH, and other stakeholders to assist MSHA in developing the framework for a study to assess the health effects of the dust rule.
- On April 9, 2018, MSHA published a final rule on Examinations of Working Places in Metal and Nonmetal Mines. This rule provides mine operators additional flexibility in managing their safety and health programs and reduces regulatory burdens without reducing the protections afforded miners.

Executive Order 13777, entitled "Enforcing the Regulatory Reform Agenda," directs each agency to review existing regulations to assess compliance costs and reduce regulatory burden. As part of this review, MSHA sought stakeholders' assistance in identifying those regulations that could be repealed, replaced, or modified without reducing miners' safety or health.

In FY 2018, OSRV also:

- Processed 52 requests for variances from safety standards (Petitions for Modification).
- Processed 733 FOIA requests in accordance with the statute and DOL policy.
- Developed supporting statements for and processed 14 information collection requests in accordance with the Paperwork Reduction Act of 1995.

OFFICE OF STANDARDS, REGULATIONS, AND VARIANCES

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	2,217	2,318	2,318	0
11.3	Other than full-time permanent	0	0	8	8
11.5	Other personnel compensation	48	33	33	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	2,265	2,351	2,359	8
12.1	Civilian personnel benefits	630	679	682	3
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	30	25	19	-6
22.0	Transportation of things	1	0	0	0
23.1	Rental payments to GSA	180	167	167	0
23.2	Rental payments to others	8	22	27	5
23.3	Communications, utilities, and miscellaneous charges	13	6	6	0
24.0	Printing and reproduction	118	76	76	0
25.1	Advisory and assistance services	63	62	62	0
25.2	Other services from non-Federal sources	48	39	30	-9
25.3	Other goods and services from Federal sources 1/	2,013	1,910	1,909	-1
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	7	38	38	0
26.0	Supplies and materials	6	6	6	0
31.0	Equipment	0	1	1	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	5,382	5,382	5,382	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	1,980	1,878	1,877	-1
	DHS Services	9	8	8	0
	HHS Services	23	23	23	0
	Services by Other Government Departments	1	1	1	0

OFFICE OF STANDARDS, REGULATIONS, AND VARIANCES

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	11
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	5
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	-1
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$15**

Net Program **-\$15**

Direct FTE **0**

	Estimate	FTE
Base	\$5,397	19
Program Increase	\$0	0
Program Decrease	-\$15	0

OFFICE OF ASSESSMENTS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	7,445	7,445	7,445	0
FTE	49	49	49	0

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 44.

Introduction

The Office of Assessments (OA) administers regulations pertaining to assessments and collections of civil penalties for violations of the Mine Act, as amended by the MINER Act and safety and health standards; as well as the Technical Compliance and Special Investigations Program of discrimination complaints filed under Section 105(c) of the Mine Act by miners, representatives of miners, or applicants for employment, and investigation of possible knowing or willful violations under Section 110 of the Mine Act. OA also manages data analysis for MSHA's Pattern of Violations (POV) Program, which identifies mines exhibiting a pattern of significant and substantial violations at a mine. In addition, OA manages MSHA's Accountability Program, which ensures enforcement policies and procedures are performed effectively and appropriately.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$6,976	52
2016	\$6,976	52
2017	\$6,627	56
2018	\$7,445	44
2019	\$6,627	44

Historically, about 7 percent of mine operators allowed penalties to lapse into delinquency. Since the Scofflaw Program was launched in 2007, over \$60 million in delinquent penalties have accrued; however, until March 2018 MSHA issued few citations for failure to pay final penalties. On March 6, 2018, MSHA delivered 30-day demand letters to an initial list of non-compliant scofflaw operators, reminding them of the debt they owe, providing them an opportunity to set up a payment plan if they cannot pay in full, and making clear the consequences of non-payment. MSHA will repeat this process monthly until all collectible amounts are accounted for.

FY 2020

MSHA requests \$7,445,000 and 49 FTE for the OA budget activity. In FY 2020, OA will continue the following efforts:

OFFICE OF ASSESSMENTS

- Assess civil penalties for violations of the Mine Act as amended by the MINER Act, in accordance with statutory criteria, and at levels that encourage compliance.
- Collect and account for penalties paid, and account for all penalty cases in litigation before the Federal Mine Safety and Health Review Commission (FMSHRC).
- Coordinate MSHA's accountability functions.
- Coordinate MSHA's enhanced special enforcement initiatives and special investigations programs.

OA anticipates it will conduct approximately 3–5 enforcement field office reviews annually by the Technical Compliance Investigation Office for purposes of ensuring compliance with required investigative practices and procedures. OA anticipates it will conduct 14 accountability audits for the purpose of monitoring MSHA districts compliance with established policies and directives for conducting inspection activities and tracking and review of corrective actions. OA will conduct an annual screening to identify mines exhibiting a Pattern of Violations (POV) under Section 104 of the Mine Act.

FY 2019

In FY 2019, OA will continue to support DOL's strategic objective to protect workers' rights through MSHA's performance goal to protect miners from discrimination. To ensure that enforcement personnel conduct quality investigations, OA will review all discrimination investigations conducted by enforcement personnel. This will provide an added level of accountability for the discrimination investigation process and demonstrate MSHA's commitment to protecting a miner's right to report health and safety hazards without fear of retaliation. To this end, MSHA expects that over 80 percent of discrimination investigation reports will be complete and accurate without return for further development.

OA estimates it will conduct accountability reviews of the Coal and Metal and Nonmetal enforcement activities. OA also plans to conduct an annual screening to identify mines exhibiting a POV under Section 104 of the Mine Act. OA will continue to support MSHA's Scofflaw Program initiative to bring about improved health and safety conditions at mines by leveraging the legal actions available when civil penalties are not being paid.

FY 2018

In FY 2018, OA accomplished the following:

- Issued 22,288 Notices of Proposed Civil Penalty Assessments, proposing \$55 million in civil penalties for 97,541 citations and orders for violations of health and safety standards cited by MSHA enforcement inspectors.
- Proposed special assessed civil penalties for 249 violations, and three flagrant violations.

OA also collected and accounted for penalties paid, and accounted for all penalty cases in litigation before FMSHRC. In FY 2018, OA accomplished the following:

OFFICE OF ASSESSMENTS

- Received and accounted for 23,740 payments from mine operators totaling \$47 million.
- Referred 2,521 delinquent civil penalty cases accounting for \$7.2 million to the Department of the Treasury for collection.
- Worked with the FMSHRC to docket 2,639 penalty contest cases involving 15,290 violations totaling \$27.5 million in decision amounts.

The Office of Accountability branch within OA conducted of 14 enforcement district reviews. These reviews included audits of 478 enforcement activities resulting in 12 required corrective actions. The review team conducted a root cause analysis to determine the most effective corrective actions and monitored the corrective actions, including documentation to ensure the corrective actions were completed by the enforcement programs.

OA conducted the annual screening for the POV Program. For the fourth consecutive year, there were no mines identified as meeting all of the POV screening criteria.

OA worked with MSHA's enforcement programs and the Office of the Solicitor to pursue scofflaw mine operators that exhibit a disregard for mandatory safety and health standards. MSHA issued 55 letters to operators that met the screening criteria which resulted in 10 operators paying their debt in full of slightly more than \$1 million. Moreover, 34 operators have either entered into or requested a payment agreement for an additional \$4 million.

The Technical Compliance Investigation Office (TCIO) coordinated and provided oversight of investigations of complaints of alleged acts of discrimination of miners.

TCIO completed 105 discrimination case investigations in FY 2018 and resolved 49 temporary reinstatement requests. OA reviewed 100 percent of all special investigations completed by enforcement personnel to ensure thorough, properly developed investigations and recommendations. The Department of Labor (DOL) filed 16 requests for temporary reinstatement with the FMSHRC on behalf of miners who submitted complaints of discrimination in the form of a suspension, layoff, discharge or other adverse action. Additionally, DOL filed 26 complaints alleging mine safety discrimination.

MSHA resolved 320 Section 110 cases. OA proposed 75 civil penalties against 54 individuals with proposed assessments totaling \$254,700. One case was referred to the Department of Justice for possible criminal prosecution. To ensure compliance with required investigative practices, the Technical Compliance Investigation Office conducted seven enforcement field office reviews.

OFFICE OF ASSESSMENTS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	4,342	4,465	4,465	0
11.3	Other than full-time permanent	0	0	16	16
11.5	Other personnel compensation	73	85	85	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	4,415	4,550	4,566	16
12.1	Civilian personnel benefits	1,422	1,445	1,450	5
13.0	Benefits for former personnel	1	1	1	0
21.0	Travel and transportation of persons	41	70	59	-11
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	237	202	202	0
23.2	Rental payments to others	2	0	0	0
23.3	Communications, utilities, and miscellaneous charges	191	152	152	0
24.0	Printing and reproduction	0	1	1	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	87	41	34	-7
25.3	Other goods and services from Federal sources 1/	950	864	861	-3
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	30	104	104	0
26.0	Supplies and materials	9	10	10	0
31.0	Equipment	60	5	5	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	7,445	7,445	7,445	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	878	796	793	-3
	DHS Services	25	21	21	0
	HHS Services	39	42	42	0
	Services by Other Government Departments	8	5	5	0

OFFICE OF ASSESSMENTS

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	21
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	-3
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$18**

Net Program **-\$18**

Direct FTE **0**

	Estimate	FTE
Base	\$7,463	49
Program Increase	\$0	0
Program Decrease	-\$18	0

EDUCATIONAL POLICY AND DEVELOPMENT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	38,559	38,559	38,559	0
FTE	127	122	122	0

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 131.

Introduction

The Directorate of Educational Policy and Development (EPD) administers MSHA’s training programs. EPD plans, monitors, and evaluates all MSHA education and training programs and provides entry-level and journeyman training for MSHA’s enforcement staff. EPD also coordinates training programs with other public and private organizations.

EPD manages and operates the National Mine Health and Safety Academy (Academy) located in Beckley, West Virginia. The Academy provides mine safety and health training to government, industry and labor officials, as well as MSHA mine enforcement personnel and other MSHA staff.

EPD also administers the Educational Field and Small Mine Services (EFSMS) program which provides compliance assistance to mine operators of all sizes across the country. EFSMS works closely with MSHA’s enforcement programs to identify industry needs and provides compliance assistance to mines with safety and health issues. EFSMS training specialists review mine operator training plans, monitor and assist industry instructors to develop and improve their skills, and assist mine operators with their safety and health programs. EFSMS training specialists also assist miners to understand their rights and responsibilities under the Mine Act.

EPD supports the mission of the Joseph A. Holmes Association (Association), a nonprofit organization created in 1916, to promote health and safety in the mining industry. The Association reaches miners throughout the country by providing technical assistance and coordinating efforts through grassroots safety and health programs and activities for the mining community.

EPD also manages the MSHA State Grants Program and the Brookwood-Sago Mine Safety Grants Program. The State Grants Program supports quality training programs for miners in 48 states, the Navajo Nation, and the Territories. The Brookwood-Sago competitive grants provide funds for mine safety and health training and education programs for workers and mine operators to better identify, avoid, and prevent unsafe working conditions in and around mines.

EDUCATIONAL POLICY AND DEVELOPMENT

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$36,320	144
2016	\$36,320	143
2017	\$39,320	138
2018	\$38,559	131
2019	\$39,320	127

FY 2020

In FY 2020, MSHA requests \$38,559,000 and 122 FTE for the EPD budget activity. EPD will continue to strengthen and modernize training and education through the following:

- Providing industry outreach and support in various health and safety and training initiatives focused on reducing workplace injuries, illnesses, and fatalities.
- Continuing onsite monitoring of instructors to evaluate the effectiveness of miner training and to address the shortcomings of inadequate training.
- Transforming the Academy into a training hub where content is distributed using new technology for communications, including new methods of training, e.g., virtual reality and distance learning. Developing additional online courses for use by MSHA's entry-level and journeyman level inspector classes, and new online programs designed for the mining industry.
- Continuing to manage MSHA's State Grants Program in which the grantees provide high-quality effective safety and health training and retraining for miners and mine operators in all states and the Territories. Training will have an emphasis on powered haulage safety such as, reducing vehicle-on-vehicle collisions, increasing seat belt use, and improving belt conveyor safety.
- Continuing to enhance MSHA's distance learning program to complement a library of hundreds of online courses developed for MSHA's entry-level inspectors and journeyman level inspector classes. New online programs designed for the mining industry will also be created.
- Evaluating instructors in the classroom to ensure miners are receiving adequate and effective training.
- Providing compliance assistance to the mining industry through EFSMS, including special attention to small mine operators.

FY 2019

In FY 2019, in order to foster a culture of safety and improve safety and health conditions in the mining workplace, EPD will strengthen and modernize training and education through the following:

EDUCATIONAL POLICY AND DEVELOPMENT

- Providing industry outreach and support in various health and safety and training initiatives focused on reducing workplace injuries, illnesses and fatalities.
- Evaluating EPD instructors in the classroom to ensure miners are receiving adequate and effective training.
- Providing compliance assistance to the mining industry through EFSMS, including special attention to small mine operators.
- Transforming the Academy into a training hub where content is distributed using new technology for communications. This will expand the customer base and evolve the Academy from a historically inward-focused curriculum to a Center of Excellence for industry-wide training content.
- Continuing onsite monitoring of approved instructors to ensure they are providing effective health and safety training to miners. EPD will place special emphasis on the evaluation of contract instructors.
- Expanding its distance learning program to include additional online courses developed for use by MSHA's entry-level and journeyman level inspector classes, and new online programs designed for the mining industry.

FY 2018

In FY 2018, EPD accomplished the following:

- EFSMS provided fatal accident reduction awareness and training for miners through monthly outreach efforts in collaboration with Metal and Nonmetal Mine Safety and Health. The initiative provided onsite training observations and training materials that focused on recent fatal and/or near miss accidents.
- EFSMS approved 1,220 instructor evaluations on the effectiveness of 30 CFR Part 48 training and retraining miners in an effort to address the shortcomings of industry miner training. EFSMS also provided 69,186 hours of injury and illness prevention training to the mining industry.
- The Academy continued its evolution toward a 21st Century training hub by providing training programs to students using traditional, online, and video conference capabilities. They provided 1,100 course days of instruction, trained 8,000 individual students, and provided 17,000 student days (Government – 12,000, Mission Industry – 2,500, and Non-mission Groups – 2,500). The Academy also created 23 new online courses.
- The Academy developed a training program to support the beginning of MSHA's initiative to merge Coal and Metal and Nonmetal and create one enforcement program. They created a plan for developing training in five phases with groups composed of Academy instructors and staff, program area representatives, and field personnel. The Academy also assisted with the re-establishment of a national mine rescue organization within the Joseph A. Holmes Safety Association to address gaps in mine emergency response.
- The Academy hosted the Southern West Virginia Mine Rescue Contest that brought more than 600 participants, officials, and guests into the Academy for the week long competition.
- The Academy completed the "Energy Savings Performance Contract" project through the U.S. Department of Energy. Utility savings thus far are nearly \$100,000. Under the

EDUCATIONAL POLICY AND DEVELOPMENT

State Grants Program, MSHA awarded \$10,537,000 in grant funding to 48 states, Guam, Commonwealth of Northern Mariana Island, and the Navajo Nation. A total of 181,000 miners and mine operators were trained.

- In addition, MSHA awarded \$250,000 under the Brookwood-Sago Mine Safety Grant Program to four recipients, that will be focusing on training and training materials on powered haulage safety (such as reducing vehicle-on-vehicle collisions, increasing seat belt use, and improving belt conveyor safety), examinations of working places at metal and nonmetal mines, or mine emergency prevention and preparedness.

EDUCATIONAL POLICY AND DEVELOPMENT

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	11,915	11,808	11,808	0
11.3	Other than full-time permanent	32	30	75	45
11.5	Other personnel compensation	212	212	212	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	12,159	12,050	12,095	45
12.1	Civilian personnel benefits	4,336	4,344	4,356	12
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	515	547	541	-6
22.0	Transportation of things	422	323	320	-3
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	793	736	736	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	984	806	806	0
24.0	Printing and reproduction	74	109	109	0
25.1	Advisory and assistance services	2	0	0	0
25.2	Other services from non-Federal sources	3,138	3,845	3,803	-42
25.3	Other goods and services from Federal sources 1/	4,285	4,032	4,026	-6
25.4	Operation and maintenance of facilities	0	126	126	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	461	526	526	0
26.0	Supplies and materials	270	256	256	0
31.0	Equipment	333	72	72	0
41.0	Grants, subsidies, and contributions	10,787	10,787	10,787	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	38,559	38,559	38,559	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	4,108	3,856	3,850	-6
	DHS Services	41	34	34	0
	HHS Services	64	57	57	0
	Services by Other Government Departments	72	85	85	0

EDUCATIONAL POLICY AND DEVELOPMENT

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	60
Federal Employees' Compensation Act (FECA)	-3
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	-6
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$51**

Net Program **-\$51**

Direct FTE **0**

	Estimate	FTE
Base	\$38,610	122
Program Increase	\$0	0
Program Decrease	-\$51	0

TECHNICAL SUPPORT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	34,079	34,079	34,079	0
FTE	201	205	205	0

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 208.

Introduction

The Directorate of Technical Support includes the Pittsburgh Safety & Health Technology Center (PSHTC) in Pittsburgh, PA; the Approval and Certification Center (A&CC) in Triadelphia, WV; the PSHTC-operated National Air and Dust Laboratory (NADL) in Mount Hope, WV; the Technical Support Headquarters in Arlington, VA; and mine emergency staff stationed throughout the country. Technical Support provides engineering, scientific, and technical expertise to MSHA and the mining industry. It conducts field and laboratory investigations to resolve technical problems associated with implementing the Mine Act, as amended by the MINER Act. Technical Support provides assistance to MSHA enforcement programs by conducting engineering analyses of complex mining plans to prevent accidents and in accident investigations to identify causes and measures to prevent similar accidents. It maintains a mine emergency response capability which provides equipment and expertise in the event of a mine emergency, such as an inundation of water or gas, fire, or explosion.

Technical Support administers an approval program to evaluate the safety of equipment and materials used in the mining industry in the A&CC. It evaluates new technologies to identify potential improvements to the safety and health of miners. It also performs audits of manufacturers to maintain a high level of quality assurance.

Technical Support's laboratories located in Pittsburgh and Mount Hope provide MSHA enforcement programs with analyses of gas, dust, and other industrial hygiene samples to determine compliance with regulations. These laboratories are accredited by national oversight organizations to assure accurate and reliable test data.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$33,791	207
2016	\$33,791	207
2017	\$35,041	208
2018	\$34,079	208
2019	\$35,041	211

TECHNICAL SUPPORT

FY 2020

In FY 2020 MSHA requests \$34,079,000 and 205 FTE for the Technical Support activity.

Technical Support will:

- Continue to evaluate for approval and certification mine equipment, materials, and instruments, with a focus on minimizing backlogs; and continue to evaluate the design of seals, mining impoundments, mine ventilation systems, and ground control systems;
- Provide engineering and scientific technical expertise to evaluate complex health and safety issues, identify causes of accidents, and to support MSHA litigation cases;
- Provide laboratory support for MSHA enforcement by analyzing airborne dust samples, atmospheric gas samples, mine rock dust samples, and other industrial hygiene related samples collected to determine compliance with health and safety standards; and
- Participate and provide leadership in mine emergency response efforts, including providing and managing onsite analytical equipment, communications links, and other sophisticated equipment essential to making critical decisions in rescue/recovery operations.

Technical Support approves equipment for use in underground mines, and conducts testing and quality control auditing of mining equipment and materials to ensure manufacturers' products continue to meet MSHA standards. Technical Support projects it will complete approximately 300 approval actions in FY 2020, similar to the FY 2019 projection and actions completed in FY 2018. Since FY 2012, the number of new approval applications received in each fiscal year has decreased, primarily due to the general decline in coal mining in the United States. The type of equipment Technical Support evaluates and approves includes the following:

- Proximity detection systems in underground coal mines;
- Permissible electric equipment including longwall mining machines, continuous mining machines, shuttle cars, and other equipment powered by either Alternating or Direct Current power sources;
- Portable emergency refuges in underground coal mines;
- Underground diesel equipment, including diesel engines, diesel power packages, diesel machines, and dust collector systems; and
- Flame resistant materials.

MSHA collects fees for the approval and certification of equipment, materials, and explosives for use in mines. Projections for FY 2020 include approximately \$1,200,000 in approval fees, which is slightly less than the amount projected for FY 2019. Applications from manufacturers and associated fees have steadily decreased since 2014, which is due to the decline in US coal production.

Technical Support's PSHTC laboratories support enforcement by analyzing respirable dust samples, mine dust samples, mine air samples, and other industrial hygiene samples. Technical

TECHNICAL SUPPORT

Support estimates that its laboratories will analyze 150,000 samples in support of the enforcement of mine safety and health regulations in FY 2020.

FY 2019

In FY 2019, Technical Support will:

- Provide assistance to enforcement personnel in implementing MINER Act requirements for wireless communication and electronic tracking systems, refuge alternatives, and fire resistant conveyor belts in underground mines;
- Continue to approve and certify mine equipment, materials, instruments, and explosives, with a focus on minimizing backlogs and evaluating the safe design of seals, mining impoundments, mine ventilation systems, and ground control;
- Analyze fatal accident data in support of the fatality and disaster prevention program with a focus on prevention of surface haulage accidents. Working with enforcement (Coal and Metal and Nonmetal) to evaluate safety programs and issue written report of findings and recommendations by the engineers;
- Continue to provide laboratory support for MSHA enforcement by analyzing airborne dust samples, atmospheric gas samples, mine rock dust samples, and other industrial hygiene related samples to determine compliance with health and safety standards;
- Provide technical assistance in the use of the Continuous Personal Dust Monitor to assist industry in evaluating and controlling respirable coal mine dust hazards, and meet the requirements of the respirable coal mine dust rule;
- Participate in and provide leadership in mine emergency response efforts, including providing and managing onsite analytical equipment, communications links, and other sophisticated equipment essential to making critical decisions in rescue/recovery operations;
- Continue to further develop and improve the seismic location system, which can remotely detect and locate trapped miners from a surface location;
- Maintain equipment for MSHA's mine rescue stations for use during mine emergency response;
- Evaluate the sections of ground control plans that address blasting, and assist in the evaluation and investigation of concerns regarding explosives as requested by MSHA's enforcement programs;
- Conduct fire protection design reviews and assist in the evaluation and investigation of concerns related to fire protection issues as requested by MSHA's enforcement programs;
- Review complex mine plans specific to mine waste impoundments, roof control, seals, ventilation, and review amendments to these mine plans as requested by MSHA's enforcement programs; and
- Provide scientific and engineering technical expertise in the development of standards and regulations, and in support of MSHA litigation cases.

Technical Support approves equipment for use in underground mines. It conducts testing and quality control auditing of mining equipment and materials to ensure manufacturers' products continue to meet MSHA standards. Technical Support projects it will complete approximately 300 approval actions in FY 2019, approximately the same number as FY 2018. This projection

TECHNICAL SUPPORT

is slightly less than the FY 2017 actual of 349. Since FY 2012 the number of approvals completed in each fiscal year has decreased, primarily because of the general decline in coal mining in the United States. The types of equipment Technical Support evaluates and approves include:

- Advanced communication and tracking systems;
- Proximity detection systems in underground coal mines;
- Permissible electric equipment including longwall mining machines, continuous mining machines, shuttle cars, and other equipment powered by either Alternating or Direct Current power sources;
- Refuge alternatives in underground coal mines;
- Underground diesel equipment, including diesel engines, diesel power packages, diesel machines, and dust collector systems; and
- Flame resistant materials approved under Title 30 CFR Parts 7 and 14.

MSHA collects fees for the approval and certification of equipment, materials, and explosives for use in mines. The Agency projects that approximately \$1,300,000 in approval fees will be collected in FY 2019, similar to FY 2018.

Technical Support's PSHTC laboratories support enforcement by analyzing respirable dust samples, mine dust samples, mine air samples, and other industrial hygiene samples. Technical Support estimates that it will analyze 150,000 samples in FY 2019 to continue assisting with the enforcement of air quality standards and determining inspection frequency rates for mines based on the hazard levels identified. The estimate includes a projected increase in Metal and Nonmetal respirable dust samples.

FY 2018

Technical Support provided engineering, scientific, and technical expertise to other MSHA program areas. It conducted in-mine studies to maintain the health and safety of miners, participated in accident investigations, and assisted in mine emergency operations. Technical Support also tested equipment and materials for safe underground mining use; reviewed and issued approvals for equipment and products that met established standards; and conducted testing and quality control auditing of mining equipment and materials to ensure manufacturers' products continued to meet MSHA standards.

In FY 2018, Technical Support accomplished the following:

- Approved 293 products and collected \$1,285,585 in approval fees. These collections were lower than projected because the reduction in coal mining caused equipment manufacturers to limit their research activities and product development. Consequently, manufacturers filed fewer product approval applications with MSHA;
- Completed 667 Quality Assurance actions and responded to 70 technical actions related to equipment and product approvals;
- Assisted the coal industry in implementing MINER Act refuge alternatives requirements by completing 23 new refuge alternative structural component approvals and 13

TECHNICAL SUPPORT

modifications to existing approvals. Regulations require that prefabricated refuge alternative structures used in underground coal mines must have MSHA part 7 approvals by December 31, 2018;

- Assisted the mining industry in implementing the MINER Act wireless communication and tracking requirements by completing 2 wireless communication or tracking device approvals; completing 12 wireless communication or tracking device modification approvals; maintaining a communications and tracking system library which includes operating manuals for approved systems; maintaining an approved product list online for all MSHA stakeholders; and providing training to enforcement personnel on communication and tracking systems and the associated MINER Act requirements;
- Assisted the mining industry in implementing the MINER Act fire resistant conveyor belt requirements by completing 27 fire resistant conveyor belt tests, resulting in 25 new product approvals. Two products failed to meet fire resistance requirements. Quality assurance audits were performed on 19 approved conveyor belts to confirm manufacturers were meeting MSHA standards;
- Assisted enforcement with 15 fatal accident investigations and 20 serious accident investigations;
- Provided resources for MSHA's mine rescue stations for use during mine emergency response;
- Assisted enforcement by evaluating the blasting specifications for 12 mine operators' ground control plans and participated on the accident investigation team for a serious explosives accident in FY 2018;
- Assisted enforcement by evaluating 102 roof control plan amendments addressing complex mine design issues such as multiple seam interactions and burst risk potential;
- Supported MSHA enforcement and the Solicitor of Labor by providing scientific and engineering technical expertise in 68 litigation cases;
- Continued to further develop and improve the seismic location system, which can remotely detect and locate trapped miners from a surface location;
- Supported enforcement by calibrating 4,463 field instrumentation (acoustical, radon, anemometers) at laboratories located in Pittsburgh, PA and Mt. Hope, WV; and
- Supported enforcement by analyzing respirable dust samples, mine dust samples, mine air samples, and other industrial hygiene samples at their laboratories located in Pittsburgh, PA and Mt. Hope, WV.

TECHNICAL SUPPORT

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	17,170	17,958	17,958	0
11.3	Other than full-time permanent	114	75	144	69
11.5	Other personnel compensation	374	382	382	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	17,658	18,415	18,484	69
12.1	Civilian personnel benefits	6,445	6,802	6,822	20
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	329	317	291	-26
22.0	Transportation of things	216	215	197	-18
23.1	Rental payments to GSA	180	167	167	0
23.2	Rental payments to others	11	22	27	5
23.3	Communications, utilities, and miscellaneous charges	306	274	274	0
24.0	Printing and reproduction	1	3	3	0
25.1	Advisory and assistance services	66	26	26	0
25.2	Other services from non-Federal sources	443	465	426	-39
25.3	Other goods and services from Federal sources 1/	4,917	3,913	3,902	-11
25.4	Operation and maintenance of facilities	1,201	1,372	1,372	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	790	666	666	0
26.0	Supplies and materials	536	695	695	0
31.0	Equipment	980	726	726	0
32.0	Land and Structures	0	0	0	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	1	1	0
	Total	34,079	34,079	34,079	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	4,228	3,239	3,228	-11
	DHS Services	9	8	8	0
	HHS Services	676	662	662	0
	Services by Other Government Departments	4	4	4	0

TECHNICAL SUPPORT

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	92
Federal Employees' Compensation Act (FECA)	-3
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	5
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	-11
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0
Land and Structures	0

Built-Ins Subtotal **\$83**

Net Program **-\$83**

Direct FTE **0**

	Estimate	FTE
Base	\$34,162	205
Program Increase	\$0	0
Program Decrease	-\$83	0

PROGRAM EVALUATION AND INFORMATION RESOURCES

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	19,083	19,083	21,583	2,500
FTE	51	52	52	0

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 47.

Introduction

The Directorate of Program Evaluation and Information Resources (PEIR) manages MSHA’s program evaluation and information technology (IT) program. PEIR evaluates the effectiveness of the Agency programs, and conducts follow-up reviews to assure appropriate corrective actions. PEIR manages MSHA’s directive system and uses current and emerging technologies to provide enforcement personnel, mine operators, and other stakeholders with updated handbooks, manuals, and related directives.

PEIR collects, analyzes, and publishes data obtained from mine operators and contractors on the occurrence of work-related injuries and illnesses in the mining industry. MSHA, the mining community, and the public use this data to assess progress in preventing occupational injuries and illnesses in the mining industry. PEIR manages MSHA’s Enterprise Architecture (EA) governance process, and operates and maintains information technology applications, and the Agency’s internet and intranet sites. PEIR uses the principles of the EA to collaborate with stakeholders to develop customer driven projects that support MSHA’s mission to protect the safety and health of miners. PEIR also establishes standards and controls for computer and networking hardware and software.

Among its other responsibilities, PEIR also serves as a liaison between MSHA and the Office of the Inspector General (OIG) and the Government Accountability Office (GAO).

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$17,990	67
2016	\$17,990	57
2017	\$17,990	53
2018	\$19,083	47
2019	\$17,990	45

FY 2020

MSHA requests \$21,583,000 and 52 FTE for the PEIR budget activity. PEIR’s funding request includes \$2,500,000 to support the Department’s Worker Protection Agencies’ IT Modernization efforts. These resources will be managed by OCIO on behalf of the worker protection agencies

PROGRAM EVALUATION AND INFORMATION RESOURCES

and OCIO will work in collaboration with the worker protection agencies to determine the specific funding requirements and where funding can best support the Department's IT modernization efforts. These funds support enhancing MSHA's case management system to track the health of mine inspectors and virtual training tools for inspectors to conduct real-life simulations to better assess health risks for miners.

PEIR will continue to counter Cybersecurity risks, redundancies, and other system inefficiencies, and leverage investments across the agencies through reuse, collaboration, cost sharing, and common governance to produce the most effective use of Information Technology to address critical business needs. This aligns with the Presidential Executive Order of promoting more secure, efficient, and economical use of information technology to achieve the Agency's mission.

PEIR will support MSHA's mission to improve the safety and health of the nation's miners by continuing the following efforts:

- Continue modernizing MSHA Specific Infrastructure in alignment with DOL's target architecture by consolidating and optimizing MSHA's core mission system into a modern, unified, and standardized MSHA IT infrastructure that creates robust and scalable applications to support MSHA inspectors and other stakeholders. Modernization will continue focus on Legal ID, Quality Control Application; Program specific reports; Applications for Training and Mine Operation Plans; and Diesel Inventory and Self Contained Self Rescuers (SCSR) Applications.
- Continue to leverage Shared Services provided by the DOL such as Cloud Services, DevSecOps (e.g. JIRA Service Desk, JIRA, Confluence, Bitbucket, Jenkins, AppDynamics, and SharePath), UC, ServiceNow and Virtual Development Environment (VDE).
- Continue to improve current technologies and provide new information technology solutions to enhance MSHA's mission with enhanced inspection tools such as drone technologies.
- Continue to evaluate the effectiveness of the agency policies and program operations and supporting other agency programs in developing processes that review and ensure compliance with these policies and procedures. MSHA will continue its internal controls program and institute facets of the Enterprise Risk Management (ERM) in accordance with OMB Circular A-123 and in alignment with the DOL.
- Continue the development of Business Intelligence (BI) Solutions that enhance data presentation, data accuracy, and additional functionality for all internal and external stakeholders. This activity will support more Agency data driven decision-making by creating additional models. PEIR will use more Artificial (AI) Intelligence to assist in predictive analytics.
- Continue to provide satellite solutions to improve redundancies for mine emergency operations.
- Provide information technology solutions to improve mine emergency operations such as communication enhancements.

PROGRAM EVALUATION AND INFORMATION RESOURCES

FY 2019

PEIR will support MSHA's mission to improve the safety and health of the nation's miners through the following efforts:

- Continuing the development of Service Oriented Architecture (SOA) that provides a basis/foundation for all MSHA's program infrastructure as part of the MSIS Modernization. This phase of Modernization will focus on MSHA specific applications to assist in Sampling, Assessments, Enforcements, and Technical Support.
- Continuing to improve MSHA's intranet and internet sites, in an effort to make the websites compliant and more resource efficient. MSHA will continue to use a content management system based on DRUPAL (a free content management platform).
- Continuing support for Satellite solution for mine emergency operations.
- Continuing to provide technology solutions to improve mine emergency operations.
- Evaluating the effectiveness of the agency policies and program operations and supporting other agency programs in developing processes that review and ensure compliance with these policies and procedures.
- Continuing to support BI Solutions and will implement new BI models to support improved data analytics.

FY 2018

In FY 2018 PEIR supported MSHA's mission to improve the safety and health of the nation's miners by:

- Initiating modernization of MSHA's core mission system, MSIS, in various phases with a SOA platform while continuing maintenance of MSIS until all applications integrate into the modernized system.
- Continuing to improve current technologies and provide new information technology solutions to enhance MSHA's mission. This has provided enhancements to the Special Enforcement Inspection Application and a portion of the Penalty Assessment Applications.
- Evaluating the effectiveness of policies and program operations and supporting the MicroStrategy BI Solution to implement new BI models to support improved data driven decision-making.
- Improving MSHA's intranet and internet sites. MSHA's websites continue to improve Section 508 compliance. In an effort to make the websites compliant and more resource efficient, MSHA will continue to use a content management system based on DRUPAL (a free content management platform).
- Supporting Satellite solution for mine emergency operations. The technical solution has provided a direct satellite connection rather than using land transmission that significantly causes delays during mine emergencies. The solution will continue to expand based on need.
- Providing information technology solutions to improve mine emergency operations.

PROGRAM EVALUATION AND INFORMATION RESOURCES

- Evaluating the effectiveness of the agency policies and program operations and supporting other agency programs in developing processes that review and ensure compliance with these policies and procedures.
- Supporting Special Enforcement and Investigation (SEI) System.

PROGRAM EVALUATION AND INFORMATION RESOURCES

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	5,305	5,303	5,303	0
11.3	Other than full-time permanent	3	0	20	20
11.5	Other personnel compensation	93	88	88	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	5,401	5,391	5,411	20
12.1	Civilian personnel benefits	1,831	1,851	1,858	7
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	58	64	40	-24
22.0	Transportation of things	0	1	1	0
23.1	Rental payments to GSA	541	502	502	0
23.2	Rental payments to others	3	0	0	0
23.3	Communications, utilities, and miscellaneous charges	280	540	540	0
24.0	Printing and reproduction	0	2	2	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	153	112	112	0
25.3	Other goods and services from Federal sources 1/	942	2,406	4,903	2,497
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	8,929	8,084	8,084	0
26.0	Supplies and materials	50	63	63	0
31.0	Equipment	895	43	43	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	24	24	0
	Total	19,083	19,083	21,583	2,500
	1/Other goods and services from Federal sources				
	Working Capital Fund	836	2,299	2,296	-3
	DHS Services	28	23	23	0
	HHS Services	16	16	16	0
	Services by Other Government Departments	62	68	68	0

PROGRAM EVALUATION AND INFORMATION RESOURCES

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	27
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	-3
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$24**

Net Program **\$2,476**

Direct FTE **0**

	Estimate	FTE
Base	\$19,107	52
Program Increase	\$2,500	0
Program Decrease	-\$24	0

PROGRAM ADMINISTRATION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	16,355	16,355	16,355	0
FTE	90	87	87	0

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 91.

Introduction

Program Administration (PA) provides executive direction as well as administrative and management advice and services to support all MSHA’s activities to eliminate fatal mining accidents, reduce the frequency and severity of accidents, and minimize health hazards through enforcement of mandatory safety and health standards in the mining industry.

PA plans and directs administrative management activities within MSHA. Services include the full range of human resources, financial, procurement and contracting, facilities, personal property, fleet, and records management as well as employee safety and health programs for MSHA. PA supports and strengthens all of MSHA’s program activities by providing leadership, policy direction, and administrative support services, enabling the agency to meet annual performance goals and objectives.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$15,838	86
2016	\$15,838	91
2017	\$15,838	95
2018	\$16,355	91
2019	\$15,838	84

FY 2020

In FY 2020, MSHA requests \$16,355,000 and 87 FTE for the PA budget activity. PA will continue to support DOL’s Priority Goal, as well as the Departmental strategic goals and objectives, to prevent fatalities, illness, and injury from mining and promote safe and healthful workplaces for America’s miners.

PA will support the continued efforts of the Agency to merge the enforcement workforce to help ensure miners’ safety and health. PA will support Departmental activities associated with Agency reform and consolidation for several administrative functions. PA will continue to reduce workers’ compensation costs through improved employee health and safety programs, and proactive management of the workers compensation program.

PROGRAM ADMINISTRATION

FY 2019

MSHA's PA program will continue supporting enhanced enforcement, regulatory, and education initiatives. PA will continue efforts to reduce workers' compensation costs through improved employee health and safety programs. MSHA will use data to perform succession planning, focus on enhanced outreach to improve hiring in difficult to fill areas, drive employee engagement, and coordinate employee training and development.

PA will also continue to support MSHA's acquisition programs including innovative procurement processes that continue to leverage small and disadvantaged businesses and ensure best value acquisitions. MSHA will implement continued facility and vehicle fleet management initiatives that maintain mission support in the most cost effective manner.

PA will continue work to support the President's initiative to "Reduce the Footprint" by analyzing space usage throughout the country to determine if other offices can be merged or closed without negatively affecting our mission or severely impacting the employees.

FY 2018

PA supported MSHA's mission to improve the safety and health of the nation's miners by ensuring the effective delivery of administrative and management activities such as:

- Awarded contracts to enhance communications within the various MSHA locations to include, Video Teleconference (VTC) and Unified Communications (UC) Equipment, Support, and Solutions.
- Provided procurement support to secure up-to-date devices, such as laptops and tablets to all MSHA employees, thus enhancing productivity of operations.
- Managed nearly 1,100,000 square feet leased/owned space and completed 4 construction projects.
- Ensured the continued safety and health of MSHA mining inspectors through medical assessment of 1,100 Inspectors.

PROGRAM ADMINISTRATION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	9,614	9,087	9,087	0
11.3	Other than full-time permanent	0	0	33	33
11.5	Other personnel compensation	183	149	149	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	9,797	9,236	9,269	33
12.1	Civilian personnel benefits	2,884	2,777	2,787	10
13.0	Benefits for former personnel	12	0	0	0
21.0	Travel and transportation of persons	117	85	70	-15
22.0	Transportation of things	14	9	9	0
23.1	Rental payments to GSA	937	870	870	0
23.2	Rental payments to others	3	21	25	4
23.3	Communications, utilities, and miscellaneous charges	113	73	73	0
24.0	Printing and reproduction	2	3	3	0
25.1	Advisory and assistance services	15	12	12	0
25.2	Other services from non-Federal sources	190	159	132	-27
25.3	Other goods and services from Federal sources 1/	1,601	2,443	2,438	-5
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	460	606	606	0
26.0	Supplies and materials	113	43	43	0
31.0	Equipment	97	8	8	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	10	10	0
	Total	16,355	16,355	16,355	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	1,462	2,308	2,303	-5
	DHS Services	48	40	40	0
	HHS Services	55	55	55	0
	Services by Other Government Departments	36	40	40	0

PROGRAM ADMINISTRATION

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	44
Federal Employees' Compensation Act (FECA)	-1
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	4
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	-5
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$42**

Net Program **-\$42**

Direct FTE **0**

	Estimate	FTE
Base	\$16,397	87
Program Increase	\$0	0
Program Decrease	-\$42	0