

FY 2019

CONGRESSIONAL BUDGET JUSTIFICATION

MINE SAFETY AND HEALTH ADMINISTRATION

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MINE SAFETY AND HEALTH ADMINISTRATION

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MINE SAFETY AND HEALTH ADMINISTRATION

APPROPRIATION LANGUAGE

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, \$375,906,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work and the hire of passenger motor vehicles; of which up to \$2,000,000 for mine rescue and recovery activities, including ancillary equipment: Provided, 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.

Note.—A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115–56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution.

MINE SAFETY AND HEALTH ADMINISTRATION

AMOUNTS AVAILABLE FOR OBLIGATION						
(Dollars in Thousands)						
	FY 2017 Enacted		FY 2018 Full Year C.R.		FY 2019 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	2,152	\$373,816	2,053	\$371,276	2,065	\$375,906
Offsetting Collections From:						
Reimbursements	0	\$3,249	0	\$3,249	0	\$3,249
<i>Subtotal</i>	<i>2,152</i>	<i>\$377,065</i>	<i>2,053</i>	<i>\$374,525</i>	<i>2,065</i>	<i>\$379,155</i>
B. Gross Budget Authority	2,152	\$377,065	2,053	\$374,525	2,065	\$379,155
Offsetting Collections to:						
Reimbursements	0	-\$3,249	0	-\$3,249	0	-\$3,249
<i>Subtotal</i>	<i>2,152</i>	<i>\$373,816</i>	<i>2,053</i>	<i>\$371,276</i>	<i>2,065</i>	<i>\$375,906</i>
C. Budget Authority Before Committee	2,152	\$373,816	2,053	\$371,276	2,065	\$375,906
Offsetting Collections From:						
Reimbursements	0	\$1,274	0	\$3,249	0	\$3,249
<i>Subtotal</i>	<i>2,152</i>	<i>\$375,090</i>	<i>2,053</i>	<i>\$374,525</i>	<i>2,065</i>	<i>\$379,155</i>
D. Total Budgetary Resources	2,152	\$375,090	2,053	\$374,525	2,065	\$379,155
Unobligated Balance Expiring	-2	-\$570	0	\$0	0	\$0
E. Total, Estimated Obligations	2,150	\$374,520	2,053	\$374,525	2,065	\$379,155

MINE SAFETY AND HEALTH ADMINISTRATION

SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2018 Full Year C.R.	FY 2019 Request	Net Change
Budget Authority			
General Funds	\$371,276	\$375,906	+\$4,630
Total	\$371,276	\$375,906	+\$4,630
Full Time Equivalents			
General Funds	2,053	2,065	12
Total	2,053	2,065	12

FY 2019 Change

Explanation of Change	FY 2018 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	2,053	\$180,837	0	\$0	0	\$0	0	\$0
Personnel benefits	0	\$63,244	0	\$0	0	\$0	0	\$0
One day more of pay	0	\$0	0	\$0	0	\$939	0	\$939
Federal Employees' Compensation Act (FECA)	0	\$0	0	\$0	0	\$0	0	\$0
Benefits for former personnel	0	\$13	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$9,743	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$5,718	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$16,477	0	\$0	0	\$0	0	\$0
Rental payments to others	0	\$57	0	\$0	0	\$0	0	\$0
Communications, utilities, and miscellaneous charges	0	\$0	0	\$0	0	\$0	0	\$0
Printing and reproduction	0	\$0	0	\$0	0	\$0	0	\$0
Advisory and assistance services	0	\$209	0	\$0	0	\$0	0	\$0
Other services from non-Federal sources	0	\$0	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$48,027	0	\$0	0	\$0	0	\$0
Other Federal sources (DHS Charges)	0	\$925	0	\$0	0	\$0	0	\$0
Other goods and services from Federal sources	0	\$2,665	0	\$0	0	\$0	0	\$0
Research & Development Contracts	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of facilities	0	\$844	0	\$0	0	\$0	0	\$0
Operation and maintenance of equipment	0	\$0	0	\$0	0	\$0	0	\$0
Supplies and materials	0	\$0	0	\$0	0	\$0	0	\$0
Equipment	0	\$0	0	\$0	0	\$0	0	\$0
Grants, subsidies, and contributions	0	\$10,787	0	\$0	0	\$0	0	\$0
Insurance claims and indemnities	0	\$12	0	\$0	0	\$0	0	\$0

MINE SAFETY AND HEALTH ADMINISTRATION

FY 2019 Change

Explanation of Change	FY 2018 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Land and Structures	0	\$0	0	\$0	0	\$0	0	\$0
Built-Ins Subtotal	2,053	+\$339,558	0	\$0	0	+\$939	0	+\$939
B. Programs:								
Modernization of MSHA's Standardized Information System	58	\$18,953	0	\$0	0	\$3,000	0	\$3,000
Inspection and Compliance Assistance Activities	575	\$95,059	0	\$0	10	\$1,436	10	\$1,436
Inspection of Metal and Nonmetal Mines in U.S. Territories	575	\$95,059	0	\$0	2	\$480	2	\$480
Programs Subtotal			0	\$0	12	+\$4,916	12	+\$4,916
Total Increase	2,053	+\$339,558	0	\$0	12	+\$5,855	12	+\$5,855
Decreases:								
A. Built-Ins:								
To Provide For:								
Federal Employees' Compensation Act (FECA)	0	\$7,646	0	\$0	0	-\$95	0	-\$95
Communications, utilities, and miscellaneous charges	0	\$2,890	0	\$0	0	-\$23	0	-\$23
Printing and reproduction	0	\$182	0	\$0	0	-\$11	0	-\$11
Other services from non-Federal sources	0	\$5,112	0	\$0	0	-\$110	0	-\$110
Operation and maintenance of equipment	0	\$9,104	0	\$0	0	-\$30	0	-\$30
Supplies and materials	0	\$3,229	0	\$0	0	-\$237	0	-\$237
Equipment	0	\$3,555	0	\$0	0	-\$433	0	-\$433
Built-Ins Subtotal	0	+\$31,718	0	\$0	0	-\$939	0	-\$939
B. Programs:								
Human Resources Consolidation	96	\$16,244	0	\$0	0	-\$286	0	-\$286
Programs Subtotal			0	\$0	0	-\$286	0	-\$286
Total Decrease	0	+\$31,718	0	\$0	0	-\$1,225	0	-\$1,225
Total Change	2,053	+\$371,276	0	\$0	12	+\$4,630	12	+\$4,630

MINE SAFETY AND HEALTH ADMINISTRATION

SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	FY 2017 Enacted		FY 2018 Full Year C.R.		FY 2019 Request		Diff. FY19 Request / FY18 Full Year C.R	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Coal Mine Safety and Health	986	157,204	918	156,136	918	156,136	0	0
General Funds	986	157,204	918	156,136	918	156,136	0	0
Metal and Nonmetal Mine Safety and Health	591	95,709	575	95,059	587	96,975	12	1,916
General Funds	591	95,709	575	95,059	587	96,975	12	1,916
Office of Standards, Regulations, and Variances	18	5,382	18	5,345	18	5,345	0	0
General Funds	18	5,382	18	5,345	18	5,345	0	0
Office of Assessments	53	7,445	51	7,394	51	7,394	0	0
General Funds	53	7,445	51	7,394	51	7,394	0	0
Educational Policy and Development	140	38,559	131	38,297	131	38,297	0	0
General Funds	140	38,559	131	38,297	131	38,297	0	0
Technical Support	213	34,079	206	33,848	206	33,848	0	0
General Funds	213	34,079	206	33,848	206	33,848	0	0
Program Evaluation and Information Resources	54	19,083	58	18,953	58	21,953	0	3,000
General Funds	54	19,083	58	18,953	58	21,953	0	3,000
Program Administration	95	16,355	96	16,244	96	15,958	0	-286

MINE SAFETY AND HEALTH ADMINISTRATION

SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY

(Dollars in Thousands)

	FY 2017 Enacted		FY 2018 Full Year C.R.		FY 2019 Request		Diff. FY19 Request / FY18 Full Year C.R	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
General Funds	95	16,355	96	16,244	96	15,958	0	-286
Total	2,150	373,816	2,053	371,276	2,065	375,906	12	4,630
General Funds	2,150	373,816	2,053	371,276	2,065	375,906	12	4,630

NOTE: 2017 reflects actual FTE.

MINE SAFETY AND HEALTH ADMINISTRATION

BUDGET AUTHORITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
	Full-Time Equivalent				
	Full-time Permanent	2,138	2,041	2,053	12
	Other	12	12	12	0
	Total	2,150	2,053	2,065	12
	Average ES Salary	\$180,059	\$183,480	\$186,838	\$3,358
	Average GM/GS Grade	11/5	11/5	11/5	0
	Average GM/GS Salary	\$83,503	\$85,090	\$86,647	\$1,557
	Average Salary of Ungraded Positions	53,248	54,260	55,253	993
11.1	Full-time permanent	178,825	176,978	178,411	1,433
11.3	Other than full-time permanent	233	158	158	0
11.5	Other personnel compensation	3,624	3,701	3,701	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	182,682	180,837	182,270	1,433
12.1	Civilian personnel benefits	72,483	70,890	71,399	509
13.0	Benefits for former personnel	0	13	13	0
21.0	Travel and transportation of persons	10,463	9,743	10,185	442
22.0	Transportation of things	6,452	5,718	5,718	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	14,600	16,477	16,477	0
23.2	Rental payments to others	40	57	57	0
23.3	Communications, utilities, and miscellaneous charges	3,509	2,890	2,867	-23
24.0	Printing and reproduction	195	182	171	-11
25.1	Advisory and assistance services	88	209	209	0
25.2	Other services from non-Federal sources	5,145	5,112	7,098	1,986
25.3	Other goods and services from Federal sources 1/	49,409	51,617	51,617	0
25.4	Operation and maintenance of facilities	648	844	844	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	9,782	9,104	12,074	2,970
26.0	Supplies and materials	3,226	3,229	3,002	-227
31.0	Equipment	4,284	3,555	3,202	-353
32.0	Land and Structures	0	0	0	0
41.0	Grants, subsidies, and contributions	10,787	10,787	8,691	-2,096
42.0	Insurance claims and indemnities	23	12	12	0
	Total	373,816	371,276	375,906	4,630
	1/Other goods and services from Federal sources				
	Working Capital Fund	46,269	48,027	48,027	0
	DHS Services	678	925	925	0
	HHS Services	1,955	1,469	1,469	0
	Services by Other Government Departments	507	1,196	1,196	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
2009					
Base Appropriation...1/	\$332,061		\$346,895	\$347,003	2,361
2010					
Base Appropriation...2/	\$353,693	\$353,193	\$357,443	\$357,293	2,425
2011					
Base Appropriation...3/	\$360,780		\$377,000	\$363,115	2,328
2012					
Base Appropriation...4/	\$384,277	\$379,854	\$384,277	\$373,293	2,365
2013					
Base Appropriation...5/	\$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...6/	\$375,172	\$359,975			
2019					
Base Appropriation	\$375,906				2,065

1/ This bill was only reported out of Subcommittee and was not passed by the Full House.

2/ 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.

3/ 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.

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

5/ 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.

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

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).

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, continual monitoring of the work environment to protect against new hazards, and 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 FY 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 fatal and all injury rates in mining history in FY 2016, there was a small increase in the number of fatalities in FY 2017. MSHA will utilize FY 2018 resources for enforcement, compliance assistance, and training to work to decrease fatality and injury rates, with a focus on injuries caused by powered haulage, the primary cause of mining accidents.

MSHA's objective of reducing worker fatality rates in mining is based on a rolling five-year average per 200,000 hours worked. In FY 2017, the five-year rolling fatality rate was .0116 as compared to a rate of .0123 in FY 2016.

Resources, Priorities, and Performance

In FY 2019, MSHA is requesting \$375,906,000 and 2,065 FTE. This request builds from the FY 2018 Full-Year Continuing Resolution and reflects MSHA's strong commitment to targeted enforcement and compliance assistance. MSHA's budget includes discretionary program changes listed below.

- Program increases:
 - \$480,000 and 2 FTE for mine inspections in the U.S. Territories
 - \$1,436,000 and 10 FTE to support metal and nonmetal inspections and compliance assistance
 - \$3,000,000 to modernize MSHA's Standardized Information System (MSIS)

These resources will strengthen MSHA's programs and support a continued shift to priority activities such as compliance assistance, targeted inspections, modernizing training, and improving information technology. The Agency's top priority is completing its mandatory inspections under the Mine Act, which requires four inspections per year in underground mines

MINE SAFETY AND HEALTH ADMINISTRATION

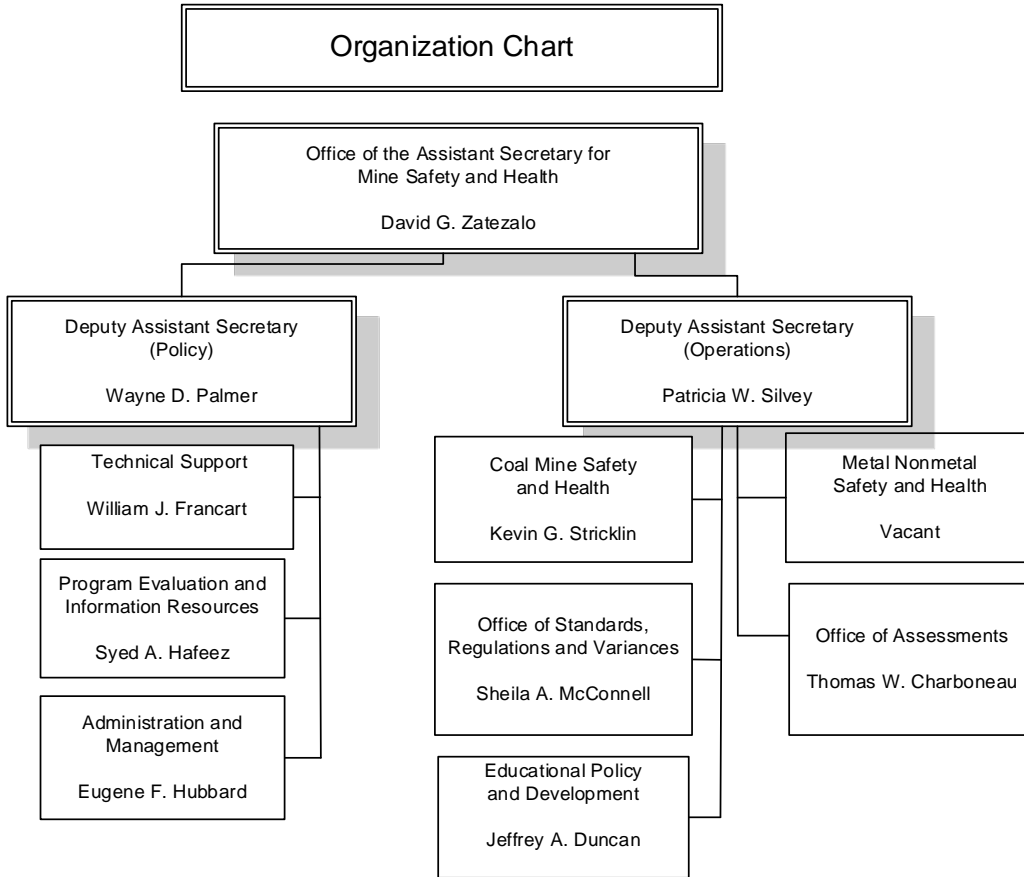
and two inspections per year in surface mines, other mandatory inspection requirements, as well as enforcing all of its mandatory health and safety standards designed to protect the safety and health of the nation's miners.

MSHA continues to identify ways that the Agency can continue to improve efficiency, effectiveness, and accountability. MSHA's efforts seek to align the Agency's organizational structure with its core mission and operating plan, and focus on areas where merging or relocating activities may lead to increased operational efficiency and budgetary savings. Additionally, MSHA continues to work with stakeholders to strengthen collaborative relationships, to better understand the mining communities' particular needs, and to develop specific guidance and outreach to assist them in protecting the health and safety of the nation's miners. For example:

- MSHA recognizes that coal production has declined and has taken appropriate actions to respond to the decline. MSHA closed three district offices and five field offices in 2014 through 2017. Further, MSHA has shifted 75 employees from Coal Mine Safety and Health to support Metal and Nonmetal Mine Safety and Health (MNMSH), Technical Support, and Educational Policy and Development.
- MSHA anticipates an increase in metal and nonmetal mining due to infrastructure revitalization. Therefore, MSHA projects that the need for MNMSH compliance assistance and inspections may increase. The Agency will monitor industry forecasts and adjust resources accordingly.

MSHA continues to work within its industry partnerships and alliances to cooperatively target efforts toward areas of most concern to stakeholders. The MSHA/National Institute for Occupational Safety and Health (NIOSH) diesel exhaust health effects partnership provides a forum for the exchange of scientific findings on the health effects of diesel exhaust in underground coal and metal and nonmetal mines. MSHA's cooperative dust partnership with coal mine operators and miners provides technical assistance on administering the sampling requirements and complying with MSHA's respirable dust rule. Further, MSHA has joined with representatives from industry, labor, manufacturers, and NIOSH to address issues related to refuge alternatives and proximity detection. MSHA's MNMSH has a number of industry alliances through which it works to foster best practices and information sharing focused on health and safety. MSHA will also work with NIOSH, mine operators, miners, and others in the mining community to explore ways to leverage new technologies to improve miner safety and health.

MINE SAFETY AND HEALTH ADMINISTRATION



COAL MINE SAFETY AND HEALTH

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	157,204	156,136	156,136	0
FTE	986	918	918	0

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 995.

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 eliminate 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 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 38 field offices throughout the United States. The majority of 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.

CMSH 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 coal mine.** CMSH will complete mandated inspections four times per year in underground coal mines and twice per year in surface 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 to conduct targeted inspections. These inspections target mines that merit increased agency attention and enforcement due to their poor compliance history, although these inspections are not driven by a specific number.
 - **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 noise and dust are addressed by mine operators. Technical investigations, which evaluate the root causes of hazards and accidents

COAL MINE SAFETY AND HEALTH

in mines, will be conducted. CMSH will also conduct accident prevention inspections in response to specific mine hazards.

- **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.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2014	\$167,859	1,171
2015	\$167,859	1,151
2016	\$167,859	1,099
2017	\$160,000	995
2018	\$0	0

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

FY 2019

In FY 2019, MSHA requests \$156,136,000 and 918 FTE for the CMSH activity.

CMSH will continue to encourage the mining community to develop and implement a health and safety program. CMSH will continue to use an integrated approach toward the prevention of serious accidents, injuries and occupational illnesses in the coal mining industry. In FY 2019, CMSH will continue to ensure safe and healthful workplaces for the nation's coal miners through the following:

- Conduct all regular mandated inspections;
- Conduct targeted inspections;
- Enforce health sampling activities;
- Conduct accident investigations (including root cause analysis);
- Perform accident prevention, and outreach activities;
- Conduct investigations of safety and discrimination complaints made by miners or their representatives; and
- Provide compliance assistance.

CMSH projects that it will conduct approximately 3,150 mandated inspections. The actual number of mandated inspections completed will depend on the number of operating mines. CMSH will conduct other enhanced enforcement activities, such as targeted inspections. These inspections target not only mines with 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.

COAL MINE SAFETY AND HEALTH

As the numbers of mines in specific areas change over time, the enforcement needs will vary. CMSH will monitor where these changes are occurring and allocate resources based on these trends. CMSH will continue to analyze space usage throughout the country to determine if offices can be merged or closed without negatively affecting its mission.

CMSH will continue an integrated approach to prevent occupational illnesses in the coal mining industry. Health issues such as lung diseases and impairment of respiratory function of miners are preventable. The elimination of black lung disease is a continuing priority. CMSH will continue to enforce the standards contained in the final dust rule 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; to monitor operator sampling equipment in conjunction with regular inspections; and to share best practices for controlling exposures to respirable coal mine dust.

MSHA is aware of recent NIOSH research on the increases in the prevalence and severity of Black Lung in central Appalachia. MSHA is committed to continue its work with NIOSH, mine operators, miners, and others in the mining community to better understand the burden of this disease in coal miners and to determine how the Agency can best address the recent resurgence of the most severe form of the disease, progressive massive fibrosis, in central Appalachia and other affected regions.

CMSH will continue to conduct accident and technical investigations, including root cause analysis. 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 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.

MSHA will continue to work with Office of the Solicitor to further improve communication and increase efficiency in efforts to reduce the number of contested cases before Federal Mine Safety and Health Review Commission. CMSH staff will continue to hold pre-contest conferences with mine operators to resolve issues and reach settlements.

CMSH will continue to provide journeyman retraining to inspectors and annual retraining for managers and supervisors on various topics. In addition, it will conduct specialized training on the following subjects: Accident Investigating, Impoundment, Electrical, Health, Roof Control, and Ventilation.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115-56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will

COAL MINE SAFETY AND HEALTH

provide an Operating Plan after a full-year appropriation bill is enacted.

FY 2017

In FY 2017, CMSH completed 100 percent of its regular mandated underground and surface inspections. It also conducted 126 targeted inspections resulting in 1,156 citations, 13 orders, and 8 safeguards issued to minimize hazards with respect to the transportation of miners and materials in underground coal mines, for a total of 1,077 issuances and Significant and Substantial (S&S) rate of 30 percent. These inspections targeted not only mines with compliance issues, but also focused on 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 mining is decreasing to areas that reported an increase in coal production. This reallocation was accomplished through attrition, personnel transfers, and district office closures. In FY 2017, CMSH finalized the closure of District 6 in Pikeville, KY and District 11 in Birmingham, AL, reducing CMSH from 11 districts to 9 districts.

CMSH conducted 41 special emphasis respirable coal mine dust inspections. CMSH continued to enforce the standards and inspection requirements established by the final Respirable Dust Rule. In August 2016, the overall respirable dust standard was lowered from 2.0 mg/m³ to 1.5 mg/m³. During FY 2017, there were no instances that met the threshold for non-compliance; therefore, no citations were issued for respirable coal mine dust samples collected by mine operators using Continuous Personal Dust Monitors.

CMSH continued to conduct accident investigations, including root cause analysis. These investigations allowed CMSH to analyze fatal accidents to identify conditions and practices that contributed to injuries and deaths such as safety standards violated, root causes, and abatement practices. CMSH also performed accident prevention and outreach activities such as Winter Alert and the Preventive Roof/Rib Outreach Program. CMSH continued to implement the CAP program where MSHA inspectors instructed mine employees on best practices to reduce accidents, injuries, and fatalities.

CMSH investigated miner hazard complaints and discrimination complaints in a timely manner. CMSH received 62 discrimination complaints, 37 resulting in a finding of no violation; 7 withdrawn by the complainant; and 17 resulting in the Secretary filing a complaint of discrimination with the Federal Mine Safety and Health Review Commission on behalf of the complainants. CMSH continued to educate miners on their rights under the Mine Act through its outreach programs.

In September 2017, CMSH assisted with the National Mine Rescue Training Contest at the National Mine Academy in Beaver, WV. The contest sharpened skills and tested knowledge of the coal industry's team members who respond in the event of a mine emergency.

COAL MINE SAFETY AND HEALTH

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2017 Enacted		FY 2018 Full Year C.R.	FY 2019 Request
		Target	Result	Target	Target
Coal Mine Safety and Health					
MSHA-CM-01.1	Number of regular mandated coal underground inspections	1,500	1,212	1,200	1,200
MSHA-CM-01.2	Number of regular mandated coal surface inspections	2,200	2,320	2,000	1,950
MSHA-01	Percent of 105(c) investigations of miner discrimination complaints that are completed within 60 days of receipt	85%	96%	85%	85%
MSHA-02	Percent of investigations of miner requests for temporary reinstatements that are completed within 20 days of receipt	75%	80%	75%	75%
MSHA-03	Number of 103(g) imminent danger complaint investigations initiated within 1 day of receipt	100%	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 its enforcement strategies and initiatives through the following:

- *MSHA-CM-01.1, and MSHA-CM.01.2:* In FY 2018 and FY 2019, CMSH 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 be dependent on the number of active coal mines for each year. The projected target for completion of underground and surface mandated inspections in FY 2018 is 3,200 and in FY 2019 is expected to be approximately 3,150. MSHA projects a decrease in mandated inspections as the Agency anticipates a decrease in the number of active mines in FY 2018 and FY 2019. CMSH will conduct targeted inspections at mines with poor compliance history or that have adverse conditions such as increased methane liberation. CMSH 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. CMSH 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:

- *MSHA-01:* In FY 2018 and FY 2019, CMSH expects to meet its goal of completing 85 percent of 105(c) investigations of miner discrimination complaints within 60 days of receipt of a complaint.
- *MSHA-02:* In FY 2018 and FY 2019, CMSH expects to meet its goal of completing 75 percent of investigations of miner requests for temporary reinstatement within 20 days of receipt.
- *MSHA-03:* In FY 2018 and FY 2019, CMSH plans to continue to investigate 100 percent of the number of 103(g) imminent danger complaint within one day of receipt.

COAL MINE SAFETY AND HEALTH

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	78,341	74,944	75,232	288
11.3	Other than full-time permanent	26	0	0	0
11.5	Other personnel compensation	1,714	1,785	1,785	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	80,081	76,729	77,017	288
12.1	Civilian personnel benefits	34,842	33,568	33,617	49
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	2,149	1,751	1,751	0
22.0	Transportation of things	3,115	2,450	2,450	0
23.1	Rental payments to GSA	7,560	8,648	8,648	0
23.2	Rental payments to others	7	36	36	0
23.3	Communications, utilities, and miscellaneous charges	821	422	422	0
24.0	Printing and reproduction	28	21	21	0
25.1	Advisory and assistance services	26	19	19	0
25.2	Other services from non-Federal sources	410	743	743	0
25.3	Other goods and services from Federal sources 1/	22,579	28,774	28,774	0
25.4	Operation and maintenance of facilities	10	6	6	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	1,622	309	309	0
26.0	Supplies and materials	1,057	1,063	1,063	0
31.0	Equipment	2,875	1,585	1,248	-337
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	22	12	12	0
	Total	157,204	156,136	156,136	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	21,674	27,288	27,288	0
	DHS Services	353	479	479	0
	HHS Services	361	378	378	0
	Services by Other Government Departments	191	629	629	0

COAL MINE SAFETY AND HEALTH

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments		\$0
Personnel benefits		0
One day more of pay		409
Federal Employees' Compensation Act (FECA)		-72
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		-337
Grants, subsidies, and contributions		0
Insurance claims and indemnities		0

Built-Ins Subtotal **\$0**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$156,136	918
Program Increase	\$0	0
Program Decrease	\$0	0

METAL AND NONMETAL MINE SAFETY AND HEALTH

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	95,709	95,059	96,975	1,916
FTE	591	575	587	12

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 589.

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 eliminate fatalities, reduce the frequency and severity of accidents, and minimize health hazards in the nation’s approximately 12,200 metal and nonmetal 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.

More than 230,000 people work directly in the metal and nonmetal mining sector, including initial mining of raw materials through processing in preparation for commercial distribution. This industry provides essential materials for the nation's transportation infrastructure, construction and housing, communications, medicine, manufacturing, consumer goods, and agricultural industries. The majority of metal and nonmetal mines are small operations, and many have no formal safety and health programs. However, smaller mines do not mean fewer risks; mine hazards are inherent in the work of moving and processing large volumes of materials.

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:

- **Increase inspection and enforcement effectiveness** - MNMSH will continue to conduct mandated inspections twice per year in metal and nonmetal surface mines and four times per year in underground mines. It will 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.

METAL AND NONMETAL MINE SAFETY AND HEALTH

- **MNMSH Health Program** - MNMSH will continue to conduct health inspections at mines. It will place emphasis on mine operators' responsibility for conducting required health surveys to determine adequate control measures and explore additional innovative initiatives to effectively address the health program.
- **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>
2014	\$91,697	580
2015	\$91,697	586
2016	\$91,697	598
2017	\$94,500	589
2018	\$0	0

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

FY 2019

MSHA requests \$96,975,000 and 587 FTE for the MNMSH activity. This request includes the following program increases relative to the 2018 annualized continuing resolution:

- \$480,000 and 2 FTE to support the Inspection of Metal and Nonmetal Mines in U.S. Territories.
- \$1,436,000 and 10 FTE to support increased Inspection and Compliance Assistance Activities.

MNMSH currently inspects mining operations in the U.S., Puerto Rico, and the Virgin Islands, but historically has not done so in Guam, American Samoa, or CNMI (the Territories). The Territories fall under the jurisdiction of the Mine Act, which requires inspections of underground mines four times a year and surface mines twice a year. Based on preliminary visits to the Territories to initiate activities including stakeholder meetings, training sessions, and compliance assistance visits, the agency anticipates that it will be required to complete at least 100 regular health and safety inspections in the Territories annually. Increased funding will provide for regular inspections, as well as other enforcement activities, such as compliance assistance and the investigation of hazard complaints, accidents, and fatalities. With its presence, mine operators will be better able to work with MSHA to reduce incidences of fatalities, injuries, and miners' exposure to safety and health hazards. Bringing mining operations into compliance will improve conditions for miners and lead to positive safety and health performance impacts.

MNMSH will continue an integrated approach toward the prevention of serious accidents, injuries and occupational illnesses in the mining industry. In FY 2017 the metal and nonmetal

METAL AND NONMETAL MINE SAFETY AND HEALTH

mining sector had 12 fatal accidents, the lowest number of fatalities recorded for a fiscal year in MSHA's history. MNMSH believes this is, in part, due to the number of inspectors or “boots on the ground” available to conduct inspections and compliance assistance visits, stakeholder/miner outreach, and prevention-focused activities. Enforcement activities include compliance follow-up inspections, spot inspections, accident investigations, investigations of hazardous condition complaints, and investigations of discrimination complaints made by miners or their representatives. Additional FTE requested in FY 2019 are needed to bolster these efforts in the robust metal and nonmetal industry. As the training period for new inspectorate can extend to 18 months, there will not be an immediate increase in the number of inspections conducted.

In FY 2019, MNMSH will continue to ensure safe and healthful workplaces for the nation’s miners through the following:

- Conduct all regular mandated inspections;
- Conduct compliance assistance visits;
- Conduct targeted inspections;
- Conduct comprehensive health inspections;
- Perform accident prevention and outreach activities;
- Educate miners to enable them to exercise their rights and protections; and
- Promptly investigate discrimination complaints and requests for temporary reinstatement made by miners or their representatives.

MNMSH estimates it will conduct approximately 27,500 inspections in FY 2019. These include over 17,000 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. 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 continue to focus on improving dam safety by increasing inspection activity at the dams classified as high-hazard potential.

MNMSH will continue conducting targeted inspections. It will select mines for targeted 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.

MNMSH will continue to 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. MNMSH offers these services especially to small mine operators, contractors, and miners who have not received adequate training. Assistance will continue to be provided to new operations, which often employ less experienced miners and need additional initial assistance to establish safe and healthful workplaces.

MNMSH estimates that it will continue to conduct health inspections at a minimum of 20 percent of mines under its jurisdiction.

METAL AND NONMETAL MINE SAFETY AND HEALTH

Miners must have a voice in the workplace, be free to exercise their right to identify hazardous conditions and request Agency inspections without discrimination. 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.

MSHA will continue to work with Office of the Solicitor (SOL) to further improve communication and increase efficiency in efforts to reduce the number of contested cases before Federal Mine Safety and Health Review Commission. MNMSH staff will continue to hold pre-contest conferences with mine operators to resolve issues and reach settlements.

MSHA will continue to provide 21 weeks of entry-level training programs for new MNMSH inspectors, and 48 hours every two years for journeyman inspector retraining. 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.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115–56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

FY 2017

In FY 2017, 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.

MNMSH conducted all mandated safety and health inspections in FY 2017. It completed a total of 16,956 regular mandated inspections and issued 53,156 citations and orders. MNMSH also completed a total of 10,234 other inspection or investigation events at metal and nonmetal mines, including compliance follow-up inspections, spot inspections, accident investigations, investigations of hazardous condition complaints, and investigations of discrimination complaints made by miners or their representatives. MNMSH received 1,172 hazardous condition complaints during FY 2017. As of September 30, 2017, only 51 complaints were pending investigation, and by October 16, 2017, all investigations were completed.

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MNMSH continued a number of prevention-focused activities, including outreach with stakeholders and utilizing the agency's training and enforcement tools. The program issued hazard alerts, safety flyers, and fatality alerts, and distributed various materials to miners to enhance awareness and reduce future incidents. MNMSH developed "Rip and Share" safety articles for the National Stone Sand and Gravel Association's magazine. MNMSH implemented other measures to prevent mining deaths, injuries, and illnesses, including increased surveillance and strategic enforcement through targeted inspections at mines with troubling complaint histories. It completed 51 targeted inspections at metal and nonmetal mines, resulting in 503 citations and 22 orders.

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.

MSHA must ensure that miners are aware of their rights under the Mine Act, have the ability to exercise those rights, and are protected from discrimination or unlawful repercussions when they exercise their rights. 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.

In FY 2017, MNMSH worked with the SOL to reduce the number of contested cases before the Federal Mine Safety and Health Review Commission by conducting 852 Part 100 pre-conferencing meetings with mine operators. A number of Commission dockets were settled at the pre-conferencing meetings.

MNMSH continuously updates and improves journeyman and new inspector training course material presented at the National Mine Health and Safety Academy. It also assisted in course development and instruction to ensure consistency in MSHA's training program for its metal and nonmetal mine inspectors.

METAL AND NONMETAL MINE SAFETY AND HEALTH

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2017 Enacted		FY 2018 Full Year C.R.	FY 2019 Request
		Target	Result	Target	Target
Metal and Nonmetal Mine Safety and Health					
MSHA-MNM-01.1	Number of regular mandated MNM underground inspections	940	882	960	960
MSHA-MNM-01.2	Number of regular mandated MNM surface inspections	16,250	16,373	16,300	16,300
MSHA-01	Percent of 105(c) investigations of miner discrimination complaints that are completed within 60 days of receipt	85%	96%	85%	85%
MSHA-02	Percent of investigations of miner requests for temporary reinstatements that are completed within 20 days of receipt	75%	76%	75%	75%
MSHA-03	Number of 103(g) imminent danger complaint investigations initiated within 1 day of receipt	100%	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-MNM-01.1 and MSHA-MNM 01.2:* 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 non-metal 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 to work in dangerous conditions, and exercising other rights. These efforts support workers' rights through the following:

- *MSHA-01:* In FY 2018 and FY 2019, MNMSH expects to meet its goal of completing 85 percent of 105(c) investigations of miner discrimination complaints within 60 days of receipt of a complaint.
- *MSHA-02:* In FY 2018 and FY 2019, MNMSH expects to meet its goal of completing 75 percent of investigations of miner requests for temporary reinstatement within 20 days of receipt.
- *MSHA-03:* In FY 2018 and FY 2019, MNMSH plans to continue to investigate 100 percent of 103(g) imminent danger complaints within one day of receipt.

METAL AND NONMETAL MINE SAFETY AND HEALTH

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	48,762	48,649	49,874	1,225
11.3	Other than full-time permanent	23	9	9	0
11.5	Other personnel compensation	885	937	937	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	49,670	49,595	50,820	1,225
12.1	Civilian personnel benefits	19,750	19,463	19,859	396
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	6,968	7,016	7,458	442
22.0	Transportation of things	2,653	2,608	2,608	0
23.1	Rental payments to GSA	4,727	5,185	5,185	0
23.2	Rental payments to others	13	10	10	0
23.3	Communications, utilities, and miscellaneous charges	437	524	524	0
24.0	Printing and reproduction	22	16	16	0
25.1	Advisory and assistance services	10	4	4	0
25.2	Other services from non-Federal sources	268	316	316	0
25.3	Other goods and services from Federal sources 1/	9,456	8,406	8,406	0
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	559	251	251	0
26.0	Supplies and materials	1,055	1,183	956	-227
31.0	Equipment	120	482	562	80
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	1	0	0	0
	Total	95,709	95,059	96,975	1,916
	1/Other goods and services from Federal sources				
	Working Capital Fund	8,895	7,547	7,547	0
	DHS Services	210	286	286	0
	HHS Services	220	232	232	0
	Services by Other Government Departments	131	341	341	0

METAL AND NONMETAL MINE SAFETY AND HEALTH

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	256
Federal Employees' Compensation Act (FECA)	-19
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	-237
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$0**

Net Program **\$1,916**

Direct FTE **12**

	Estimate	FTE
Base	\$95,059	575
Program Increase	\$1,916	12
Program Decrease	\$0	0

OFFICE OF STANDARDS, REGULATIONS, AND VARIANCES

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	5,382	5,345	5,345	0
FTE	18	18	18	0

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 18.

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 Federal Mine Safety and Health Act of 1977, as amended by the Mine Improvement and New Emergency Response (MINER) Act of 2006. 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>
2014	\$5,416	27
2015	\$5,416	23
2016	\$5,416	24
2017	\$4,500	18
2018	\$0	0

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

FY 2019

OFFICE OF STANDARDS, REGULATIONS, AND VARIANCES

MSHA requests \$5,345,000 and 18 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 request data and information from the mining community to identify standards and regulations that could be improved or made effective or less burdensome by accommodating advances in technology, innovative techniques or less costly methods, including the requirements that could be streamlined or replaced in frequency, in accordance with E.O. 13777, Enforcing the Regulatory Reform Agenda.
- 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.
- 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 Modifications submitted by mine operators.

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 50 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 2019, OSRV will:

- Process approximately 1,400 requests for information under FOIA.
- 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.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115-56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will

OFFICE OF STANDARDS, REGULATIONS, AND VARIANCES

provide an Operating Plan after a full-year appropriation bill is enacted.

FY 2017

MSHA's regulatory accomplishments include the following:

- On January 9, 2017, MSHA reopened the proposed rulemaking record for public comment on the Agency's request for information on Exposure of Underground Miners to Diesel Exhaust until January 2018. During FY 2017, MSHA and NIOSH held two meetings with Diesel Exhaust Health Effects Partnership. MSHA and NIOSH also discussed best practices to reduce diesel particulate production and exposures to miners and discuss comments received from stakeholders.
- On January 9, 2017, MSHA reopened the rulemaking record and requested additional comments on the Agency's proposed rule on Proximity Detection Systems for Mobile Machines in Underground Mines which was published in the Federal Register on September 2, 2015. In response to a request, MSHA extended the comment period to give stakeholders additional time to evaluate the comments and rulemaking record and provide meaningful input.
- On January 23, 2017, MSHA published a final rule on Examinations of Working Places in Metal and Nonmetal Mines (Exam Rule). Following its publication, MSHA published two final rules that delayed the effective date of the Exam Rule. The first final rule delayed the effective date from May 23, 2017 to October 2, 2017. The second final rule reinstated the provisions of the working place examinations standards that were in effect as of October 1, 2017 and postponed the effective date of the January 23, 2017 rule until June 2, 2018.
- On September 12, 2017, MSHA published a limited reopening of the rulemaking record for the Exam Rule. This proposed rule would provide mine operators additional flexibility in managing their safety and health programs and reduce regulatory burdens without reducing the protections afforded miners. The comment period closed on November 13, 2017.

In FY 2017, OSRV also:

- Processed 33 requests for variances from safety standards (Petitions for Modification).
- Processed 1,098 FOIA requests in accordance with the statute and DOL policy.
- Developed supporting statements for and processed 22 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 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	2,271	2,320	2,329	9
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	42	47	47	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	2,313	2,367	2,376	9
12.1	Civilian personnel benefits	645	641	643	2
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	21	10	10	0
22.0	Transportation of things	0	1	1	0
23.1	Rental payments to GSA	153	167	167	0
23.2	Rental payments to others	18	0	0	0
23.3	Communications, utilities, and miscellaneous charges	12	21	21	0
24.0	Printing and reproduction	80	78	67	-11
25.1	Advisory and assistance services	0	63	63	0
25.2	Other services from non-Federal sources	31	52	52	0
25.3	Other goods and services from Federal sources 1/	1,854	1,937	1,937	0
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	40	2	2	0
26.0	Supplies and materials	4	6	6	0
31.0	Equipment	211	0	0	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	5,382	5,345	5,345	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	1,825	1,902	1,902	0
	DHS Services	7	9	9	0
	HHS Services	20	23	23	0
	Services by Other Government Departments	2	3	3	0

OFFICE OF STANDARDS, REGULATIONS, AND VARIANCES

CHANGES IN FY 2019

(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	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	-11
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 **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$5,345	18
Program Increase	\$0	0
Program Decrease	\$0	0

OFFICE OF ASSESSMENTS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	7,445	7,394	7,394	0
FTE	53	51	51	0

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 56.

Introduction

The Office of Assessments (OA) administers the Civil Penalty 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 MSHA’s enhanced enforcement strategies including the Pattern of Violations (POV) Program, which identifies mines exhibiting a POV for enhanced enforcement, use of injunctive authority, and targeted inspections. 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>
2014	\$6,976	57
2015	\$6,976	52
2016	\$6,976	52
2017	\$6,627	56
2018	\$0	0

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

FY 2019

MSHA requests \$7,394,000 and 51 FTE for the OA budget activity. In FY 2019, OA will continue the following efforts:

- Assess civil penalties for violations of the Mine Act consistently, 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 Special Enforcement and Special Investigations programs.

OFFICE OF ASSESSMENTS

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 a minimum of one official screening to identify mines exhibiting a Pattern of Violations (POV) under Section 104 of the Mine Act.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115–56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

FY 2017

OA assessed civil penalties for violations of the Mine Act. In FY 2017, OA accomplished the following:

- Issued 20,526 Notices of Proposed Civil Penalty Assessments, proposing \$56 million in civil penalties for 101,018 citations and orders for violations of health and safety standards cited by MSHA enforcement inspectors.
- Proposed special assessed civil penalties for 375 violations, six of which were for flagrant violations, totaling \$10 million.

OA also collected and accounted for penalties paid, and accounted for all penalty cases in litigation before FMSHRC. In FY 2017, OA accomplished the following:

- Received and accounted for 26,523 payments from mine operators totaling \$47 million.
- Referred 1,435 delinquent civil penalty cases accounting for \$4.6 million to the Department of the Treasury for collection.
- Worked with the FMSHRC to docket 3,342 penalty contest cases involving 16,553 violations totaling \$24 million in decision amounts.
- The total contested penalty case backlog peaked at approximately 15,000 cases consisting of 89,000 citations in January 2011. As of September 30, 2017, the total backlog was 2,791 cases with 14,792 citations compared to 4,556 cases with 22,450 citations as of September 30, 2015, reductions of 31 percent and 33 percent, respectively.
- The “targeted backlog,” which consisted of contests filed between October 1, 2007 and February 28, 2010, and was the original focus of the joint backlog project between DOL and the FMSHRC, declined almost 99 percent since June 30, 2010, falling from 10,740 cases with 65,988 citations to 63 cases with 217 citations as of September 30, 2017.

OFFICE OF ASSESSMENTS

The Office of Accountability branch within OA conducted reviews of 14 enforcement districts. These reviews included audits of 447 areas of enforcement activities. The review team conducted a root cause analysis to determine the most effective corrective actions of identified shortcomings. Assessments' staff monitored the corrective actions, including documentation to ensure the corrective actions were completed by the enforcement programs.

OA conducted the annual screening for the Pattern of Violations (POV) Program. For the third consecutive year, there were no mines identified as meeting all of the POV screening criteria.

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

- The Technical Compliance Investigation Office completed 125 discrimination case investigations in FY 2017 and resolved 61 temporary reinstatement requests. In FY 2017 OA reviewed 100 percent of all special investigations completed by enforcement personnel to ensure thorough, properly developed investigations and recommendations.

MSHA filed sixteen requests for temporary reinstatement during FY 2017 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, the MSHA filed 31 complaints alleging mine safety discrimination. MSHA resolved 312 Section 110 cases. MSHA proposed 143 civil penalties against 101 individuals with proposed assessments totaling \$561,031. To ensure compliance with required investigative practices the Technical Compliance Investigation Office conducted 7 enforcement field office reviews.

OFFICE OF ASSESSMENTS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	4,537	4,491	4,508	17
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	75	87	87	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	4,612	4,578	4,595	17
12.1	Civilian personnel benefits	1,474	1,458	1,464	6
13.0	Benefits for former personnel	0	1	1	0
21.0	Travel and transportation of persons	42	41	41	0
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	162	202	202	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	239	225	202	-23
24.0	Printing and reproduction	2	0	0	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	76	98	98	0
25.3	Other goods and services from Federal sources 1/	710	753	753	0
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	56	15	15	0
26.0	Supplies and materials	20	9	9	0
31.0	Equipment	52	14	14	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	7,445	7,394	7,394	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	650	678	678	0
	DHS Services	18	25	25	0
	HHS Services	37	42	42	0
	Services by Other Government Departments	5	8	8	0

OFFICE OF ASSESSMENTS

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	23
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	-23
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 **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$7,394	51
Program Increase	\$0	0
Program Decrease	\$0	0

EDUCATIONAL POLICY AND DEVELOPMENT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	38,559	38,297	38,297	0
FTE	140	131	131	0

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 138.

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 inspectors.

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, 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 49 states and the Navajo Nation. 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>
2014	\$36,320	154
2015	\$36,320	144
2016	\$36,320	143
2017	\$39,320	138
2018	\$0	0

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

FY 2019

In FY 2019, MSHA requests \$38,297,000 and 131 FTE for the EPD budget activity.

In order to foster a culture of safety and improve safety and health conditions in the mining workplace, 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. 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; the request includes \$8,441,000 for this program. At this funding level, EPD anticipates the State Grants Program will train approximately 170,000 miners. EPD also manages the Brookwood-Sago Mine Safety Grants Program.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115-56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

EDUCATIONAL POLICY AND DEVELOPMENT

FY 2017

In FY 2017, consistent with statutory requirements, mine operators must ensure that employees have access to training programs. EPD developed its own training curricula, exercises, and materials to assist mine operators with providing a complete training program to their employees. EPD raised the quality of training by becoming more involved in the development and delivery of training through the following efforts:

- EPD implemented industry outreach and support focused on reducing workplace injuries, illnesses and fatalities.
 - EFSMS provided fatal accident reduction awareness and training for miners through monthly outreach efforts in collaboration with MNM. The initiative provided onsite training observations and training materials that focused on recent fatal and/or near miss accidents. EFSMS and MNM leveraged resources with the mining community in the development of training topics and materials.
 - EFSMS and the Academy participated in a Coal Mine Safety and Health Fatality Awareness Initiative to address increased injuries and fatalities among less experienced coal miners. This initiative focused on an assessment of training provided for miners with less than 12 months of experience at the mine site or in their present occupation, onsite field observations, and reviews of training plans and records. The Academy also supported the initiative by providing instructors who visited seven mine sites and presented safety materials to 166 new miners.
 - As a result of all FY 2017 initiatives, EFSMS worked with approximately 4,000 mine operators.

EPD continued a training initiative to evaluate the effectiveness of 30 CFR Part 48 training and retraining miners in an effort to address the shortcomings of inadequate miner training. EFSMS evaluated instructors in the classroom to ensure miners are receiving effective training. It evaluated the effectiveness of Part 48 training and retraining through a concentrated effort to monitor New Miner, Experienced Miner, and Annual Refresher training. EFSMS implemented and continued to receive training notifications from mine operators, contractors, and training providers. This resulted in more than 1,000 instructor evaluations in FY 2017. EFSMS offered real time feedback to industry instructors to enhance the training.

- The Academy continued its evolution toward a 21st Century training hub, providing training programs to 13,866 students using traditional, online, and video conference capabilities. The Training Resources Applied to Mining conference had 262 participants with 37 separate presentations related to training. Industry personnel used Academy facilities for training events held by the United Mine Workers of America, the United Steel Workers, and numerous mine rescue teams. The Academy hosted the annual blasting seminar, recognized by many states as providing mandatory continuing education credit. The Academy maintained its long-standing ties to Marshall University and Mount West Community College and began exploring a relationship with West

EDUCATIONAL POLICY AND DEVELOPMENT

Virginia University Technological Institute. The Academy began developing an international relationship by hosting a delegation of government executives from China.

- EPD continued onsite monitoring of approved instructors to ensure they are providing effective health and safety training to miners. EPD placed special emphasis on the evaluation of contract instructors.
 - EPD built upon its success utilizing training notifications to monitor MSHA approved instructors and incorporated the monitoring of competent persons and subject matter experts addressed in Part 48 and Part 46. This permitted EFSMS the opportunity to evaluate approximately 300 additional instructors and offer feedback on the quality of instruction provided to miners.
- EPD continued to expand its distance learning program to include additional online courses developed for MSHA's entry-level and journeyman level inspector classes, and new online programs designed for the mining industry.
 - The Academy developed an online dredging video in collaboration with Ohio Aggregates, with an anticipated release in early FY 2018. The Academy developed thirteen and revised four online courses promoting enhanced training for entry-level inspectors. The Academy used MSHA-wide Video Teleconferencing capabilities for journeyman- level inspector training.
- EPD continued to provide training to mine operators and miners in the U.S. Pacific Island Territories to improve safety and health, and reduce workplace injuries, illnesses, and fatalities. In FY 2017, EPD provided \$73,100 to the U.S. Pacific Territories (Guam \$34,300; American Samoa \$19,400; Commonwealth of Northern Mariana Islands \$19,400) in Cooperative Agreement funding to strengthen their knowledge and ability to provide quality training for miners at a local level. In addition, Guam was awarded \$10,000 in grant funding under the State Grants Program to aid in mining training.
 - Under the State Grants Program, MSHA awarded \$10,537,000 grant funding to 47 states, Guam, Native Village of Barrow, and the Navajo Nation. Grantees used the funds to provide miners with federally mandated training. The grants covered training and retraining of miners working at surface and underground coal and metal and nonmetal mines, including miners engaged in shell dredging or employed at surface stone, sand, and gravel mining operations.

EDUCATIONAL POLICY AND DEVELOPMENT

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	12,568	12,099	12,146	47
11.3	Other than full-time permanent	44	32	32	0
11.5	Other personnel compensation	199	221	221	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	12,811	12,352	12,399	47
12.1	Civilian personnel benefits	4,458	4,405	4,418	13
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	703	515	515	0
22.0	Transportation of things	443	422	422	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	625	736	736	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	1,000	987	987	0
24.0	Printing and reproduction	53	62	62	0
25.1	Advisory and assistance services	2	2	2	0
25.2	Other services from non-Federal sources	3,523	3,081	5,117	2,036
25.3	Other goods and services from Federal sources 1/	2,973	4,478	4,478	0
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	252	127	127	0
26.0	Supplies and materials	354	261	261	0
31.0	Equipment	575	82	82	0
41.0	Grants, subsidies, and contributions	10,787	10,787	8,691	-2,096
42.0	Insurance claims and indemnities	0	0	0	0
	Total	38,559	38,297	38,297	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	2,824	4,308	4,308	0
	DHS Services	28	41	41	0
	HHS Services	57	57	57	0
	Services by Other Government Departments	64	72	72	0

EDUCATIONAL POLICY AND DEVELOPMENT

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	63
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	-60
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 **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$38,297	131
Program Increase	\$0	0
Program Decrease	\$0	0

TECHNICAL SUPPORT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	34,079	33,848	33,848	0
FTE	213	206	206	0

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 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 in Kentucky, West Virginia, Colorado, and Utah. Technical Support provides engineering, scientific, and technical expertise to MSHA and the mining industry. It conducts field and laboratory forensic 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 a water inundation, 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, Pennsylvania and Mount Hope, West Virginia provide MSHA enforcement programs with analyses of gas and dust 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>
2014	\$33,791	214
2015	\$33,791	207
2016	\$33,791	207
2017	\$35,041	208
2018	\$0	0

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

TECHNICAL SUPPORT

FY 2019

MSHA requests \$33,848,000 and 206 FTE for the Technical Support activity. In FY 2019, Technical Support will:

- Continue to approve and certify mine equipment, materials, instruments, and explosives, 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 by 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;
- 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 350 approval actions in FY 2019, the same number as completed in FY 2017 and expected for 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 2019 include approximately \$1,200,000 in approval fees, which is slightly less than the amount collected in FY 2017. 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 analytical laboratories analyze mine dust samples to determine compliance with incombustible content requirements to help prevent mine explosions, and analyze mine air samples to determine compliance with methane and oxygen requirements, assist enforcement of air quality standards, and set inspection frequency rates for mines based on the

TECHNICAL SUPPORT

hazard level identified. Technical Support estimates that its laboratories will analyze 140,000 samples in support of the enforcement of mine safety and health regulations in FY 2019.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115–56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

FY 2017

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 2017, Technical Support accomplished the following:

- Approved 349 products and collected \$1,276,854.25 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, manufactures filed fewer product approval applications with MSHA;
- Completed 899 Quality Assurance actions and responded to 100 technical actions related to equipment and product approvals;
- Assisted the coal industry in implementing MINER Act refuge alternative requirements by completing 18 refuge alternative structural component 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 4 wireless communication or tracking device approvals; completing 7 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 28 fire resistant conveyor belt tests, resulting in 20 product approvals and 8 product failures. Audits performed on 12 fire resistant conveyor belt products confirmed manufacturers were meeting MSHA standards;
- Assisted enforcement with 15 accident investigations and completed investigative files for 26 accident investigations;

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- Purchased and maintained equipment for MSHA’s mine rescue stations (Pittsburgh, PA, Denver, CO/Price, UT, Madisonville, KY, and Beckley, WV) for use during mine emergency response;
- Assisted enforcement by evaluating the blasting sections of approximately 15 mine ground control plans and participating in the accident investigation team for a MNMSH explosives accident in FY 2017;
- Supported MSHA litigation cases by providing scientific and engineering technical expertise in 11 litigation cases and completing investigative files for 19 litigations.
- Continued to further develop and improve the seismic location system, which can remotely detect and locate trapped miners from a surface location; and
- Supported enforcement by analyzing respirable dust samples, mine dust samples, and mine air samples at their analytical laboratories located in Pittsburgh, PA and Mt. Hope, WV. The following table shows details on the 135,740 samples that Technical Support processed in FY 2017.

Mine Samples Processed in FY 2017 by Technical Support Laboratories

Mine Type	Sample Type	Samples Processed
Coal	Mine Gases	9,870
Metal and Nonmetal	Mine Gases	836
Coal	Mine Rock Dust	35,457
Coal	Quartz	15,189
Coal	Respirable Dust	60,774
Metal and Nonmetal	Diesel Particulate Matter	846
Coal	Metal Fumes and Dust	71
Metal and Nonmetal	Metal Fumes and Dust	594
Metal and Nonmetal	Organic Liquid Aerosols	65
Metal and Nonmetal	Respirable Dust	11,410
Metal and Nonmetal	Total Dust	628
Total Samples		135,740

TECHNICAL SUPPORT

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	17,120	18,679	18,751	72
11.3	Other than full-time permanent	138	114	114	0
11.5	Other personnel compensation	453	368	368	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	17,711	19,161	19,233	72
12.1	Civilian personnel benefits	6,466	6,470	6,494	24
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	524	329	329	0
22.0	Transportation of things	230	228	228	0
23.1	Rental payments to GSA	153	167	167	0
23.2	Rental payments to others	2	11	11	0
23.3	Communications, utilities, and miscellaneous charges	410	222	222	0
24.0	Printing and reproduction	1	0	0	0
25.1	Advisory and assistance services	49	113	113	0
25.2	Other services from non-Federal sources	515	482	482	0
25.3	Other goods and services from Federal sources 1/	6,107	4,207	4,207	0
25.4	Operation and maintenance of facilities	638	838	838	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	375	121	121	0
26.0	Supplies and materials	592	535	535	0
31.0	Equipment	306	964	868	-96
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	0	0	0
	Total	34,079	33,848	33,848	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	4,880	3,528	3,528	0
	DHS Services	7	9	9	0
	HHS Services	1,199	666	666	0
	Services by Other Government Departments	21	4	4	0

TECHNICAL SUPPORT

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	97
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	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	-96
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0
Land and Structures	0

Built-Ins Subtotal **\$0**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$33,848	206
Program Increase	\$0	0
Program Decrease	\$0	0

PROGRAM EVALUATION AND INFORMATION RESOURCES

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	19,083	18,953	21,953	3,000
FTE	54	58	58	0

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 53.

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 that appropriate corrective actions have been taken. 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 all agency 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>
2014	\$17,990	72
2015	\$17,990	67
2016	\$17,990	57
2017	\$17,990	53
2018	\$0	0

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

FY 2019

MSHA requests \$21,953,000 and 58 FTE for the PEIR budget activity. This amount includes \$3,000,000 for investments to modernize MSHA’s core mission IT system, MSHA Standardized

PROGRAM EVALUATION AND INFORMATION RESOURCES

Information System (MSIS) which is at end of life and has security vulnerabilities which increases risk of system failure. Continuing to patch a nearly 20 year system will cost significantly higher than replacing it with a more secure, functional, and streamlined platform that integrates other mission critical applications like MSHA's Inspection Tracking System and the Special Enforcement and Investigation System. In addition, it will 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:

- Modernizing MSHA's core mission system, MSIS, in various phases with a Service Oriented Architecture (SOA) platform while continuing maintenance of MSIS until all applications have been integrated into the modernized system.
- Continuing to improve current technologies and provide new information technology solutions to enhance MSHA's mission.
- Evaluating the effectiveness of policies and program operations and supporting the MicroStrategy Business Intelligence (BI) Solution to implement new BI models to support improved data driven decision-making.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115-56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

FY 2017

In FY 2017 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 have been integrated into the modernized system.
- Continuing to improve current technologies and provide new information technology solutions to enhance MSHA's mission.

PROGRAM EVALUATION AND INFORMATION RESOURCES

- 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.

PROGRAM EVALUATION AND INFORMATION RESOURCES

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	5,426	5,748	5,770	22
11.3	Other than full-time permanent	2	3	3	0
11.5	Other personnel compensation	96	92	92	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	5,524	5,843	5,865	22
12.1	Civilian personnel benefits	1,835	2,020	2,028	8
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	29	20	20	0
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	442	502	502	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	427	379	379	0
24.0	Printing and reproduction	8	3	3	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	156	139	139	0
25.3	Other goods and services from Federal sources 1/	3,789	1,349	1,349	0
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	6,757	8,257	11,227	2,970
26.0	Supplies and materials	30	43	43	0
31.0	Equipment	86	398	398	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	19,083	18,953	21,953	3,000
	1/Other goods and services from Federal sources				
	Working Capital Fund	3,710	1,236	1,236	0
	DHS Services	20	28	28	0
	HHS Services	47	16	16	0
	Services by Other Government Departments	12	69	69	0

PROGRAM EVALUATION AND INFORMATION RESOURCES

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	30
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	-30
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$0**

Net Program **\$3,000**

Direct FTE **0**

	Estimate	FTE
Base	\$18,953	58
Program Increase	\$3,000	0
Program Decrease	\$0	0

PROGRAM ADMINISTRATION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	16,355	16,244	15,958	-286
FTE	95	96	96	0

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 95.

Introduction

Program Administration (PA) provides administrative and management advice, products, and services to assist the Office of the Assistant Secretary in implementing the Mine Act, as amended by the MINER Act. The program’s director and staff members serve as principal advisors to the Assistant Secretary on Federal laws, regulations, standards, policies, procedures, and related matters concerning the planning, acquisition, utilization, evaluation, and management of MSHA’s human, financial, and property resources.

PA plans and directs the full range of administrative management within MSHA. Support services include the full range of personnel management; financial management; procurement and contracting; facilities, personal property, fleet, and records management; and 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 safety and health performance goals and objectives.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2014	\$15,838	91
2015	\$15,838	86
2016	\$15,838	91
2017	\$15,838	95
2018	\$0	0

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

FY 2019

In FY 2019, MSHA requests \$15,958,000 and 96 FTE for the PA budget activity. The FY 2019 request includes a program decrease of \$286,000 to reflect the Department’s consolidation of human resources functions into the Office of Administration and Management, as described in the Working Capital Fund budget.

PA will continue to support DOL’s Priority Goal, as well as the Departmental strategic goals and objectives, to prevent fatalities, disease, and injury from mining and secure safe and healthful

PROGRAM ADMINISTRATION

working conditions for America's miners. MSHA's PA program will continue supporting enhanced enforcement, regulatory, and education initiatives.

MSHA will continue its comprehensive human capital plan with goals to reduce mission-critical skills gaps, enhance employee diversity, and reduce workman's compensation costs through improved employee health and safety programs. MSHA will use data to perform robust succession planning; develop recruiting plans to revitalize recruitment and outreach efforts to attract the best and brightest candidates while ensuring a diverse pool of job applicants; drive employee engagement and inclusion; and provide innovative, budget-friendly, 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 also seek and implement continued facility and vehicle fleet management initiatives that maintain mission support in the most cost effective manner.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115-56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

FY 2017

In FY 2017 PA supported MSHA's mission to improve the safety and health of the nation's miners by:

- Awarded and oversaw implementation of DOL's first Energy Performance Savings Contract;
- Awarded stand-alone facilities support contracts at Bruceton, PA to save more than \$1 million; and
- Managed nearly 1,200,000 square feet leased/owned space and completed 3 construction projects.

PROGRAM ADMINISTRATION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	9,800	10,048	9,801	-247
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	160	164	164	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	9,960	10,212	9,965	-247
12.1	Civilian personnel benefits	3,013	2,865	2,876	11
13.0	Benefits for former personnel	0	12	12	0
21.0	Travel and transportation of persons	27	61	61	0
22.0	Transportation of things	11	9	9	0
23.1	Rental payments to GSA	778	870	870	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	163	110	110	0
24.0	Printing and reproduction	1	2	2	0
25.1	Advisory and assistance services	1	8	8	0
25.2	Other services from non-Federal sources	166	201	151	-50
25.3	Other goods and services from Federal sources 1/	1,941	1,713	1,713	0
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	121	22	22	0
26.0	Supplies and materials	114	129	129	0
31.0	Equipment	59	30	30	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	16,355	16,244	15,958	-286
	1/Other goods and services from Federal sources				
	Working Capital Fund	1,811	1,540	1,540	0
	DHS Services	35	48	48	0
	HHS Services	14	55	55	0
	Services by Other Government Departments	81	70	70	0

PROGRAM ADMINISTRATION

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	50
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	-50
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 **-\$286**

Direct FTE **0**

	Estimate	FTE
Base	\$16,244	96
Program Increase	\$0	0
Program Decrease	-\$286	0