

## Appendix A

### Federal Mine Safety & Health Act of 1977, Public Law 91-173, as amended by Public Law 95-164\* (Excerpt)

#### (a) Appropriate subjects

The Secretary of the Interior and the Secretary of Health, Education, and Welfare, as appropriate, shall conduct such studies, research, experiments, and demonstrations as may be appropriate--

- (1) to improve working conditions and practices in coal or other mines, and to prevent accidents and occupational diseases originating in the coal or other mining industry;
- (2) to develop new or improved methods of recovering persons in coal or other mines after an accident;
- (3) to develop new or improved means and methods of communication from the surface to the underground area of a coal or other mine;
- (4) to develop new or improved means and methods of reducing concentrations of respirable dust in the mine atmosphere of active workings of the coal or other mine;
- (5) to develop epidemiological information to (A) identify and define positive factors involved in occupational diseases of miners, (B) provide information on the incidence and prevalence of pneumoconiosis and other respiratory ailments of miners, and (C) improve mandatory health standards;
- (6) to develop techniques for the prevention and control of occupational diseases of miners, including tests for hypersusceptibility and early detection;
- (7) to evaluate the effect on bodily impairment and occupational disability of miners afflicted with an occupational disease;
- (8) to prepare and publish from time to time, reports on all significant aspects of occupational diseases of miners as well as on the medical aspects of injuries, other than diseases, which are revealed by the research carried on pursuant to this subsection;
- (9) to study the relationship between coal or other mine environments and occupational diseases of miners;
- (10) to develop new and improved underground equipment and other sources of power for such equipment which will provide greater safety;
- (11) to determine, upon the written request by any operator or authorized representative of miners, specifying with reasonable particularity the grounds upon which such request is made, whether any substance normally found in a coal or other mine has potentially toxic effects in the concentrations normally found in the coal or other mine or whether any physical agents or equipment found or used in a coal or other mine has potentially hazardous effects, and shall submit such determinations to both the operators and miners as soon as possible; and
- (12) for such other purposes as they deem necessary to carry out the purposes of this Act.

#### (b) Responsibility for carrying out prescribed activities

Activities under this section in the field of coal or other mine health shall be carried out by the Secretary of Health, Education, and Welfare through the National Institute for Occupational Safety and Health established under the Occupational Safety and Health Act of 1970, and activities under this section in

the field of coal or other mine safety shall be carried out by the Secretary of the Interior in coordination with the Secretary.

**(c) Contracting with and grants to public and private agencies; availability of information; exceptions**

In carrying out the provisions for research, demonstrations, experiments, studies, training, and education under this section and sections 301(b) and 502(a) of this Act, the Secretary of the Interior and the Secretary of Health, Education, and Welfare in coordination with the Secretary may enter into contracts with, and make grants to, public and private agencies and organizations and individuals. No research, demonstrations, or experiments shall be carried out, contracted for, sponsored, cosponsored, or authorized under authority of this Act, unless all information, uses, products, processes, patents, and other developments resulting from such research, demonstrations, or experiments will (with such exception and limitation, if any, as the Secretary of the Interior or the Secretary of Health, Education, and Welfare in coordination with the Secretary may find to be necessary in the public interest) be available to the general public.

**(d) Prevention of diseases affecting persons working with mine products**

The Secretary of Health, Education, and Welfare shall also conduct studies and research into matters involving the protection of life and the prevention of diseases in connection with persons, who although not miners, work with, or around the products of, coal or other mines in areas outside of such mines and under conditions which may adversely affect the health and well-being of such persons.

**(e) Authorization of appropriations**

There is authorized to be appropriated to the Secretary of the Interior such sums as may be necessary to carry out his responsibilities under this section and section 301(b) of this Act at an annual rate of not to exceed \$20,000,000 for the fiscal year ending June 30, 1970, \$25,000,000 for the fiscal year ending June 30, 1971, and \$60,000,000 for the fiscal year ending June 30, 1972, and for each succeeding fiscal year thereafter. There is authorized to be appropriated annually to the Secretary of Health, Education, and Welfare such sums as may be necessary to carry out his responsibilities under this Act. Such sums shall remain available until expended.

**(f) Exceptions to mandatory health and safety standards for improving techniques and equipment**

The Secretary is authorized to grant on a mine-by-mine basis an exception to any mandatory health or safety standard under this Act for the purpose of permitting, under such terms and conditions as he may prescribe, accredited educational institutions the opportunity for experimenting with new and improved techniques and equipment to improve the health and safety of miners. No such exception shall be granted unless the Secretary finds that the granting of the exception will not adversely affect the health and safety of miners and publishes his findings.

**(g) Grants for research and development of respiratory equipment**

The Secretary of Health, Education, and Welfare is authorized to make grants to any public or private agency, institution, or organization, and operators or individuals for research and experiments to develop effective respiratory equipment.