

obligations, commitments, unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available or to be made available, in connection with the functions transferred by this Act as he may deem necessary to accomplish the purposes of this Act.

(Pub. L. 95-164, title III, §301, Nov. 9, 1977, 91 Stat. 1317; Pub. L. 96-38, title I, §100, July 25, 1979, 93 Stat. 111.)

#### REFERENCES IN TEXT

The Federal Coal Mine Health and Safety Act of 1969, referred to in subsecs. (a) and (b)(1), is Pub. L. 91-173, Dec. 30, 1969, 83 Stat. 742, as amended, which was redesignated the Federal Mine Safety and Health Act of 1977 by Pub. L. 95-164, title I, §101, Nov. 9, 1977, 91 Stat. 1290, and is classified principally to this chapter (§801 et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 801 of this title and Tables.

The Federal Metal and Nonmetallic Mine Safety Act, referred to in subsecs. (a) and (b), is Pub. L. 89-577, Sept. 16, 1966, 80 Stat. 772, which was classified generally to chapter 21 (§721 et seq.) of this title and was repealed by Pub. L. 95-164, title III, §306(a), Nov. 9, 1977, 91 Stat. 1322.

This Act, referred to in subsecs. (a), (c)(1), and (e), means Pub. L. 95-164, Nov. 9, 1977, 91 Stat. 1290, known as the Federal Mine Safety and Health Amendments Act of 1977, which enacted sections 822 to 825 and 961 of this title and section 557a of Title 29, Labor, amended sections 801 to 804, 811 to 821, 842, 861, 878, 951 to 955, 958, and 959 of this title and sections 5314 and 5315 of Title 5, Government Organization and Employees, repealed sections 721 to 740 of this title and section 1456a of Title 43, Public Lands, and enacted provisions set out as notes under sections 801 and 954 of this title and section 11 of former Title 31, Money and Finance. For complete classification of this Act to the Code, see Short Title of 1977 Amendment note set out under section 801 of this title and Tables.

The date of enactment of this Act, referred to in subsec. (a), is the date of enactment of Pub. L. 95-164, which was approved Nov. 9, 1977.

The Health and Safety Academy, referred to in subsec. (a), probably means the National Mine Health and Safety Academy. See section 952(c) of this title.

The Federal Mine Safety and Health Act of 1977, referred to in subsec. (b)(1), is Pub. L. 91-173, Dec. 30, 1969, 83 Stat. 742, as amended by Pub. L. 95-164, title I, §101, Nov. 9, 1977, 91 Stat. 1290, which is classified principally to this chapter (§801 et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 801 of this title and Tables.

For the time this section takes effect, referred to in subsec. (c)(2) and (4), see Effective Date of 1977 Amendment note set out under section 801 of this title.

#### CODIFICATION

Section was enacted as part of Pub. L. 95-164, known as the Federal Mine Safety and Health Amendments Act of 1977, and not as part of Pub. L. 91-173, Dec. 30, 1969, 83 Stat. 742, known as the Federal Mine Safety and Health Act of 1977 which comprises this chapter.

#### AMENDMENTS

1979—Subsec. (a). Pub. L. 96-38 inserted provision transferring the Health and Safety Academy to the Secretary of Labor.

#### EFFECTIVE DATE

For the effective date of this section, see section 307 of Pub. L. 95-164, set out as an Effective Date of 1977 Amendment note under section 801 of this title.

### § 962. Acceptance of contributions and prosecution of projects; cooperative programs to promote health and safety education and training; recognition and funding of Joseph A. Holmes Safety Association; use of funds for costs of mine rescue and survival operations

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.

(Pub. L. 114-113, div. H, title I, Dec. 18, 2015, 129 Stat. 2593.)

#### CODIFICATION

Section was enacted as part of the appropriation act cited as the credit to this section, and not as part of the Federal Mine Safety and Health Act of 1977 which comprises this chapter.

#### SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:

- Pub. L. 113-235, div. G, title I, Dec. 16, 2014, 128 Stat. 2460.
- Pub. L. 113-76, div. H, title I, Jan. 17, 2014, 128 Stat. 357.
- Pub. L. 112-74, div. F, title I, Dec. 23, 2011, 125 Stat. 1060.
- Pub. L. 111-117, div. D, title I, Dec. 16, 2009, 123 Stat. 3235.
- Pub. L. 111-8, div. F, title I, Mar. 11, 2009, 123 Stat. 759.
- Pub. L. 110-161, div. G, title I, Dec. 26, 2007, 121 Stat. 2164.
- Pub. L. 109-149, title I, Dec. 30, 2005, 119 Stat. 2841.
- Pub. L. 108-447, div. F, title I, Dec. 8, 2004, 118 Stat. 3120.
- Pub. L. 108-199, div. E, title I, Jan. 23, 2004, 118 Stat. 233.
- Pub. L. 108-7, div. G, title I, Feb. 20, 2003, 117 Stat. 305.
- Pub. L. 107-116, title I, Jan. 10, 2002, 115 Stat. 2183.
- Pub. L. 106-554, §1(a)(1) [title I], Dec. 21, 2000, 114 Stat. 2763, 2763A-9.
- Pub. L. 106-113, div. B, §1000(a)(4) [title I], Nov. 29, 1999, 113 Stat. 1535, 1501A-223.
- Pub. L. 105-277, div. A, §101(f) [title I], Oct. 21, 1998, 112 Stat. 2681-337, 2681-344.
- Pub. L. 105-78, title I, Nov. 13, 1997, 111 Stat. 1475.
- Pub. L. 104-208, div. A, title I, §101(e) [title I], Sept. 30, 1996, 110 Stat. 3009-233, 3009-240.
- Pub. L. 104-134, title I, §101(d) [title I], Apr. 26, 1996, 110 Stat. 1321-211, 1321-218; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327.
- Pub. L. 103-333, title I, Sept. 30, 1994, 108 Stat. 2545.
- Pub. L. 103-112, title I, Oct. 21, 1993, 107 Stat. 1088.

- Pub. L. 102-394, title I, Oct. 6, 1992, 106 Stat. 1797.  
 Pub. L. 102-170, title I, Nov. 26, 1991, 105 Stat. 1112.  
 Pub. L. 101-517, title I, Nov. 5, 1990, 104 Stat. 2195.  
 Pub. L. 101-166, title I, Nov. 21, 1989, 103 Stat. 1164.  
 Pub. L. 100-436, title I, Sept. 20, 1988, 102 Stat. 1686.  
 Pub. L. 100-202, §101(h) [title I], Dec. 22, 1987, 101 Stat. 1329-256, 1329-262.  
 Pub. L. 99-500, §101(i) [H.R. 5233, title I], Oct. 18, 1986, 100 Stat. 1783-287, and Pub. L. 99-591, §101(i) [H.R. 5233, title I], Oct. 30, 1986, 100 Stat. 3341-287.  
 Pub. L. 99-178, title I, Dec. 12, 1985, 99 Stat. 1107.  
 Pub. L. 98-619, title I, Nov. 8, 1984, 98 Stat. 3310.  
 Pub. L. 98-139, title I, Oct. 31, 1983, 97 Stat. 876.  
 Pub. L. 97-377, title I, §101(e)(1) [title I], Dec. 21, 1982, 96 Stat. 1878, 1883.  
 Pub. L. 97-92, §101(a) [H.R. 4560, title I], Dec. 15, 1981, 95 Stat. 1183.  
 Pub. L. 96-536, §101(a) [incorporating H.R. 4389, title I, for FY 1980], Dec. 16, 1980, 94 Stat. 3166.  
 Pub. L. 96-123, §101(g) [H.R. 4389, title I], Nov. 20, 1979, 93 Stat. 925.  
 Pub. L. 95-480, title I, Oct. 18, 1978, 92 Stat. 1570.  
 Pub. L. 95-355, title I, Sept. 8, 1978, 92 Stat. 529.

### § 963. Technical Study Panel

#### (a) Establishment

There is established a Technical Study Panel (referred to in this section as the "Panel") which shall provide independent scientific and engineering review and recommendations with respect to the utilization of belt air and the composition and fire retardant properties of belt materials in underground coal mining.

#### (b) Membership

The Panel shall be composed of—

- (1) two individuals to be appointed by the Secretary of Health and Human Services, in consultation with the Director of the National Institute for Occupational Safety and Health and the Associate Director of the Office of Mine Safety;
- (2) two individuals to be appointed by the Secretary of Labor, in consultation with the Assistant Secretary for Mine Safety and Health; and
- (3) two individuals, one to be appointed jointly by the majority leaders of the Senate and House of Representatives and one to be appointed jointly by the minority leader of the Senate and House of Representatives, each to be appointed prior to the sine die adjournment of the second session of the 109th Congress.

#### (c) Qualifications

Four of the six individuals appointed to the Panel under subsection (b) shall possess a masters or doctoral level degree in mining engineering or another scientific field demonstrably related to the subject of the report. No individual appointed to the Panel shall be an employee of any coal or other mine, or of any labor organization, or of any State or Federal agency primarily responsible for regulating the mining industry.

#### (d) Report

##### (1) In general

Not later than 1 year after the date on which all members of the Panel are appointed under subsection (b), the Panel shall prepare and submit to the Secretary of Labor, the Secretary of Health and Human Services, the Committee on Health, Education, Labor, and

Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives a report concerning the utilization of belt air and the composition and fire retardant properties of belt materials in underground coal mining.

#### (2) Response by Secretary

Not later than 180 days after the receipt of the report under paragraph (1), the Secretary of Labor shall provide a response to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives containing a description of the actions, if any, that the Secretary intends to take based upon the report, including proposing regulatory changes, and the reasons for such actions.

#### (e) Compensation

Members appointed to the Panel, while carrying out the duties of the Panel shall be entitled to receive compensation, per diem in lieu of subsistence, and travel expenses in the same manner and under the same conditions as that prescribed under section 210(c) of title 42.

(Pub. L. 91-173, title V, §514, as added Pub. L. 109-236, §11, June 15, 2006, 120 Stat. 501.)

### § 964. Scholarships

#### (a) Establishment

The Secretary of Education (referred to in this section as the "Secretary"), in consultation with the Secretary of Labor and the Secretary of Health and Human Services, shall establish a program to provide scholarships to eligible individuals to increase the skilled workforce for both private sector coal mine operators and mine safety inspectors and other regulatory personnel for the Mine Safety and Health Administration.

#### (b) Fundamental skills scholarships

##### (1) In general

Under the program under subsection (a), the Secretary may award scholarship to fully or partially pay the tuition costs of eligible individuals enrolled in 2-year associate's degree programs at community colleges or other colleges and universities that focus on providing the fundamental skills and training that is of immediate use to a beginning coal miner.

##### (2) Skills

The skills described in paragraph (1) shall include basic math, basic health and safety, business principles, management and supervisory skills, skills related to electric circuitry, skills related to heavy equipment operations, and skills related to communications.

##### (3) Eligibility

To be eligible to receive a scholarship under this subsection an individual shall—

- (A) have a high school diploma or a GED;
- (B) have at least 2 years experience in full-time employment in mining or mining-related activities;
- (C) submit to the Secretary an application at such time, in such manner, and containing such information; and