

CHARTER

MINE SAFETY AND HEALTH RESEARCH ADVISORY COMMITTEE

Purpose

The Federal Mine Safety and Health Act of 1977 authorizes the Secretary, Department of Health and Human Services (HHS) to: 1) conduct such studies, research, experiments, and demonstrations to improve working conditions and practices in mines, and to prevent occupational diseases originating in the mining industry (30 U.S.C. § 951(a)(1), (Public Law 91-173, § 501(a)(1)); 2) conduct studies and research into matters involving the protection of life and the prevention of diseases in connection with persons who work with or around the products of mines, which may adversely affect their health and well-being (30 U.S.C. § 951(d), (Public Law 91-173, § 501(d)); and, 3) make grants for research and experiments to develop effective respiratory equipment (30 U.S.C. § 951(g), (Public Law 91-173, § 501(g)). Under other provisions relating to mining, the Department also conducts scientific and technologic investigations with a view to improving health conditions and increasing safety in mines.

Authority

30 U.S.C. § 812(b), (§ 102(b)(1) of the Federal Mine Safety and Health Act of 1977). The committee is governed by the provisions of Public Law 92-463, as amended (5 U.S.C. App. 2), which sets forth standards for the formation and use of advisory committees.

Function

The Mine Safety and Health Research Advisory Committee shall advise the Secretary, HHS; the Director, Centers for Disease Control and Prevention (CDC); and the Director, National Institute for Occupational Safety and Health (NIOSH), CDC, on the conduct of mine health research including making of grants and entering into contracts for such research (30 U.S.C. § 812 (b)(2), (Public Law 91-173, § 102(b)(2)). The committee shall also provide advice on the conduct of mine safety research. The committee shall evaluate the degree to which: 1) the mine research activities of NIOSH conform to those standards of scientific excellence appropriate to Federal scientific instructions in accomplishing objectives in mine safety and health; 2) the mine research activities, along or in conjunction with other known activities inside and outside of NIOSH,

address currently relevant needs in the field of mine safety and health; and 3) the research activities produce intended results in addressing important research questions in mine safety and health, both in terms of applicability of the research findings and translation of the findings.

Structure

The committee shall consist of 10 appointed members, including the Chair, and individuals from the following Federal agencies: the Assistant Secretary of Labor, Mine Safety and Health Administration; the Director, National Science Foundation; and the Director, National Institutes of Health. Members and the Chair shall be selected by the Secretary, HHS, or designee. The Chair and a majority of the persons appointed shall be individuals who have no economic interests in the mining industry, and who are not operators, miners, officers or employees of the Federal Government or any State or local government in accordance with 30 U.S.C. § 812(b)(1) and (3), (Public Law 91-173, § 102(b)(1) and (3)).

Committee membership shall be structured as follows: the Chair, individuals from the following Federal agencies (or their delegates, voting rights of individuals from the Federal agencies may be delegated to specified alternates): the Assistant Secretary of Labor, Mine Safety and Health Administration; the Director, National Science Foundation; and the Director, National Institutes of Health; individuals knowledgeable in mine safety and health research and dissemination of scientific research findings and currently practicing in their profession; individuals representing labor mining organizations; and individuals representing the mining industry.

Members shall be invited to serve for overlapping terms of up to four years, except that any member appointed to fill a vacancy for an unexpired term shall be appointed for the remainder of that term. Terms of more than two years are contingent upon the renewal of the committee by appropriate action prior to its termination. A member may serve 180 days after the expiration of that member's term if a successor has not taken office.

Subcommittees may be established from time to time with the approval of the Secretary, HHS, or designee. The Department Committee Management Officer will be notified upon establishment of each subcommittee, and will be provided information on its name, membership, function, and estimated frequency of meetings.

Management and support services shall be provided by the Office of the Director, National Institute for Occupational Safety and Health, CDC.

Meetings

Meetings shall be held approximately once per year at the call of the Designated Federal Official, in consultation with the Chair. The Designated Federal Official shall also approve the agenda and shall be present at all meetings.

Meetings shall be open to the public except as determined otherwise by the Secretary, HHS, or other official to whom the authority has been delegated, in accordance with the Government in the Sunshine Act (5 U.S.C. 552b(c)) and Section 10(d) of the Federal Advisory Committee Act; notice of all meetings shall be given to the public.

Meetings shall be conducted, and records of the proceedings kept, as required by applicable Federal laws and Departmental regulations.

Compensation

Members who are not full-time Federal employees shall be paid at the rate of \$250 per day, or at the rate of \$31.25 per hour, as determined by the agency, not to exceed \$250 per day; plus per diem and travel expenses in accordance with standard government travel regulations.

Annual Cost Estimate

Estimated annual cost for operating the committee, including compensation and travel expenses for members but excluding staff support, is \$18,709. Estimate of annual person-years of staff support required is 0.30, at an estimated annual cost of \$45,796.

Reports

In the event a portion of a meeting is closed to the public, as determined by the Secretary, HHS, in accordance with the Government in the Sunshine Act (5 U.S.C. 552b(c)) and Section 10(d) of the Federal Advisory Committee Act, a report shall be prepared which shall contain, as a minimum, a list of members and their business addresses, the committee's activities, and recommendations made during the fiscal year. A copy of the report shall be provided to the Department Committee Management Officer.

Termination Date

Unless renewed by appropriate action prior to its expiration, the Mine Safety and Health Research Advisory Committee will terminate November 30, 2008.

Approved:

10/17/06

Date

Alvin Hall, M.S

Director

Management Analysis and Services Office