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# United States Senate

COMMITTEE ON APPROPRIATIONS  
WASHINGTON, DC 20510-6025  
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February 20, 2007

2007 FEB 20 P 2:00

The Honorable Elaine L. Chao  
Secretary  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

Dear Secretary Chao:

Now that the Fiscal Year (FY) 2007 Joint Funding Resolution, H.J. Res. 20, has been signed into law, I strongly urge that you give very careful consideration to including support for the following projects and funding levels in the agency's funding plan to be submitted to the Committee, pursuant to Title I, Section 113:

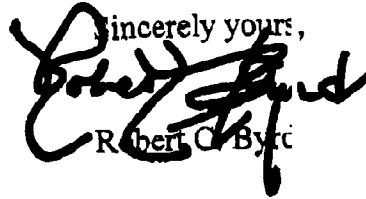
- Mine Safety and Health Administration: The Appropriations Committee has provided a level of \$299,836,000 million (plus an estimated \$1.3 million to offset the cost of government wide pay raises), for the Mine Safety and Health Administration, \$13.3 million above the President's FY 2007 budget request, to allow the agency to continue its national efforts to hire and train new mine safety inspectors.
- \$1.5 million for the National Technology Transfer Center at Wheeling Jesuit University for the coal slurry impoundment pilot project. Through this program, the Center identifies innovative ways to address the safety and stability of current and future coal waste impoundments. The program, which has been coordinated in cooperation with MSHA, has sponsored public workshops and developed an on-line resource to identify/categorize the more than 230 coal impoundments in West Virginia, to alert residents of emergency situations and related evacuation plans, to improve safety, and provide the latest information on alternatives for more securely impounding coal waste.

I would appreciate a follow-up report from you regarding these initiatives, including the level of funding each item may receive in FY 2007. If you decide to proceed with these important initiatives, please advise me of the milestone events leading to their full implementation.

The Honorable Elaine L. Chao  
February 16, 2007  
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Should you or your staff have any questions, please contact my Appropriations Staff Director, Mr. Terry Sauvain, at (202) 224-7200. I look forward to your prompt response.

With best wishes, I am

Sincerely yours,  
  
Robert C. Byrd

RCB:cbg

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**U.S. Department of Labor**

Mine Safety and Health Administration  
1100 Wilson Boulevard  
Arlington, Virginia 22209-3939



**MAR 28 2007**

The Honorable Robert C. Byrd  
Chairman  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510-6025

Dear Chairman Byrd:

Secretary of Labor Elaine L. Chao has asked that I respond to your letter expressing support for the continuation of the Mine Safety and Health Administration's national efforts to hire and train new mine safety enforcement personnel and your request of \$1.5 million for the National Technological Transfer Center at Wheeling Jesuit University.

The Department will continue its national efforts to hire and train an additional 170 mine safety enforcement personnel. To support this initiative, the Department has held 18 job fairs with over 1,200 applicants. As of March 19, 2007, 125 new MSHA coal enforcement personnel have been hired toward this goal and are currently receiving training. We have also hired eight (8) new instructors for the MSHA Academy in Beckley, West Virginia.

Given the specific language of Section 112 of P.L. 110-5, as well as February 15<sup>th</sup> guidance from the Office of Management and Budget concerning earmarks, we do not plan to provide non-competitive funding to Wheeling Jesuit University at this time. However, MSHA is currently reviewing the *Coal Waste Impoundment Location and Warning System Progress Report*, presented by Wheeling Jesuit University to the Agency on February 26, 2007, to determine the appropriate next steps in this project.

Again, thank you for writing. If I can be of further assistance, please contact me.

Sincerely,

Richard E. Stickler  
Assistant Secretary for  
Mine Safety and Health

You can now file your MSHA forms online at [www.MSHA.gov](http://www.MSHA.gov). It's easy, it's fast, and it saves you money!