

Calendar No. 426

106TH CONGRESS
1ST SESSION

S. 1114

[Report No. 106-227]

To amend the Federal Mine Safety and Health Act of 1977 to establish a more cooperative and effective method for rulemaking that takes into account the special needs and concerns of smaller miners.

IN THE SENATE OF THE UNITED STATES

MAY 25, 1999

Mr. ENZI (for himself, Mr. BOND, and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

JANUARY 7, 2000

Reported under authority of the order of the Senate of November 19, 1999,
by Mr. JEFFORDS, without amendment

A BILL

To amend the Federal Mine Safety and Health Act of 1977 to establish a more cooperative and effective method for rulemaking that takes into account the special needs and concerns of smaller miners.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Small Mine Advocacy
3 Review Panel Act”.

4 **SEC. 2. PURPOSE.**

5 The purpose of this Act is to establish a more cooper-
6 ative and effective method for rulemaking with respect to
7 mandatory health or safety standards that takes into ac-
8 count the special needs and concerns of small mine opera-
9 tors.

10 **SEC. 3. AMENDMENT TO FEDERAL MINE SAFETY AND**
11 **HEALTH ACT OF 1997.**

12 (a) IN GENERAL.—Section 101(a)(2) of the Federal
13 Mine Safety and Health Act of 1977 (30 U.S.C.
14 811(a)(2)) is amended by inserting before the last sen-
15 tence the following: “The procedures for gathering com-
16 ments from small entities as described in section 609 of
17 title 5, United States Code, shall apply under this section
18 and small mine operators shall be considered to be small
19 entities for purposes of such section. For purposes of the
20 preceding sentence, the term ‘small mine operator’ has the
21 meaning given the term ‘small business concern’ under
22 section 3 of the Small Business Act (including any rules
23 promulgated by the Small Business Administration) as
24 such term relates to a mining operation.”.

25 (b) CONFORMING AMENDMENT.—Section 609(d) of
26 title 5, United States Code, is amended by striking “Agen-

1 cy and” and inserting “Agency, the Mine Safety and
2 Health Administration and”.

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