



July 26, 2010

Honorable George Miller  
Chairman  
Committee on Education and Labor  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

Based on a review of H.R. 5663, the Robert C. Byrd Miner Safety and Health Act of 2010 as ordered reported on July 21, 2010, CBO estimates that enacting this legislation would not affect direct spending over the 2010-2020 period. However, CBO estimates that the legislation would increase revenues by \$200 million over the 2010-2020 period. CBO has not completed an estimate of the bill's impact on discretionary spending.

H.R. 5663 would amend several sections of the Federal Mine Safety and Health Act of 1977 (FMSHA) and the Occupational Safety and Health Act of 1970 (OSHA). The bill would require certain mine operators to implement safety measures to protect mine workers, require mine operators to comply with new standards regarding employee rights, and require independent accident investigations for certain accidents. The bill would also enhance whistleblower protections and victims' rights under OSHA.

H.R. 5663 would increase civil and criminal penalties for violations under both FMSHA and OSHA. Based on information from the Department of Labor, CBO estimates that \$120 million would be generated from penalties collected under title III (relating to FMSHA) of the bill and \$80 million would be generated from penalties collected under title VII (relating to OSHA). Because enacting H.R. 5663 would affect revenues, pay-as-you-go procedures would apply (see enclosed table).

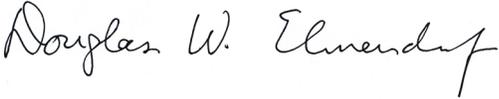
CBO has determined that the bill contains several private-sector mandates and one intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA). Because of insufficient information about the incremental costs related to some of the mandates, CBO cannot determine whether the aggregate cost of those private-sector mandates would exceed the annual threshold established in UMRA (\$141 million in 2010, adjusted

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annually for inflation). CBO estimates that the total cost of the intergovernmental mandate would be small and would not exceed the annual threshold established for state, local, and tribal entities (\$70 million in 2010, adjusted annually for inflation).

I hope this information is helpful to you. If you would like further details on this estimate, the CBO contacts are Grant Driessen, Sean Dunbar, and Andrea Noda.

Sincerely,

Handwritten signature of Douglas W. Elmendorf in cursive script.

Douglas W. Elmendorf  
Director

Enclosure

cc: Honorable John Kline  
Ranking Member

July 26, 2010

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**CBO Estimate of Pay-As-You-Go Effects for H.R. 5663, the Robert C. Byrd Miner Safety and Health Act of 2010,  
as ordered reported by the House Committee on Education and Labor on July 21, 2010**

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By Fiscal Year, in Millions of Dollars

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	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010- 2015	2010- 2020
<b>NET INCREASE OR DECREASE (-) IN THE DEFICIT</b>													
Statutory Pay-As-You-Go Impact	0	-20	-20	-20	-20	-20	-20	-20	-20	-20	-20	-100	-200

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Source: Congressional Budget Office.

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