

S 2803

MINER Act

**Congress:** 109 (2005–2007, Ended)

**Chamber:** Senate

**Policy Area:** Labor and Employment

**Introduced:** May 16, 2006

**Current Status:** By Senator Enzi from Committee on Health, Education, Labor, and Pensions filed written report. Report

**Latest Action:** By Senator Enzi from Committee on Health, Education, Labor, and Pensions filed written report. Report No. 109-365. (Dec 6, 2006)

**Law:** 109-236 (Enacted Dec 6, 2006)

**Official Text:** <https://www.congress.gov/bill/109th-congress/senate-bill/2803>

Sponsor

**Name:** Sen. Enzi, Michael B. [R-WY]

**Party:** Republican • **State:** WY • **Chamber:** Senate

Cosponsors (11 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Byrd, Robert C. [D-WV]	D · WV		May 16, 2006
Sen. DeWine, Mike [R-OH]	R · OH		May 16, 2006
Sen. Isakson, Johnny [R-GA]	R · GA		May 16, 2006
Sen. Kennedy, Edward M. [D-MA]	D · MA		May 16, 2006
Sen. Murray, Patty [D-WA]	D · WA		May 16, 2006
Sen. Rockefeller, John D., IV [D-WV]	D · WV		May 16, 2006
Sen. Santorum, Rick [R-PA]	R · PA		May 16, 2006
Sen. Specter, Arlen [R-PA]	R · PA		May 19, 2006
Sen. Bunning, Jim [R-KY]	R · KY		May 22, 2006
Sen. McConnell, Mitch [R-KY]	R · KY		May 22, 2006
Sen. Obama, Barack [D-IL]	D · IL		May 23, 2006

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred To	May 25, 2006
Health, Education, Labor, and Pensions Committee	Senate	Reported By	May 23, 2006

Subjects & Policy Tags

**Policy Area:**

Labor and Employment

Related Bills

Bill	Relationship	Last Action
109 HR 5481	Related bill	<b>Jul 14, 2006:</b> Referred to the Subcommittee on 21st Century Competitiveness.
109 HR 5432	Related bill	<b>Jun 12, 2006:</b> Referred to the Subcommittee on 21st Century Competitiveness.

**(This measure has not been amended since it was reported to the Senate on May 23, 2006. The summary of that version is repeated here.)**

Mine Improvement and New Emergency Response Act of 2006 or the MINER Act - (Sec. 2) Amends the Federal Mine Safety and Health Act of 1977 to require underground coal mine operators to: (1) carry out continuously a program to improve accident preparedness and response at each mine; and (2) adopt and update accident response plan for evacuations and for maintenance of individuals trapped underground. Requires such a plan to provide for: (1) redundant means and local coordination of communication; (2) post-accident location of underground personnel; (3) emergency air supplies; (4) self-rescuer caches, maintenance, and replacement; (5) escapeways and flame-resistant directional lifelines; (6) emergency training; and (7) within three years, post accident wireless communication between underground and the surface and electronic tracking of trapped persons.

(Sec. 3) Declares that no one may bring an action against covered individuals or their regular employers for property damage or injury (or deaths) resulting from mine accident rescue operations, unless the damage or injury was the result of gross negligence, reckless conduct, or illegal conduct or where the regular employer is the operator of the mine where the rescue activity takes place. Defines "regular employer" to mean the entity that is the covered employee's legal or statutory employer pursuant to applicable state law.

(Sec. 4) Directs the Secretary of Labor to require: (1) Mine Safety and Health Administration (MSHA) to establish and update criteria to certify the qualifications of mine rescue teams; and (2) mine operators to have one employee knowledgeable in emergency response on each shift and two certified mine rescue teams available at each mine within one hour.

(Sec. 5) Requires notification of a mine accident to be provided to the Secretary by the operator within 15 minutes of knowledge of a death or potentially fatal injury. Imposes a civil penalty upon operators who do not provide such notification.

(Sec. 6) Amends the Occupational Safety and Health Act of 1970 to establish within the National Institute for Occupational Safety and Health (NIOSH) an Office of Mine Safety and Health to enhance the development of new mine safety technology and applications and to expedite the commercial availability and implementation of such technology. Authorizes the NIOSH Director to: (1) award competitive grants to institutions and private entities to encourage the development and manufacture of mine safety equipment; (2) award contracts to educational institutions or private laboratories for the performance of product testing or related work with respect to new mine technology and equipment; and (3) establish an interagency working group to share technology, research, and developments concerning mine safety and accident response. Authorizes appropriations.

(Sec. 7) Directs the Secretary to require: (1) the temporary assignment of a departmental official as a liaison with the families of victims of mine tragedies involving multiple deaths; and (2) MSHA to be as responsive as possible to family requests for information and to serve as the primary communicator.

(Sec. 8) Prescribes penalties for operator violations of health or safety standards or orders, including withdrawal orders.

(Sec. 9) Authorizes the Secretary to institute a civil action for relief when an operator violates orders or decisions issued under this Act.

(Sec. 10) Requires the Secretary to finalize mandatory health and safety standards relating to the sealing of abandoned areas in coal mines which shall increase the current 20 psi standard.

(Sec. 11) Establishes a Technical Study Panel to provide independent scientific review and recommendations regarding the use of belt air and the composition and fire retardant properties of belt materials in mines.

(Sec. 12) Requires the Secretary of Education to establish a program to provide scholarships to individuals to increase the skilled workforce for mine operators, mine safety inspectors, and other MSHA personnel. Authorizes appropriations.

(Sec. 13) Requires NIOSH to provide for research on various refuge alternatives in an underground coal mines.

(Sec. 14) Requires the Secretary of Labor to award Brookwood-Sago Mine Safety Grants for education and training programs to better identify and prevent unsafe working conditions in and around mines. Authorizes appropriations.

## Actions Timeline

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- **Dec 6, 2006:** By Senator Enzi from Committee on Health, Education, Labor, and Pensions filed written report. Report No. 109-365.
- **Dec 6, 2006:** By Senator Enzi from Committee on Health, Education, Labor, and Pensions filed written report. Report No. 109-365.
- **Jun 15, 2006:** Signed by President.
- **Jun 15, 2006:** Signed by President.
- **Jun 15, 2006:** Became Public Law No: 109-236.
- **Jun 15, 2006:** Became Public Law No: 109-236.
- **Jun 8, 2006:** Presented to President.
- **Jun 8, 2006:** Presented to President.
- **Jun 7, 2006:** Mr. McKeon moved to suspend the rules and pass the bill.
- **Jun 7, 2006:** Considered under suspension of the rules. (consideration: CR H3449-3458)
- **Jun 7, 2006:** DEBATE - The House proceeded with forty minutes of debate on S. 2803.
- **Jun 7, 2006:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Jun 7, 2006:** Considered as unfinished business. (consideration: CR H3480)
- **Jun 7, 2006:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 381 - 37 (Roll no. 234).(text: CR H3449-3452)
- **Jun 7, 2006:** On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 381 - 37 (Roll no. 234). (text: CR H3449-3452)
- **Jun 7, 2006:** Motion to reconsider laid on the table Agreed to without objection.
- **May 24, 2006:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(consideration: CR S5045-5050; text as passed Senate: CR S5045-5048)
- **May 24, 2006:** Passed Senate with an amendment by Unanimous Consent. (consideration: CR S5045-5050; text as passed Senate: CR S5045-5048)
- **May 24, 2006:** Received in the House.
- **May 24, 2006:** Message on Senate action sent to the House.
- **May 24, 2006:** Referred to the House Committee on Education and the Workforce.
- **May 23, 2006:** Committee on Health, Education, Labor, and Pensions. Reported by Senator Frist for Senator Enzi with an amendment in the nature of a substitute. Without written report.
- **May 23, 2006:** Committee on Health, Education, Labor, and Pensions. Reported by Senator Frist for Senator Enzi with an amendment in the nature of a substitute. Without written report.
- **May 23, 2006:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 439.
- **May 17, 2006:** Committee on Health, Education, Labor, and Pensions. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **May 16, 2006:** Introduced in Senate
- **May 16, 2006:** Sponsor introductory remarks on measure. (CR S4619)
- **May 16, 2006:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR 5/17/2006 S4707-4710)