

109TH CONGRESS  
2D SESSION

# S. 2448

To increase the minimum penalties for violations of the Federal Mine Safety and Health Act of 1977, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 16 (legislative day, MARCH 15), 2006

Mr. DURBIN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To increase the minimum penalties for violations of the Federal Mine Safety and Health Act of 1977, and for other purposes.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Mine Safety Enforce-  
5       ment, Reporting, and Training Act”.

1 **SEC. 2. INCREASED MINIMUM PENALTIES FOR, AND IMME-**  
 2 **DIATE PAYMENT OF, MINE SAFETY VIOLA-**  
 3 **TIONS.**

4 (a) INCREASED MINIMUM PENALTIES.—Section 110  
 5 of the Federal Mine Safety and Health Act of 1977 (30  
 6 U.S.C. 820) is amended—

7 (1) by redesignating subsection (l) as subsection  
 8 (m);

9 (2) by inserting after subsection (k) the fol-  
 10 lowing:

11 “(l) MINIMUM PENALTY.—The amount of a fine or  
 12 civil penalty assessed for a violation of a mandatory health  
 13 or safety standard or other provision of this Act shall be  
 14 not less than \$500.”; and

15 (3) in subsection (g), by striking “shall not be  
 16 more than \$250” and inserting “shall be \$500”.

17 (b) IMMEDIATE PAYMENT OF PENALTIES.—Section  
 18 110(j) of the Federal Mine Safety and Health Act of 1977  
 19 (30 U.S.C. 820(j)) is amended by adding at the end the  
 20 following: “An operator shall pay a civil penalty owed  
 21 under this Act promptly after such penalty is assessed and  
 22 prior to contesting the penalty before the Commission or  
 23 appealing the decision to the appropriate court.”.

24 (c) REPORT.—Section 110 of the Federal Mine Safe-  
 25 ty and Health Act of 1977 (30 U.S.C. 820) is further  
 26 amended by adding at the end the following:

1 “(n) REPORT.—

2 “(1) IN GENERAL.—The Secretary shall annu-  
3 ally prepare and submit a report to Congress detail-  
4 ing, for the previous fiscal year—

5 “(A) the amount of fines assessed under  
6 this Act for each operator;

7 “(B) the amount of fines actually collected  
8 from each operator; and

9 “(C) the total amount of fines assessed,  
10 and the total amount of fines collected, under  
11 this Act.

12 “(2) AVAILABILITY ON INTERNET.—The Sec-  
13 retary shall post the report described in paragraph  
14 (1) on the website of the Department of Labor in a  
15 conspicuous and prominent location.”.

16 **SEC. 3. INCREASING AUTHORIZATION OF APPROPRIATIONS**  
17 **FOR HEALTH AND SAFETY GRANTS.**

18 Section 503(h) of the Federal Mine Safety and  
19 Health Act of 1977 (30 U.S.C. 953(h)) is amended in the  
20 first sentence by striking “\$10,000,000” and inserting  
21 “\$20,000,000”.

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