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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. YODER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 5, 2011.

I hereby appoint the Honorable KEVIN YODER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

UPPER BIG BRANCH MINE TRAGEDY

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. GEORGE MILLER) for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, 1 year ago today, a massive explosion ripped through the 2-mile area of the Upper Big Branch Mine in Montcoal, West Virginia. The explosion bent railroad tracks like pretzels and killed 29 miners.

This disaster laid bare the loopholes that riddle our mine safety laws. These loopholes allowed dubious mine opera-

tors, like Massey Energy, to violate mine safety rules repeatedly and with impunity. In fact, the Upper Big Branch Mine was allowed to remain open even though it had been ordered to stop operations 51 times in the previous year because of severe safety hazards.

After the disaster, there were proclamations made from both sides of the aisle about taking meaningful action to honor the victims so that something like this would never happen again. However, standing here a year later, miners still face many of the same dangers as they did the morning before the tragedy in West Virginia.

Unscrupulous mine operators are still gaming the system by clogging it with thousands of appeals as a way to avoid paying strong penalties. Miners are still paralyzed with the fear of being fired for speaking out because of weak whistleblower protections. Decisions made in the boardrooms to maximize coal production at the expense of miners' safety remain unchallenged. Management practices of illegally giving advance warning of pending inspections are still a mere misdemeanor.

Shortly after the Upper Big Branch tragedy, the Education and Labor Committee held the only hearings where Congress heard from families and miners affected by this tragedy. Many were reluctant to testify because they feared retaliation. For others, there was a strong desire to tell their stories to prevent another tragedy in the coal mines of America.

Eddie Cook told us about the dangerous practices he heard from the miners at the Upper Big Branch Mine after the explosion. He lost his 21-year-old nephew, Adam Morgan.

Adam's father, Steve Morgan, said that when he spoke to his son about the unsafe conditions, management told him that he might just have to find another job. They did nothing about the unsafe conditions.

Gary Quarles lost his only son at Upper Big Branch. Gary asked us to make a commitment to make sure that it doesn't happen again.

Alice Peters testified about how her son-in-law, Dean Jones, was afraid to work in the mine because of the ventilation problems, but Dean needed the job in order to keep health insurance coverage for his special-needs son.

Clay Mullins lost his brother Rex at Upper Big Branch. Clay testified how the management would give advance warning of an impending mine safety inspection so that they could quickly cover up any violations before the Federal inspectors got to that part of the mine.

And Stanley "Goose" Stewart was working at the Upper Big Branch Mine the day it exploded. He testified twice before the committee about the persistent fear and intimidation faced by workers from Massey management.

Every mine law has been written with the blood of miners; and savvy political interests know that, as attention to the tragedy fades, so does the willingness of the Congress to act decisively. Families and miners also expressed their concern about this skepticism. Looking back now, a year later, their skepticism was entirely justified.

Congress has utterly failed to respond to the real problems that miners, themselves, have identified as safety hazards in their workplace. A toxic political environment has failed these families. The pay-to-play nature of our politics has failed these families.

While congressional action was stymied, the Mine Safety and Health Administration has been working hard to make adjustments in the limited ways it can to help prevent rogue mine operators from recklessly putting lives at risk; but even with these measures, we are hearing the familiar cries from Big Coal to maintain the status quo while they continue to game a legal system designed to protect the miners who go to work in those mines every day.

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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They cry about their so-called “due process”; but what about the due process for the 29 miners who died in the Upper Big Branch Mine explosion—and their families? What about the miners who went to work today in the coal mines of America—and their families?

Is Congress just going to sit here and simply wait for the next explosion? the next tragedy? the next loss of life? Are we going to let the special interests continue to paralyze this institution?

These should not be hard questions for the Congress of the United States. Our ability to respond goes to the heart of who we are as a Nation. There are things that Congress can and must do right now—and that only Congress can do—to better ensure that every coal miner who goes to work is able to return safely to their families at the end of their shifts. Congress has an obligation to make sure that that is the case.

It is long overdue to honor our promises to the families of the 29 miners who perished a year ago for doing the job that our Nation relies on to provide its energy, and it is also long overdue to give the rest of our Nation’s miners modern health and safety protections.

CONGRATULATIONS TO THE LASALLE LANCERS AND THE TAFT SENATORS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. CHABOT) for 5 minutes.

Mr. CHABOT. Mr. Speaker, boxing legend Muhammad Ali once said, “Champions aren’t made in gyms. Champions are made from something they have deep inside them—a desire, a dream, a vision.”

I would like to recognize two high school basketball teams from my district which proved that they are, indeed, champions. They had the desire to make every practice count and to play every game as if it were their last. They shared a dream that was strong enough to overcome the many distractions all high school kids face, and their coaches gave them the vision that all their hard work and sacrifice would pay off in the end.

The schools? The LaSalle Lancers and the Taft Senators.

First, congratulations to the LaSalle Lancers on winning the 2011 Ohio Division I Basketball State Championship. LaSalle is a boys’ Catholic high school in my district that is particularly special to me since it’s my alma mater. Regardless of my personal attachments to the school, I’d like to recognize them on a job well-done and a season well-played. They represented themselves and our community with an outstanding display of athleticism, sportsmanship and class throughout the season—but especially in the playoffs.

The players and coaches stuck together in the face of adversity, especially when their head coach, Dan Fleming, suffered a heart attack, which placed sports and the tour-

namment in perspective. The LaSalle family rallied around their coach, and the Lancers, led by their seniors and the assistant coaches, went on to win their first basketball State championship in 15 years and the second in school history.

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I would also like to congratulate Coach Tom Grippa and the LaSalle Lancer football team for their tremendous season. You made us proud. Congratulations Lancers.

I also rise today to congratulate the Taft High School Senators, who won the Division 3 Basketball State Championship. Now I acknowledge that it’s rare that a Member of this esteemed body, the House of Representatives, ever says anything positive about Senators, but I’d like to make an exception today.

Led by their head coach, Mark Mitchell, the Senators defeated Cleveland Central Catholic High School to win the first State championship in school history. The Senators went into the tournament ranked number 1 by the Associated Press. They not only made school history by winning their first State championship, but they also set a Division 3 boys basketball record for the most points scored in a championship game. Finishing the season at 26 and 1 is quite a feat. It is an honor to have them represent our district, and I congratulate them on their success.

I would be remiss if I didn’t also commend former Cincinnati Bengal star Mike Martin for the tremendous effort that he has made in turning around the Taft High School football program, mentoring his players to be successful in life as well as on the football field.

Let me conclude by once again congratulating the players, the coaches, the students, the faculty, and the fans of Cincinnati’s LaSalle Lancers and Taft Senators for the inspirational seasons you’ve just completed. You’ve made all of us very proud. Your accomplishments will be long remembered. Go Lancers! And go Senators!

1-YEAR ANNIVERSARY OF UPPER BIG BRANCH MINE TRAGEDY

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. RAHALL) for 5 minutes.

Mr. RAHALL. Mr. Speaker, it has been 1 year since the fatal explosion at Upper Big Branch Mine, 365 days since we lost 29 courageous coal miners—fathers and sons, brothers and friends. We vowed then that some good would come from this terrible tragedy. We can say that criminal investigations are almost complete, enforcement has toughened, the Congress has increased funding to target pattern violators, and yet coal miners are still dying in our coal fields.

It’s easy to doubt. It’s easy to question whether things can be made bet-

ter. I find inspiration in the Biblical verse from Romans: “Glory in tribulations also, knowing that tribulations worketh patience; and patience, experience; and experience, hope.” Never lose hope that we can improve the health and safety of miners in the coal fields. Never lose hope that we can pass tougher mine safety laws and that we can enforce those laws and save lives.

There are plenty of good coal companies in America, companies that put time and effort and money into making their workplaces safe in which they operate. They are forward-thinking coal companies, with strong safety records that have designed programs aimed at protecting the lives and preserving the health of their miners. They want to see those bad actors, those companies that have tarnished the reputation of an important industry, reined in. They do not accept a world in which they must compete against companies that would sacrifice the health and lives of their own employees for competitive advantage and blatant profit.

There are plenty of Members of Congress on both sides of the aisle who recognize that legislation is necessary. Congressman MILLER, Congresswoman LYNN WOOLSEY and I, along with many others, will continue fighting for reforms to give the agencies the tools they need to target the bad actors. We want to ensure that sound companies that have good records can continue to perform and produce, but we just as surely want to ensure that the worst operators can be reined in and that lives can be saved. We can strike a balance, and we will.

Changes and improvements may come slowly, but they will come. As long as coal miners and these brave, courageous families continue to demand that the loss of their loved ones not be in vain, they will come.

The April 5 disaster of 1 year ago was a tragedy that never, ever should have occurred. We must provide accountability, and we have a duty to institute changes that will help prevent a repeat of that awful day. Those 29 coal miners should not have perished, and for them and all those miners on the job today, we must keep speaking out.

Tonight, I will be at the 1-year anniversary with the families of all of these perished coal miners. I will look in the eyes of their loved ones once again as I did that painful week following their tragedy 24 hours, 7 days a week. We will join and we will commemorate these good men and the people who came together to try to rescue them—to them we say thank you—and to provide comfort and a final closure to these families, which we have yet to do.

These families want accountability, they want the truth, and they want to ensure that no other families ever have to suffer the way they have. Chairman MILLER, LYNN WOOLSEY and I remain committed to their cause. I urge my colleagues to join us in this life-saving, important endeavor.