directly to the Palestinian Authority if any representative political party holding a majority of parliamentary seats within the Palestinian Authority maintains a position calling for the destruction of Israel; considered and agreed to.

ADDITIONAL COSPONSORS

S. 408

At the request of Mr. DEWINE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 408, a bill to provide for programs and activities with respect to the prevention of underage drinking.

S. 731

At the request of Mr. CONRAD, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 731, a bill to recruit and retain more qualified individuals to teach in Tribal Colleges or Universities.

S. 843

At the request of Mr. SANTORUM, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 843, a bill to amend the Public Health Service Act to combat autism through research, screening, intervention and education.

S. 910

At the request of Ms. SNOWE, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 910, a bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations.

S. 1215

At the request of Mr. GREGG, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 1215, a bill to authorize the acquisition of interests in underdeveloped coastal areas in order better to ensure their protection from development.

S. 1419

At the request of Mr. LUGAR, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1419, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 1504

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 1504, a bill to establish a market driven telecommunications marketplace, to eliminate government managed competition of existing communication service, and to provide parity between functionally equivalent services.

S. 1530

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1530, a bill to provide a Federal tax exemption for forest conservation bonds, and for other purposes.

S. 1691

At the request of Mr. CRAIG, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1691, a bill to amend selected statutes to clarify existing Federal law as to the treatment of students privately educated at home under State law.

S. 1710

At the request of Mr. SANTORUM, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 1710, a bill to amend section 255 of the National Housing Act to remove the limitation on the number of reverse mortgages that may be insured under the FHA mortgage insurance program for such mortgages.

S. 1727

At the request of Mr. VITTER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1727, a bill to provide grants for prosecutions of cases cleared through use of DNA backlog clearance fund.

S. 1948

At the request of Mr. DEWINE, his name was added as a cosponsor of S. 1948, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of passenger motor vehicles, and for other purposes.

S. 2039

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2039, a bill to provide for loan repayment for prosecutors and public defenders.

S. 2178

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2178, a bill to make the stealing and selling of telephone records a criminal offense.

S. 2182

At the request of Mr. ISAKSON, the names of the Senator from Colorado (Mr. ALLARD), the Senator from South Carolina (Mr. DEMINT), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 2182, a bill to terminate the Internal Revenue Code of 1986, and for other purposes.

S. 2183

At the request of Mr. ROCKEFELLER, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2183, a bill to provide for necessary beneficiary protections in order to ensure access to coverage under the Medicare part D prescription drug program.

S. 2201

At the request of Mr. OBAMA, the names of the Senator from New York (Mrs. CLINTON) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 2201, a bill to amend title 49, United States Code, to modify the mediation and implementation requirements of section 40122 regarding changes in the Federal Aviation Administration personnel management system, and for other purposes.

S. 2206

At the request of Mr. VITTER, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 2206, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions.

S. RES. 355

At the request of Mr. NELSON of Nebraska, the names of the Senator from Connecticut (Mr. DODD), the Senator from Iowa (Mr. GRASSLEY), the Senator from Oregon (Mr. SMITH) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. Res. 355, a resolution honoring the service of the National Guard and requesting consultation by the Department of Defense with Congress and the chief executive officers of the States prior to offering proposals to change the National Guard force structure.

S. RES. 357

At the request of Mr. MCCAIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. Res. 357, a resolution designating January 2006 as ''National Mentoring Month''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BYRD (for himself, Mr. ROCKEFELLER, and Mr. KENNEDY):

S. 2231. A bill to direct the Secretary of Labor to prescribe additional coal mine safety standards, to require additional penalties for habitual violators, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. ROCKEFELLER. Mr. President, it is my honor today to join with my colleague Senator BYRD, who I am sure will be here very shortly. We are very proud to announce that we are, as an entire West Virginia delegation, introducing the Federal Mine Safety and Health Act of 2006.

The last few weeks have been an emotional roller coaster in West Virginia and across large parts of the country as we watched the damage and the pain and the crying and the anger because of a series of coal mine accidents that happened in West Virginia where 14 miners lost their lives and in the State of Kentucky where a miner lost his life. There is no real way of describing the sadness and the grief of being with families as they find out their coal-miner spouses are no longer alive.

Everybody understands that coal mining is very dangerous, but you go in every day with the hope that it will be all right. It is a way of life. People ask, Why do you go into coal mining? They go into coal mining to keep the lights of America on and they do it to earn a good wage.

What we have to do is make sure the legacy of these 15 miners who died—1

in Kentucky and 14 in West Virginia, 15 miners in all—is that we make sure this kind of tragedy never happens again.

It is amazing to be in a coal-mining community when tragedy hits. People pull together amazingly, in Kentucky very much like West Virginia in that respect, and there is a sense of family. One person's loss is every person's loss.

Obviously, we have the losses that come in Iraq and in wartime in general. But there is something about coal mining. When there is a death in coal mining, it is devastating to a community and it takes a long time to heal.

I would come to churches—the Freewill Baptist Church in Logan County, the Sago Baptist Church in Upshur County, one south and the other up north—and you learn spiritually and personally forever with people who are bound together forever because they have gone through something which is truly difficult.

I note that in the case of Kentucky, we even have evidence of a miner who was killed two years ago who was actually videotaping with his video camera things which he thought were not proper in that particular mine, as he was killed. He was still videotaping as he was killed.

Legislation is needed.

I note the presence on the floor of my distinguished senior colleague, Senator BYRD.

What we plan to do in the Senate and in the House—we in the Senate and our three Members in the House—is, in fact, to take the first step toward improving mine safety and doing it through legislation.

It is a sad thing to say, for the country and for all of us, where we have gone through a period of years where we haven't had large numbers of people killed in the mines, that we have been lulled into thinking that mining is not dangerous. That has been compounded by the fact that the obsession with oil which the President spoke about last night has been very real. What is going on overseas in Afghanistan, Iraq, and other places of danger across the world has generally tended to pull us away, I think maybe for 20 years, from a review of what coal mine safety legislation, rules, and regulation through MSHA, the Mine Safety and Health Agency, ought to be. Things haven't changed a lot. The safety technology in the mines has not changed a lot. There is a bit of a lax attitude, and a little bit of indifference. This is the world we live in—the world of mining—and it is as it is, and it ever shall be. That kind of thinking we have to stop.

As a delegation, led by Senator BYRD, we are determined to do that. We are determined that the legacy of these 14 miners in West Virginia and the one in Kentucky will be that this kind of accident never takes place again. We do not want that to happen.

The irony is that coal, which has always been taken for granted by the American people, to my distress, is a full 31 percent—and it has been for years—of all of our energy use in America. People are always thinking about importing oil, and we do. That is a tremendous addition to our trade deficit, and it causes all kinds of other problems when we are dealing with very unstable countries—increasingly unstable countries. But all the while coal has been sitting there. We have a 250-year supply of coal in the United States of America. That can be substituted for much of that oil.

The coal industry is growing. The price of coal is going up. People are going to be opening new coal mines. I wouldn't say it is a hot industry in financial terms, but it is very close to it, which means there are going to be more mines opened. Therefore, more people will be getting into mining—some will be small, some will be larger. We have to make sure they will be mining safely and responsibly. That takes vigilance on our part, on the part of the Secretary of Labor, and on MSHA's part. That is why Senator BYRD, my senior Senator, will no doubt submit the bill.

But we want to call immediate attention to the Mine Safety and Health Administration and the Secretary of Labor because they have in their power right now the ability to cause to happen a number of the suggestions which we are making. They can simply do it. They have the rulemaking power to do that, but they have not done that.

What we are doing is looking at a few ways that the Mine Safety and Health Administration and also the Secretary of Labor, Elaine Chao, can act aggressively to improve mine safety, as they can do without a single change in any law at all. In many cases, Congress has given them this authority. It is just a matter of the Secretary of Labor moving on these issues. It ought to ring loud and clear, and there ought to be results from that.

In our bill, we also instruct the Secretary to promulgate rules quickly to require a series of things: advanced communication and breathing apparatus, technologies that can be deployed in our mines.

This is something which has baffled Senator BYRD, myself, and our delegation for a long time. We have a lot of rules and regulations; regarding breathing apparatuses, for example; oxygen supplies, for example—which have not changed since 1977, or before. We have just gone through a period of years when we have not put the focus on coal mine safety. Now that is at an end. We have to have advanced communications and breathing apparatus technologies.

It has been said often—it will be said once again—that we could talk with Neil Armstrong on the Moon when he was there many years ago, but we can't talk with a coal miner in a two-way communications system who may be 1,000 or 2,000 feet underground. To say the technology for that doesn't exist is to say that America isn't America.

I have had in my office, as I am sure others have, numerous people in the last several days pouring out ideas they are working on or have developed. The families of the victims gave us many ideas of what could be done. We are a country of new technologies. We have simply declined to apply it to coal mine safety, and the coal mines have been a bit lax to take the initiative on that. This is something we are all going to have to do together. We have to demand that rescue teams be staffed and on site in every single mine.

There was a major problem, particularly at the Sago mine up north. But rescue teams have to be a part of an operation. If you are going to start a business, a rescue team within your workforce has to be a part of what you do—not simply wait for a rescue team 2 hours away to collect itself and then come. That is usually too late. It is amazing to me that that situation exists.

We have to also develop a schedule of fines for mining violations. They have to mean something. The average mine violation at Sago—there seem to be several hundred of them—all seems to be $60 or $270. That doesn't change behavior. That encourages a company to say, Look, we will pay because there is no real penalty on us.

Fines can be charged up to $60,000, and we are going to increase that. Mines can be shut down by Federal mine inspectors if they choose to do that. But for the most part they have not chosen to do that. The lesson has to sink in to be responsible as a coal mine or else you can't do it.

Another matter in our legislation is that we have to notify the MSHA immediately when there is an accident. That was not done in a couple of our cases. In one case, it took a very long period of time to notify the agency. That seems a small thing, but that is a huge thing, particularly because small mines today don't necessarily have their own rescue teams.

There have to be extra alerts that go out across the Federal and the State bureaucracy and within the mining community so that rescue teams can get to the spot as soon as possible.

So we want the Federal mine safety agency to make the health of miners its first and foremost priority.

As of the day that first problem happened at Sago with the death of so many miners, it has become my first priority and will stay that way until we get what we need in coal mine safety, working with the companies, with the Federal Government and, where necessary, to use legislation.

The enforcement of mine safety laws requires a set of penalties that reflects the seriousness. We cannot have a situation such as we had at Sago Mine—$60 or $270 fines with over 200 violations. They have to reflect the seriousness, and be proportional. They have to be larger and have impact. Companies cannot just say, I will go ahead and pay that, but I don't have to make any

change because I can afford to pay that; then I don't have to have people coming in and looking at what is going on in my mine as much.

MSHA has minimal penalties and that is the fault of all of us; but primarily MSHA should do its job. As part of MSHA's invigorated commitment to the safety of miners, we are going to seek to have in our legislation the agency enforce a longstanding rule which was canceled in 2004. It is a very serious rule and one that I will briefly explain. Mine operators have been using fresh air escapeways to house coal conveyer belts. What does that mean? The first thing we need to understand, mines are required to have fresh air escapeways. These are supposed to be free from potentially combustible material, combustible gases, and the possibility of fire. Where there is a beltway—which costs $100 million plus in some cases; it is a very large operation—a single friction could ignite a fire. That fire, then, can take off into the coal seams and cause terrible damage and destruction of human life.

Belt fires such as the one resulting in the deaths of the two brave West Virginians at the Alma mine in southern West Virginia are some of the most dangerous occurrences in coal mining in any form. The very least we can do to protect miners is keep the entrances to the mines—where these miners risk their lives every day to provide the rest of the country with the energy—free of such avoidable hazard. That was the rule. That was the law for many years.

For reasons we can only guess, MSHA altered the enforcement practices to allow for entry coal belts in 2004. That is wrong. That is the lack of vigilance on the part of all who watch over mining.

Finally, our legislation calls for the creation of a position of miner ombudsman. People say, So what? There is a big ''so what.'' It is a fact that miners in some mines are afraid to report safety deficiencies. They are afraid to report certain matters because they think if they do they will get in trouble or get fired or their sister or brother will get fired from a coal mine. I am not making an accusation, but I heard a great deal of talk about that condition when I was in West Virginia for many days, along with my senior Senator, Senator BYRD. I heard that a great deal.

The miners have to have a voice in an overall Federal agency. That voice in the overall Federal agency—MSHA—has to be out of the political process, almost detached, in a sense, from MSHA itself. That is important because we have to provide people a place to report mine safety problems. They have to be able to do it anonymously and they have to be able to do it feeling safe about so doing.

My West Virginia colleague and I do not pretend to be doing a complete fix of mine safety legislation. We do believe our act is a first strong step on a path that Congress should have started down some time ago. It is immensely sad it took the deaths of 14 West Virginians and 1 Kentuckian to galvanize the emotion, anger, and determination one has to have when it comes to making sure the coal mines are safe.

Coal mines are a world within themselves. The taste of a coal mine, the smell of a coal mine, the brotherhood of a coal mine, the danger of a coal mine, these are things which are part of people's lives. Most people in West Virginia, most people across the United States of America, have never been down a coal mine because it is restricted and people cannot wander in to look around. Those who have oversight responsibility have to make sure they do their job.

I, for one, believe those who do represent the mining State need to take this responsibility, as do the companies, as do the operators at the ground level, and also the miners themselves. I have had a slew of ideas in the last several days. I am optimistic we can find technology—it may come out of DARPA or DOD. Remember in the first gulf war, the Marines, Air Force, Navy, and Army could not communicate with each other when they went into Kuwait. Their radio bands were all different. Everyone knows that story. That was bad. They fixed it. That is what we have in our coal mines. That has to be fixed.

Mine safety moved to the top of my legislative priority list the very day I heard of these tragedies. I commend this important legislation to my colleagues. I invite them to join Senator BYRD and myself in cosponsoring this legislation.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. How much time do I have under the order?

The PRESIDING OFFICER. There is 25½ minutes remaining on the minority side. There is no more specific order.

Mr. BYRD. How much time was there at the beginning?

The PRESIDING OFFICER. The allotted time was 45 minutes.

Mr. BYRD. And 25 minutes remain?

The PRESIDING OFFICER. Correct.

Mr. BYRD. Mr. President, it has been almost 1 month since the explosion that killed 12 miners at the Sago mine in Upshur County, WV, and almost 2 weeks since the conveyor belt fire that killed two miners at the Aracoma Alma mine in Logan County, WV. In that same time, the Mine Safety and Health Administration, MSHA, of the U.S. Department of Labor has briefed my office on several occasions. The Senate Labor-HHS Appropriations Subcommittee, at my request and under the leadership of Chairman ARLEN SPECTER and ranking member TOM HARKIN, has held a hearing and solicited testimony from mine safety experts. The West Virginia delegation in the House and the Senate has met with the Governor of West Virginia, Governor Joe Manchin, has met with the White House Chief of Staff, and has met with the acting MSHA Director to review mine safety legislation passed by the West Virginia legislature in the wake of the Sago and Alma tragedies.

We now can speak with some certainty about what contributed to the tragedies at the Sago and Alma mines that killed 14 coal miners. We know these tragedies have highlighted gross weaknesses in mine emergency preparedness and the failure of leadership at the Federal Mine Safety and Health Administration to get tough about rescue procedures.

We know that communications technology in our Nation's coal mines is inadequate. The Federal mine regulators require only that a telephone line connect the working sections of mines to the surface. If that telephone line does not work, in the event of an emergency, the miners trapped underground are cut off from the rescue effort. Those on the surface cannot get a message to the miners underground and the miners underground cannot get a message to those on the surface.

At the Sago and Alma mines, families waited, waited, waited in anguish for 40 hours, not knowing if their loved ones were alive or dead because the communications equipment in the mine did not work.

We know that Federal mine safety officials cannot immediately locate miners trapped underground. At both the Sago and Alma mines, families waited, and waited, and waited while rescue teams searched meticulously through the underground caverns. Those teams could only make educated guesses about the location of the trapped miners, putting the rescue teams' lives and the lives of the trapped miners at increased risk while the search went on.

We know that the MSHA notification and response system is ponderously slow. Federal mine safety officials did not know of the Sago explosion until 2 hours after it happened. It took another 9 hours—9 long, excruciating hours—before rescue teams could enter the mine.

The same thing happened at the Alma mine. Federal mine safety officials did not know of the underground fire for 2½ hours, and in that time the fire spread and got worse. We know Federal mine regulators require only that miners have a 1-hour emergency breathing device; and at the Sago mine, 1 hour of oxygen was not nearly adequate to sustain those miners through a 40-hour rescue operation. We also know that the Mine Safety and Health Administration, tragically—tragically—abandoned its assessment of the rules governing these 1-hour emergency breathing devices in December of 2001. What a travesty.

We know that the mine rescue teams, at both the Sago and Alma mines, were forced to wait for a frustrating amount of time because the coal operators had to negotiate the question of liability before the rescue teams could enter the

mines. We know that Federal mine regulators have been aware of this liability problem since 1995. We know that MSHA has not taken steps to address it, or to update and improve the rules related to the number of rescue teams per mine and their ability to respond rapidly. The only recent effort to update these rules was halted by MSHA—now get that—the only recent effort to update these rules was halted by MSHA in 2002.

The Sago mine was a habitual violator with 276 citations and orders issued in 2004 and 2005. The coal operator never paid a fine more than $440, even though mandatory health and safety standards were repeatedly, repeatedly, repeatedly violated. Meanwhile, MSHA assessed fines as low as $99 for violations that were classified as ''significant and substantial.'' Let me say that again. Meanwhile, MSHA assessed fines as low as $99 for violations that were classified as ''significant and substantial'' in threatening the safety and health of the miners at Sago.

MSHA has broad authority to protect coal miners, and the 1977 Mine Act is the strongest and most sweeping workplace safety law ever enacted in the United States, and, yet, even with these tools—even with these tools—the Mine Safety and Health Administration failed—yes, it failed—to protect the 14 miners who perished at the Sago and Alma mines. What a shame. What a shame.

MSHA has the authority to require that secondary communications equipment be available in the event of an emergency. That authority was not used. MSHA has the authority to require that emergency breathing devices be placed in the mines in the event of an extended recovery effort. That authority was not used. That authority was not used. MSHA has the authority to penalize habitual violators, and to close those mines where pattern violations threaten a coal miner's life. That authority was not used. That authority was not used. What a travesty.

MSHA is the Federal agency charged with protecting coal miners. I will say that again. MSHA is the Federal agency charged with protecting coal miners, but it has scuttled—get that; it has scuttled—18 initiatives in the last 5 years to update and improve mine safety and emergency preparedness. MSHA's leadership has embraced the status quo as good enough, and that attitude puts miners' lives at risk.

In the past, mine disasters such as these have spurred tougher mine safety laws. The Farmington, WV, disaster spurred the 1969 Coal Act, and subsequent disasters spurred the 1977 Mine Act. Now, I was here at the time in both instances. I was in the Senate. This time, the legacy of the Sago and Alma mine disasters must be a tougher agency that will—will—enforce the law.

Together with Senator JAY ROCKEFELLER and the West Virginia delegation in the House, I am introducing legislation today that is a mandate for action. Our legislation does not amend the Mine Act. Our delegation takes the position that the Mine Act already provides the Secretary of Labor with every authority necessary to prevent these kinds of tragedies. Instead, the legislation that I am introducing on behalf of myself and Mr. ROCKEFELLER—and which is being likewise introduced in the House of Representatives today—our legislation directs the Labor Secretary to employ the authorities of the Mine Act. It directs the Labor Secretary, within 90 days, to promulgate a series of health and safety rules aimed at improving mine safety enforcement and emergency preparedness.

This legislation directs the Labor Secretary to establish a rapid notification and response system. This legislation requires coal operators to expeditiously notify MSHA of emergencies. Any coal operator who fails to expeditiously notify Federal mine safety officials will be subject to a $100,000 fine.

We must reduce the amount of time that is lost between a mine emergency and MSHA's notification and arrival on the scene.

Our legislation directs the Labor Secretary to reassess regulations that govern mine rescue teams to ensure that their numbers are sufficient and that obstacles to their deployment are minimized. Mine rescue teams ought to be able to respond just as local fire departments would respond to an emergency. It must not take 11 hours.

Our legislation requires coal operators to store additional emergency breathing supplies underground to sustain miners who may be trapped for an extended period. Our legislation requires the Labor Secretary to update and improve the rules governing emergency communications equipment that would allow miners underground to communicate with surface rescue efforts, and allow surface rescue efforts to locate miners underground. Never again—never again—should a coal miner or any other miner lack access to a reasonable supply of oxygen underground or be unable to receive directions from the surface about escape routes—never again.

On the enforcement side, our legislation requires the Labor Secretary to create a new $10,000 mandatory and minimum penalty for coal operators who display negligence or reckless disregard for safety standards. By negligence or reckless disregard, I am talking about coal operators who knew or should have known of a dangerous condition or practice and failed to take the steps necessary to fix the problem, or who displayed conduct which exhibits a deplorable absence of care for the safety and health of the miners. If penalties are required in this kind of situation, then this statutory floor will help to ensure that those penalties will hurt—let me say that again—if penalties are required in this kind of situation, then this statutory floor will help to ensure that those penalties will hurt, and hurt sufficiently to encourage violators to comply with the law.

Our legislation prohibits the use of belt entries for ventilation in contravention of an MSHA regulation issued in 2004, which likely—hear me now—which likely played a part in the Alma fire.

Our legislation creates a science and technology office in the Labor Department to help expedite the introduction of the most advanced health and safety technologies into the mines, and to ensure that Federal mine safety officials are actively pulling from other Federal agencies those technologies that can help to protect miners. No longer—hear me; hear me now: no longer—should miners be sent underground with safety equipment that is decades out of date.

Our legislation creates the new position of ombudsman in the Labor Department's Inspector General's office to allow miners to more easily report safety violations. To be effective, such a position requires the appointment and the confirmation of someone with at least 5 years—no political hack—someone with at least 5 years of expertise in mine safety and health. No place for a political hack. A miner should never have to feel that he has no options other than to continue to work in a dangerous environment.

Now, I speak from the heart. I grew up in a coal miner's home. My dad was a coal miner—a coal miner. I married a coal miner's daughter. Loretta Lynn sings a song. She is a coal miner's daughter. Well, my wife is a coal miner's daughter. My brother-in-law died of silicosis, black lung. His father was killed by a slate fall in a coal mine. So I speak from the viewpoint of a coal miner, a coal miner's son.

For 5 years, the leadership in the Labor Department and the Mine Safety and Health Administration has worked against—get that—worked against the health and safety needs of coal miners. If we must hold the hand of the Labor Department—if we have to hold the hand of the Labor Department—and lead it like a stubborn and obstinate child, to force it to promulgate rules to implement the Mine Act and save lives, then that is exactly what we should do. If this administration and if MSHA will not lead, then this Congress must lead, and, if necessary, poke, prod, kick, and push MSHA into fulfilling its mandate.

At this late date, we need more than platitudes—more than platitudes—to protect the safety of our Nation's miners. We are not just talking about West Virginia miners, not just talking about coal miners in West Virginia. We need resources. We need swift action. And we need to impress deeply upon the psyche of MSHA—they better hear that—impress deeply upon the psyche of MSHA and the Nation's coal mine operators that the safety of miners will not be compromised for personal profit or for politics.

Protecting the safety of our miners is a moral responsibility. Hear me. Protecting the safety of our miners is a moral responsibility, and this legislation will help to make sure that we never, ever forget that.

I send the bill to the desk, a bill by Mr. BYRD for himself and Mr. ROCKEFELLER. I ask that it be relayed to the appropriate committee.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The minority leader is recognized.

Mr. REID. Has the Senator from West Virginia yielded the floor?

Mr. BYRD. Yes, I yield the floor, and I thank the distinguished leader.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. REID. I had the opportunity to listen to the remarks of Senators BYRD and ROCKEFELLER. I wanted to add my remarks about mine safety.

As I have told the Senator from West Virginia, my father was a miner. When I was less than a week old, my father was working in a mine at Chloride, AZ. It was a gold mine. It was a vertical. There were two men in the hole. That was standard operating procedure at the time. There was only one person present to light the holes for obvious reasons. So my dad's working companion, a man named Carl Myers, had gone up to the next level so he would be away from the dynamite. In those days, they didn't have product liability protection, and so my dad had lit 12 holes. One of them went off early. The fuse ran and blew my dad in the air, blew the soles off his shoes, blew his carbide light out. In those days, you would take a sinking ladder down in the hole with you, and when you would go out, when the holes were burning, you would take it up with you. My dad was in a state of shock and didn't know that it had blown one of the legs off the ladder. So every time he would try to put the ladder down to climb out, he would fall. And he kept falling.

The man in the next level who heard the 1 hole go off knew there were 11 others that were supposed to go off and knew my dad hadn't come out. This man, Carl Myers, climbed down the hole and, even though he was a smaller man than my father, helped my dad out of the hole, drug him up to the next level. The other holes went off. My dad went to the hospital and spent some time there. But as a result of the heroic feat of Carl Myers, who received a medal for heroism for doing what he did, my father was able to raise his four boys.

The reason I mention that to the distinguished Senator from West Virginia is mine safety means saving people's lives. Growing up in Nevada, my dad worked many times down in the mines alone. That was against the law, but he did it all the time. It was against the law, but there were no mine inspectors. He was down there alone all the time.

I have watched with interest the rash of mining accidents in West Virginia and Kentucky in the last few weeks. I want the Senators from West Virginia to know that I will do anything I can legislatively to make sure these mines are safe. I speak from experience. Mining is a terribly difficult job. That is why there are so many songs written about the dangers of mining.

As I indicated, when I was growing up, my dad didn't have much protection from the State. They abandoned Searchlight. There wasn't a lot going on, so they didn't watch it very much. A rock fell on the head of my dad's best friend. They carried him out of the mine. It killed him. He wasn't as fortunate as my dad because his widow raised the three Hudgens children alone. There are lots of accidents. These things happen.

Without proper protection, there is no occupation more dangerous than being down in a hole.

I applaud the Senator from West Virginia for protecting his State as he always does. But understand also that in faraway Nevada, 2,500 miles away, you have a Senator who will do anything possible to make sure that in the State of West Virginia and in all places where mining takes place, there are Federal regulations in place to protect people like my dad.

Mr. BYRD. Mr. President, if I may be recognized.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Let me thank my friend, the leader, our leader on this side of the aisle, who is a gold miner's son. There are not many of us in here who are gold miners' sons. I am proud that my leader is a gold miner's son. I am proud that he assured us, from his standpoint and within his power, that he will do everything possible—and I hope he will—to help bring this legislation to the floor. He understands that it is needed, and I will welcome his assistance in that regard. I am proud of him as a gold miner's son. I am glad he reminds us of this from time to time. I believe this legislation is badly needed. I implore my leader to do everything he can to see that this bill gets on the calendar and gets taken up by the Senate and acted upon promptly.

I thank all Senators and yield the floor.

Mr. KENNEDY. Mr. President, I want to express my support for the Federal Mine Safety and Health Act of 2006, introduced today by Senators BYRD and ROCKEFELLER.

The recent tragedies at Sago Mine and Alma Mine in West Virginia remind us that the safety of the Nation's workers is paramount. Mining continues to be extremely hazardous—it has consistently been the first or second most dangerous industry in the country. This year we have already had 17 mine fatalities, 15 of them in coal mines, and 14 of them in West Virginia. And sadly, I understand that two more miners may have been killed today.

Our entire Nation joins their families and communities in mourning these fallen miners. We have a continuing obligation to do everything we can to protect the safety of America's workers. It is obvious that we are not meeting that obligation.

Two weeks ago, I traveled with Senator ROCKEFELLER, HELP Committee Chairman ENZI, and Subcommittee Chairman ISAKSON to meet with the family members of the miners who were killed at Sago Mine, and with coalminers, company representatives, and health and safety experts. Each of us made a sincere commitment to improving the Nation's mine safety laws.

This legislation provides a vital first step. It requires swift action by the Mine Safety and Health Administration to adopt standards that are long overdue and bring mine safety standards out of the Stone Age and into the 21st century. It will bring stronger enforcement and up-to-date technology to every mine in America.

First and foremost, we need to ensure that the rescue and communications technology available to our Nation's miners is the most up-to-date available. Coal companies have spent millions on improving techniques for extracting coal and metals from the ground, but miners still have to rely on oxygen units and phone lines that were developed 30 years ago. We already know better communications and miner tracking technology exists in other countries. It has been available in the United States for several years but, despite its proven availability to help save miners' lives, only a handful of mines here in the U.S. are using it. This bill would create a dedicated office at MSHA to explore mine safety technologies and to work with other Federal agencies to ensure that our Nation's mines are using the newest and best safety equipment.

While innovation is important, we also need to ensure that we use all of the tools available today to keep our Nation's miners safe. Earlier this week, 72 workers at a mine in Canada were saved because Canadian mines are required to provide adequate stores of oxygen. It's a travesty that we aren't doing the same for American miners. This bill would require every coal mine in this country to have rescue chambers available, with emergency air supplies and breathing devices to help keep miners alive while they are waiting for rescue.

We also need to see that every mine is adequately prepared to respond to future emergencies. When miners are trapped underground, every minute is precious. Yet our laws and policies do not require mine rescue teams to be onsite. All too often it takes hours for rescuers to reach a mine and, when they do arrive, they are not familiar with the mine's layout. We also are losing experienced miners to work on these teams, as the average age of rescue workers is rising. The number of trained rescuers is decreasing, even as demand for coal production increases.

This legislation would require coal companies to have onsite rescue teams

employed by the mine, who are familiar with the layout of the mine and are at the ready in the case of an emergency. It also directs the Secretary of Labor to develop requirements for the training and qualifications of mine rescue workers, and the equipment and technology used in mine rescues.

We also need to ensure that our penalties are a significant deterrent to mine operators who continually violate the law. Sago Mine had an injury rate nearly three times that of the national average and had been cited by MSHA for over 200 safety violations in 2005. Nearly half of these were ''serious and substantial''—meaning that the violations had the potential to lead to serious injury. Eighteen of the violations were so serious that they led to partial closures of the mine.

I know that President Bush has proposed raising maximum fines for the most flagrant violations from $60,000 to $220,000. But this ignores the critical failures of our minimum penalties, which are so low as to be toothless. It is difficult to believe that penalties lower than traffic tickets will deter companies that make millions of dollars in profits each year. This legislation would ensure that willful and negligent violators of the law would face a minimum fine of $10,000. Mine operators who fail to immediately notify MSHA of an emergency face fines of up to $100,000.

This bill starts a long overdue process to improve the safety of our Nation's miners. We must act before another tragedy like those at the Sago and Alma Mines occurs. I commend Senator BYRD and Senator ROCKEFELLER and the West Virginia Delegation for crafting this legislation. And I join them in asking my colleagues to support its swift passage.

By Mrs. FEINSTEIN:

S. 2233. A bill to reform and improve the regulation of lobbying and congressional ethics; to the Committee on Rules and Administration.

Mrs. FEINSTEIN. Mr. President, I am introducing legislation today that reforms and improves the regulation of lobbying and raises congressional ethics standards.

There is a perception in America that members of Congress care less about the public interest and more about advancing their own personal and financial interests. We need to make fundamental changes in how we permit lobbyists to influence legislation, hearings, appropriations, and our general oversight of the Executive Branch.

The Democratic leadership bill to reform lobbying rules, the Honest Leadership and Open Government Act, which I am cosponsoring, contains sensible enough reforms.

Rather than standing pat, the measure I am introducing today is tougher medicine. I believe it will go a long way to changing the view of constituents that Congress is corrupt and ethically challenged.

The measure: institutes a Congress-wide two year ban on Senators, House members and their staffs lobbying Capitol Hill; takes a zero tolerance approach to lobbyist offered sports and entertainment tickets and meals; prohibits any lobbyist sponsored, or paid for, travel; and eliminates the option of registered lobbyists working in any capacity for a Senator's or House Member's election campaigns or fundraising operations.

A New York Times poll this past Friday sums up, in stark terms, public perceptions of Congress.

When asked ''Do you think that recent reports that lobbyists may have bribed members of Congress are isolated incidents or is this the way things work in Congress'', 77 percent of the respondents said bribing is the ''way things work'' in Congress. The survey indicates a 61 percent disapproval rating of Congress as well.

One poll participant, Mr. Donald Pertius from Arkansas, commented that ''It seems like the integrity of Congress Members in the last few years has just gone to pot.''

A key step, that will go a long way to clearing up the perception that individuals leaving the Hill immediately trade on their contacts and friendships, is a two year Congress-wide ban on lobbying for Members and staff once they leave their jobs.

Members and staff make a beeline for K Street when they leave the Hill. According to the New York Times, 50 percent of the 36 Senators retired since 1998 and 40 percent of the 162 House Members have signed up as lobbyists.

The Democratic leadership bill, and from what I understand the Republican measure being drafted, restricts staff from lobbying their former offices. That is good but we need to go further.

We need to change the minds of people across America that working in the Senate or House is about a commitment to public service—not a revolving door to cashing in as a private sector lobbyist.

On another front, numerous Senate and House campaigns have registered lobbyists as Treasurers for Members' PACs and in other key finance roles. It's another backdoor way for a lobbyist to insinuate his or her way into a politician's inner circle.

Published reports confirm that 71 lawmakers now list lobbyists as treasurers to their PACs or their campaign committees, nearly a fivefold increase since 1998. We need to make a clean break from this kind of collaboration that's fast on the rise.

The legislation I am introducing prohibits the formation of any political committee by a politician if a person registered as a lobbyist is formally affiliated with such an entity. Alex Knott at the Center for Public Integrity stated in the Wall Street Journal last week that ''By putting a lobbyist in charge of your political operations, you are conflicted from the start.'' He's absolutely correct.

Senators, House Members, their staffs and lobbyists alike ought to brace themselves for major change. The old rules and regulations that govern Washington are due for overhaul, and I believe that the two comprehensive leadership bills will represent a good start to that process. I hope my colleagues are receptive to even more stringent efforts, in the form of this legislation I am introducing today, and look forward to the full Senate debate on this issue in the coming months.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Lobbyist Reform Act of 2006''.

SEC. 2. TWO-YEAR TOTAL BAN ON LOBBYING BY MEMBERS OF CONGRESS AND EMPLOYEES OF CONGRESS.

Subsection (e) of section 207 of title 18, United States Code, is amended to read as follows:

''(e) RESTRICTIONS ON MEMBERS OF CONGRESS AND OFFICERS AND EMPLOYEES OF THE LEGISLATIVE BRANCH.—

''(1) IN GENERAL.—

''(A) PROHIBITION.—Any person who is a Member of Congress, an elected officer of either House of Congress, or an employee of a House of Congress and who, within 2 years after that person leaves office, knowingly makes, with the intent to influence, any communication to or appearance before any of the persons described in subparagraph (B), on behalf of any other person (except the United States) in connection with any matter on which such former Member of Congress or elected officer seeks action by a Member, officer, or employee of either House of Congress, in his or her official capacity, shall be punished as provided in section 216 of this title.

''(B) CONTACT PERSONS COVERED.—The persons referred to in subparagraph (A) with respect to appearances or communications are any Member, officer, or employee of either House of Congress, and any employee of any other legislative office of Congress.

''(2) DEFINITIONS.—As used in this subsection—

''(A) a person is an employee of a House of Congress if that person is an employee of the Senate or an employee of the House of Representatives;

''(B) the term 'employee of the House of Representatives' means an employee of a Member of the House of Representatives, an employee of a committee of the House of Representatives, an employee of a joint committee of Congress whose pay is disbursed by the Clerk of the House of Representatives, and an employee on the leadership staff of the House of Representatives;

''(C) the term 'employee of the Senate' means an employee of a Senator, an employee of a committee of the Senate, an employee of a joint committee of Congress whose pay is disbursed by the Secretary of the Senate, and an employee on the leadership staff of the Senate;

''(D) the term 'Member of Congress' means a Senator or a Member of the House of Representatives; and

''(E) the term 'Member of the House of Representatives' means a Representative in,

or a Delegate or Resident Commissioner to, Congress.''.

SEC. 3. BAN ON GIFTS FROM LOBBYISTS.

Paragraph 1(a)(2) of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following: ''This clause shall not apply to a gift from a lobbyist.''.

SEC. 4. PROHIBITION ON PRIVATELY FUNDED TRAVEL.

Paragraph 2(a)(1) of rule XXXV of the Standing Rules of the Senate is amended by striking ''an individual'' and inserting ''an organization recognized under section 501(c)(3) of the Internal Revenue Code of 1986 that is not affiliated with any group that lobbies before Congress''.

SEC. 5. REGISTERED LOBBYISTS PROHIBITED FROM SERVING ON AUTHORIZED POLITICAL COMMITTEES.

Subsection (d) of section 302 of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(e)) is amended by adding at the end the following new paragraph:

''(6) No political committee may be designated as an authorized committee if a person registered as a lobbyist under section 4 of the Lobbying Disclosure Act of 1995 is formally affiliated with such committee.''.

By Mr. MARTINEZ (for himself and Mr. NELSON of Florida):

S. 2239. A bill to prohibit offshore drilling on the outer Continental Shelf off the State of Florida, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. MARTINEZ. Mr. President, I rise today to join my colleague from Florida, Senator BILL NELSON, in introducing the Permanent Protection for Florida Act of 2006.

I believe this bipartisan legislation will provide Florida's pristine coastline, beaches, and our critical military training area with strong, permanent protections—while at the same time providing limited oil and gas exploration in areas that have traditionally been under Presidential moratoria.

Our Nation is struggling with crippling energy prices and the growing pressure to explore off Florida's coast has never been greater than now. Instead of sitting on the sidelines and waiting for others to dictate the terms of oil and gas operations on our coast, we felt compelled to offer an alternative that will protect our State's interests in perpetuity.

This legislation offers historic protections that would create a Florida Exclusion Zone—a buffer area extending 150 miles south of the Panhandle that would also place the Florida Straits and Atlantic Coast permanently off limits to oil and gas exploration.

All leases inside the Florida Exclusion Zone would be relinquished or removed in exchange for royalty forgiveness on active leases in the Central and Western Gulf of Mexico. These relinquished leases must also be environmentally restored to their original condition. In addition, the Permanent Protection for Florida Act would remove the mandatory inventory of the Outer Continental Shelf and extend the current Presidential moratorium through 2020.

This bill sends a message that is loud and clear—Florida's waters are off limits. Florida's leaders have worked too long and too hard on building up these protections just to have them disappear during a brief moment of high energy prices. We have a lot at stake and it is time to solidify our protections into law.

I believe these historic protections will garner significant support from our State's congressional delegation and coastal members of Congress that are concerned with resource exploration off their coasts.

I urge those that are looking for bipartisan solutions to energy exploration to join with me and my colleague Senator NELSON in supporting this legislation.

Mr. NELSON of Florida. Mr. President, I rise today to introduce with my fellow Senator from Florida, MEL MARTINEZ, legislation we believe will enhance our Nation's military preparedness, while also protecting the State of Florida's economy from harm by oil drilling.

It could be said that debate on this issue began 37 years ago last month. It was in January 1969 when an explosion at an offshore drilling site caused a 200,000-gallon crude oil spill off California's coast. While small in comparison to other spills, that incident dealt a devastating blow to neighboring beaches and aquatic life.

As tides brought an 800-square-mile slick ashore, oil coated 35 miles of the coastline, blackening beaches and killing thousands of birds, dolphins, seals, fish and other wildlife. A national outcry followed, and sparked a movement that led to legal bans on drilling on the Outer Continental Shelf, including the eastern Gulf of Mexico off of Florida.

Unfortunately, this past year has seen a number of legislative and administrative attempts to undo this longstanding ban—without a cause that is worth the risk.

In fact, Senator MARTINEZ and I have been fighting an almost daily battle to protect our State's tourism economy, which is heavily dependent on our beautiful beaches and abundant fisheries. At the same time, we have been fighting to preserve our military's vital testing and training sites there in the eastern gulf.

The Martinez-Nelson Permanent Protection for Florida Act will forever safeguard the State's tourism-dependent economy from offshore drilling, while also removing active drilling leases in the eastern gulf. It creates the Florida Exclusion Zone, which will extend out at least 260 miles off much of the State's west coast, and at least 150 miles off the Florida Straits and all the way around the entire east coast.

In short, our proposal will protect Florida's economy and its environment; and, at the same time, enhance our Nation's military preparedness. We, therefore, expect to receive strong support from the Florida Congressional Delegation.

We also expect to receive support from our fellow Senators representing other coastal States. That is because we are fighting not only to protect Florida, but many other environmentally fragile areas along our Nation's coastline. In fact, a key provision of our bill extends the Outer Continental Shelf moratorium from 2012 to 2020.

Senator MARTINEZ and I speak as one on this issue, and, together, we believe we can accomplish great things for Florida and the country. We ask our colleagues to recall with us the words of former President Teddy Roosevelt, who, in essence, said, ''A nation that destroys its environment destroys itself.''

We look forward to working with the Chairman and Ranking Member of the Energy Committee, and the rest of our colleagues, to enact this legislation as soon as possible.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 363—DESIGNATING FEBRUARY 2006 AS ''GO DIRECT MONTH''

Mr. COLEMAN (for himself and Mr. KENNEDY) submitted the following resolution; which was considered and agreed to:

S. RES. 363

Whereas the Department of Treasury issued over 70,000 checks worth approximately $61,000,000 that were illegally signed for in 2004;

Whereas the Department of the Treasury receives approximately 500,000 telephone calls each year regarding problems with paper checks;

Whereas the use of direct deposit has resulted in approximately $5,000,000,000 in savings for the Federal Government since 1986;

Whereas 1 out of every 5 newly eligible Social Security recipients has yet to sign up for direct deposit;

Whereas the United States would generate approximately $120,000,000 in annual savings if all federal beneficiaries used direct deposit;

Whereas the use of direct deposit is a more secure, reliable, and cost effective method of payment because the use of direct deposit—

(1) eliminates the risk of lost or stolen checks;

(2) helps protect against fraud; and

(3) provides citizens of the United States with more control over their money;

Whereas the Department of the Treasury and the Federal Reserve Bank has launched ''Go Direct'', a national campaign organized to encourage citizens of the United States to use direct deposit for the receipt of Social Security and other Federal benefits; and

Whereas, by working with financial institutions, advocacy groups, and community organizations, the sponsors of ''Go Direct'' educate citizens of the United States about the advantages of using direct deposit and assist them during the enrollment process: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideas of ''Go Direct'';

(2) proclaims February 2006 as ''Go Direct Month'';

(3) commends Federal, State, and local governments, and the private sector, for promoting February as ''Go Direct Month''; and

(4) encourages all citizens of the United States to—