

billion, an absolute cut of over \$4 billion in that period. This is an issue about which I think there is some confusion. As I travel around my State, people say, well, there is really not a cut in education being considered; it is only a cut in the level of increase.

That is not accurate. This is a cut. When you go from \$39.5 billion in 1995 to \$35 billion in 2002, that is a cut that is not a cut in the rate of increase.

Mr. President, this second chart makes the same point. That is, each year up until the last few years, we had seen an increase in education. Some years it was a modest increase, some years it was a more significant increase, but there was always some increase and there was bipartisan agreement to do that. Beginning in fiscal year 1995 this Congress for the first time saw a \$3.7 billion cut and, of course, we are trying to reduce the level of that cut this year.

Another chart which makes the same point, Mr. President, is this one which says "Education Is Cut \$3.2 Billion From the Original FY 1995 Program Level Spending."

This shows in 1995 through rescissions of spending in that year we eliminated \$600 million; in the fiscal year 1996 appropriations, it was a cumulative \$1.1 billion cut; the 1997 House appropriation was a \$1.5 billion cut and the total funding loss from the original 1995 level is \$3.2 billion.

Mr. President, let me just show this final chart here which I think makes the obvious point that I think all Americans would understand, and that is that our "Unmet Education Needs" are large and growing. This shows that in the school year 1994 through 1995, there were 10 million students eligible for title I funding—that is, they attended schools where the income level was such that they should have been receiving title I funding. Only 6.5 million of them actually received it. There were 3.5 million students in that school year who were not able to receive the funding because of funding levels. When you combine this chart with the first of the charts that I showed, which is the increase in enrollment that our schools are experiencing, you can see the problem is growing worse, and that is the only point I am trying to make here.

In this last 2 weeks of the session, I hope very much we can get back to the 1995 funding level for education. It is a small request to make. I think it is one that is certainly justified.

I appreciate the chance to point out these charts to my colleagues.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PRESSLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ACCOUNTABLE PIPELINE SAFETY AND PARTNERSHIP ACT OF 1995

The Senate continued with the consideration of the bill.

Mr. PRESSLER. Mr. President, I am pleased we are considering S. 1505, the Accountable Pipeline Safety and Partnership Act of 1996. This is needed and important legislation, and I urge my colleagues' full and enthusiastic support.

On June 6, 1996, S. 1505 was amended by the Committee on Commerce, Science, and Transportation and ordered to be reported without objection. I also have one technical amendment that I believe has been cleared by the majority and the minority.

S. 1505 reauthorizes appropriations for Natural Gas and Hazardous Liquid Pipeline Safety Programs and seeks to reduce the risks and enhance environmental protection associated with pipeline transportation. As chairman of the Senate Committee on Commerce, Science, and Transportation, I want to take a moment to highlight some of the most important provisions of S. 1505.

But first, Mr. President, I want to share some brief background on how S. 1505 reached this point. It was a long, but fruitful journey.

Last December, our distinguished majority leader, Mr. LOTT, introduced S. 1505. Mr. LOTT's original bill was co-sponsored by Mr. BREAUX, Mrs. HUTCHISON, Mr. EXON, Mr. BURNS, Mr. FORD, Mr. INOUE, Mr. SHELBY, Mr. COCHRAN, Mr. FRIST, Mr. INHOFE, and myself.

S. 1505 was based on a bill (H.R. 1323) pending in the House. The House legislation had been approved by two panels, but it has not been debated on the House floor. Because of the majority leader's initiative, emphasis shifted to our Chamber.

On April 16, my committee held a hearing on pipeline transportation safety and S. 1505. At the hearing, pipeline owners and operators, as well as Federal and State safety regulators, voiced their individual views on how to reauthorize and enhance pipeline safety.

At the hearing, I stated my view that with a little give and take, we could reach agreement on how best to improve pipeline safety. I am pleased that our efforts succeeded.

The text of S. 1505 reflects an agreement reached over several months. The negotiators in this process represented two offices in the Department of Transportation DOT—one of which was the Office of Pipeline Safety OPS—natural gas pipeline operators, hazardous liquid pipeline operators, and majority and minority committee staff. Valuable input was also received from the dedicated staff of the Congressional Research Service and groups like the National Association of Pipeline Safety Representatives and the Natural Resources Defense Council. I commend the work of all those involved.

Mr. President, I have been involved with pipeline safety issues for several

years. A vast network of underground pipes safely transports fuel to our homes and businesses.

National Transportation Safety Board statistics show pipelines to be one of the safest modes of transportation. Among all modes—highway, rail, aviation, marine, and pipeline—fatalities from pipeline accidents represent less than 3/1000 of 1 percent of the total number of transportation fatalities on an annual basis.

At the same time, we must do everything possible to prevent natural gas and hazardous liquid pipeline transportation accidents. A few years ago, a pipeline leak occurred near Sioux Falls in my home State of South Dakota. I met with Federal, state and local officials at the time to discuss many public health and safety aspects of pipeline transportation. I also initiated efforts to improve hazardous liquid pipeline inspection programs and to add inspectors to focus on States like South Dakota that did not have their own hazardous liquid pipeline safety programs.

Through this experience, I came to realize that pipeline transportation is one of the United States' most unique transportation modes. There are individual product characteristics and product-specific types of piping materials. A subterranean network of underground pipelines runs under farms, rural communities, suburbs, metropolitan regions, rivers, and environmentally sensitive areas. Given this unique transportation environment, it became clear that a single uniform set of safety standards cannot effectively address all risks.

S. 1505 responds to this unique pipeline operating environment by applying a simple, flexible, commonsense risk assessment and cost-benefit analysis for new pipeline safety standards. The legislation moves pipeline safety away from prescriptive, command-and-control approaches and focuses future standards on actions that address assessed safety risks.

S. 1505 also provides statutory authority for the Office of Pipeline Safety to initiate the risk management demonstration project it has had under development for 2 years. Under the demonstration program, pipeline operators would be given more flexibility in applying their resources to solutions that best fit their unique pipeline operation problems.

As I mentioned earlier, the technical provision at the desk to be added to S. 1505 has been cleared by both the majority and the minority. The language in the provision provides for the opportunity for public comment in a demonstration project's approval process.

The Office of Pipeline Safety testified that there "are too many variations" in pipeline operations to think "we in Washington are in a position to mandate solutions to fit all problems."

I wholeheartedly agree. One-size-fits-all regulations do not and cannot address the thousands of differences between pipeline operations nationwide.

S. 1505 is a responsible bill and it represents sound public policy. The risk assessment and risk management provisions of the legislation rest on the foundation already built by the Office of Pipeline Safety. The bill also builds on initiatives undertaken at OPS to focus its regulatory and programmatic agenda on the most important public safety and environmental protection standards.

Aside from the risk assessment and risk management provisions, S. 1505 contains many other noteworthy provisions. Although I cannot mention each one individually, I do want to touch on one particular issue.

States currently represent more than 90 percent of the State/Federal inspector work force that oversees pipelines nationwide. For more than two decades, OPS has leveraged its resources, thereby increasing its pipeline inspection capabilities, by reimbursing States for up to fifty percent of their program costs. This leverage is a key link in the pipeline safety network. I am pleased that despite severe budget pressures, S. 1505 maintains this important State/Federal cost-sharing partnership.

Mr. President, I again want to thank all those involved in bringing S. 1505 to the floor today. I want to again acknowledge the role the majority leader played. S. 1505's development and evolution was difficult, but the end result is a bill worthy of enactment.

Also, I would like to cite the staff who did a great deal of work:

Charlotte Casey, Tom Hohenthanner, and Paddy Link of the majority staff of the Commerce Committee; Carl Biersack with Senator LOTT; Clyde Hart, Carl Bentzel and Jim Drewry of the minority staff of the Commerce Committee; and Chris McLean with Senator EXON.

Mr. President, I have completed my statement. On this side of the aisle, we are ready to proceed. At this time, I suggest the absence of a quorum.

Mr. EXON. Will the Senator withhold that? Mr. President, has he offered a manager's amendment? We have it here now. It is his amendment. You must have it. We approve it as drafted. Therefore, I suggest if the Senator will go ahead and offer that, we can probably pass the bill.

MODIFICATIONS TO THE COMMITTEE AMENDMENT

Mr. PRESSLER. Mr. President, I ask unanimous consent to send modifications to the committee substitute to the desk and ask that the committee substitute, as modified, be considered as original text for purpose of further amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The committee amendment is so modified.

The modifications are as follows:

On page 48, line 4, strike "and".

On page 48, between lines 9 and 10, insert the following:

"(J) an opportunity for public comment in the approval process; and

On page 44, between lines 11 and 12, insert the following:

(g) MAPPING.—Section 60102(c) is amended by adding at the end thereof the following:

"(4) PROMOTING PUBLIC AWARENESS.—

"(A) Not later than one year after the date of enactment of Accountable Pipeline Safety and Accountability Act of 1996, and annually thereafter, the owner or operator of each interstate gas pipeline facility shall provide to the governing body of each municipality in which the interstate gas pipeline facility is located, a map identifying the location of such facility; and

"(B)(i) Not later than June 1, 1998, the Secretary shall survey and assess the public education programs under section 60116 and the public safety programs under section 60102(c) and determine their effectiveness and applicability as components of a model program. In particular, the survey shall include the methods by which operators notify residents of the location of the facility and its right of way, public information regarding existing One-Call programs, and appropriate procedures to be followed by residents of affected municipalities in the event of accidents involving interstate gas pipeline facilities.

"(ii) Not later than one year after the survey and assessment are completed, the Secretary shall institute a rulemaking to determine the most effective public safety and education program components and promulgate if appropriate, standards implementing those components on a nationwide basis. In the event that the Secretary finds that promulgation of such standards are not appropriate, the Secretary shall report to Congress the reasons for that finding."

(h) REMOTE CONTROL.—Section 60102(j) is amended by adding at the end thereof the following:

"(3) REMOTELY CONTROLLED VALVES.—(A) Not later than June 1, 1998, the Secretary shall survey and assess the effectiveness of remotely controlled valves to shut off the flow of natural gas in the event of a rupture of an interstate natural gas pipeline facility and shall make a determination about whether the use of remotely controlled valves is technically and economically feasible and would reduce risks associated with a rupture of an interstate natural gas pipeline facility.

"(B) Not later than one year after the survey and assessment are completed, if the Secretary has determined that the use of remotely controlled valves is technically and economically feasible and would reduce risks associated with a rupture of an interstate natural gas pipeline facility, the Secretary shall prescribe standards under which an operator of an interstate natural gas pipeline facility must use a remotely controlled valve. These standards shall include but not be limited to requirements for high-density population areas."

On page 38, beginning in line 1, strike "In prescribing a standard referred to in paragraph (2)," and inserts "In conducting a risk assessment referred to in subparagraph (D) and (E) of paragraph (2)."

On page 38, line 22, insert "any" after "submitt".

On page 40, line 15, strike "this subsection" and insert "subparagraphs (D) and (E) of paragraph (2)".

On page 41, line 13, strike "improved regulatory decision making" and insert "affected regulatory decision making and pipeline safety".

On page 45, strike lines 1 and 2 and insert the following:

"(B) to evaluate the safety and cost-effectiveness of the program."

Mr. EXON. Have we adopted the manager's amendment?

Mr. PRESSLER. Yes.

Mr. EXON. It was my hope, Mr. President, that we were ready to pass the bill. It was my hope that we would pass the bill in wrap-up last night. That was not possible. It was my hope that we would wrap it up and pass it earlier today at noon. That was not possible.

It was my hope, Mr. President, that we could wrap it up now. I am advised that is not possible, and the responsibility at this time is on this side of the aisle, I say to my friends on the other side of the aisle. The measure is open to amendment, and if anyone ever wonders why it takes so long to get anything done in the U.S. Senate, after endless hours of consultation, double consultation, this is a typical case in point. Therefore, I suggest the absence of a quorum.

Mr. PRESSLER. Mr. President, I join that request for a quorum call, but I just would like to join in those remarks 100 percent. I might also take this opportunity to say that I am in the process of placing a statement in the CONGRESSIONAL RECORD relative to what a great Senator Senator EXON has been in the Senate and what a great colleague he has been to work with.

I share his frustration at this moment. He is a lucky man in that he is retiring from this body, so he will not have these frustrations in the future. I do not think they are going to change very much, but I am equally frustrated. We are ready to pass this bill on this side of the aisle. Whenever you give me the nod, we will go.

Mr. EXON. Mr. President, I thank my friend from South Dakota for those kind remarks. I simply say to him that I was misinformed. I will check into this. I will see who in the world it is that wants to make an amendment to this measure but is not here to do it in an orderly fashion. I will report back to the Senate and to my friend from South Dakota as soon as I am able to get that information, if I can get the information.

Mr. PRESSLER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PRESSLER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. PRESSLER. Mr. President, I ask unanimous consent that Jim Sartucci, a Coast Guard Fellow with the Committee on Commerce, Science, and Transportation, be granted floor privileges today and during Senate consideration of H.R. 1350, an act to amend the Merchant Marine Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRESSLER. I suggest the absence of a quorum.