

Ward, Andre Weathers, Sid Wildes, Anthony Williams, Chaz Williams, Derrick Williams, Tyrie Williams, Verge Williams, Justin Wright, Brian Young, David Young, James Young and Mike Youngblood.

Finally, I would like to offer my thanks and congratulations to the people of Georgia Southern—the students, alumni, supporters, faculty, staff as well as the community of Statesboro. As you well know, this championship could not have been accomplished without your unshakable commitment to the football program last year and the many previous years. I am proud of all the Eagle players and coaches and I am proud to say the most successful football team in Division I-AA is still in Statesboro, Georgia.

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

REMAINING MATERIALS FROM
THE 106TH CONGRESS

MESSAGE FROM THE HOUSE RECEIVED SUBSEQUENT TO SINE DIE ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on December 15, 2000, subsequent to the sine die adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 4577. An act making consolidated appropriations for the fiscal year ending September 30, 2001, and for other purposes.

Under the authority of the order of the Senate of December 15, 2000, the enrolled bill was signed subsequent to the sine die adjournment, by the Acting President pro tempore (Mr. ABRAHAMI).

Under the authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on December 18, 2000, subsequent to the sine die adjournment of the Senate, received a message from the House of Representatives announcing that the House agreed to the amendment of the Senate to the bill (H.R. 4020) to authorize the addition of land to Sequoia National Park, and for other purposes.

The message also announced that the House agreed to the following concurrent resolution, without amendment:

S. Con. Res. 162. A concurrent resolution to direct the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 4577.

HOUSE MESSAGE RECEIVED SUBSEQUENT TO SINE DIE ADJOURNMENT

The following message was received from the House of Representatives on December 18, 2000, subsequent to the sine die adjournment.

The Speaker signed the following enrolled bills:

S. 1761. A bill to direct the Secretary of the Interior, through the Bureau of Reclamation, to conserve and enhance the water supplies of the Lower Rio Grande Valley.

S. 2749. An act to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States, and for other purposes.

S. 2943. An act to authorize additional assistance for international malaria control, and for other purposes.

S. 2924. A bill to strengthen the enforcement of Federal statutes relating to false identification, and for other purposes.

S. 3181. A bill to establish the White House commission on the National Moment of Remembrance, and for other purposes.

H.R. 207. An act to amend title 5, United States Code, to provide that physicians comparability allowances be treated as part of basic pay for retirement purposes.

H.R. 1795. An act to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Engineering.

H.R. 2570. An act to require the Secretary of the Interior to undertake a study regarding methods to commemorate the national significance of the United States roadways that comprise the Lincoln Highway, and for other purposes.

H.R. 2816. An act to establish a grant program to assist State and local law enforcement in deterring, investigating, and prosecuting computer crimes.

H.R. 3594. An act to repeal the modification of the installment method.

H.R. 3756. An act to establish a standard time zone for Guam and the Commonwealth of the Northern Mariana Islands, and for other purposes.

H.R. 4020. An act to authorize an expansion of the boundaries of Sequoia National Park to include Dillonwood Giant Sequoia Grove.

H.R. 4656. An act to authorize the Forest Service to convey certain lands in the Lake Tahoe Basin to the Washoe County School District for use as an elementary school site.

H.R. 4907. An act to establish the Jamestown 400th Commemoration Commission, and for other purposes.

ENROLLED BILLS SIGNED

Under the authority of the order of January 6, 1999,

The foregoing bill was signed by the President pro tempore on Wednesday, December 20, 2000, subsequent to the sine die adjournment.

ENROLLED BILLS PRESENTED SUBSEQUENT TO SINE DIE ADJOURNMENT

The Secretary of the Senate, on December 20, 2000, subsequent to the sine die adjournment of the Senate, presented the following enrolled bills to the President of the United States:

S. 1761. An act to direct the Secretary of the Interior, through the Bureau of Reclamation, to conserve and enhance the water supplies of the Lower Rio Grande Valley.

S. 2749. An act to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States, and for other purposes.

S. 2924. An act to strengthen the enforcement of Federal statutes relating to false identification, and for other purposes.

S. 2943. An act to authorize additional assistance for international malaria control, and for other purposes.

S. 3181. An act to establish the White House Commission on the National Moment of Remembrance, and for other purposes.

• Mr. FEINGOLD. Mr. President, I oppose the conference report of the Labor, Health and Human Services appropriations bill, which has become the vehicle for the final budget agreement for fiscal year 2001, and I regret the need to do so for there are many laudable provisions included in this package. I was particularly pleased with the boost in funding for Pell grants, an absolutely critical program that ensures lower income students have the opportunity to go to college. Welcome, too, was the additional support for class size reduction and special education funding. This latter program, though, is still far short of where it ought to be. While this spending package brings funding for the Federal share of the Individuals with Disabilities Education Act to 15 percent, the highest it has ever been, it is still far short of the 40 percent which represents the maximum Federal contribution under IDEA. I was proud to join with my colleague from Vermont, Mr. JEFFORDS, in offering an amendment to the budget resolution earlier this year which would have provided that full funding for IDEA, and though we were not successful, I very much hope my colleagues will make full funding of this program a high priority.

I was also pleased that this measure includes needed increases in support for Social Services Block Grants, a vitally important program that helps counties and social service providers serve our most vulnerable citizens and that had been drastically cut in earlier versions of the Labor, Health and Human Services spending bill. As well, I was glad that additional funding was provided to the National Institutes of Health and the Centers for Disease Control, and that additional resources were included to relieve funding pressures on those who provide Medicare services. In this last area, I was especially pleased that the legislation will provide relief for Medicare services delivered in rural areas and that it will delay for one year the scheduled 15 percent cut to home health care agencies.

Unfortunately, this massive spending bill also includes a number of highly questionable provisions. I am deeply concerned that the Medicare package is disproportionately skewed toward HMOs, providers that do not serve the vast majority of Wisconsinites. The underlying reimbursement formula for Medicare HMOs is grossly unfair, punishing those areas, like Wisconsin, with efficient, low-cost health care providers. Significant reform is needed for the Medicare HMO reimbursement formula, and until that reform is undertaken, we should not pour billions and billions more into a Medicare HMO system that is so fundamentally unfair. Instead, those funds should have been targeted toward provisions to ensure adequate access to home health care and funding a significant prescription

drug benefit. In this regard, I am particularly disappointed that Congress only delayed, and did not eliminate, the 15 percent reduction in payments to home health care agencies and only ordered a study of the inclusion of medical supplies in new payment system.

More broadly, this measure contains the same defects that previous large end-of-session omnibus spending bills have contained; namely, special interest provisions that are slipped into the must-pass bill to avoid the usual committee scrutiny and full review on the floors of the House and Senate. My good friend and colleague, the senior Senator from Arizona, Mr. McCAIN, has identified at least \$1.9 billion in pork barrel spending in this year's version of the omnibus spending bill. He notes that in the conference report for the Commerce, State, and Justice appropriations bill, itself an add-on to the Labor, Health, and Social Services appropriations bill, are many earmarked spending provisions that have never undergone appropriate review, including: \$200,000 for the Kotzebue Sound test fishery for king crab and sea snail; \$3 million for Red Snapper research; \$300,000 for research on the Charleston bump; \$150,000 for lobster sampling; \$1 million for Hawaiian coral reef monitoring; and \$1 million for the implementation of the National Height Modernization system in North Carolina.

I am willing to concede that some of these programs may have merit. But if they do have merit, those who advocate funding for them ought to make their case before the appropriate authorizing committees and submit their case to the floor of the House and Senate in the normal way. That they chose instead to slip these matters secretly into a massive, must-pass spending bill at least suggests that some of these programs would not have withstood thorough scrutiny.

Mr. President, these special interest provisions continue to be one of the best arguments for reforming an appropriations and budget process that has led to an annual, end of the fiscal year budget wreck. Unwarranted and wasteful special interest provisions flourish in such an environment, and fundamental reform, including moving to a biennial budget process, is the only solution. I very much hope such reform will be the very highest priority of this body during the 107th Congress and that this year's pork-laden omnibus appropriations bill will be the last of its kind.●

PIPELINE SAFETY IMPROVEMENT ACT OF 2001

The text of S. 141, introduced by Mr. McCAIN on January 22, 2001, is as follows:

S. 141

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

SECTION 1. SHORT TITLE; AMENDMENT OF TITLE 49, UNITED STATES CODE.

(a) SHORT TITLE.—This Act may be cited as the "Pipeline Safety Improvement Act of 2001".

(b) AMENDMENT OF TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 2. IMPLEMENTATION OF INSPECTOR GENERAL RECOMMENDATIONS.

(a) IN GENERAL.—Except as otherwise required by this Act, the Secretary shall implement the safety improvement recommendations provided for in the Department of Transportation Inspector General's Report (RT-2000-069).

(b) REPORTS BY THE SECRETARY.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until each of the recommendations referred to in subsection (a) has been implemented, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the specific actions taken to implement such recommendations.

(c) REPORTS BY THE INSPECTOR GENERAL.—The Inspector General shall periodically transmit to the Committees referred to in subsection (b) a report assessing the Secretary's progress in implementing the recommendations referred to in subsection (a) and identifying options for the Secretary to consider in accelerating recommendation implementation.

SEC. 3. NTSB SAFETY RECOMMENDATIONS.

(a) IN GENERAL.—The Secretary of Transportation, the Administrator of Research and Special Program Administration, and the Director of the Office of Pipeline Safety shall fully comply with section 1135 of title 49, United States Code, to ensure timely responsiveness to National Transportation Safety Board recommendations about pipeline safety.

(b) PUBLIC AVAILABILITY.—The Secretary, Administrator, or Director, respectively, shall make a copy of each recommendation on pipeline safety and response, as described in sections 1135 (a) and (b) of title 49, United States Code, available to the public at reasonable cost.

(c) REPORTS TO CONGRESS.—The Secretary, Administrator, or Director, respectively, shall submit to the Congress by January 1 of each year a report containing each recommendation on pipeline safety made by the Board during the prior year and a copy of the response to each such recommendation.

SEC. 4. QUALIFICATIONS OF PIPELINE PERSONNEL.

(a) QUALIFICATION PLAN.—Each pipeline operator shall make available to the Secretary of Transportation, or, in the case of an intrastate pipeline facility operator, the appropriate State regulatory agency, a plan that is designed to enhance the qualifications of pipeline personnel and to reduce the likelihood of accidents and injuries. The plan shall be made available not more than 6 months after the date of enactment of this Act, and the operator shall revise or update the plan as appropriate.

(b) REQUIREMENTS.—The enhanced qualification plan shall include, at a minimum, criteria to demonstrate the ability of an individual to safely and properly perform tasks identified under section 60102 of title 49, United States Code. The plan shall also provide for training and periodic reexamination

of pipeline personnel qualifications and provide for requalification as appropriate. The Secretary, or, in the case of an intrastate pipeline facility operator, the appropriate State regulatory agency, may review and certify the plans to determine if they are sufficient to provide a safe operating environment and shall periodically review the plans to ensure the continuation of a safe operation. The Secretary may establish minimum standards for pipeline personnel training and evaluation, which may include written examination, oral examination, work performance history review, observation during performance on the job, on the job training, simulations, or other forms of assessment.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—The Secretary shall submit a report to the Congress evaluating the effectiveness of operator qualification and training efforts, including—

- (A) actions taken by inspectors;
- (B) recommendations made by inspectors for changes to operator qualification and training programs; and
- (C) industry responses to those actions and recommendations.

(2) CRITERIA.—The Secretary may establish criteria for use in evaluating and reporting on operator qualification and training for purposes of this subsection.

(3) DUE DATE.—The Secretary shall submit the report required by paragraph (1) to the Congress 3 years after the date of enactment of this Act.

SEC. 5. PIPELINE INTEGRITY INSPECTION PROGRAM.

Section 60109 is amended by adding at the end the following:

“(c) INTEGRITY MANAGEMENT.—

“(1) GENERAL REQUIREMENT.—The Secretary shall promulgate regulations requiring operators of hazardous liquid pipelines and natural gas transmission pipelines to evaluate the risks to the operator's pipeline facilities in areas identified pursuant to subsection (a)(1), and to adopt and implement a program for integrity management that reduces the risk of an incident in those areas. The regulations shall be issued no later than one year after the Secretary has issued standards pursuant to subsections (a) and (b) of this section or by December 31, 2002, whichever is sooner.

“(2) STANDARDS FOR PROGRAM.—In promulgating regulations under this section, the Secretary shall require an operator's integrity management plan to be based on risk analysis and each plan shall include, at a minimum—

“(A) periodic assessment of the integrity of the pipeline through methods including internal inspection, pressure testing, direct assessment, or other effective methods;

“(B) clearly defined criteria for evaluating the results of the periodic assessment methods carried out under subparagraph (A) and procedures to ensure identified problems are corrected in a timely manner; and

“(C) measures, as appropriate, that prevent and mitigate unintended releases, such as leak detection, integrity evaluation, restrictive flow devices, or other measures.

“(3) CRITERIA FOR PROGRAM STANDARDS.—In deciding how frequently the integrity assessment methods carried out under paragraph (2)(A) must be conducted, an operator shall take into account the potential for new defects developing or previously identified structural defects caused by construction or installation, the operational characteristics of the pipeline, and leak history. In addition, the Secretary may establish a minimum testing requirement for operators of pipelines to conduct internal inspections.