(2) CHAPTER ANALYSIS.—The analysis for chapter 601 is amended by adding at the end the following new item:

''60128. Dumping within pipeline rights-of-way.''.

SEC. 19. PREVENTION OF DAMAGE TO PIPELINE FACILITIES.

Section 60117(a) is amended by inserting after ''and training activities'' the following: ''and promotional activities relating to prevention of damage to pipeline facilities''.

SEC. 20. TECHNICAL CORRECTIONS.

*(a) SECTION 60105.—The heading for section 60105 is amended by inserting ''**pipeline safety program''** after ''**State''.***

*(b) SECTION 60106.—The heading for section 60106 is amended by inserting ''**pipeline safety**'' after ''**State**''.*

*(c) SECTION 60107.—The heading for section 60107 is amended by inserting ''**pipeline safety**'' after ''**State**''.*

(d) SECTION 60114.—Section 60114 is amended—

(1) by striking ''60120, 60122, and 60123'' in subsection (a)(9) and inserting ''60120 and 60122'';

(2) by striking subsections (b) and (d); and

(3) by redesignating subsections (c) and (e) as subsections (b) and (d), respectively.

(e) CHAPTER ANALYSIS.—The analysis for chapter 601 is amended—

(1) by inserting ''pipeline safety program'' in the item relating to section 60105 after ''State'';

(2) by inserting ''pipeline safety'' in the item relating to section 60106 after ''State''; and

(3) by inserting ''pipeline safety'' in the item relating to section 60107 after ''State''.

(f) SECTION 60101.—Section 60101(b) is amended by striking ''define by regulation'' each place it appears and inserting ''prescribe standards defining''.

(g) SECTION 60102.—Section 60102 is amended by striking ''regulations'' each place it appears in subsections (f)(2), (i), and (j)(2) and inserting ''standards''.

(h) SECTION 60108.—Section 60108 is amended—

(1) by striking ''regulations'' in subsections (c)(2)(B), (c)(4)(B), and (d)(3) and inserting ''standards''; and

(2) by striking ''require by regulation'' in subsection (c)(4)(A) and inserting ''establish a standard''.

(i) SECTION 60109.—Section 60109(a) is amended by striking ''regulations'' and inserting ''standards''.

(j) SECTION 60110.—Section 60110 is amended by striking ''regulations'' in subsections (b), (c)(1), and (c)(2) and inserting ''standards''.

(k) SECTION 60113.—Section 60113(a) is amended by striking ''regulations'' and inserting ''standards''.

SEC. 21. AUTHORIZATION OF APPROPRIATIONS.

(a) GAS AND HAZARDOUS LIQUID.—Section 60125 is amended—

(1) by striking subsection (a) and inserting the following new subsection:

''(a) GAS AND HAZARDOUS LIQUID.—To carry out this chapter (except for sections 60107 and 60114(b)) related to gas and hazardous liquid, there are authorized to be appropriated to the Department of Transportation—

''(1) $19,448,000 for fiscal year 1996;

''(2) $20,028,000 for fiscal year 1997, of which $14,600,000 is to be derived from user fees for fiscal year 1997 collected under section 60301 of this title;

''(3) $20,729,000 for fiscal year 1998, of which $15,100,000 is to be derived from user fees for fiscal year 1998 collected under section 60301 of this title;

''(4) $21,442,000 for fiscal year 1999, of which $15,700,000 is to be derived from user fees for fiscal year 1999 collected under section 60301 of this title''; and

''(5) $22,194,000 for fiscal year 2000, of which $16,300,000 is to be derived from user fees for fiscal year 2000 collected under section 60301 of this title.''.

(b) STATE GRANTS.—Section 60125(c)(1) is amended by adding at the end the following:

''(D) $12,000,000 for fiscal year 1996.

''(E) $14,000,000 for fiscal year 1997, of which $12,500,000 is to be derived from user fees for fiscal year 1997 collected under section 60301 of this title.

''(F) $14,490,000 for fiscal year 1998, of which $12,900,000 is to be derived from user fees for fiscal year 1998 collected under section 60301 of this title.

''(G) $15,000,000 for fiscal year 1999, of which $13,300,000 is to be derived from user fees for fiscal year 1999 collected under section 60301 of this title.

''(H) $15,524,000 for fiscal year 2000, of which $13,700,000 is to be derived from user fees for fiscal year 2000 collected under section 60301 of this title.''.

Mr. EXON. Mr. President, as I understand it, the manager of the bill on the other side will be here briefly. Since this matter is now before the Senate, I would like to proceed with a statement on this particular measure. I assure all that contrary to the misunderstanding of half an hour ago, I am convinced that all possible disagreement with certain points of the bill had been earlier cleared today. The bill I believe is ready for acceptance on both sides of the aisle, so I will, since the measure, S. 1505, is before us, continue with my statement on the bill, with the hopes that the manager on the other side will be here and ready to act on the measure, and we will not attempt to act on the measure until the majority representative is here.

Mr. President, the amendment in the nature of a substitute to S. 1505, the Accountable Pipeline Safety and Partnership Act of 1996, is an important piece of legislation. We worked this out in the Commerce Committee. We have worked out some word and language concerns with other Members of the Senate, and I think the measure is ready to pass.

Pipeline safety is an extremely important issue for me. I have tried during my years in the Senate to give the issue of pipeline safety the visibility that it deserves, which it did not receive previously. I am very proud of what the Senate has been able to accomplish in this important area.

Just to name one such recent effort, we can point to the Pipeline Safety Improvement Act of 1991. With favorable Senate action on the Accountable Pipeline Safety and Partnership Act today, we will continue our efforts to make gas and hazardous liquid pipelines safer and to do it while allowing the pipeline industry to continue to provide effective and efficient service to the Nation's consumers, as they obviously do today.

The bill is aptly named. After long negotiations between the regulators, the Department of Transportation Office of Pipeline Safety, and the pipeline industry, the parties agree that this bill can create a working partnership to improve pipeline safety while allowing the safe pipelines to operate with a reduced regulatory burden and allowing the OPS to put its resources where and when the problems exist. In other words, putting cops on the beat in the neighborhoods that need them.

The cornerstone of this bill is the risk management program. The program would allow the Secretary of Transportation to establish criteria under which the pipeline owners and operators can present pipeline safety plans that provide at least an equivalent level of safety with the level of safety already provided by the existing OPS regulations. In return for participation in the program, the eligible pipeline owner will be allowed to operate free of regulations that the Secretary determines are no longer necessary in light of the facility's safety plan.

In return, the OPS can concentrate its resources on those pipeline facilities, the safety record of which can and should be improved. I believe that the parties have agreed to a workable plan for increasing the safety of gas and hazardous liquid pipelines while reducing the regulatory burden on the affected industries. I ask my Senate colleagues to join in supporting this legislation.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BINGAMAN. Mr. President, I ask unanimous consent that I be allowed to speak for up to 5 minutes as if in morning business.

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

EDUCATION FUNDING

Mr. BINGAMAN. Mr. President, I wanted to address for just a few minutes the issue I spoke about yesterday, and that is the level of support we are providing in this Congress to education. I wanted to do it by showing some charts that I was shown yesterday which I think are particularly instructive. Let me just put them up for the benefit of my colleagues so that they can see what we are talking about.

There are really two items on this first chart. The first is projected enrollment. You see here, starting in 1996, we have 52 million students enrolled and by the year 2002 that goes up to 70 million. We are seeing that kind of increase and even more of a percentage increase in my State, in States like New Mexico, where there is substantial growth in population.

This chart also shows the funding proposal which was in the budget resolution that was adopted last year during the Congress, and that is to go from $39.5 billion in 1995 down to $35

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 cosponsored by Mr. BREAUX, Mrs. HUTCHISON, Mr. EXON, Mr. BURNS, Mr. FORD, Mr. INOUYE, 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.