

Mr. DINGELL. Mr. Speaker, I rise in strong support of H.R. 5782 as amended. This is a good bill that reflects considerable work between the Committee on Energy and Commerce and the Committee on Transportation and Infrastructure.

Pipeline safety is not one of the most high-profile issues that the Congress deals with but it is one of the most important. Because oil and gas pipelines are largely out of the public's sight, they are usually out of mind as well, that is until we have a failure such as, those several years ago in the State of Washington and New Mexico, which left several people dead. The shut-in of Prudhoe Bay in Alaska last August served as a stark reminder of that dire consequences of non-lethal pipeline accidents.

After the Prudhoe Bay incident I announced that pipeline safety reauthorization needed to include three important elements: First, the law needed to be changed to cover low-stress pipelines such as those that failed in Alaska; second, enforcement needed to be strengthened; and third, we needed more transparency in DOT's enforcement processes. I am pleased to report that this bill accomplishes those objectives but also does much more.

The bill addresses excavation damage—one of the leading causes of pipeline incidents—through several measures. It requires States with pipeline safety programs certified by the Department of Transportation (DOT) to establish a damage prevention program. The bill establishes grants to States to carry out such programs, and includes new penalty provisions for those who fail to abide by a State's call-before-you-dig program.

The bill also requires DOT to prescribe minimum integrity management standards for gas distribution operators, including a new requirement that excess flow valves be installed on new service lines. These new provisions will help strengthen that portion of the gas pipeline system that is closest to most American homes.

The bill takes a substantial step in making DOT's pipeline safety enforcement process more transparent to the general public, which has been a longstanding concern of mine. DOT will now be required to publish a monthly summary of its enforcement actions on both liquid and gas pipelines, giving the public valuable insight into areas where problems exist, and giving pipeline operators a forum to demonstrate they have been corrected.

The bill before us includes language passed by the Committee on Energy and Commerce that requires the vast majority of low-stress liquid lines to be regulated in a manner similar to high-stress liquid lines. This language responds to the issues raised by the spill on Alaska's North Slope last spring.

This bill also includes new language to require that pipeline operators file management plans that set forth a maximum limit on the hours of service performed by control room employees. I congratulate my good friend, the gentleman from Minnesota Mr. OBERSTAR, for his dedication to this issue.

Finally, the bill authorizes DOT to hire an additional 45 new safety inspectors to carry out the important responsibilities that we have assigned to the department in this bill.

I want to thank Chairmen YOUNG and BARTON and Ranking Member OBERSTAR for all of their efforts on this bill and I urge the House to pass H.R. 5782.

Mr. BARTON of Texas. Mr. Speaker, I rise in support of our consensus substitute to H.R. 5782, The Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006. This legislation represents a broad, consensus-based process that exemplifies what can happen when different interests come together in order to produce a successful product.

I thank Chairman YOUNG and Ranking Member OBERSTAR for working with Mr. DINGELL and myself on reconciling our two bills and for the open and fair process between the two Committees of jurisdiction.

Reauthorizing the Pipeline Safety laws became more complicated after BP's inexcusable Prudhoe Bay oilfield shutdown in August. After rigorous enforcement and analysis, and after a thorough investigation by the House Energy and Commerce Committee, DOT was able to approve restart of some of these lines at the Prudhoe Bay oilfield.

This substitute to H.R. 5782 retains compromise language that was marked up in the Energy and Commerce Committee to address the low stress pipeline exemption, as well as several other provisions that were worked out in bipartisan fashion. For example, the bill strengthens state one-call requirements for excavation damage, provides new authority and grant money to the states to develop their own damage prevention programs modeled after the successful programs already in place, and puts some sunshine on enforcement actions.

The low stress language preserves exemptions for gathering lines, flow lines, and other integrated pipeline facilities, but removes the exemption from DOT Part 195 regulation that was used by the BP Prudhoe Bay transit pipelines. The low stress language should also preserve the inherent flexibility that is already built into DOT's integrity management program.

In addition, in crafting the administrative procedures implementing the safety order authority under sec. 2(f), DOT should provide a pipeline operator an opportunity to confer with DOT before exercising the operator's right to a hearing. Informal consultation has the potential to produce remedies acceptable to both operator and DOT that will resolve the vast majority of concerns without the need for a formal hearing. Any action taken by mutual agreement as a result of any such consultation should be reduced to writing and made both public and enforceable. This approach will save time and legal costs and bring about safety improvements sooner.

I urge our friends in the other body to take this bill up and pass it this week, as it reflects changes that were drafted in order to reach agreement with the Senate.

Mr. LARSEN of Washington. I rise in full support of the Pipeline Inspection, Protection, Enforcement and Safety Act of 2006.

This bill is the result of months of hard work. I want to commend Chairmen YOUNG and BARTON and Ranking Members OBERSTAR and DINGELL, as well as committee staff for the countless hours they put in to get this bill done.

It was over 7 years ago, on June 10, 1999, that a pipeline explosion claimed the lives of two 10-year-old boys and an 18-year-old young man in my district in Bellingham, Washington. Since that time we have made excellent progress in ensuring the safety of our Nation's pipelines.

The 2002 Pipeline Safety Improvement Act did a lot of good things. It increased penalty

finances, improved pipeline testing timelines, and allowed for state oversight.

This bill is another step forward.

As a body, we can all be proud that we'll now be regulating low-stress liquid pipelines just as we regulate all other hazardous liquid pipes. What happened with BP lines in Alaska this summer shouldn't have happened and this bill will ensure operators are properly maintaining their low-stress lines.

I urge my colleagues to vote yes on this bill.

Mr. YOUNG of Alaska. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 5782, as amended.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5782.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

PERMISSION TO INCLUDE EXCHANGE OF LETTERS ON H.R. 5782, PIPELINE SAFETY IMPROVEMENT ACT OF 2006

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent to include in the RECORD an exchange of letters between myself and Chairman BOEHLERT on H.R. 5782.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,

Washington, DC, December 5, 2006.

Hon. DON YOUNG,
Chairman, Committee on Transportation and Infrastructure, 2165 Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing regarding the jurisdictional interest of the Science Committee in H.R. 5782, the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006, as proposed for consideration under suspension of the Rules of the House. The Science Committee has jurisdiction over Section 26 of the suspension version of the bill, which amends Section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107-355) and Section 18, which provides funding to carry out Section 12 of the Pipeline Safety Improvement Act of 2002.

The Science Committee recognizes the importance of H.R. 5782 and the need for the legislation to move expeditiously. Therefore, I will not stand in the way of floor consideration. This, of course, is conditional on our

mutual understanding that nothing in this legislation or my decision to allow the bill to come to the floor waives, reduces or otherwise affects the jurisdiction of the Science Committee, and that a copy of this letter and your letter in response will be included in the Congressional Record when the bill is considered on the House Floor.

Thank you for your attention to this matter.

Sincerely,

SHERWOOD BOEHLERT,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, December 5, 2006.

Hon. SHERWOOD L. BOEHLERT,
Chairman, Committee on Science, 2320 Rayburn Building, Washington, DC.

DEAR MR. CHAIRMAN: I thank you for your letter of December 5, 2006, regarding H.R. 5782, to provide for enhanced safety and environmental protection in pipeline transportation, and provide for enhanced reliability in the transportation of the Nation's energy products by pipeline. I appreciate your support of the proposed modifications to the Committee reported bill that fall within your Committee's jurisdiction which I will offer in the form of an amendment in the nature of a substitute when the bill is considered on the Floor.

I agree that your action does not waive, reduce or affect your Committee's jurisdiction over the bill, as amended. As you request, your letter and this response will be included in the Congressional Record during consideration on the House Floor.

Thank you for your cooperation in moving this important legislation.

Sincerely,

DON YOUNG,
Chairman.

COMMENDING THE NEW YORK INSTITUTE FOR SPECIAL EDUCATION FOR 175 YEARS OF SERVICE

Mr. KUHL of New York. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 484) commending The New York Institute for Special Education for providing excellent education for students with blindness and visual disabilities for 175 years, and for broadening its mission to provide the same quality education to students with emotional and learning disabilities.

The Clerk read as follows:

H. CON. RES. 484

Whereas The New York Institute for Special Education, originally founded in 1831 as The New York Institution for the Education of the Blind, has for 175 years continually educated students with disabilities, and is chartered by the Board of Regents of the University of the State of New York, accredited by the National Commission for the Accreditation of Special Education Services, and is located on Pelham Parkway, in the Bronx;

Whereas on March 15, 1832, the first class in the United States for blind children began at The New York Institution for the Education of the Blind;

Whereas in 1986, The New York Institute for the Education of the Blind broadened its mission to also provide education to students with emotional and learning disabilities and preschoolers with development

delays, and concurrently changed the name to the New York Institute for Special Education;

Whereas in 2000, The New York Institute for Special Education again broadened its mission by establishing the Cornerstone Literacy Initiative, providing staff development and school reform leadership to high poverty school districts throughout the United States;

Whereas The New York Institute for Special Education has prepared students to attain and exceed the academic standards as set forth by the Department of Education of the State of New York;

Whereas in addition to providing a quality education to New York students, The New York Institute for Special Education is equally committed to improving special education on a national level and serves as a student teaching and internship site for eleven universities nationally;

Whereas since its inception in 1987, the Readiness Program of The New York Institute for Special Education has had a dramatic impact on the lives of special education pre-school children as well as their families;

Whereas the Van Cleve Program of The New York Institute for Special Education accepts children with learning and emotional disabilities from five to eleven years of age, the graduates of which show dramatic improvement in academic, social, and behavioral abilities;

Whereas students in the Schermerhorn Program of The New York Institute for Special Education participate in individually designed academic and modified academic programs that emphasize independence and are given an opportunity to develop job behaviors and skills through pre-vocational activities and in career experience programs;

Whereas The New York Institute for Special Education has continuously played a leadership role in advocating for quality education of children with disabilities; and

Whereas The New York Institute for Special Education has continuously played a leadership role in conducting and promoting research relating to the education of children with disabilities: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring). That the Congress—

(1) commends The New York Institute for Special Education for providing excellent education for students with blindness and visual disabilities for 175 years, and for broadening its mission to provide the same quality education to students with emotional and learning disabilities; and

(2) recognizes the high importance of, and supports all efforts to improve, education for physical, emotional, and learning disabled children.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KUHL) and the gentleman from California (Ms. WOOLSEY) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KUHL of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Con. Res. 484.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUHL of New York. Mr. Speaker, I yield myself as much time as I may consume.

I rise in strong support of this concurrent resolution to recognize the achievements of The New York Institute for Special Education. During this academic year, the institute is celebrating its 175th year of providing an outstanding education to students with special needs. I thank my colleague from New York (Mr. CROWLEY) for sponsoring this very important resolution.

Founded in 1831 as The New York Institution for the Education of the Blind, the institute began classes in March of 1832 as one of the first schools in the United States to provide an educational program for children who were blind or who were visually impaired. In the mid-1980s, the institute expanded its mission to include programs for students with emotional and learning disabilities and for preschoolers with developmental delays.

To reflect this broader mission, the institute adopted its current name change in 1986. In the year 2000, the institute again expanded with the creation of the Cornerstone Literacy Initiative to provide staff development and school reform leadership to high poverty school districts throughout the entire United States.

This Congress has made special education a priority. In 2004, for instance, with overwhelming bipartisan support, we were able to reauthorize the Individuals with Disabilities Education Act to provide teachers and parents and schools the tools needed to ensure that students in special education receive the opportunities that they deserve.

In addition, in 2002, we passed the No Child Left Behind Act which ensures that the achievement of children with disabilities is a priority, and underline that priority, in our school systems.

We are proud that we can partner with States, with local school districts and schools such as The New York Institute for Special Education, to ensure that our students with special needs are receiving a high-quality education that prepares them for success.

The New York Institute for Special Education in particular has a long history of providing just such an education for its students and being a leader in special education nationally.

I again thank my colleague for bringing this important resolution forward and for giving us the opportunity to celebrate The New York Institute for Special Education on the occasion of its 175th birthday, and I urge my colleagues to support H. Con. Res. 484.

Mr. Speaker, I reserve the balance of my time.

Ms. WOOLSEY. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H. Con. Res. 484 and thank my colleague from New York (Mr. CROWLEY) for introducing this bipartisan resolution to commemorate the 175th anniversary of The New York Institute for Special Education.

Since 1831, the institute, located in the Bronx, has been a leader in educating children with visual disabilities.