

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

The PRESIDING OFFICER. The Senator from Alaska is recognized.

**STEVENS-INOUYE INTERNATIONAL FISHERIES MONITORING AND COMPLIANCE LEGACY ACT OF 2006**

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5946 which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5946) to amend the Magnuson-Stevens Fishery Conservation and Management Act to authorize activities to promote improved monitoring and compliance for high seas fisheries, or fisheries governed by international fishery management agreements, and for other purposes.

There being no objection, the Senate proceeded to consideration of the measure.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Stevens amendment be agreed to; the bill, as amended, be read for the third time and passed; and a motion to reconsider be laid upon the table.

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

The amendment (No. 5224) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 5946), as amended, was read the third time and passed.

**AMENDING THE INTERNAL REVENUE CODE OF 1986**

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6111, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 6111) to amend the Internal Revenue Code of 1986 to provide that the Tax Court may review claims for equitable spouse relief and to suspend the running on the period of limitations while such claims are pending.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent that the amendment at the desk be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The amendment (No. 5225) was agreed to, as follows:

In line 17, page 3, strike "on or".

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 6111), as amended, was read the third time and passed.

**PIPELINE SAFETY IMPROVEMENT ACT OF 2006**

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5782 which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5782) to amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation, to provide for enhanced reliability in the transportation of the Nation's energy products by pipeline, and for other purposes.

There being no objection, the Senate proceeded to consideration of the bill.

Mr. LAUTENBERG. Mr. President, I would like to thank Commerce Committee co-chairmen Stevens and Inouye for their hard work in achieving this bill's passage. H.R. 5782 the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006 is a timely piece of legislation, and I hope that it will soon become law. I am proud to be one of the original cosponsors of the Senate version of this bill, S.3961.

Our 2.3 million miles of natural gas and hazardous liquid pipelines are more than simply a series of tubes. This system is the transportation mode for nearly two-thirds of the energy consumed by our Nation. From large transmission pipelines to distribution pipelines to service lines which run into our homes, every part of this system must be safe.

I am pleased that Congress is acting to reauthorize the Office of Pipeline Safety, OPS, and bringing its resources more in line with what is needed to adequately regulate this industry. This bill would authorize 50 percent more Federal pipeline safety inspectors than the Federal Government currently has.

The bill will change Federal policy to help prevent construction-related damage to pipelines by giving additional enforcement authority to OPS and authorizing grants to states to improve one-call notification programs. At the same time, it will also make OPS enforcement actions more transparent to those interested in what the Federal Government is doing to make their lives safer. Furthermore, this bill will also regulate for the first time low-stress oil pipelines, such as the ones in Prudhoe Bay, AK, and gas distribution pipelines all over the country.

One subject in the bill I was proud to author deals with the mandatory use of excess flow valves. These important safety devices can shut off gas flow when a service line is ruptured, preventing a potential explosion. One lesson we learned after the 1994 gas explosion in Edison, NJ, is that technology must be used to shut off gas flow in the case of a rupture. Shortly after that damaging explosion, I introduced legis-

lation to require a greater use of automatic or remotely controlled shutoff valves. I am pleased that this bill will require excess flow valves to be installed in every new single family residence or replacement service lines in a single family residence.

While the bill would give some discretion to the administration as to who may be exempted from this EFV requirement, I have met with Admiral Barrett, Administrator of the Pipeline and Hazardous Material Safety Administration, and he assures me that only operators of master meter and liquefied petroleum gas, LPG, systems are intended to be excluded. On these systems, he believes EFVs have not been shown to be effective.

By letter to me dated December 4, 2006, Admiral Barrett of the Federal Pipeline and Hazardous Materials Safety Administration wrote to me:

**REQUIRING INSTALLATION OF EXCESS FLOW VALVES**

The American Gas Association has provided data that leads PHMSA to believe that 1.2 million new and renewed gas services will be installed each year. PHMSA had been planning to propose to require each operator to include in its risk analysis consideration of whether to install EFV's to protect single-family residences served by new and replaced gas service lines from release of gas due to major damage to the line. Modifications to the reauthorization provisions will change PHMSA planned approach, but would allow PHMSA to determine applicability of the future standard to distribution operators. The circumstances where PHMSA believes conditions for installation of EFV's are not suitable are when gas supply pressure is not continuously higher than 10 psig, when liquids/contaminants that could interfere with valve operation are present in the gas stream, and where load data may be unstable.

Based on current data, we would expect to apply the requirements for EFV's to more than 99 percent of new and replaces residential service lines. PHMSA plans to exclude from the requirement only operators of master meter and liquefied petroleum gas (LPG) systems. These are very small distribution systems, whose operation of gas is incidental to another business, such as a mobile home park or small apartment complex, in the case of the master meter operator; or a ski lodge, in the case of the LPG operator. The variability in gas use is too large to pick one size EFV and most incidents would not trigger an EFV. We estimate that approximately 8,000 of these systems would be excluded from the EFV requirement. The estimate is based on reports in 2004 from (1) 45 state pipeline safety agencies that collectively 6,972 master meter systems were operating in their states and (2) 5 state pipeline safety agencies indicating that 926 LPG systems were operating in their states. Because some states do not have jurisdiction over all master meter systems

in their states, the number reported may slightly understate the actual number. Further, we estimate that, on average, for each master meter and LPG system the operator has 100 services.

I will continue to work with Senator INOUE in the next Congress, who will chair the Committee on Commerce, Science, and Transportation, to determine the feasibility of requiring these important safety devices in types of buildings as well—other than single family residences as well as safety advocates including the National Transportation Safety Board have suggested is feasible. These safety devices can provide crucial protection in the event of a pipeline rupture or similar incident, and technology has advanced to the point where they are effective and readily available. Many pipeline companies are already using excess flow valves in such installations.

I thank all those who worked toward an agreement on this provision and all those who helped pass this bill. A gas leak in a home can be a silent killer, with little warning; we must utilize technology which is available to keep our families safe.

Mr. MCCONNELL. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 5782) was ordered to a third reading, was read the third time, and passed.

#### NATIONAL TRANSPORTATION SAFETY BOARD AMENDMENTS ACT OF 2006

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5076 which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5076) to amend title 49, United States Code, to authorize appropriations for fiscal years 2007, 2008, and for other purposes.

There being no objection, the Senate proceeded to consideration of the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 5076) was ordered to a third reading, was read the third time, and passed.

#### VETERANS PROGRAMS EXTENSION ACT OF 2006

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate proceed to the immediate consideration of H.R. 6342 which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 6342) to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, to expand eligibility for the Survivors' and Dependents' Educational Assistance program, and for other purposes.

There being no objection, the Senate proceeded to consideration of the bill.

Mr. MCCONNELL. I ask unanimous consent the bill be read the third time and passed, a motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 6342) was ordered to a third reading, was read the third time, and passed.

#### PROHIBITING DISRUPTIONS OF FUNERALS OF MEMBERS OR FORMER MEMBERS OF THE ARMED FORCES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 4042 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 4042) to amend title 18, United States Code, to prohibit disruptions of funerals of members or former members of the Armed Forces.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the measure be printed in the RECORD.

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

The bill (S. 4042) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 4042

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

#### SECTION 1. RESPECT FOR THE FUNERALS OF FALLEN HEROES.

(a) IN GENERAL.—Chapter 67 of title 18, United States Code, is amended by adding at the end the following new section:

#### “§ 1388. Prohibition on disruptions of funerals of members or former members of the Armed Forces

“(a) PROHIBITION.—For any funeral of a member or former member of the Armed Forces that is not located at a cemetery under the control of the National Cemetery Administration or part of Arlington National Cemetery, it shall be unlawful for any person to engage in an activity during the period beginning 60 minutes before and ending 60 minutes after such funeral, any part of which activity—

“(1)(A) takes place within the boundaries of the location of such funeral or takes place within 150 feet of the point of the intersection between—

“(i) the boundary of the location of such funeral; and

“(ii) a road, pathway, or other route of ingress to or egress from the location of such funeral; and

“(B) includes any individual willfully making or assisting in the making of any noise or diversion that is not part of such funeral and that disturbs or tends to disturb the peace or good order of such funeral with the intent of disturbing the peace or good order of that funeral; or

“(2)(A) is within 300 feet of the boundary of the location of such funeral; and

“(B) includes any individual willfully and without proper authorization impeding the access to or egress from such location with the intent to impede the access to or egress from such location.

“(b) PENALTY.—Any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 1 year, or both.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘Armed Forces’ has the meaning given the term in section 101 of title 10.

“(2) The term ‘funeral of a member or former member of the Armed Forces’ means any ceremony or memorial service held in connection with the burial or cremation of a member or former member of the Armed Forces.

“(3) The term ‘boundary of the location’, with respect to a funeral of a member or former member of the Armed Forces, means—

“(A) in the case of a funeral of a member or former member of the Armed Forces that is held at a cemetery, the property line of the cemetery;

“(B) in the case of a funeral of a member or former member of the Armed Forces that is held at a mortuary, the property line of the mortuary;

“(C) in the case of a funeral of a member or former member of the Armed Forces that is held at a house of worship, the property line of the house of worship; and

“(D) in the case of a funeral of a member or former member of the Armed Forces that is held at any other kind of location, the reasonable property line of that location.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 67 of such title is amended by inserting after the item related to section 1387 the following new item:

“1388. Prohibition on disruptions of funerals of members or former members of the Armed Forces.”

#### PROVIDING AUTHORITY FOR RESTORATION OF THE SOCIAL SECURITY TRUST FUNDS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of S. 4091 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 4091) to provide authority for restoration of the Social Security Trust Funds from the effects of a clerical error, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.