

119TH CONGRESS
2^D SESSION

H. R. 9338

To amend title 49, United States Code, to improve the safety of pipeline transportation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2026

Mr. WEBER of Texas introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 49, United States Code, to improve the safety of pipeline transportation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pipeline Safety Au-
5 thorization Act of 2026”.

6 **SEC. 2. DEFINITIONS.**

7 Section 60101(a)(21)(B) of title 49, United States
8 Code, is amended to read as follows:

9 “(B) does not include—

1 “(i) gathering gas (except through
2 regulated gathering lines) in a rural area
3 outside a populated area designated by the
4 Secretary as a nonrural area; or

5 “(ii) moving gas through a piping sys-
6 tem for a purpose that directly supports
7 the operations of an onshore production,
8 refining, or manufacturing facility, includ-
9 ing for use as fuel or feedstock, if the pip-
10 ing system is—

11 “(I) an in-plant piping system
12 that is located entirely within the
13 boundary of the facility; or

14 “(II) a transfer piping system
15 that extends less than one mile in
16 length outside the boundaries of the
17 facility;”.

18 **SEC. 3. MINIMUM SAFETY STANDARDS.**

19 Section 60102(b) of title 49, United States Code, is
20 amended—

21 (1) in paragraph (2)—

22 (A) in subparagraph (D), by striking “ben-
23 efits” and inserting “safety and economic bene-
24 fits within the United States”; and

1 (B) in subparagraph (E), by inserting
2 “within the United States” after “costs”;

3 (2) in paragraph (3)(B), by striking “benefits”
4 and inserting “safety and economic benefits within
5 the United States”; and

6 (3) in paragraph (5)—

7 (A) by inserting “explicitly” before “re-
8 quired”;

9 (B) by inserting “, economic,” after “safe-
10 ty”; and

11 (C) by inserting “within the United
12 States” after “environmental benefits”.

13 **SEC. 4. OPPORTUNITY FOR FORMAL HEARING.**

14 (a) ENFORCEMENT PROCEDURES.—Section
15 60117(b)(1) of title 49, United States Code, is amended—

16 (1) in subparagraph (I), by striking “and” at
17 the end;

18 (2) in subparagraph (J), by striking the period
19 at the end and inserting “; and”; and

20 (3) by adding at the end the following:

21 “(K) in the case of an enforcement matter
22 relating to a notice of a probable violation
23 issued after the date of enactment of the Pipe-
24 line Safety Authorization Act of 2026, where
25 the respondent can reasonably show the cost of

1 the proposed compliance action will exceed
2 \$125,000, or where the proposed civil penalty is
3 \$125,000 or more, provide an opportunity for a
4 formal hearing described in paragraph (2)(B).”.

5 (b) **PROTOCOLS FOR PUBLIC HEARING.**—Not later
6 than 1 year after the date of enactment of this Act, the
7 Secretary of Transportation shall publish protocols for
8 hearings open to the public pursuant to section
9 60117(b)(2) of title 49, United States Code, that ensure
10 an orderly process and protection of confidential informa-
11 tion, in accordance with section 554 of title 5, United
12 States Code.

13 **SEC. 5. SPECIAL PERMIT PROGRAM.**

14 (a) **COMPLIANCE AND WAIVERS.**—Section
15 60118(c)(1) of title 49, United States Code, is amended
16 by adding at the end the following:

17 “(C) **LIMITATION ON TERMS.**—The Sec-
18 retary shall impose no terms on a waiver under
19 this paragraph that do not apply to known
20 pipeline safety risks applicable to the standard
21 being waived under subparagraph (A).

22 “(D) **PUBLICATION.**—Upon completion of
23 the application requirements under section
24 190.341 of title 49, Code of Federal Regula-
25 tions, or successor regulations, the Secretary

1 shall publish notice of the application in the
2 Federal Register.

3 “(E) REVIEW OF APPLICATION.—The Sec-
4 retary shall complete a review of each such ap-
5 plication not later than 18 months after pub-
6 lishing a notice in the Federal Register de-
7 scribed in subparagraph (D) with respect to the
8 application.”.

9 (b) REPORT TO CONGRESS.—

10 (1) IN GENERAL.—Not later than 2 years after
11 the date of enactment of this Act, the Secretary of
12 Transportation shall submit to the Committees on
13 Energy and Commerce and Transportation and In-
14 frastructure of the House of Representatives and the
15 Committee on Commerce, Science, and Transpor-
16 tation of the Senate a report on the implementation
17 by the Administrator of the Pipeline and Hazardous
18 Materials Safety Administration of subparagraphs
19 (C) through (E) of section 60118(c)(1) of title 49,
20 United States Code.

21 (2) CONTENTS.—The report required under
22 paragraph (1) shall include—

23 (A) a listing of each special permit applica-
24 tion applied for under section 60118(c)(1) of
25 title 49, United States Code;

1 (B) a brief summary of the purpose of
2 each such special permit;

3 (C) the date on which each such applica-
4 tion was received;

5 (D) the date on which each such applica-
6 tion was completed or, in the absence of com-
7 pletion, the status of the application;

8 (E) the date on which the Secretary issued
9 a determination on the application; and

10 (F) the explanation of the Secretary for
11 any decision made outside the review period
12 identified in section 60118(e)(1)(E) of title 49,
13 United States Code, if applicable.

14 (c) GAO REPORT.—Not later than 1 year after the
15 submission of the report under subsection (b), the Comp-
16 troller General of the United States shall submit to the
17 Committees on Energy and Commerce and Transportation
18 and Infrastructure of the House of Representatives and
19 the Committee on Commerce, Science, and Transportation
20 of the Senate a report assessing the Secretary of Trans-
21 portation's implementation of, and compliance with, sub-
22 paragraphs (C) through (E) of section 60118(e)(1) of title
23 49, United States Code.

1 **SEC. 6. STRENGTHENING PENALTIES FOR PIPELINE SAFE-**
2 **TY VIOLATIONS.**

3 Section 60123(b) of title 49, United States Code, is
4 amended—

5 (1) by striking “damaging or destroying” and
6 inserting “damaging, destroying, or impairing the
7 operation of”; and

8 (2) by inserting “damaging or destroying such
9 a facility under construction and intended to be op-
10 erated as such a facility on completion of the con-
11 struction,” before “or attempting”.

12 **SEC. 7. AUTHORIZATION LEVELS.**

13 Section 60125 of title 49, United States Code, is
14 amended—

15 (1) by amending subsection (a) to read as fol-
16 lows:

17 “(a) GAS AND HAZARDOUS LIQUID.—

18 “(1) IN GENERAL.—From fees collected under
19 section 60301, there are authorized to be appro-
20 priated to the Secretary to carry out section 12 of
21 the Pipeline Safety Improvement Act of 2002 (49
22 U.S.C. 60101 note; Public Law 107–355) and the
23 provisions of this chapter relating to gas and haz-
24 ardous liquid \$180,786,000 for each of fiscal years
25 2027 through 2031, of which—

1 “(A) \$9,000,000 shall be used to carry out
2 section 12 of the Pipeline Safety Improvement
3 Act of 2002 (49 U.S.C. 60101 note; Public Law
4 107–355); and

5 “(B) \$77,000,000 shall be used for making
6 grants.

7 “(2) TRUST FUND AMOUNTS.—In addition to
8 the amounts authorized to be appropriated under
9 paragraph (1), there are authorized to be appro-
10 priated from the Oil Spill Liability Trust Fund es-
11 tablished by section 9509(a) of the Internal Revenue
12 Code of 1986 to carry out section 12 of the Pipeline
13 Safety Improvement Act of 2002 (49 U.S.C. 60101
14 note; Public Law 107–355) and the provisions of
15 this chapter relating to hazardous liquid
16 \$30,000,000 for each of fiscal years 2027 through
17 2031, of which—

18 “(A) \$3,000,000 shall be used to carry out
19 section 12 of the Pipeline Safety Improvement
20 Act of 2002 (49 U.S.C. 60101 note; Public Law
21 107–355); and

22 “(B) \$13,000,000 shall be used for making
23 grants.

24 “(3) UNDERGROUND NATURAL GAS STORAGE
25 FACILITY SAFETY ACCOUNT.—From fees collected

1 under section 60302, there is authorized to be ap-
2 propriated to the Secretary to carry out section
3 60141 \$7,000,000 for each of fiscal years 2027
4 through 2031.”; and

5 (2) in subsection (b)(2), by striking “2021
6 through 2023” and inserting “2027 through 2031”.

7 **SEC. 8. PIPELINE SAFETY VOLUNTARY INFORMATION-**
8 **SHARING SYSTEM.**

9 (a) IN GENERAL.—Chapter 601 of title 49, United
10 States Code, is amended by adding at the end the fol-
11 lowing:

12 **“§ 60144. Voluntary information-sharing system**

13 “(a) ESTABLISHMENT.—The Secretary shall estab-
14 lish a confidential voluntary information-sharing system,
15 in accordance with the recommendations provided under
16 section 10 of the PIPES Act of 2016, that—

17 “(1) is a comprehensive, systematic, and inte-
18 grated structure for—

19 “(A) gathering, evaluating, and quanti-
20 fying critical pipeline safety data and informa-
21 tion; and

22 “(B) sharing recommended remediation
23 measures and lessons learned across the pipe-
24 line industry in an efficient and confidential
25 manner;

1 “(2) will encourage the voluntary sharing of
2 pipeline safety data and information to improve the
3 safety of pipeline facilities; and

4 “(3) may not be used in relation to the enforce-
5 ment of requirements under this chapter.

6 “(b) GOVERNANCE.—

7 “(1) GOVERNING BOARD.—

8 “(A) ESTABLISHMENT.—Not later than
9 one year after the date of enactment of the
10 Pipeline Safety Authorization Act of 2026, the
11 Administrator of the Pipeline and Hazardous
12 Materials Safety Administration shall appoint a
13 governing board for the VIS in accordance with
14 this paragraph, after consulting with public,
15 government, and private pipeline safety stake-
16 holders.

17 “(B) COMPOSITION OF THE BOARD.—The
18 governing board shall be comprised of 15 mem-
19 bers and shall represent a balanced cross-sec-
20 tion of pipeline safety stakeholders as follows:

21 “(i) 5 individuals shall be representa-
22 tives of departments, agencies, or instru-
23 mentalities of the Federal Government and
24 of the States and territories, one of which
25 shall be the Administrator.

1 “(ii) 5 individuals shall be representa-
2 tives of the gas or hazardous liquid indus-
3 tries, such as operators, trade associations,
4 inspection technology, coating, and ca-
5 thodic protection vendors, and pipeline in-
6 spection organizations.

7 “(iii) 5 individuals shall be represent-
8 atives of general public safety advocacy or-
9 ganizations, such as pipeline safety and en-
10 vironmental advocacy groups, labor and
11 worker safety representatives, and the gen-
12 eral public.

13 “(C) BOARD TERMS.—Each member of the
14 governing board shall be appointed for three
15 years, with the terms of five of the members ex-
16 piring each year. The term of at least one and
17 not more than two members described in each
18 of clauses (i), (ii), and (iii) of subparagraph (B)
19 shall expire each year. In the initial appoint-
20 ment, terms of one, two, and three years shall
21 be established to allow the terms of five mem-
22 bers to expire thereafter each year. Each mem-
23 ber may be reappointed for consecutive three-
24 year terms.

1 “(D) CO-CHAIRS.—The governing board
2 shall be co-chaired by the Administrator, who
3 shall appoint as co-chairs, with advice and con-
4 sent of the governing board, a member ap-
5 pointed under each of clauses (ii) and (iii) of
6 subparagraph (B). The co-chairs shall be jointly
7 responsible for organizing and conducting meet-
8 ings of the governing board.

9 “(E) AUTHORITY.—The governing board
10 shall make decisions by a super-majority, de-
11 fined as two-thirds plus one of the governing
12 board members, and shall have the authority
13 to—

14 “(i) govern and provide strategic over-
15 sight of the VIS;

16 “(ii) develop and make public govern-
17 ance documents, including a charter that
18 describes the scope of the authority and
19 objectives of the governing board;

20 “(iii) select a third-party data man-
21 ager with expertise in data protection, ag-
22 gregation, and analytics;

23 “(iv) approve the criteria and proce-
24 dures governing how the third-party data
25 manager will receive, secure, and accept

1 for inclusion in the VIS pipeline safety
2 data and information;

3 “(v) establish and appoint members to
4 issue analysis teams;

5 “(vi) collaborate with the issue anal-
6 ysis teams to—

7 “(I) identify the issues and topics
8 to be analyzed by the issue analysis
9 teams; and

10 “(II) specify the type of pipeline
11 safety data and information that the
12 issue analysis teams need to analyze
13 such issues and topics;

14 “(vii) determine the information to be
15 accepted for inclusion in, and shared using,
16 the VIS;

17 “(viii) determine the reports to be ac-
18 cepted for inclusion in, and shared using,
19 the VIS;

20 “(ix) determine which participating
21 entities are authorized to access informa-
22 tion and reports included in the VIS;

23 “(x) at least once per year, issue a
24 public report on VIS processes, member-
25 ship of the governing board, issues being

1 investigated and analyzed, pipeline safety
2 data and information that the VIS has re-
3 quested for submission to the VIS, and
4 safety trends identified; and

5 “(xi) perform other functions as the
6 governing board decides are necessary or
7 appropriate, consistent with the purpose of
8 the VIS.

9 “(F) FEDERAL ADVISORY COMMITTEE ACT
10 INAPPLICABLE.—The governing board shall not
11 be subject to the requirements of chapter 10 of
12 title 5, United States Code.

13 “(2) PROGRAM MANAGEMENT.—The Adminis-
14 trator shall provide program management and ad-
15 ministrative support for the VIS, including oversight
16 of the third-party data manager.

17 “(3) THIRD-PARTY DATA MANAGER.—The
18 third-party data manager selected by the governing
19 board shall provide data management and data over-
20 sight services for the VIS, including—

21 “(A) receiving and securing pipeline safety
22 data and information submitted to the VIS;

23 “(B) accepting for inclusion in the VIS
24 such pipeline safety data and information that
25 meets the criteria and procedures established by

1 the governing board under paragraph
2 (1)(E)(iv);

3 “(C) deidentifying, storing, and managing
4 pipeline safety data and information that is ac-
5 cepted for inclusion in the VIS;

6 “(D) collaborating with the issue analysis
7 teams to analyze and aggregate pipeline safety
8 data and information that is accepted for inclu-
9 sion in the VIS;

10 “(E) preparing reports as requested by the
11 governing board regarding the type of pipeline
12 safety data and information that is included in
13 the VIS; and

14 “(F) making recommendations to the gov-
15 erning board regarding the management of
16 pipeline safety data and information, as appro-
17 priate.

18 “(4) ISSUE ANALYSIS TEAMS.—The issue anal-
19 ysis teams established by the governing board
20 shall—

21 “(A) consist of technical and subject mat-
22 ter experts;

23 “(B) work with the third-party data man-
24 ager to aggregate and analyze pipeline safety
25 data and information submitted to the VIS that

1 is related to issues and topics identified by the
2 governing board; and

3 “(C) collaborate with the governing board
4 to identify issues and topics for analysis and
5 submit internal reports and recommendations to
6 the governing board on the identified issues and
7 topics.

8 “(5) PARTICIPATION.—

9 “(A) VOLUNTARY PARTICIPATION.—No
10 person shall be required to participate in or
11 submit data or information for inclusion in the
12 VIS.

13 “(B) PROHIBITION.—The criteria and pro-
14 cedures established under paragraph (1)(E)(iv)
15 shall prohibit the acceptance of data or infor-
16 mation about an operator if the operator has
17 not authorized the submission of the data or in-
18 formation.

19 “(C) SHARING OF INFORMATION.—The
20 governing board shall encourage the voluntary
21 sharing of pipeline safety data and information
22 among participating entities.

23 “(c) INFORMATION SHARING.—Pipeline safety data
24 and information accepted for inclusion in the VIS shall
25 be related to the issues and topics identified by the gov-

1 erning board to be analyzed by the issue analysis teams,
2 including—

3 “(1) pipeline integrity risk analysis information;

4 “(2) lessons learned from accidents and near
5 misses;

6 “(3) process improvements;

7 “(4) technology deployment practices;

8 “(5) information obtained through VIS pipeline
9 safety surveys of pipeline operator employees, pro-
10 vided that such surveys are voluntarily agreed to by
11 the pipeline operator; and

12 “(6) pipeline safety data and information that
13 may lead to the identification of pipeline safety
14 risks, as determined by the governing board.

15 “(d) CONFIDENTIALITY.—

16 “(1) NONPUBLIC INFORMATION.—To facilitate
17 the sharing of otherwise nonpublic pipeline safety
18 data and information in the VIS, nonpublic informa-
19 tion accepted for inclusion in the VIS shall be kept
20 confidential, except as provided in paragraph (2).

21 “(2) DEIDENTIFIED NONPUBLIC INFORMA-
22 TION.—

23 “(A) SAFETY.—The governing board may
24 approve the disclosure of deidentified nonpublic
25 information through the VIS, or by the Admin-

1 istrator of the Pipeline and Hazardous Mate-
2 rials Safety Administration, that the governing
3 board in its sole discretion determines is appro-
4 priate to disclose to improve pipeline safety,
5 based on analysis of the deidentified informa-
6 tion and any safety findings or recommenda-
7 tions.

8 “(B) REPORTS.—The governing board, in
9 issuing public reports under subsection
10 (b)(1)(E)(x), shall approve the disclosure of
11 deidentified nonpublic information through the
12 VIS that the governing board determines is nec-
13 essary to adequately describe and illustrate the
14 issues and topics being investigated and ana-
15 lyzed using the VIS.

16 “(3) PROHIBITION.—Except as provided in
17 paragraph (2), no person, including any governing
18 board member, the third-party data manager, any
19 issue analysis team member, nor any Federal, State,
20 local, or Tribal agency, having or obtaining access to
21 nonpublic information accepted for inclusion in the
22 VIS, shall release or communicate such nonpublic in-
23 formation, in either an identified or deidentified
24 form, to any person the governing board has not au-
25 thorized to access such information.

1 “(e) APPLICABILITY OF FOIA.—Any nonpublic infor-
2 mation that is accepted for inclusion in the VIS and subse-
3 quently obtained by the Secretary or the Administrator
4 from the VIS is exempt from the requirements of section
5 552 of title 5, and specifically exempt from release under
6 subsection (b)(3) of such section.

7 “(f) EXCLUSIONS.—

8 “(1) EXCLUDED EVIDENCE.—Except as pro-
9 vided in paragraph (3), nonpublic information ac-
10 cepted for inclusion in the VIS shall not be obtained
11 from the VIS—

12 “(A) for use as evidence for any purpose in
13 any Federal, State, local, Tribal, or private liti-
14 gation, including any action or proceeding; or

15 “(B) to initiate any enforcement action or
16 civil litigation against a pipeline operator or its
17 employees or contractors relating to a probable
18 violation under this chapter (including any reg-
19 ulation promulgated or order issued under this
20 chapter).

21 “(2) EXCLUSION FROM DISCOVERY.—Except as
22 provided in paragraph (3), nonpublic information ac-
23 cepted for inclusion in the VIS shall not be subject
24 to discovery from the VIS in any Federal, State,

1 local, Tribal, or private litigation or other pro-
2 ceeding.

3 “(3) LIMITATIONS ON EXCLUSIONS.—The ex-
4 clusions described in paragraphs (1) and (2) shall
5 not apply to—

6 “(A) data or information that is evidence
7 of a criminal violation;

8 “(B) data or information not related to the
9 activities described in subsection (a)(1) for
10 which the VIS is established;

11 “(C) data or information otherwise re-
12 quired to be reported to the Secretary under
13 part 191 (including information about an inci-
14 dent or accident), part 192, part 194, part 195,
15 or part 199 of title 49, Code of Federal Regula-
16 tions (or a successor regulation) or required to
17 be reported under the requirements of a State
18 authority; or

19 “(D) data or information developed or ob-
20 tained from a source other than the VIS.

21 “(g) NO EFFECT ON DISCOVERY.—

22 “(1) IN GENERAL.—Nothing in this section, nor
23 any rule, regulation, or amendment shall be con-
24 strued to create a defense to a discovery request or
25 otherwise limit or affect the discovery of pipeline

1 safety data and information arising from a cause of
2 action authorized under any under Federal, State, or
3 local law.

4 “(2) EXCEPTION.—Paragraph (1) shall not
5 apply to exclusions from discovery from the VIS as
6 described in subsection (f)(2).

7 “(h) REPORTING.—Not later than the end of each fis-
8 cal year, the Secretary shall submit to Congress a report
9 on the status of the VIS.

10 “(i) DEFINITIONS.—In this section:

11 “(1) NONPUBLIC INFORMATION.—The term
12 ‘nonpublic information’ means any data or informa-
13 tion, regardless of form or format, that a company
14 does not disclose, disseminate, or make available to
15 the public or that is not otherwise in the public do-
16 main.

17 “(2) PARTICIPATING ENTITY.—The term ‘par-
18 ticipating entity’ means an entity determined appro-
19 priate by the Secretary to submit information for in-
20 clusion in the VIS, or to be authorized to access in-
21 formation and reports included in the VIS, includ-
22 ing—

23 “(A) an operator of a pipeline facility, and
24 related employees, labor unions, contractors, in-

1 line inspection service providers, and non-
2 destructive evaluation experts;

3 “(B) the Pipeline and Hazardous Materials
4 Safety Administration; and

5 “(C) a representative of a State pipeline
6 safety agency, a Tribal agency, a pipeline safety
7 advocacy group, a manufacturer of materials or
8 equipment used in pipeline facilities, a research
9 or academic institution, and other pipeline
10 stakeholders.

11 “(3) PUBLIC INFORMATION.—The term ‘public
12 information’ means any data or information, regard-
13 less of form or format, that a company discloses,
14 disseminates, or makes available to the public or
15 that is otherwise in the public domain.

16 “(4) VIS.—The term ‘VIS’ means the vol-
17 untary information-sharing system established under
18 subsection (a).”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 for chapter 601 of title 49, United States Code, is amend-
21 ed by adding at the end the following:

“60144.Voluntary information-sharing system.”.

22 **SEC. 9. EXCAVATION DAMAGE PREVENTION.**

23 (a) GRANTS TO STATES.—Section 6106 of title 49,
24 United States Code, is amended—

1 (1) in subsection (b), by inserting “adoption or
2 progress toward adoption of the leading practices
3 listed in subsection (b) and” before “legislative and
4 regulatory”;

5 (2) by redesignating subsections (b) and (c) as
6 subsections (d) and (e), respectively;

7 (3) by inserting after subsection (a) the fol-
8 lowing:

9 “(b) LEADING PRACTICES.—Each State shall adopt
10 as a part of its State one-call notification program leading
11 practices that—

12 “(1) identify the size and scope of a one-call
13 ticket for standard locate requests, including process
14 exceptions for special large project tickets;

15 “(2) restrict the longevity of a one-call ticket
16 for standard locate requests, which may include
17 process exceptions for special large project tickets;

18 “(3) examine and limit exemptions to the State
19 one-call notification program to prevent common ex-
20 cavation damage incidents, including limiting exemp-
21 tions for—

22 “(A) excavation or demolition performed
23 by the owner of a single-family residential prop-
24 erty;

1 “(B) any excavation of 18 inches or less
2 when maintenance activities are performed;

3 “(C) repairing, connecting, adjusting, or
4 conducting routine maintenance of a private or
5 public underground utility facility; and

6 “(D) municipalities, public works organiza-
7 tions, and State departments of transportation
8 for road maintenance;

9 “(4) specify tolerance zone horizontal dimen-
10 sions and requirements for hand-dig, hydro, vacuum
11 excavation, and other nonintrusive methods;

12 “(5) specify emergency excavation notification
13 requirements, including defining emergency exca-
14 vation and identifying the notification requirements
15 for an emergency excavation;

16 “(6) specify the responsibilities of the exca-
17 vator, including the reporting of damages due to ex-
18 cavation activities;

19 “(7) define who is an excavator and what is
20 considered excavation;

21 “(8) require the use of white lining or electronic
22 white lining, allowing for exceptions for special large
23 project tickets;

24 “(9) require a positive response, meaning the
25 utility, municipality, or other entity marks the area

1 of excavation in positive response to the notification
2 center and the excavator confirms a positive re-
3 sponse before beginning excavation;

4 “(10) require newly installed underground fa-
5 cilities to be locatable;

6 “(11) require the marking of lines and laterals,
7 including sewer lines and laterals;

8 “(12) require training programs and require-
9 ments for third-party excavators performing exca-
10 vation activities that are not subject to pipeline con-
11 struction requirements under part 192 or part 195
12 of title 49, Code of Federal Regulations (or any suc-
13 cessor regulations);

14 “(13) require training for locate professionals;
15 and

16 “(14) encourage the use of commercially avail-
17 able technologies to locate underground facilities,
18 such as those that incorporate geographic informa-
19 tion systems and enhanced positive response.

20 “(c) REPORT TO CONGRESS.—

21 “(1) INITIAL REPORT.—Not later than 3 years
22 after the date of enactment of the Pipeline Safety
23 Authorization Act of 2026, the Secretary shall sub-
24 mit to the Committees on Energy and Commerce
25 and Transportation and Infrastructure of the House

1 of Representatives and the Committee on Commerce,
2 Science, and Transportation of the Senate a report
3 detailing—

4 “(A) the adoption of the leading practices
5 described in subsection (b);

6 “(B) recommendations to increase the
7 adoption of such leading practices and rec-
8 ommendations for the reduction of excavation
9 damage incidents; and

10 “(C) the number of underground facility
11 damages per 1,000 one-call tickets in each
12 State for the reporting year.

13 “(2) ADDITIONAL REPORTS.—Not later than
14 once every 2 years beginning after the submittal of
15 the report under paragraph (1), the Secretary shall
16 submit to the Committees on Energy and Commerce
17 and Transportation and Infrastructure of the House
18 of Representatives and the Committee on Commerce,
19 Science, and Transportation of the Senate a report
20 detailing—

21 “(A) the adoption of the leading practices
22 described in subsection (b);

23 “(B) recommendations to increase the
24 adoption of such leading practices and rec-

1 ommendations for the reduction of excavation
2 damage incidents; and

3 “(C) the number of underground facility
4 damages per 1,000 one-call tickets in each state
5 for each year covered by the report.”; and

6 (4) by adding at the end the following:

7 “(f) SAVINGS CLAUSE.—This section shall not af-
8 fect—

9 “(1) the eligibility of a State or State authority
10 for a grant or payment under section 60107 or
11 60134;

12 “(2) the requirements of section 60105 with re-
13 spect to certifications under such section; or

14 “(3) the requirements of section 60106 with re-
15 spect to agreements under such section.”.

16 (b) STATE DAMAGE PREVENTION PROGRAMS.—Sec-
17 tion 60134(c) of title 49, United States Code, is amend-
18 ed—

19 (1) by striking “In making grants” and insert-
20 ing the following:

21 “(1) IN GENERAL.—In making grants”; and

22 (2) by adding at the end the following:

23 “(2) CONSIDERATIONS.—In evaluating criteria
24 for determining the effectiveness of the damage pre-

1 vention program of a State, the Secretary shall con-
2 sider whether the State has, at a minimum—

3 “(A) effective, active, and consistent en-
4 forcement of the State one-call notification pro-
5 gram, as such term is defined in section 6102,
6 (including consistency in the application of en-
7 forcement resources, fines, and penalties to all
8 relevant stakeholders, such as operators, loca-
9 tors, and excavators);

10 “(B) data reporting requirements, includ-
11 ing—

12 “(i) to the local one-call center for ex-
13 cavation damage events on pipelines and
14 other underground facilities, that are not
15 privately owned, including (if available at
16 the time of reporting)—

17 “(I) information about the nature
18 of the incident, including the facility
19 damaged and the apparent cause of
20 such damage (with supporting docu-
21 mentation);

22 “(II) the organizations or entities
23 involved;

1 “(III) the impact to public safe-
2 ty, utility operations, and customer
3 service; and

4 “(IV) the impact to the environ-
5 ment; and

6 “(ii) to a nationally focused nonprofit
7 organization specifically established for the
8 purpose of reducing construction-related
9 damages to pipelines and other under-
10 ground facilities, of damages and near-
11 miss events to pipelines and other under-
12 ground facilities from excavation damages,
13 including potential contributing factors, fa-
14 cility damaged, type of excavator, work
15 performed, equipment type, and State; and

16 “(C) performance measures to determine
17 the effectiveness of excavation damage preven-
18 tion efforts.”.

19 **SEC. 10. CIVIL PENALTIES.**

20 Section 60122(a)(1) of title 49, United States Code,
21 is amended by—

22 (1) striking “\$200,000” and inserting
23 “\$341,200”; and

24 (2) striking “\$2,000,000” and inserting
25 “\$3,412,000”.

1 **SEC. 11. USER FEES.**

2 Section 60301(d)(2) of title 49, United States Code,
3 is amended by inserting “shall remain available in the
4 Pipeline Safety Fund until expended and” before “may
5 be used”.

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