

[DISCUSSION DRAFT]

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R.** \_\_\_\_\_

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

IN THE HOUSE OF REPRESENTATIVES

M. \_\_\_\_\_ introduced the following bill; which was referred to the Committee on \_\_\_\_\_

**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, pro-  
23 vide an opportunity for a formal hearing de-  
24 scribed in paragraph (2)(B).”.

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

9 **SEC. 5. SPECIAL PERMIT PROGRAM.**

10 (a) COMPLIANCE AND WAIVERS.—Section  
11 60118(c)(1) of title 49, United States Code, is amended  
12 by adding at the end the following:

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

18 “(D) PUBLICATION.—Upon completion of  
19 the application requirements under section  
20 190.341 of title 49, Code of Federal Regula-  
21 tions, or successor regulations, the Secretary  
22 shall publish notice of the application in the  
23 Federal Register.

24 “(E) REVIEW OF APPLICATION.—The Sec-  
25 retary shall complete a review of each such ap-

1           plication not later than 18 months after pub-  
2           lishing a notice in the Federal Register de-  
3           scribed in subparagraph (D) with respect to the  
4           application.”.

5           (b) REPORT TO CONGRESS.—

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

17          (2) CONTENTS.—The report required under  
18          paragraph (1) shall include—

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

22                (B) a brief summary of the purpose of  
23                each such special permit;

24                (C) the date on which each such applica-  
25                tion was received;

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

4 (E) the date on which the Secretary issued  
5 a determination on the application; and

6 (F) the explanation of the Secretary for  
7 any decision made outside the review period  
8 identified in section 60118(c)(1)(E) of title 49,  
9 United States Code, if applicable.

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

20 **SEC. 6. STRENGTHENING PENALTIES FOR PIPELINE SAFE-**  
21 **TY VIOLATIONS.**

22 Section 60123(b) of title 49, United States Code, is  
23 amended—

1 (1) by striking “damaging or destroying” and  
2 inserting “damaging, destroying, or impairing the  
3 operation of”; and

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

8 **SEC. 7. AUTHORIZATION LEVELS.**

9 Section 60125 of title 49, United States Code, is  
10 amended—

11 (1) by amending subsection (a) to read as fol-  
12 lows:

13 “(a) GAS AND HAZARDOUS LIQUID.—

14 “(1) IN GENERAL.—From fees collected under  
15 section 60301, there are authorized to be appro-  
16 priated to the Secretary to carry out section 12 of  
17 the Pipeline Safety Improvement Act of 2002 (49  
18 U.S.C. 60101 note; Public Law 107–355) and the  
19 provisions of this chapter relating to gas and haz-  
20 ardous liquid \$180,786,000 for each of fiscal years  
21 2026 through 2031, of which—

22 “(A) \$9,000,000 shall be used to carry out  
23 section 12 of the Pipeline Safety Improvement  
24 Act of 2002 (49 U.S.C. 60101 note; Public Law  
25 107–355); and

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

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

14                  “(A) \$3,000,000 shall be used to carry out  
15                  section 12 of the Pipeline Safety Improvement  
16                  Act of 2002 (49 U.S.C. 60101 note; Public Law  
17                  107–355); and

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

20                  “(3) UNDERGROUND NATURAL GAS STORAGE  
21                  FACILITY SAFETY ACCOUNT.—From fees collected  
22                  under section 60302, there is authorized to be ap-  
23                  propriated to the Secretary to carry out section  
24                  60141 \$7,000,000 for each of fiscal years 2026  
25                  through 2031.”; and

1 (2) in subsection (b)(2), by striking “2021  
2 through 2023” and inserting “2026 through 2031”.

3 **SEC. 8. PIPELINE SAFETY VOLUNTARY INFORMATION-**  
4 **SHARING SYSTEM.**

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

8 **“§ 60144. Voluntary information-sharing system**

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

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

15 “(A) gathering, evaluating, and quanti-  
16 fying critical pipeline safety data and informa-  
17 tion; and

18 “(B) sharing recommended remediation  
19 measures and lessons learned across the pipe-  
20 line industry in an efficient and confidential  
21 manner;

22 “(2) will encourage the voluntary sharing of  
23 pipeline safety data and information to improve the  
24 safety of pipeline facilities; and

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

3           “(b) GOVERNANCE.—

4           “(1) GOVERNING BOARD.—

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

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

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

23                 “(ii) 5 individuals shall be representa-  
24                 tives of the gas or hazardous liquid indus-  
25                 tries, such as operators, trade associations,

1 inspection technology, coating, and ca-  
2 thodic protection vendors, and pipeline in-  
3 spection organizations.

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

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

22 “(D) CO-CHAIRS.—The governing board  
23 shall be co-chaired by the Administrator, who  
24 shall appoint as co-chairs, with advice and con-  
25 sent of the governing board, a member ap-

1 pointed under each of clauses (ii) and (iii) of  
2 subparagraph (B). The co-chairs shall be jointly  
3 responsible for organizing and conducting meet-  
4 ings of the governing board.

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

10 “(i) govern and provide strategic over-  
11 sight of the VIS;

12 “(ii) develop and make public govern-  
13 ance documents, including a charter that  
14 describes the scope of the authority and  
15 objectives of the governing board;

16 “(iii) select a third-party data man-  
17 ager with expertise in data protection, ag-  
18 gregation, and analytics;

19 “(iv) approve the criteria and proce-  
20 dures governing how the third-party data  
21 manager will receive, secure, and accept  
22 for inclusion in the VIS pipeline safety  
23 data and information;

24 “(v) establish and appoint members to  
25 issue analysis teams;

1 “(vi) collaborate with the issue anal-  
2 ysis teams to—

3 “(I) identify the issues and topics  
4 to be analyzed by the issue analysis  
5 teams; and

6 “(II) specify the type of pipeline  
7 safety data and information that the  
8 issue analysis teams need to analyze  
9 such issues and topics;

10 “(vii) determine the information to be  
11 accepted for inclusion in, and shared using,  
12 the VIS;

13 “(viii) determine the reports to be ac-  
14 cepted for inclusion in, and shared using,  
15 the VIS;

16 “(ix) determine which participating  
17 entities are authorized to access informa-  
18 tion and reports included in the VIS;

19 “(x) at least once per year, issue a  
20 public report on VIS processes, member-  
21 ship of the governing board, issues being  
22 investigated and analyzed, pipeline safety  
23 data and information that the VIS has re-  
24 quested for submission to the VIS, and  
25 safety trends identified; and

1           “(xi) perform other functions as the  
2           governing board decides are necessary or  
3           appropriate, consistent with the purpose of  
4           the VIS.

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

9           “(2) PROGRAM MANAGEMENT.—The Adminis-  
10          trator shall provide program management and ad-  
11          ministrative support for the VIS, including oversight  
12          of the third-party data manager.

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

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

19                 “(B) accepting for inclusion in the VIS  
20                 such pipeline safety data and information that  
21                 meets the criteria and procedures established by  
22                 the governing board under paragraph  
23                 (1)(E)(iv);

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

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

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

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

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

19           “(A) consist of technical and subject mat-  
20 ter experts;

21           “(B) work with the third-party data man-  
22 ager to aggregate and analyze pipeline safety  
23 data and information submitted to the VIS that  
24 is related to issues and topics identified by the  
25 governing board; and

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

6           “(5) PARTICIPATION.—

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

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

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

21           “(c) INFORMATION SHARING.—Pipeline safety data  
22 and information accepted for inclusion in the VIS shall  
23 be related to the issues and topics identified by the gov-  
24 erning board to be analyzed by the issue analysis teams,  
25 including—

1 “(1) pipeline integrity risk analysis information;

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

4 “(3) process improvements;

5 “(4) technology deployment practices;

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

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

13 “(d) CONFIDENTIALITY.—

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

19 “(2) DEIDENTIFIED NONPUBLIC INFORMA-  
20 TION.—

21 “(A) SAFETY.—The governing board may  
22 approve the disclosure of deidentified nonpublic  
23 information through the VIS, or by the Admin-  
24 istrator of the Pipeline and Hazardous Mate-  
25 rials Safety Administration, that the governing

1 board in its sole discretion determines is appro-  
2 priate to disclose to improve pipeline safety,  
3 based on analysis of the deidentified informa-  
4 tion and any safety findings or recommenda-  
5 tions.

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

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

24 “(e) APPLICABILITY OF FOIA.—Any nonpublic infor-  
25 mation that is accepted for inclusion in the VIS and subse-

1 quently obtained by the Secretary or the Administrator  
2 from the VIS is exempt from the requirements of section  
3 552 of title 5, and specifically exempt from release under  
4 subsection (b)(3) of such section.

5 “(f) EXCLUSIONS.—

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

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

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

19 “(2) EXCLUSION FROM DISCOVERY.—Except as  
20 provided in paragraph (3), nonpublic information ac-  
21 cepted for inclusion in the VIS shall not be subject  
22 to discovery from the VIS in any Federal, State,  
23 local, Tribal, or private litigation or other pro-  
24 ceeding.

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

4                   “(A) data or information that is evidence  
5                   of a criminal violation;

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

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

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

19           “(g) NO EFFECT ON DISCOVERY.—

20                  “(1) IN GENERAL.—Nothing in this section, nor  
21                  any rule, regulation, or amendment shall be con-  
22                  strued to create a defense to a discovery request or  
23                  otherwise limit or affect the discovery of pipeline  
24                  safety data and information arising from a cause of

1 action authorized under any under Federal, State, or  
2 local law.

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

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

9 “(i) DEFINITIONS.—In this section:

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

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

22 “(A) an operator of a pipeline facility, and  
23 related employees, labor unions, contractors, in-  
24 line inspection service providers, and non-  
25 destructive evaluation experts;

1 “(B) the Pipeline and Hazardous Materials  
2 Safety Administration; and

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

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

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

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

“60144.Voluntary information-sharing system.”.

20 **SEC. 9. EXCAVATION DAMAGE PREVENTION.**

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

23 (1) in subsection (b), by inserting “adoption or  
24 progress toward adoption of the leading practices

1 listed in subsection (b) and” before “legislative and  
2 regulatory”;

3 (2) by redesignating subsections (b) and (c) as  
4 subsections (d) and (e), respectively;

5 (3) by inserting after subsection (a) the fol-  
6 lowing:

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

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

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

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

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

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

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

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

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

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

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

17          “(7) define who is an excavator and what is  
18          considered excavation;

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

22          “(9) require a positive response, meaning the  
23          utility, municipality, or other entity marks the area  
24          of excavation in positive response to the notification

1 center and the excavator confirms a positive re-  
2 sponse before beginning excavation;

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

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

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

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

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

19 “(c) REPORT TO CONGRESS.—

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

1 Science, and Transportation of the Senate a report  
2 detailing—

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

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

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

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

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

22 “(B) recommendations to increase the  
23 adoption of such leading practices and rec-  
24 ommendations for the reduction of excavation  
25 damage incidents; and

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

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

5           “(f) SAVINGS CLAUSE.—This section shall not af-  
6           fect—

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

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

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

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

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

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

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

21           “(2) CONSIDERATIONS.—In evaluating criteria  
22           for determining the effectiveness of the damage pre-  
23           vention program of a State, the Secretary shall con-  
24           sider whether the State has, at a minimum—

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

8           “(B) data reporting requirements, includ-  
9           ing—

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

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

20                                   “(II) the organizations or entities  
21                                   involved;

22   “(III) the impact to public safe-  
23   ty, utility operations, and customer  
24   service; and

1 “(IV) the impact to the environ-  
2 ment; and

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

13 “(C) performance measures to determine  
14 the effectiveness of excavation damage preven-  
15 tion efforts.”.