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2016 Pipeline Safety Reauthorization - as of 3/20/16

Every four years Congress reviews and then reauthorizes the national pipeline safety program. That began last year, and is set to finish up in 2016. The U.S. Senate Commerce and Science Committee held hearings and produced a reauthorization bill in late 2015. That bill with some amendments passed in early March and can be [found here](#).

There are two committees in the U.S. House that have jurisdiction over pipeline safety. Both the House Transportation and Infrastructure Committee (T&I), and the House Energy and Commerce Committee (E&C) held hearings on the reauthorization in late February and early March. A subcommittee of E&C held a mark up on a proposed bill just last week which was passed on to the full committee, and that proposed bill can be [found here](#). So far T&I has not released a draft bill, but is expected to do so soon.

The Pipeline Safety Trust was involved with all three of these efforts and was invited to testify at both House hearings. Our testimony to [T&I](#) and [E&C](#) can both found at these links. House E&C has a number of potential amendments to their bill still pending, and some of those are quite controversial. I have not tried to describe them in this brief discussion or the associated chart, but if anyone wants to learn about them they can all be [found here](#). I am glad to answer any questions about those amendments (some of which we suggested) if people have any. Once both House Committees adopt preferred bills they will get sent forward for the full House to adopt a preferred version. Once that is accomplished differences between the House version and the existing Senate version will need to be ironed out. There is a sense that that all could occur before summer.

Going into reauthorization last year the Trust and the major pipeline industry associations were of the common opinion (probably for different reasons) that the best thing that could happen during reauthorization would be for it to be as quick and clean (no new mandates) as possible. We all agreed that PHMSA still had many unfinished efforts that they needed to focus on, and that piling on many new mandates might be counterproductive. We suspect the industry believed this because they are always hesitant of any potential new regulatory efforts, and the Trust believed this because we saw little opportunity for the present Congress to pass anything meaningful and lots of opportunity for them to weaken things.

I have included a chart that shows the major new provisions that have already appeared in the Senate bill and the proposed House E&C bill (A check mark means it is included in the bill). I tried to provide very short synopsis of what each provision is meant to do, and in some cases a brief description of what our concerns are with the provisions. On the chart you will also see highlighted in green the provisions that we support, which also shows whether we support the current Senate or House version of those provisions, since even small differences in the language can have big impacts. A lack of a green highlight for any provision does not mean we oppose it, just that we are unconcerned or neutral on it. This chart is continually updated.

Congressional bills are not like rulemakings with defined comment periods or clear places to send comments. It is best to comment to members of involved committees, and to members of your own state delegation. Maria Cantwell is on the proper Senate Committee, and Rick Larson is on House T&I. The critical wording in bills can change rapidly, so keeping up with the various versions is important if one plans to try to provide educated comments. This all makes it difficult for a committee such as CCOPS that meets infrequently, and has committee rules to abide by. I am not sure it makes sense for the Committee to try to comment unless there are specific provisions that really cause concerns. If the Committee wants to try to provide input I am glad to help once the committee lands on concerns.

Carl