Fact Sheet: H.R. 2576 – To amend title 49, United States Code, to modify requirements relating to the availability of pipeline safety regulatory documents, and for other purposes

Background Information

- Section 24 of the *Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011* (P.L. 122-90) required that all technological standards incorporated by reference in guidelines and regulation to be available free of charge on the internet.
- There are a variety of different Standards Development Organizations (SDOs), usually nonprofits that create technical industry standards (examples include welding and boiler and pressure code) and charge industry for the standards as a source of revenue and to offset the cost of developing the standards.
- Section 24 could infringe upon SDOs' intellectual property rights. Under current law, if their standards are incorporated by reference in Pipeline and Hazardous Materials Safety Administration (PHMSA) guidelines or regulations, those standards must be made available free of charge on the internet.
- SDOs fear this would allow oversees competitors free access to valuable intellectual property.
- Section 24 could negatively impact the ability of some SDO's to continue to develop standards if they are unable to bring in revenue to offset the cost of development.

Summary

- H.R. 2576 was introduced by subcommittee Chairman Denham, along with Full Committee Chairman Shuster, subcommittee Ranking Member Brown, and Ranking Member Rahall on June 28, 2013.
- H.R. 2576 would protect intellectual property rights while allowing for more flexibility in making documents transparent. Specifically, the legislation:
 - Extends the deadline for making standards available from one to three years so industry and PHMSA can properly implement the mandate.

- Deletes the term "guidance" from the provision to lessen the number of PHMSA documents that this provision applies too.
- Deletes the term "on an internet Web site," which will protect copyright and intellectual property from being released to the public on the internet, and allow more flexibility for access to incorporated documents.

Subcommi	ttee	Action
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None.

Amendments

No amendments expected.

Statement of Administration Policy

None.

Staff Contact and Phone Number

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