

[DISCUSSION DRAFT]114TH CONGRESS
2^D SESSION**H. R.** _____

To amend title 49, United States Code, to provide enhanced safety in 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 provide enhanced safety in 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; REFERENCES; TABLE OF CON-**
4 **TENTS.**

5 (a) **SHORT TITLE.**—This Act may be cited as the
6 “Pipeline Safety Act of 2016”.

7 (b) **REFERENCES TO TITLE 49, UNITED STATES**
8 **CODE.**—Except as otherwise expressly provided, wherever
9 in this Act an amendment or repeal is expressed in terms

1 of an amendment to, or repeal of, a section or other provi-
2 sion, the reference shall be considered to be made to a
3 section or other provision of title 49, United States Code.

4 (c) TABLE OF CONTENTS.—The table of contents of
5 this Act is as follows:

- Sec. 1. Short title; references; table of contents.
- Sec. 2. Regulatory updates.
- Sec. 3. Statutory preference.
- Sec. 4. Integrity management review.
- Sec. 5. Technical safety standards committees.
- Sec. 6. Inspection report information.
- Sec. 7. Improving damage prevention technology.
- Sec. 8. Direct hire authority for Pipeline and Hazardous Materials Safety Administration.
- Sec. 9. Information-sharing system.
- Sec. 10. Nationwide integrated pipeline safety regulatory database.
- Sec. 11. Underground gas storage facilities.
- Sec. 12. Requirements for certain hazardous liquid pipeline facilities.
- Sec. 13. Response plans.
- Sec. 14. High consequence areas.
- Sec. 15. Emergency orders.
- Sec. 16. Pipeline safety information grants to communities.
- Sec. 17. Authorization of appropriations.

6 **SEC. 2. REGULATORY UPDATES.**

7 (a) REPORTS.—

8 (1) IN GENERAL.—The Secretary of Transpor-
9 tation shall submit reports to the Committee on
10 Commerce, Science, and Transportation of the Sen-
11 ate and the Committees on Transportation and In-
12 frastructure and Energy and Commerce of the
13 House of Representatives regarding the status of a
14 final rule for each outstanding regulation.

15 (2) DEADLINES.—The Secretary shall submit a
16 report under this subsection not later than 120 days
17 after the date of enactment of this Act, and every

1 90 days thereafter until a final rule has been issued
2 for each outstanding regulation described in sub-
3 section (c)(2)(A).

4 (b) CONTENTS.—The Secretary shall include in each
5 report submitted under subsection (a)—

6 (1) a description of the work plan for each out-
7 standing regulation;

8 (2) an updated rulemaking timeline for each
9 outstanding regulation;

10 (3) current staff allocations with respect to
11 each outstanding regulation;

12 (4) any resource constraints affecting the rule-
13 making process for each outstanding regulation; and

14 (5) any other details associated with the devel-
15 opment of each outstanding regulation that affect
16 the progress of the rulemaking process.

17 (c) OUTSTANDING REGULATION DEFINED.—In this
18 section, the term “outstanding regulation” means a regu-
19 lation relating to pipeline safety—

20 (1) for which no final rule, including an interim
21 final rule or direct final rule, has been issued; and

22 (2) that—

23 (A) is required under—

1 (i) the Pipeline Safety Regulatory
2 Certainty and Job Creation Act of 2011
3 (Public Law 112–90; 125 Stat. 1904); or

4 (ii) any other law, for which more
5 than 2 years have passed since the statu-
6 tory deadline for the regulation; or

7 (B) is being developed under an authority
8 not described in subparagraph (A), and is con-
9 sidered to be a significant regulatory action
10 under Executive Order 12866.

11 **SEC. 3. STATUTORY PREFERENCE.**

12 The Administrator of the Pipeline and Hazardous
13 Materials Safety Administration shall complete the rule-
14 making process for each outstanding regulation described
15 in section 2(c)(2)(A) before beginning any new rulemaking
16 process after the date of the enactment of this Act, except
17 that the Administrator may begin such a new rulemaking
18 process before completing the rulemaking process for each
19 such outstanding regulation if the Secretary of Transpor-
20 tation determines, in the Secretary’s discretion, that there
21 is a significant need to do so, and notifies Congress of
22 such determination.

23 **SEC. 4. INTEGRITY MANAGEMENT REVIEW.**

24 (a) REPORTS.—

1 (1) NATURAL GAS INTEGRITY MANAGEMENT
2 REPORT.—Not later than 18 months after the date
3 of publication of a final rule regarding the safety of
4 gas transmission pipelines, relating to the advance
5 notice of proposed rulemaking published by the Ad-
6 ministrator of the Pipeline and Hazardous Materials
7 Safety Administration on August 25, 2011 (76 Fed.
8 Reg. 53086), the Comptroller General of the United
9 States shall submit to Congress a report regarding
10 integrity management programs for natural gas
11 pipeline facilities.

12 (2) HAZARDOUS LIQUID INTEGRITY MANAGE-
13 MENT REPORT.—Not later than 18 months after the
14 date of publication of a final rule regarding the safe-
15 ty of hazardous liquid pipelines, relating to the pro-
16 posed rule published by the Administrator of the
17 Pipeline and Hazardous Materials Safety Adminis-
18 tration on October 13, 2015 (80 Fed. Reg. 61610),
19 the Comptroller General of the United States shall
20 submit to Congress a report regarding integrity
21 management programs for hazardous liquid pipeline
22 facilities.

23 (b) CONTENTS.—The Comptroller General shall in-
24 clude—

1 (1) in the report submitted under subsection
2 (a)(1), an analysis of the extent to which integrity
3 management programs for natural gas pipeline fa-
4 cilities required under section 60109(c) of title 49,
5 United States Code, have improved the safety of
6 natural gas pipeline facilities;

7 (2) in the report submitted under subsection
8 (a)(2), an analysis of the extent to which hazardous
9 liquid pipeline integrity management programs in
10 areas identified pursuant to section 60109(a) of title
11 49, United States Code, for operators of hazardous
12 liquid pipeline facilities, as regulated under sections
13 195.450 and 195.452 of title 49, Code of Federal
14 Regulations, have improved the safety of hazardous
15 liquid pipeline facilities;

16 (3) in each report submitted under subsection
17 (a), with respect to the applicable pipeline facili-
18 ties—

19 (A) an analysis of, and recommendations
20 regarding, ways to enhance pipeline facility
21 safety, taking into consideration issues relating
22 to technical, operational, and economic feasi-
23 bility;

24 (B) a description of any challenges affect-
25 ing Federal or State regulators in their over-

1 sight of integrity management programs and
2 how those challenges are being addressed; and
3 (C) a description of any challenges affect-
4 ing operators in complying with the require-
5 ments of integrity management programs, and
6 how those challenges are being addressed.

7 **SEC. 5. TECHNICAL SAFETY STANDARDS COMMITTEES.**

8 Section 60115(b)(4)(A) is amended by striking
9 “State commissioners. The Secretary shall consult with
10 the national organization of State commissions before se-
11 lecting those 2 individuals.” and inserting “State officials.
12 The Secretary shall consult with national organizations
13 representing State commissioners or utility regulators
14 when making a selection under this subparagraph.”

15 **SEC. 6. INSPECTION REPORT INFORMATION.**

16 Section 60108 is amended by adding at the end the
17 following:

18 “(e) IN GENERAL.—Not later than 30 days after the
19 completion of a pipeline safety inspection, the Secretary
20 or the State authority for which a certification is in effect
21 under section 60105, as applicable, shall—

22 “(1) conduct a post-inspection briefing with the
23 operator of the pipeline facility, outlining any con-
24 cerns; and

1 “(2) to the extent practicable, provide written
2 findings of the inspection, which may include a final
3 report, notice of amendment of plans or procedures,
4 safety order, or corrective action order, or any other
5 applicable report, notice, or order.”.

6 **SEC. 7. IMPROVING DAMAGE PREVENTION TECHNOLOGY.**

7 (a) **STUDY AND REPORT.**—Not later than 1 year
8 after the date of the enactment of this Act, the Secretary
9 of Transportation shall conduct a study on improving the
10 requirements for damage prevention programs for pipeline
11 facilities, and shall submit to the Committee on Com-
12 merce, Science, and Transportation of the Senate and the
13 Committees on Transportation and Infrastructure and
14 Energy and Commerce of the House of Representatives
15 a report on the results of such study.

16 (b) **CONTENTS.**—The Secretary shall include in the
17 report submitted under subsection (a)—

18 (1) an identification of any methods that could
19 improve existing damage prevention programs
20 through location and mapping practices or tech-
21 nologies to reduce unintended releases caused by ex-
22 cavation;

23 (2) an analysis of how increased use of global
24 positioning system digital mapping technologies, pre-
25 dictive analytic tools, public awareness initiatives

1 (including one-call initiatives), mobile devices, and
2 other advanced technologies could supplement exist-
3 ing one-call notification and damage prevention pro-
4 grams to reduce the frequency and severity of inci-
5 dents caused by excavation damage;

6 (3) an analysis of the feasibility of establishing
7 a national data repository for pipeline excavation ac-
8 cident data to improve the storage and sharing of
9 pipeline accident information;

10 (4) an identification of opportunities for stake-
11 holder engagement in preventing excavation damage;
12 and

13 (5) recommendations, which take into consider-
14 ation technical, operational, and economic feasibility,
15 regarding how to incorporate into existing damage
16 prevention programs improvements identified or ana-
17 lyzed under paragraphs (1) through (4).

18 **SEC. 8. DIRECT HIRE AUTHORITY FOR PIPELINE AND HAZ-**
19 **ARDOUS MATERIALS SAFETY ADMINISTRA-**
20 **TION.**

21 (a) DIRECT HIRE AUTHORITY.—

22 (1) AUTHORITY.—The Administrator of the
23 Pipeline and Hazardous Materials Safety Adminis-
24 tration may appoint qualified candidates to positions
25 described in paragraph (2) without regard to sec-

1 tions 3309 through 3319 of title 5, United States
2 Code.

3 (2) APPLICABILITY.—The authority under
4 paragraph (1) applies with respect to candidates for
5 any position that would likely allow increased activi-
6 ties relating to pipeline safety, as determined by the
7 Administrator.

8 (3) TERMINATION.—The authority to make ap-
9 pointments under this subsection shall not be avail-
10 able after December 31, 2019.

11 (b) REPORT.—Not later than 180 days after the date
12 of enactment of this Act, and annually thereafter through
13 calendar year 2019, the Administrator of the Pipeline and
14 Hazardous Materials Safety Administration shall submit
15 to Congress a report on—

16 (1) the use of the authority granted under this
17 section; and

18 (2) efforts of the Administration to hire women,
19 minorities, and veterans as inspectors.

20 **SEC. 9. INFORMATION-SHARING SYSTEM.**

21 (a) IN GENERAL.—Not later than 180 days after the
22 date of the enactment of this Act, the Secretary of Trans-
23 portation shall convene a working group to consider the
24 development of a voluntary information-sharing system to
25 encourage collaborative efforts to improve inspection infor-

1 mation feedback and information sharing with the purpose
2 of improving natural gas and hazardous liquid pipeline fa-
3 cility risk assessment and integrity management.

4 (b) MEMBERSHIP.—The working group convened
5 under subsection (a) shall include representatives from—

6 (1) the Pipeline and Hazardous Materials Safe-
7 ty Administration;

8 (2) industry stakeholders, including operators
9 of pipeline facilities, inspection technology vendors,
10 and pipeline inspection organizations;

11 (3) safety advocacy groups;

12 (4) research institutions;

13 (5) State public utility commissions or State of-
14 ficials responsible for pipeline safety oversight;

15 (6) State pipeline safety inspectors; and

16 (7) labor representatives.

17 (c) CONSIDERATIONS.—The working group convened
18 under subsection (a) shall consider and provide rec-
19 ommendations, if applicable, to the Secretary regarding—

20 (1) the management of proprietary or security-
21 sensitive information, specific incident response re-
22 sources, and information relating to a worst case
23 discharge;

24 (2) the need for, and the identification of, a
25 system to ensure that data gathered from field

1 verification of pipeline integrity is shared with in-line
2 inspection operators;

3 (3) actions to encourage or facilitate the ex-
4 change of pipeline inspection information and pro-
5 mote the development of advanced pipeline inspec-
6 tion technologies and risk assessment methodologies;
7 and

8 (4) regulatory, funding, and legal barriers to in-
9 formation sharing.

10 (d) FACA.—The working group shall not be subject
11 to the Federal Advisory Committee Act (5 U.S.C. App.).

12 (e) PUBLICATION.—The Secretary shall publish the
13 recommendations provided under subsection (c) on a pub-
14 licly available website.

15 **SEC. 10. NATIONWIDE INTEGRATED PIPELINE SAFETY REG-**
16 **ULATORY DATABASE.**

17 (a) REPORT.—Not later than 18 months after the
18 date of the enactment of this Act, the Secretary of Trans-
19 portation shall submit a report to Congress on the feasi-
20 bility of establishing a national integrated pipeline safety
21 regulatory inspection database to improve communication
22 and collaboration between the Pipeline and Hazardous
23 Materials Safety Administration and State pipeline regu-
24 lators.

1 (b) CONTENTS.—The report submitted under sub-
2 section (a) shall include—

3 (1) a description of any efforts underway to test
4 a secure information-sharing system for the purpose
5 described in subsection (a);

6 (2) a description of any progress in establishing
7 common standards for maintaining, collecting, and
8 presenting pipeline safety regulatory inspection data,
9 and a methodology for the sharing of such data;

10 (3) a description of any inadequacies or gaps in
11 data relating to Federal inspections, enforcement ac-
12 tions, geospatial information, or any other relevant
13 pipeline safety regulatory information;

14 (4) a description of the potential safety benefits
15 of a national integrated pipeline safety regulatory in-
16 spection database; and

17 (5) recommendations for how to implement a
18 secure information-sharing system that protects pro-
19 prietary and security-sensitive information and data
20 for the purpose described in subsection (a).

21 (c) CONSULTATION.—In preparing the report under
22 subsection (a), the Secretary shall consult with stake-
23 holders, including each State authority operating under a
24 certification to regulate intrastate pipelines under section
25 60105 of title 49, United States Code.

1 **SEC. 11. UNDERGROUND GAS STORAGE FACILITIES.**

2 (a) DEFINED TERM.—Section 60101(a) is amend-
3 ed—

4 (1) in paragraph (21), by striking the period at
5 the end and inserting a semicolon;

6 (2) in paragraph (22), by striking the period at
7 the end and inserting a semicolon;

8 (3) in paragraph (24), by striking “and” at the
9 end;

10 (4) in paragraph (25), by striking the period at
11 the end and inserting “; and” ; and

12 (5) by adding at the end the following:

13 “(26) ‘underground gas storage facility’ means
14 a gas pipeline facility that stores gas in an under-
15 ground facility, including—

16 “(A) a depleted hydrocarbon reservoir;

17 “(B) an aquifer reservoir; or

18 “(C) a solution-mined salt cavern res-
19 ervoir.”.

20 (b) STANDARDS FOR UNDERGROUND GAS STORAGE
21 FACILITIES.—Chapter 601 is amended by inserting after
22 section 60103 the following:

23 **“§ 60103a. Standards for underground gas storage fa-
24 cilities**

25 “(a) MINIMUM UNIFORM SAFETY STANDARDS.—Not
26 later than 2 years after the date of the enactment of this

1 section, the Secretary of Transportation, in consultation
2 with the heads of other relevant Federal agencies, shall
3 issue minimum uniform safety standards, incorporating,
4 to the extent practicable, consensus standards for the op-
5 eration and integrity management of, and environmental
6 protection with respect to, underground gas storage facili-
7 ties.

8 “(b) CONSIDERATIONS.—In developing uniform safe-
9 ty standards under subsection (a), the Secretary shall—

10 “(1) consider the economic impacts of the
11 standards on consumers, including individual gas
12 customers, to the extent practicable;

13 “(2) ensure that the standards do not have a
14 significant economic impact on consumers, including
15 individual gas customers, to the extent practicable;
16 and

17 “(3) consider existing consensus standards.

18 “(c) FEDERAL-STATE COOPERATION.—The Sec-
19 retary may authorize a State authority (including a mu-
20 nicipality) to participate in the oversight of underground
21 gas storage facilities in the same manner as provided in
22 sections 60105 and 60106.

23 “(d) RULES OF CONSTRUCTION.—

24 “(1) IN GENERAL.—Nothing in this section
25 may be construed to affect any Federal regulation

1 relating to gas pipeline facilities that is in effect on
2 the day before the date of enactment of this section.

3 “(2) LIMITATIONS.—Nothing in this section
4 may be construed to authorize the Secretary—

5 “(A) to prescribe the location of an under-
6 ground gas storage facility; or

7 “(B) to require the Secretary’s permission
8 to construct an underground gas storage facil-
9 ity.”.

10 (c) USER FEES.—Section 60301 is amended—

11 (1) in subsection (b), by inserting “an under-
12 ground gas storage facility,” before “or a hazardous
13 liquid pipeline facility”;

14 (2) in subsection (d)(1)—

15 (A) in subparagraph (A), by striking “;
16 and” and inserting a semicolon; and

17 (B) by adding at the end the following:

18 “(C) related to an underground gas storage fa-
19 cility may be used only for an activity related to un-
20 derground gas storage safety under section 60103a;
21 and”;

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

23 “(f) UNDERGROUND GAS STORAGE FACILITY AC-
24 COUNT.—

1 “(1) ACCOUNT.—There is established, in the
2 fund established in the Treasury of the United
3 States pursuant to this section, an underground gas
4 storage facility safety account.

5 “(2) DEPOSIT OF FEES.—A fee collected under
6 subsection (a) from a person operating an under-
7 ground gas storage facility shall be deposited in the
8 account established under paragraph (1).”.

9 (d) CLERICAL AMENDMENT.—The table of sections
10 for chapter 601 is amended by inserting after the item
11 relating to section 60103 the following:

“60103a. Standards for underground gas storage facilities.”.

12 **SEC. 12. REQUIREMENTS FOR CERTAIN HAZARDOUS LIQ-**
13 **UID PIPELINE FACILITIES.**

14 Section 60109 is amended by adding at the end the
15 following:

16 “(g) HAZARDOUS LIQUID PIPELINE FACILITIES.—

17 “(1) INTEGRITY ASSESSMENTS.—Notwith-
18 standing any pipeline integrity management program
19 or integrity assessment schedule otherwise required
20 by the Secretary, each operator of a pipeline facility
21 to which this subsection applies shall ensure that
22 pipeline integrity assessments—

23 “(A) using internal inspection technology
24 are completed not less often than once every 12
25 months; and

1 “(B) using pipeline route surveys, depth of
2 cover surveys, pressure tests, external corrosion
3 direct assessment, or other technology that the
4 operator demonstrates can further the under-
5 standing of the condition of the pipeline facility
6 are completed on a schedule based on the risk
7 that the pipeline facility poses to the high con-
8 sequence area in which the pipeline facility is
9 located.

10 “(2) APPLICATION.—This subsection shall
11 apply to any underwater hazardous liquid pipeline
12 facility located in a high consequence area—

13 “(A) that is not an offshore pipeline facil-
14 ity; and

15 “(B) any portion of which is located at
16 depths greater than 150 feet under the surface
17 of the water.

18 “(3) HIGH CONSEQUENCE AREA DEFINED.—
19 For purposes of this subsection, the term ‘high con-
20 sequence area’ has the meaning given that term in
21 section 195.450 of title 49, Code of Federal Regula-
22 tions.

23 “(4) INSPECTION AND ENFORCEMENT.—The
24 Secretary shall conduct inspections under section
25 60117(c) to determine whether each operator of a

1 pipeline facility to which this subsection applies is
2 complying with this section.”.

3 **SEC. 13. RESPONSE PLANS.**

4 The Administrator of the Pipeline and Hazardous
5 Materials Safety Administration shall require, and each
6 operator of a pipeline facility shall ensure, that any re-
7 sponse plan under part 194 of title 49, Code of Federal
8 Regulations, includes procedures and a list of resources
9 for responding, to the extent practicable, to a worst case
10 discharge of oil and to a substantial threat of such a dis-
11 charge, including when such discharge may impact navi-
12 gable waters or adjoining shorelines that may be covered
13 in whole or in part by ice.

14 **SEC. 14. HIGH CONSEQUENCE AREAS.**

15 The Secretary of Transportation shall consider the
16 Great Lakes to be a USA ecological resource (as defined
17 in section 195.6(b) of title 49, Code of Federal Regula-
18 tions) for purposes of determining whether a pipeline is
19 in a high consequence area (as defined in section 195.450
20 of that title).

21 **SEC. 15. EMERGENCY ORDERS.**

22 Section 60118 is amended by redesignating sub-
23 section (f) as subsection (g) and inserting after subsection
24 (e) the following:

25 “(f) EMERGENCY ORDERS.—

1 “(1) ORDERING OPERATIONAL CONTROLS, RE-
2 STRICTIONS, PROHIBITIONS, AND SAFETY MEAS-
3 URES.—

4 “(A) IN GENERAL.—After advising owners
5 and operators of pipeline facilities of a potential
6 emergency situation related to pipeline safety,
7 and issuing a compliance order under sub-
8 section (b) if necessary, the Secretary may, by
9 order, impose operational controls, restrictions,
10 prohibitions, and safety measures described in
11 subparagraph (B), without prior notice or an
12 opportunity for a hearing, if the Secretary de-
13 termines that—

14 “(i) an unsafe condition or practice
15 related to transporting gas or transporting
16 a hazardous liquid exists and is causing or
17 contributing to an emergency situation, or
18 the imminent threat of an emergency situ-
19 ation, involving an imminent hazard that
20 presents a substantial likelihood of death,
21 severe personal injury, or significant harm
22 to property or the environment; and

23 “(ii) action is not being taken to
24 abate such hazard.

1 “(B) INCLUSION.—The Secretary may in-
2 clude in an order under this subsection only
3 such operational controls, restrictions, prohibi-
4 tions, and safety measures that the Secretary
5 determines—

6 “(i) are necessary to abate the hazard
7 described in subparagraph (A)(i); and

8 “(ii) will minimize to the extent prac-
9 ticable any adverse effects on—

10 “(I) the transportation of gas
11 and hazardous liquids; and

12 “(II) energy security.

13 “(C) CONSULTATION.—In issuing an order
14 under this subsection, the Secretary shall con-
15 sult with the Secretary of Energy, the Federal
16 Energy Regulatory Commission, and other ap-
17 propriate Federal and State governmental au-
18 thorities.

19 “(D) WRITTEN ORDERS.—An order issued
20 under this subsection shall be in writing, and
21 describe—

22 “(i) the condition or practice de-
23 scribed in subparagraph (A)(i);

1 “(ii) the operational controls, restric-
2 tions, prohibitions, and safety measures
3 imposed; and

4 “(iii) the standards and procedures
5 for obtaining relief from the order under
6 paragraph (2).

7 “(E) PERIOD.—In accordance with para-
8 graph (2), the Secretary may—

9 “(i) issue an order under this sub-
10 section for a period not to exceed 30 days;
11 and

12 “(ii) extend an order issued under this
13 section in the same manner in which an
14 order is issued under this subsection.

15 “(F) EMERGENCY WAIVER.—Notwith-
16 standing the period provided in subsection
17 (c)(2), an order issued under this subsection
18 may provide for an emergency waiver as de-
19 scribed in subsection (c)(2)(A), including the
20 imposition of more stringent requirements.

21 “(2) RELIEF FROM ORDERS.—

22 “(A) OPPORTUNITY FOR REVIEW.—Upon
23 written request from a pipeline operator subject
24 to an order issued under this subsection, the
25 Secretary shall provide for review of the order

1 under section 554 of title 5, United States
2 Code.

3 “(B) EXPIRATION OF EFFECTIVENESS OF
4 ORDER.—If the Secretary does not complete a
5 review of an order requested under subpara-
6 graph (A) by the date that is 30 days after the
7 date on which the pipeline operator submitted
8 the request, the order shall no longer be effec-
9 tive.”.

10 **SEC. 16. PIPELINE SAFETY INFORMATION GRANTS TO COM-**
11 **MUNITIES.**

12 (a) IN GENERAL.—Section 60130 is amended—

13 (1) in subsection (a)—

14 (A) by striking paragraph (2) and redesign-
15 ating paragraphs (3) and (4) as paragraphs
16 (2) and (3), respectively; and

17 (B) in paragraph (2)(A), as so redesign-
18 ated, by inserting “and the public” after “rel-
19 evant operators”; and

20 (2) by amending subsection (b) to read as fol-
21 lows:

22 **【“(b) PROHIBITIONS.—】**

23 **【“(1) PROHIBITED USES.—Funds provided**
24 **under this section to grant recipients and their con-**
25 **tractors may not be used for direct or indirect—】**

1 【“(A) lobbying;】

2 【“(B) advocacy in relation to a pipeline
3 construction or expansion project; or】

4 【“(C) support of litigation.】

5 【“(2) INELIGIBILITY.—The Secretary may not
6 make a grant under this section to any nongovern-
7 mental organization engaged in lobbying or in advoca-
8 cacy in relation to a pipeline construction or expan-
9 sion project.】

10 【“(3) ADVOCACY DEFINED.—For purposes of
11 this subsection, the term ‘advocacy’ means an activ-
12 ity carried out to induce support of, or opposition to,
13 proposed or pending Federal, State, or local legisla-
14 tion (including appropriations), regulation, adminis-
15 trative action, or order.”.】

16 (b) AUDIT OF COMMUNITY PIPELINE SAFETY INFOR-
17 MATION GRANTS.—

18 (1) REPORT REQUIRED.—Not later than 1 year
19 after the date of enactment of this Act, the Comp-
20 troller General of the United States shall submit to
21 Congress a report containing—

22 (A) an audit of recipients of a grant under
23 section 60130 of title 49, United States Code,
24 with respect to such grants; and

1 (B) a review of compliance with such sec-
2 tion by such grant recipients and the Secretary
3 of Transportation.

4 **[(2) PROHIBITION ON USE OF FUNDS.—**The
5 Secretary may not make a grant under subsection
6 (a) of section 60130 of title 49, United States Code,
7 using amounts derived from user fees authorized to
8 be used pursuant to the second sentence of sub-
9 section (c) of such section, until the date on which
10 the Comptroller General submits the report under
11 this subsection.]

12 **SEC. 17. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) **ONE-CALL NOTIFICATION PROGRAMS.—**Section
14 6107 is amended—

15 **[(1) in subsection (a), by striking “\$1,000,000**
16 **for each of fiscal years 2012 through 2015” and in-**
17 **serting “\$_____ for each of the fiscal years**
18 **[20____ through 20____]”; and]**

19 (2) in subsection (b), by striking “2012 through
20 2015” and inserting “[20____ through 20____]”.

21 (b) **GAS AND HAZARDOUS LIQUID.—**Section
22 60125(a) is amended—

23 (1) in paragraph (1), by striking “there is au-
24 thorized to be appropriated to the Department of
25 Transportation for each of fiscal years 2012 through

1 2015, from fees collected under section 60301,
2 \$90,679,000, of which \$4,746,000 is for carrying
3 out such section 12 and \$36,194,000 is for making
4 grants.” and inserting the following: “there are au-
5 thORIZED to be appropriated to the Department of
6 Transportation from fees collected under section
7 60301—

8 【“(A) \$_____ for fiscal year
9 【20____】, of which \$_____ shall be ex-
10 pended for carrying out such section 12 and
11 \$_____ shall be expended for making
12 grants;】

13 【“(B) \$_____ for fiscal year
14 【20____】, of which \$_____ shall be ex-
15 pended for carrying out such section 12 and
16 \$_____ shall be expended for making
17 grants;】

18 【“(C) \$_____ for fiscal year
19 【20____】, of which \$_____ shall be ex-
20 pended for carrying out such section 12 and
21 \$_____ shall be expended for making
22 grants; and】

23 【“(D) \$_____ for fiscal year
24 【20____】, of which \$_____ shall be ex-
25 pended for carrying out such section 12 and

1 \$_____ shall be expended for making
2 grants.”; and】

3 (2) in paragraph (2), by striking “there is au-
4 thorized to be appropriated for each of fiscal years
5 2012 through 2015 from the Oil Spill Liability
6 Trust Fund to carry out the provisions of this chap-
7 ter related to hazardous liquid and section 12 of the
8 Pipeline Safety Improvement Act of 2002 (49
9 U.S.C. 60101 note; Public Law 107–355),
10 \$18,573,000, of which \$2,174,000 is for carrying
11 out such section 12 and \$4,558,000 is for making
12 grants.” and inserting the following: “there are au-
13 thorized to be appropriated from the Oil Spill Liabil-
14 ity Trust Fund to carry out the provisions of this
15 chapter related to hazardous liquid and section 12 of
16 the Pipeline Safety Improvement Act of 2002 (49
17 U.S.C. 60101 note; Public Law 107–355)—”

18 【“(A) \$_____ for fiscal year
19 【20____】, of which \$_____ shall be ex-
20 pended for carrying out such section 12 and
21 \$_____ shall be expended for making
22 grants;】

23 【“(B) \$_____ for fiscal year
24 【20____】, of which \$_____ shall be ex-
25 pended for carrying out such section 12 and

1 \$_____ shall be expended for making
2 grants;】

3 【“(C) \$_____ for fiscal year
4 【20____】, of which \$_____ shall be ex-
5 pended for carrying out such section 12 and
6 \$_____ shall be expended for making
7 grants; and】

8 【“(D) \$_____ for fiscal year
9 【20____】, of which \$_____ shall be ex-
10 pended for carrying out such section 12 and
11 \$_____ shall be expended for making
12 grants.”.】

13 (c) EMERGENCY RESPONSE GRANTS.—Section
14 60125(b)(2) is amended by striking “2012 through 2015”
15 and inserting “【20____ through 20____】”.

16 (d) COMMUNITY PIPELINE SAFETY INFORMATION
17 GRANTS.—Section 60130(c) is amended—

18 (1) by striking “2012 through 2015” and in-
19 serting “【20____ through 20____】”; and

20 【(2) by inserting “, except that if amounts are
21 not expressly made available to carry out this sec-
22 tion, the Secretary may use such user fees (to the
23 extent provided in section 60301(d)), or amounts
24 otherwise made available to conduct the functions of

1 the pipeline safety program, to carry out this sec-
2 tion” after “section 60301”.**】**

3 (e) STATE DAMAGE PREVENTION PROGRAMS.—Sec-
4 tion 60134(i) is amended by striking “2012 through
5 2015” and inserting “**【20____ through 20____】**”.

6 (f) PIPELINE INTEGRITY PROGRAM.—Section 12(f)
7 of the Pipeline Safety Improvement Act of 2002 (49
8 U.S.C. 60101 note) is amended by striking “2012 through
9 2015” and inserting “**【20____ through 20____】**”.