

The most wanted transportation safety improvements, which are available and published on an annual basis by the NTSB in all modes of transportation, are now going to have to be responded to by the FAA. Within 90 days of the date of enactment of this bill, we will get a report which will explain why they have not implemented these most wanted regulations here to better protect the traveling public. This will be an improvement. It will now at least require meaningful response from the agency, and perhaps move us forward in better protecting life and safety.

Mr. MICA. Mr. Speaker, I continue to reserve the balance of my time.

Mr. COSTELLO. I would ask the gentleman if he has other speakers.

Mr. MICA. No other speakers, but I would like to reserve the opportunity to close.

Mr. COSTELLO. Mr. Speaker, we have no further requests on our side, so I would yield back the balance of my time.

Mr. MICA. Mr. Speaker, I would like to also add, for the record, that beyond the NTSB, this particular piece of legislation also includes a provision requiring the Department of Transportation Inspector General to provide an independent oversight of the project-wide safety review of the central artery tunnel project in Boston, Massachusetts, otherwise known as the Big Dig. This safety review was initiated as a result of the July 10, 2006 accident that resulted in the tragic loss of life by a motorist there.

The bill also requires the Inspector General to investigate criminal or fraudulent acts committed in the design and construction of the project and report to Congress on its oversight of this project.

Because of the NTSB's broad jurisdiction over all modes of transportation, this bill required the coordinated efforts of many people. So, in conclusion, Mr. Speaker, first I want to thank Chairman YOUNG, who has done an incredible job leading the T&I Committee, I have had the honor to be one of his subcommittee chairs for the past 6 years; Ranking Member OBERSTAR, Aviation Subcommittee Ranking Member Mr. COSTELLO, and for all of his staff and their efforts on behalf of this legislation.

Then I also want to thank, this is probably our last piece of legislation, my last piece as chairman of the Aviation Subcommittee, a difficult task over some difficult 6 years now in America's history and the history of aviation in this country. But I want to personally thank our staff director Jim Coon, who has helped lead that effort; professional staffer Sharon Barkeloo; Holly Woodruff Lyons; Chris Brown; and our clerk, Jason Rosa; and two people who aren't with us, Mr. David Schaeffer, who was the staff director during 9/11 and some of the very trying times we experienced; and also Sharon Pinkerton, my chief legislative transportation counsel. They are no longer

with us. So I want to thank everyone for their work on this important piece of legislation.

This version of the bill currently before the House has been negotiated with our counterparts in the Senate to expedite its consideration in the other body in the hope that this important legislation can and will be enacted before the 109th Congress adjourns sine die later this week. To that end, I urge my colleagues to support H.R. 5076, as amended.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 5076, the National Transportation Safety Board Reauthorization Act of 2006.

This Agency's roots go back to 1926 when the Air Commerce Act vested the Department of Commerce with the authority to investigate aircraft accidents. During the 1966 consolidation of various transportation agencies into the Department of Transportation (DOT), the National Transportation Safety Board (NTSB) was created as an independent agency within DOT to investigate accidents in all transportation modes. In 1974, Congress further demonstrated its resolve to ensure that NTSB would retain its independence by re-establishing the Board as a totally separate entity, distinct from DOT.

Since its inception in 1967, the NTSB has investigated more than 124,000 aviation accidents and over 10,000 surface transportation accidents, making it the world's premier accident investigation agency. In the last six years alone, the NTSB has investigated, or caused to be investigated, over 11,000 aviation accidents, 205 highway accidents, 91 railroad accidents, 33 pipeline accidents, 38 marine accidents; and a total of 1129 safety recommendations have been issued. This is no small feat, given the size of this agency: only 396 employees in 10 regional offices.

While the NTSB gets perhaps its greatest visibility when there is an aviation tragedy, that should not overshadow the very significant and important work the agency performs in pipelines, maritime, rail, truck, and automotive transportation.

To maintain its position as the world's preeminent investigative agency, it is imperative that the NTSB has the resources necessary to handle increasingly complex accident investigations. The NTSB needs sufficient funding to sustain budget and personnel for both its headquarters operations as well as the Academy. Accordingly, this bill authorizes increased funding over the next two years: \$81.6 million in FY2007 and \$92.6 million in FY2008.

H.R. 5076 provides an extra \$1.7 million in FY2007 to hire an additional 11 investigators that the Agency needs to fulfill its critical mission. Moreover, the bill provides funding for an additional 20 full-time equivalent employees in 2008 to enable NTSB to meet its core mission of accident investigation.

The bill also clarifies that the Board has jurisdiction to investigate major marine casualties occurring on all bodies of water "on or under the navigable waters, internal waters, or the territorial sea of the United States, such as the *Ethan Allen* accident on Lake George, New York, that occurred on October 2, 2005, killing 20 passengers. Further, the bill ensures that each member of the Safety Board, not the Chairman, retains the authority to appoint employees on their own personal staff. The bill also requires the Government Accountability

Office to conduct an annual audit of the NTSB's programs and expenditures.

Finally, H.R. 5076 permits the agency to use funds that it collects as refunds or reimbursements associated with its direct mission costs even if the funds are collected in a subsequent fiscal year, as well as extends the expedited contracting procedures that were authorized in the Board's 2003 authorization.

Having a well-funded, well-trained NTSB workforce is of the utmost importance for the American traveling public, and I urge my colleagues to support passage of this bill.

Mr. MICA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and pass the bill, H.R. 5076, as amended.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read:

"A Bill to amend title 49, United States Code, to authorize appropriations for fiscal years 2007 and 2008, and for other purposes".

A motion to reconsider was laid on the table.

PIPELINE INSPECTION, PROTECTION, ENFORCEMENT, AND SAFETY ACT OF 2006

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5782) to amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation, to provide for enhanced reliability in the transportation of the Nation's energy products by pipeline, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5782

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENT OF TITLE 49, UNITED STATES CODE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006".

(b) AMENDMENT OF TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

(c) TABLE OF CONTENTS.—

- Sec. 1. Short title; amendment of title 49, United States Code; table of contents.
- Sec. 2. Pipeline safety and damage prevention.
- Sec. 3. Public education and awareness.
- Sec. 4. Low-stress pipelines.
- Sec. 5. Technical assistance grants.
- Sec. 6. Enforcement transparency.
- Sec. 7. Direct line sales.
- Sec. 8. Petroleum transportation capacity and regulatory adequacy study.
- Sec. 9. Distribution integrity management program rulemaking deadline.

- Sec. 10. Emergency waivers.
- Sec. 11. Restoration of operations.
- Sec. 12. Pipeline control room management.
- Sec. 13. Safety orders.
- Sec. 14. Integrity program enforcement.
- Sec. 15. Incident reporting.
- Sec. 16. Senior executive signature of integrity management program performance reports.
- Sec. 17. Cost recovery for design reviews.
- Sec. 18. Authorization of appropriations.
- Sec. 19. Standards to implement NTSB recommendations.
- Sec. 20. Accident reporting form.
- Sec. 21. Leak detection technology study.
- Sec. 22. Corrosion control regulations.
- Sec. 23. Inspector General report.
- Sec. 24. Technical assistance program.
- Sec. 25. Natural gas pipelines.
- Sec. 26. Corrosion technology.

SEC. 2. PIPELINE SAFETY AND DAMAGE PREVENTION.

(a) ONE CALL CIVIL ENFORCEMENT.—
(1) PROHIBITIONS.—Section 60114 is amended by adding at the end the following:

“(d) PROHIBITION APPLICABLE TO EXCAVATORS.—A person who engages in demolition, excavation, tunneling, or construction—

“(1) may not engage in a demolition, excavation, tunneling, or construction activity in a State that has adopted a one-call notification system without first using that system to establish the location of underground facilities in the demolition, excavation, tunneling, or construction area;

“(2) may not engage in such demolition, excavation, tunneling, or construction activity in disregard of location information or markings established by a pipeline facility operator pursuant to subsection (b); and

“(3) and who causes damage to a pipeline facility that may endanger life or cause serious bodily harm or damage to property—

“(A) may not fail to promptly report the damage to the owner or operator of the facility; and

“(B) if the damage results in the escape of any flammable, toxic, or corrosive gas or liquid, may not fail to promptly report to other appropriate authorities by calling the 911 emergency telephone number.

“(e) PROHIBITION APPLICABLE TO UNDERGROUND PIPELINE FACILITY OWNERS AND OPERATORS.—Any owner or operator of a pipeline facility who fails to respond to a location request in order to prevent damage to the pipeline facility or who fails to take reasonable steps, in response to such a request, to ensure accurate marking of the location of the pipeline facility in order to prevent damage to the pipeline facility shall be subject to a civil action under section 60120 or assessment of a civil penalty under section 60122.

“(f) LIMITATION.—The Secretary may not conduct an enforcement proceeding under subsection (d) for a violation within the boundaries of a State that has the authority to impose penalties described in section 60134(b)(7) against persons who violate that State’s damage prevention laws, unless the Secretary has determined that the State’s enforcement is inadequate to protect safety, consistent with this chapter, and until the Secretary issues, through a rulemaking proceeding, the procedures for determining inadequate State enforcement of penalties.”

(2) CIVIL PENALTY.—Section 60122(a)(1) is amended by striking “60114(b)” and inserting “60114(b), 60114(d).”

(b) STATE DAMAGE PREVENTION PROGRAMS.—

(1) CONTENTS OF CERTIFICATIONS.—Section 60105(b)(4) is amended to read as follows:

“(4) is encouraging and promoting the establishment of a program designed to pre-

vent damage by demolition, excavation, tunneling, or construction activity to the pipeline facilities to which the certification applies that subjects persons who violate the applicable requirements of that program to civil penalties and other enforcement actions that are substantially the same as are provided under this chapter, and addresses the elements in section 60134(b);”

(2) IN GENERAL.—Chapter 601 is amended by adding at the end the following:

“§ 60134. State damage prevention programs

“(a) IN GENERAL.—The Secretary may make a grant to a State authority (including a municipality with respect to intrastate gas pipeline transportation) to assist in improving the overall quality and effectiveness of a damage prevention program of the State authority under subsection (e) if the State authority—

“(1) has in effect an annual certification under section 60105 or an agreement under section 60106; and

“(2)(A) has in effect an effective damage prevention program that meets the requirements of subsection (b); or

“(B) demonstrates that it has made substantial progress toward establishing such a program, and that such program will meet the requirements of subsection (b).

“(b) DAMAGE PREVENTION PROGRAM ELEMENTS.—An effective damage prevention program includes the following elements:

“(1) Participation by operators, excavators, and other stakeholders in the development and implementation of methods for establishing and maintaining effective communications between stakeholders from receipt of an excavation notification until successful completion of the excavation, as appropriate.

“(2) A process for fostering and ensuring the support and partnership of stakeholders, including excavators, operators, locators, designers, and local government in all phases of the program.

“(3) A process for reviewing the adequacy of a pipeline operator’s internal performance measures regarding persons performing locating services and quality assurance programs.

“(4) Participation by operators, excavators, and other stakeholders in the development and implementation of effective employee training programs to ensure that operators, the one-call center, the enforcing agency, and the excavators have partnered to design and implement training for the employees of operators, excavators, and locators.

“(5) A process for fostering and ensuring active participation by all stakeholders in public education for damage prevention activities.

“(6) A process for resolving disputes that defines the State authority’s role as a partner and facilitator to resolve issues.

“(7) Enforcement of State damage prevention laws and regulations for all aspects of the damage prevention process, including public education, and the use of civil penalties for violations assessable by the appropriate State authority.

“(8) A process for fostering and promoting the use, by all appropriate stakeholders, of improving technologies that may enhance communications, underground pipeline locating capability, and gathering and analyzing information about the accuracy and effectiveness of locating programs.

“(9) A process for review and analysis of the effectiveness of each program element, including a means for implementing improvements identified by such program reviews.

“(c) FACTORS TO CONSIDER.—In making grants under this section, the Secretary

shall take into consideration the commitment of each State to ensuring the effectiveness of its damage prevention program, including legislative and regulatory actions taken by the State.

“(d) APPLICATION.—If a State authority files an application for a grant under this section not later than September 30 of a calendar year and demonstrates that the Governor (or chief executive) of the State has designated it as the appropriate State authority to receive the grant, the Secretary shall review the State’s damage prevention program to determine its effectiveness.

“(e) USE OF FUNDS.—A grant under this section to a State authority may only be used to pay the cost of the personnel, equipment, and activities that the State authority reasonably requires for the calendar year covered by the grant to develop or carry out its damage prevention program in accordance with subsection (b).

“(f) NONAPPLICABILITY OF LIMITATION.—A grant made under this section is not subject to the section 60107(a) limitation on the maximum percentage of funds to be paid by the Secretary.

“(g) LIMITATION ON USE OF FUNDS.—Funds provided to carry out this section may not be used for lobbying or in direct support of litigation.

“(h) DAMAGE PREVENTION PROCESS DEFINED.—In this section, the term ‘damage prevention process’ means a process that incorporates the principles described in sections 60114(b), 60114(d), and 60114(e).”

(3) CLERICAL AMENDMENT.—The analysis for chapter 601 is amended by adding at the end the following:

“60134. State damage prevention programs.”

(c) STATE PIPELINE SAFETY GRANTS.—Section 60107(a) is amended by striking “not more than 50 percent” and inserting “not more than 80 percent”.

(d) MAINTENANCE OF EFFORT.—Section 60107(b) is amended by striking “spent—” and all that follows and inserting “spent for gas and hazardous liquid safety programs for the 3 fiscal years prior to the fiscal year in which the Secretary makes the payment, except when the Secretary waives this requirement.”

(e) DAMAGE PREVENTION TECHNOLOGY DEVELOPMENT.—Section 60114 (as amended by subsection (a)(1) of this section) is further amended by adding at the end the following:

“(g) TECHNOLOGY DEVELOPMENT GRANTS.—The Secretary may make grants to any organization or entity (not including for-profit entities) for the development of technologies that will facilitate the prevention of pipeline damage caused by demolition, excavation, tunneling, or construction activities, with emphasis on wireless and global positioning technologies having potential for use in connection with notification systems and underground facility locating and marking services. Funds provided under this subsection may not be used for lobbying or in direct support of litigation. The Secretary may also support such technology development through cooperative agreements with trade associations, academic institutions, and other organizations.”

SEC. 3. PUBLIC EDUCATION AND AWARENESS.

(a) IN GENERAL.—Chapter 61 is amended by adding at the end the following:

“§ 6109. Public education and awareness

“(a) GRANT AUTHORITY.—The Secretary shall make a grant to an appropriate entity for promoting public education and awareness with respect to the 811 national excavation damage prevention phone number.

“(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary \$1,000,000 for the period beginning October 1, 2006, and ending September 30, 2008, to carry out this section.”

(b) CLERICAL AMENDMENT.—The analysis for chapter 61 is amended by adding at the end the following:

“6109. Public education and awareness.”.

SEC. 4. LOW-STRESS PIPELINES.

Section 60102(k) is amended to read as follows:

“(k) LOW-STRESS HAZARDOUS LIQUID PIPELINES.—

“(1) MINIMUM STANDARDS.—Not later than December 31, 2007, the Secretary shall issue regulations subjecting low-stress hazardous liquid pipelines to the same standards and regulations as other hazardous liquid pipelines, except as provided in paragraph (3). The implementation of the applicable standards and regulatory requirements may be phased in. The regulations issued under this paragraph shall not apply to gathering lines.

“(2) GENERAL PROHIBITION AGAINST LOW INTERNAL STRESS EXCEPTION.—Except as provided in paragraph (3), the Secretary may not provide an exception to the requirements of this chapter for a hazardous liquid pipeline because the pipeline operates at low internal stress.

“(3) LIMITED EXCEPTIONS.—The Secretary shall provide or continue in force exceptions to this subsection for low-stress hazardous liquid pipelines that—

“(A) are subject to safety regulations of the United States Coast Guard; or

“(B) serve refining, manufacturing, or truck, rail, or vessel terminal facilities if the pipeline is less than 1 mile long (measured outside the facility grounds) and does not cross an offshore area or a waterway currently used for commercial navigation,

until regulations issued under paragraph (1) become effective. After such regulations become effective, the Secretary may retain or remove those exceptions as appropriate.

“(4) RELATIONSHIP TO OTHER LAWS.—Nothing in this subsection shall be construed to prohibit or otherwise affect the applicability of any other statutory or regulatory exemption to any hazardous liquid pipeline.

“(5) DEFINITION.—For purposes of this subsection, the term ‘low-stress hazardous liquid pipeline’ means a hazardous liquid pipeline that is operated in its entirety at a stress level of 20 percent or less of the specified minimum yield strength of the line pipe.

“(6) EFFECTIVE DATE.—The requirements of this subsection shall not take effect as to low-stress hazardous liquid pipeline operators before the effective date of the rules promulgated by the Secretary under this subsection.”.

SEC. 5. TECHNICAL ASSISTANCE GRANTS.

Section 60130 is amended—

(1) in subsection (a)(1) by striking “The Secretary shall establish competitive” and insert “No grants may be awarded under section 60114(g) until the Secretary has established competitive”;

(2) in subsection (a) by redesignating paragraph (2) as paragraph (4);

(3) in subsection (a) by inserting after paragraph (1) the following:

“(2) DEMONSTRATION GRANTS.—At least the first 3 grants awarded under this section shall be demonstration grants for the purpose of demonstrating and evaluating the utility of grants under this section. Each such demonstration grant shall not exceed \$25,000.

“(3) DISSEMINATION OF TECHNICAL FINDINGS.—Each recipient of a grant under this section shall ensure that—

“(A) the technical findings made possible by the grants are made available to the relevant operators; and

“(B) open communication between the grant recipients, local operators, local communities, and other interested parties is encouraged.”; and

(4) in subsection (d) by striking “2006” and inserting “2010”.

SEC. 6. ENFORCEMENT TRANSPARENCY.

(a) IN GENERAL.—Chapter 601 (as amended by section 2(b) of this Act) is further amended by adding at the end the following:

“§ 60135. Enforcement transparency

“(a) IN GENERAL.—Not later than December 31, 2007, the Secretary shall—

“(1) provide a monthly updated summary to the public of all gas and hazardous liquid pipeline enforcement actions taken by the Secretary or the Pipeline and Hazardous Materials Safety Administration, from the time a notice commencing an enforcement action is issued until the enforcement action is final;

“(2) include in each such summary identification of the operator involved in the enforcement activity, the type of alleged violation, the penalty or penalties proposed, any changes in case status since the previous summary, the final assessment amount of each penalty, and the reasons for a reduction in the proposed penalty, if appropriate; and

“(3) provide a mechanism by which a pipeline operator named in an enforcement action may make information, explanations, or documents it believes are responsive to the enforcement action available to the public.

“(b) ELECTRONIC AVAILABILITY.—Each summary under this section shall be made available to the public by electronic means.

“(c) RELATIONSHIP TO FOIA.—Nothing in this section shall be construed to require disclosure of information or records that are exempt from disclosure under section 552 of title 5.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 601 (as amended by section 2(b) of this Act) is further amended by adding at the end:

“60135. Enforcement transparency.”.

SEC. 7. DIRECT LINE SALES.

Section 60101(a) is amended—

(1) by striking paragraph (6) and inserting the following:

“(6) ‘interstate gas pipeline facility’ means a gas pipeline facility—

“(A) used to transport gas; and

“(B) subject to the jurisdiction of the Commission under the Natural Gas Act (15 U.S.C. 717 et seq.);”;

(2) by striking paragraph (9) and inserting the following:

“(9) ‘intrastate gas pipeline facility’ means a gas pipeline facility and transportation of gas within a State not subject to the jurisdiction of the Commission under the Natural Gas Act (15 U.S.C. 717 et seq.);”.

SEC. 8. PETROLEUM TRANSPORTATION CAPACITY AND REGULATORY ADEQUACY STUDY.

(a) IN GENERAL.—Chapter 601 (as amended by sections 2(b) and 6 of this Act) is further amended by adding at the end the following:

“§ 60136. Petroleum product transportation capacity study

“(a) IN GENERAL.—The Secretaries of Transportation and Energy shall conduct periodic analyses of the domestic transport of petroleum products by pipeline. Such analyses should identify areas of the United States where unplanned loss of individual pipeline facilities may cause shortages of petroleum products or price disruptions and where shortages of pipeline capacity and reliability concerns may have or are anticipated to contribute to shortages of petroleum products or price disruptions. Upon identifying such areas, the Secretaries may determine if the current level of regulation is sufficient to minimize the potential for unplanned losses of pipeline capacity.

“(b) CONSULTATION.—In preparing any analysis under this section, the Secretaries

may consult with the heads of other government agencies and public- and private-sector experts in pipeline and other forms of petroleum product transportation, energy consumption, pipeline capacity, population, and economic development.

“(c) REPORT TO CONGRESS.—Not later than June 1, 2008, the Secretaries shall submit to the Committee on Energy and Commerce and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate a report setting forth their recommendations to reduce the likelihood of the shortages and price disruptions referred to in subsection (a).

“(d) ADDITIONAL REPORTS.—The Secretaries shall submit additional reports to the congressional committees referred to in subsection (c) containing the results of any subsequent analyses performed under subsection (a) and any additional recommendations, as appropriate.

“(e) PETROLEUM PRODUCT DEFINED.—In this section, the term ‘petroleum product’ means oil of any kind or in any form, gasoline, diesel fuel, aviation fuel, fuel oil, kerosene, any product obtained from refining or processing of crude oil, liquefied petroleum gases, natural gas liquids, petrochemical feedstocks, condensate, waste or refuse mixtures containing any of such oil products, and any other liquid hydrocarbon compounds.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 601 (as amended by sections 2(b) and 6 of this Act) is further amended by adding at the end the following:

“60136. Petroleum product transportation capacity study.”.

SEC. 9. DISTRIBUTION INTEGRITY MANAGEMENT PROGRAM RULEMAKING DEADLINE.

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

“(e) DISTRIBUTION INTEGRITY MANAGEMENT PROGRAMS.—

“(1) MINIMUM STANDARDS.—Not later than December 31, 2007, the Secretary shall prescribe minimum standards for integrity management programs for distribution pipelines.

“(2) ADDITIONAL AUTHORITY OF SECRETARY.—In carrying out this subsection, the Secretary may require operators of distribution pipelines to continually identify and assess risks on their distribution lines, to remediate conditions that present a potential threat to line integrity, and to monitor program effectiveness.

“(3) EXCESS FLOW VALVES.—

“(A) IN GENERAL.—The minimum standards shall include a requirement for an operator of a natural gas distribution system to install an excess flow valve on each single family residence service line connected to such system if—

“(i) the service line is installed or entirely replaced after June 1, 2008;

“(ii) the service line operates continuously throughout the year at a pressure not less than 10 pounds per square inch gauge;

“(iii) the service line is not connected to a gas stream with respect to which the operator has had prior experience with contaminants the presence of which could interfere with the operation of an excess flow valve;

“(iv) the installation of an excess flow valve on the service line is not likely to cause loss of service to the residence or interfere with necessary operation or maintenance activities, such as purging liquids from the service line; and

“(v) an excess flow valve meeting performance standards developed under section 60110(e) of title 49, United States Code, is

commercially available to the operator, as determined by the Secretary.

“(B) REPORTS.—Operators of natural gas distribution systems shall report annually to the Secretary on the number of excess flow valves installed on their systems under subparagraph (A).

“(4) APPLICABILITY.—The Secretary shall determine which distribution pipelines will be subject to the minimum standards.

“(5) DEVELOPMENT AND IMPLEMENTATION.—Each operator of a distribution pipeline that the Secretary determines is subject to the minimum standards prescribed by the Secretary under this subsection shall develop and implement an integrity management program in accordance with those standards.

“(6) SAVINGS CLAUSE.—Subject to section 60104(c), a State authority having a current certification under section 60105 may adopt or continue in force additional integrity management requirements, including additional requirements for installation of excess flow valves, for gas distribution pipelines within the boundaries of that State.”.

SEC. 10. EMERGENCY WAIVERS.

Section 60118(c) is amended to read as follows:

“(c) WAIVERS BY SECRETARY.—

“(1) NONEMERGENCY WAIVERS.—

“(A) IN GENERAL.—On application of an owner or operator of a pipeline facility, the Secretary by order may waive compliance with any part of an applicable standard prescribed under this chapter with respect to such facility on terms the Secretary considers appropriate if the Secretary determines that the waiver is not inconsistent with pipeline safety.

“(B) HEARING.—The Secretary may act on a waiver under this paragraph only after notice and an opportunity for a hearing.

“(2) EMERGENCY WAIVERS.—

“(A) IN GENERAL.—The Secretary by order may waive compliance with any part of an applicable standard prescribed under this chapter on terms the Secretary considers appropriate without prior notice and comment if the Secretary determines that—

“(i) it is in the public interest to grant the waiver;

“(ii) the waiver is not inconsistent with pipeline safety; and

“(iii) the waiver is necessary to address an actual or impending emergency involving pipeline transportation, including an emergency caused by a natural or manmade disaster.

“(B) PERIOD OF WAIVER.—A waiver under this paragraph may be issued for a period of not more than 60 days and may be renewed upon application to the Secretary only after notice and an opportunity for a hearing on the waiver. The Secretary shall immediately revoke the waiver if continuation of the waiver would not be consistent with the goals and objectives of this chapter.

“(3) STATEMENT OF REASONS.—The Secretary shall state in an order issued under this subsection the reasons for granting the waiver.”.

SEC. 11. RESTORATION OF OPERATIONS.

Section 60117 is amended by adding at the end the following:

“(m) RESTORATION OF OPERATIONS.—

“(1) IN GENERAL.—The Secretary may advise, assist, and cooperate with the heads of other departments, agencies, and instrumentalities of the United States Government, the States, and public and private agencies and persons to facilitate the restoration of pipeline operations that have been or are anticipated to become disrupted by manmade or natural disasters.

“(2) SAVINGS CLAUSE.—Nothing in this section alters or amends the authorities and responsibilities of any department, agency, or

instrumentality of the United States Government, other than the Department of Transportation.”.

SEC. 12. PIPELINE CONTROL ROOM MANAGEMENT.

(a) IN GENERAL.—Chapter 601 (as amended by sections 2(b), 6, and 8 of this Act) is further amended by adding at the end the following:

“§ 60137. Pipeline control room management

“(a) IN GENERAL.—Not later than June 1, 2008, the Secretary shall issue regulations requiring each operator of a gas or hazardous liquid pipeline to develop, implement, and submit to the Secretary or, in the case of an operator of an intrastate pipeline located within the boundaries of a State that has in effect an annual certification under section 60105, to the head of the appropriate State authority, a human factors management plan designed to reduce risks associated with human factors, including fatigue, in each control center for the pipeline. Each plan must include, among the measures to reduce such risks, a maximum limit on the hours of service established by the operator for individuals employed as controllers in a control center for the pipeline.

“(b) REVIEW AND APPROVAL OF THE PLAN.—The Secretary or, in the case of an operator of an intrastate pipeline located within the boundaries of a State that has in effect an annual certification under section 60105, the head of the appropriate State authority, shall review and approve each plan submitted to the Secretary or the head of such authority under subsection (a). The Secretary and the head of such authority may not approve a plan that does not include a maximum limit on the hours of service established by the operator of the pipeline for individuals employed as controllers in a control center for the pipeline.

“(c) ENFORCEMENT OF THE PLAN.—If the Secretary or the head of the appropriate State authority determines that an operator’s plan submitted to the Secretary or the head of such authority under subsection (a), or implementation of such a plan, does not comply with the regulations issued under this section or is inadequate for the safe operation of a pipeline, the Secretary or the head of such authority may take action consistent with this chapter and enforce the requirements of such regulations.

“(d) COMPLIANCE WITH THE PLAN.—Each operator of a gas or hazardous liquid pipeline shall document compliance with the plan submitted by the operator under subsection (a) and the reasons for any deviation from compliance with such plan. The Secretary or the head of the appropriate State authority, as the case may be, shall review the reasonableness of any such deviation in considering whether to take enforcement action or discontinue approval of the operator’s plan under subsection (b).

“(e) DEVIATION REPORTING REQUIREMENTS.—In issuing regulations under subsection (a), the Secretary shall develop and include in such regulations requirements for an operator of a gas or hazardous liquid pipeline to report deviations from compliance with the plan submitted by the operator under subsection (a).”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 601 (as amended by sections 2(b), 6, and 8 of this Act) is further amended by adding at the end the following:

“60137. Pipeline control room management.”.

SEC. 13. SAFETY ORDERS.

Section 60117(l) is amended to read as follows:

“(1) SAFETY ORDERS.—

“(1) IN GENERAL.—Not later than December 31, 2007, the Secretary shall issue regulations

providing that, after notice and opportunity for a hearing, if the Secretary determines that a pipeline facility has a condition that poses a pipeline integrity risk to public safety, property, or the environment, the Secretary may order the operator of the facility to take necessary corrective action, including physical inspection, testing, repair, or other appropriate action, to remedy that condition.

“(2) CONSIDERATIONS.—In making a determination under paragraph (1), the Secretary, if relevant and pursuant to the regulations issued under paragraph (1), shall consider—

“(A) the considerations specified in paragraphs (1) through (6) of section 60112(b);

“(B) the likelihood that the condition will impair the serviceability of a pipeline;

“(C) the likelihood that the condition will worsen over time; and

“(D) the likelihood that the condition is present or could develop on other areas of the pipeline.”.

SEC. 14. INTEGRITY PROGRAM ENFORCEMENT.

Section 60109(c)(9)(A)(iii) is amended to read as follows:

“(iii) INADEQUATE PROGRAMS.—If the Secretary determines that a risk analysis or integrity management program does not comply with the requirements of this subsection or regulations issued as described in paragraph (2), has not been adequately implemented, or is inadequate for the safe operation of a pipeline facility, the Secretary may conduct proceedings under this chapter.”.

SEC. 15. INCIDENT REPORTING.

Not later than December 31, 2007, the Secretary of Transportation shall review the incident reporting requirements for operators of natural gas pipelines and modify the reporting criteria as appropriate to ensure that the incident data gathered accurately reflects incident trends over time, taking into consideration the recommendations from the Comptroller General in GAO report 06-946.

SEC. 16. SENIOR EXECUTIVE SIGNATURE OF INTEGRITY MANAGEMENT PROGRAM PERFORMANCE REPORTS.

Section 60109 (as amended by section 9 of this Act) is further amended by adding at the end the following:

“(f) CERTIFICATION OF PIPELINE INTEGRITY MANAGEMENT PROGRAM PERFORMANCE.—The Secretary shall establish procedures requiring certification of annual and semiannual pipeline integrity management program performance reports by a senior executive officer of the company operating a pipeline subject to this chapter. The procedures shall require a signed statement, which may be effected electronically in accordance with the provisions of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. 7001 et seq.), certifying that—

“(1) the signing officer has reviewed the report; and

“(2) to the best of such officer’s knowledge and belief, the report is true and complete.”.

SEC. 17. COST RECOVERY FOR DESIGN REVIEWS.

Section 60117 (as amended by section 11 of this Act) is amended by adding at the end the following:

“(n) COST RECOVERY FOR DESIGN REVIEWS.—

“(1) IN GENERAL.—If the Secretary conducts facility design safety reviews in connection with a proposal to construct, expand, or operate a liquefied natural gas pipeline facility, the Secretary may require the person requesting such reviews to pay the associated staff costs relating to such reviews incurred by the Secretary in section 60301(d). The Secretary may assess such costs in any reasonable manner.

“(2) DEPOSIT.—The Secretary shall deposit all funds paid to the Secretary under this

subsection into the Department of Treasury account 69-5172-0-2-407 or its successor account.

“(3) AUTHORIZATION OF APPROPRIATIONS.—Funds deposited pursuant to this subsection are authorized to be appropriated for the purposes set forth in section 60301(d).”.

SEC. 18. AUTHORIZATION OF APPROPRIATIONS.

(a) GAS AND HAZARDOUS LIQUID.—Section 60125(a) is amended to read as follows:

“(a) GAS AND HAZARDOUS LIQUID.—

“(1) IN GENERAL.—To carry out the provisions of this chapter related to gas and hazardous liquid and section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107-355), the following amounts are authorized to be appropriated to the Department of Transportation from fees collected under section 60301 in each respective year:

“(A) For fiscal year 2007, \$60,175,000 of which \$7,386,000 is for carrying out such section 12 and \$17,556,000 is for making grants.

“(B) For fiscal year 2008, \$67,118,000 of which \$7,586,000 is for carrying out such section 12 and \$20,614,000 is for making grants.

“(C) For fiscal year 2009, \$72,045,000 of which \$7,586,000 is for carrying out such section 12 and \$21,513,000 is for making grants.

“(D) For fiscal year 2010, \$76,580,000 of which \$7,586,000 is for carrying out subsection 12 and \$22,252,000 is for making grants.

“(2) TRUST FUND AMOUNTS.—In addition to the amounts authorized to be appropriated by paragraph (1) the following amounts are authorized from the Oil Spill Liability Trust Fund to carry out the provisions of this chapter related to hazardous liquid and section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107-355):

“(A) For fiscal year 2007, \$18,810,000 of which \$4,207,000 is for carrying out such section 12 and \$2,682,000 is for making grants.

“(B) For fiscal year 2008, \$19,000,000 of which \$4,207,000 is for carrying out such section 12 and \$2,682,000 is for making grants.

“(C) For fiscal year 2009, \$19,500,000 of which \$4,207,000 is for carrying out such section 12 and \$3,103,000 is for making grants.

“(D) For fiscal year 2010, \$20,000,000 of which \$4,207,000 is for carrying out such section 12 \$3,603,000 is for making grants.”.

(b) CONFORMING AMENDMENTS.—Section 60125 is amended—

(1) by striking subsections (b) and (c); and

(2) by redesignating subsections (d) and (e) as subsections (b) and (c), respectively.

(c) EMERGENCY RESPONSE GRANTS.—Section 60125(b) (as redesignated by subsection (b)(2) of this section) is amended—

(1) in paragraph (1) by adding at the end the following: “To the extent that such grants are used to train emergency responders, such training shall ensure that emergency responders have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving gas or hazardous liquid pipelines, in accordance with existing regulations.”; and

(2) in paragraph (2)—

(A) by striking “\$6,000,000” and inserting “\$10,000,000”; and

(B) by striking “2003 through 2006” and inserting “2007 through 2010”.

(d) ONE-CALL NOTIFICATION PROGRAMS.—Section 6107 is amended—

(1) in subsection (a) by striking “fiscal years 2003 through 2006” and inserting “fiscal years 2007 through 2010”; and

(2) in subsection (b) by striking “for fiscal years 2003 through 2006” and inserting “for fiscal years 2007 through 2010”.

(e) INSPECTOR STAFFING.—The Secretary shall ensure that the number of positions for

pipeline inspection and enforcement personnel at the Pipeline and Hazardous Materials Safety Administration does not fall below 100 for fiscal year 2007, 111 for fiscal year 2008, 123 for fiscal year 2009, and 135 for fiscal year 2010.

SEC. 19. STANDARDS TO IMPLEMENT NTSB RECOMMENDATIONS.

Not later than June 1, 2008, the Secretary of Transportation shall issue standards that implement the following recommendations contained in the National Transportation Safety Board's report entitled “Supervisory Control and Data Acquisition (SCADA) in Liquid Pipelines” and adopted November 29, 2005:

(1) Implementation of the American Petroleum Institute's Recommended Practice 165 for the use of graphics on the supervisory control and data acquisition screens.

(2) Implementation of a standard for pipeline companies to review and audit alarms on monitoring equipment.

(3) Implementation of standards for pipeline controller training that include simulator or noncomputerized simulations for controller recognition of abnormal pipeline operating conditions, in particular, leak events.

SEC. 20. ACCIDENT REPORTING FORM.

Not later than December 31, 2007, the Secretary of Transportation shall amend accident reporting forms to require operators of gas and hazardous liquid pipelines to provide data related to controller fatigue.

SEC. 21. LEAK DETECTION TECHNOLOGY STUDY.

Not later than December 31, 2007, the Secretary of Transportation shall submit to Congress a report on leak detection systems utilized by operators of hazardous liquid pipelines. The report shall include a discussion of the inadequacies of current leak detection systems, including their ability to detect ruptures and small leaks that are ongoing or intermittent, and what can be done to foster development of better technologies as well as address existing technological inadequacies.

SEC. 22. CORROSION CONTROL REGULATIONS.

(a) REVIEW.—The Secretary of Transportation, in consultation with the Technical Hazardous Liquid Pipeline Safety Standards Committee and other appropriate entities, shall review the internal corrosion control regulations set forth in subpart H of part 195 of title 49 of the Code of Federal Regulations to determine if such regulations are currently adequate to ensure that the pipeline facilities subject to such regulations will not present a hazard to public safety or the environment.

(b) REPORT.—Not later than December 31, 2007, the Secretary shall submit to Congress a report containing the results of the review and may modify the regulations referred to in subsection (a) if necessary and appropriate.

SEC. 23. INSPECTOR GENERAL REPORT.

(a) ASSESSMENT.—Not later than December 31, 2007, the Inspector General of the Department of Transportation shall conduct an assessment of the actions the Department has taken in implementing the annex to the memorandum of understanding between the Secretary of Transportation and the Secretary of Homeland Security, dated September 28, 2004, relating to pipeline security.

(b) SPECIFIED DUTIES OF INSPECTOR GENERAL.—In carrying out the assessment, the Inspector General shall—

(1) provide a status report on implementation of the program elements outlined and developed in the annex;

(2) describe the roles, responsibilities, and authority of the Department of Transportation relating to pipeline security;

(3) assess the adequacy and effectiveness of the process by which the Department of

Transportation has communicated and coordinated with the Department of Homeland Security on matters relating to pipeline security;

(4) address the adequacy of security standards for gas and oil pipelines in coordination, as necessary, with the Inspector General of the Department of Homeland Security; and

(5) consider any other issues determined to be appropriate by the Inspector General of the Department of Transportation or the Secretary of Transportation.

(c) ASSESSMENT REPORT AND PERIODIC STATUS UPDATES.—

(1) ASSESSMENT REPORT.—Not later than December 31, 2007, the Inspector General of the Department of Transportation shall transmit a report on the results of the assessment, together with any recommendations (including legislative options for Congress to consider), to the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(2) PERIODIC STATUS REPORTS.—The Inspector General shall transmit periodically to the Committees as referred to in paragraph (1), as necessary and appropriate, reports on matters pertaining to the implementation by the Department of Transportation of any recommendations contained in the report transmitted pursuant to paragraph (1).

(d) FORMAT.—The report, or portions of the report, under subsection (c)(1) may be submitted in a classified format if the Inspector General determines that such action is necessary.

SEC. 24. TECHNICAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—The Secretary of Transportation may award, through a competitive process, grants to universities with expertise in pipeline safety and security to establish jointly a collaborative program to conduct pipeline safety and technical assistance programs.

(b) DUTIES.—In cooperation with the Pipeline and Hazardous Materials Safety Administration and representatives from States and boards of public utilities, the participants in the collaborative program established under subsection (a) shall be responsible for development of workforce training and technical assistance programs through statewide and regional partnerships that provide for—

(1) communication of national, State, and local safety information to pipeline operators;

(2) distribution of technical resources and training to support current and future Federal mandates; and

(3) evaluation of program outcomes.

(c) TRAINING AND EDUCATIONAL MATERIALS.—The collaborative program established under subsection (a) may include courses in recent developments, techniques, and procedures related to—

(1) safety and security of pipeline systems;

(2) incident and risk management for such systems;

(3) integrity management for such systems;

(4) consequence modeling for such systems;

(5) detection of encroachments and monitoring of rights-of-way for such systems; and

(6) vulnerability assessment of such systems at both project and national levels.

(d) REPORTS.—

(1) UNIVERSITY.—Not later than March 31, 2009, the universities awarded grants under subsection (a) shall submit to the Secretary a report on the results of the collaborative program.

(2) SECRETARY.—Not later than October 1, 2009, the Secretary shall transmit the reports submitted to the Secretary under paragraph (1), along with any findings, recommendations, or legislative options for Congress to consider, to the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for each of fiscal years 2007 through 2010.

SEC. 25. NATURAL GAS PIPELINES.

The Secretary of Transportation shall review and comment on the Comptroller General report issued under section 14(d)(1) of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60109 note; 116 Stat. 3005), and not later than 60 days after the date of enactment of this Act, transmit to Congress any legislative recommendations the Secretary considers necessary and appropriate to implement the conclusions of that report.

SEC. 26. CORROSION TECHNOLOGY.

Section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107-355) is amended—

(1) in subsection (c)(2) by striking “corrosion,”;

(2) in subsection (c)—

(A) by striking “and” at the end of paragraph (9);

(B) by redesignating paragraph (10) as paragraph (11);

(C) by inserting after paragraph (9) the following:

“(10) corrosion detection and improving methods, best practices, and technologies for identifying, detecting, preventing, and managing internal and external corrosion and other safety risks; and”;

(D) by adding at the end the following:

“The results of activities carried out under paragraph (10) shall be used by the participating agencies to support development and improvement of national consensus standards.”;

(3) by striking subsection (f) and redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, 4 years ago Congress passed the Pipeline Safety Improvement Act for 2002. The States and the pipeline community have praised that bill as an overwhelming success.

That is why H.R. 5782, the Pipeline Inspection Protection Enforcement and Safety Act of 2006, keeps us moving in the same positive direction as the 2002 pipeline bill.

I want to thank my ranking member, Democrat Member Mr. OBERSTAR, for working closely with me to develop this legislation. Also, Mr. DEFAZIO has worked very closely with us. We could not have accomplished this result without our subcommittee chairman, TOM PETRI, and of course I just mentioned Mr. PETER DEFAZIO.

I want to also thank the chairman of the Energy and Commerce Committee, JOE BARTON, and my very good friend and colleague, ranking Democrat, JOHN DINGELL for their excellent work to bring this bill to this point.

In September the Energy and Commerce Committee also ordered the bill reported with their amendment. We have worked with our friends on the Energy and Commerce Committee, as well as the other body, to come up with a bill that they will support also.

The bill we are considering here today has been negotiated with the Senate Commerce Committee, and the other body is expected to pass the bill later this week.

I have been very impressed with the work of the Pipeline and Hazardous Materials Safety Administration, which is often called PHMSA, and their administrator, Admiral Tom Barrett.

Their response to and oversight of pipeline spills on the North Slope in Alaska this past year have received widespread praise.

We were very careful in drafting this bill to avoid disrupting the hard work and remarkable progress that occurred at PHMSA over the past 4 years.

Like all legislation, this bill contains compromises. The policies in this bill are the result of compromise and hard work. However, the compromise that we have reached in this bill will not take away from the impact of this bill.

This is a good bill. It improves pipeline safety and the role of the administration regulating pipelines.

H.R. 5782 extends the pipeline safety program for another 4 years. To the fiscal year of 2010. These programs include operational funds for the Office of Pipeline Safety to carry out its regulatory and enforcement functions, and State pipeline safety grants that cover the cost of State expenses to carry out certified pipeline safety inspect activities.

The bill also funds emergency response grants, public education and one-call damage prevention programs and grants to provide technical assistance to local communities on pipeline safety issues.

The administration, the States, the pipeline safety advocates and the pipeline industry all support this bill.

I strongly support this legislation to protect public safety, and I encourage my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5782, Pipeline Inspection Protection Enforcement Safety Act of 2006.

We have come a long way since the original legislation was passed in 2002. After the tragedies in Bellingham, Washington, in which committee Member RICK LARSEN played a particularly key role in urging the committee forward, and Carlsbad, New Mexico, we had quite a contentious markup at that point in time, with a lot of resist-

ance from what we saw as needed improvements in pipeline safety from the industry.

Not so this time around. In fact, there was broad consensus with the majority side, with the majority of the industry from the beginning, that we wanted to make some additional improvements in pipeline safety with this bill, but that a radical new approach was not warranted because we had already laid that groundwork with the 2002 bill.

□ 1715

The gentleman from the Energy and Commerce Committee will address in some detail the work done and improved upon in their committee relating to the pipeline, low-stress pipelines, which had been substantially exempt from regulation previously. Unfortunately, that led to some neglect on the part of BP in Alaska, and we had the largest North Slope oil spill because of a low pressure line which previously had been thought not to be of major concern, and in fact the company itself admitted they had been running the lines to failure.

Well, lines nowhere will be run to failure any more under this bill. We are going to have more pipeline inspectors, more enforcement. We are going to broaden the legislation to cover all pipelines and, you know, this will also have the Inspector General paying closer attention to some of the implementation of this legislation.

I want to thank my chairman, Mr. PETRI, for his help in putting this together, Chairman YOUNG, Ranking Member OBERSTAR and members of the committee.

Mr. Speaker, I reserve the balance of my time.

Mr. YOUNG of Alaska. At this time I yield 5 minutes to the gentleman from Wisconsin (Mr. PETRI), the chairman of the subcommittee on this legislation.

Mr. PETRI. Mr. Speaker, 4 years ago this Congress passed the Pipeline Safety Improvement Act of 2002. That piece of legislation expired September 30. The bill before us, H.R. 5782, reauthorizes the Federal pipeline safety programs through 2010 and amends existing pipeline safety law to enhance the safety and reliability of transporting the Nation's energy products by pipelines.

By all accounts, the 2002 safety bill was an overwhelming success and, therefore, this bill does not deviate from the directions set forth in that legislation. This bill provides the Pipeline and Hazardous Materials Safety Administration with new civil penalty authority to enforce One-Call laws in States that do not adequately enforce those laws.

This enforcement authority is balanced in the sense that it could be used on an operator who fails to respond to a pipeline location request or fails to accurately mark the location of a pipeline, as well as an excavator who fails to use the One-Call system or disregards location information or markings.

The bill also provides incentives to States to adopt and implement a comprehensive State damage prevention program and provides guidance to States on elements for an effective underground damage program. The bill requires the Pipeline and Hazardous Materials Safety Administration to establish a distribution and integrity management program which pipeline operators must implement and requires that the administration develop regulations for the operation of low stress hazardous liquid pipelines. This bill also directs the administration to develop standards to reduce risks in pipeline control rooms associated with human factors, including operator fatigue.

I am happy to say that this bill has received broad support from the administration, the States, the pipeline safety advocates, and others in the pipeline community. It is also important to point out that this bill was developed in conjunction with the House Energy and Commerce Committee. In addition, the Senate Commerce Committee supports this bill and is scheduled to take it up before the end of the week.

Mr. Speaker, I support this important legislation. Before I yield back the balance of my time, and as this may be the final bill from the Subcommittee on Highways, Transit and Pipelines to be considered here on the floor of our House this Congress, I would just like to take a moment to pay tribute to my chairman, DON YOUNG from Alaska, to salute his 6 years of leadership on our committee. I have enjoyed serving as part of his team on the Transportation and Infrastructure Committee.

I would also like to say to my colleagues on the Democratic side of the aisle, Mr. OBERSTAR and Mr. PETER DEFAZIO, that I believe we have done some good work during this Congress, and I look forward to continuing to work together to accomplish good things for the country in the 110th Congress.

Finally, I would like to say a word of thank you for a job well done to the staff of the subcommittee, who have labored diligently on our subcommittee matters. On the Republican side, Graham Hill, Jim Tymon, Joyce Rose, Suzanne Newhouse, Bailey Edwards and Tim Lindquist. On the Democratic side, Ken House, Art Chan, Stephanie Manning and Jackie Schmitz. Thank you for a job well done.

Mr. DEFAZIO. Mr. Speaker, I yield 6 minutes to the gentleman from Virginia (Mr. BOUCHER).

(Mr. BOUCHER asked and was given permission to revise and extend his remarks.)

Mr. BOUCHER. I thank the gentleman for yielding.

Mr. Speaker, I rise in support this evening of H.R. 5782, the Pipeline Safety Improvement Act, and urge its approval by the House. This measure is both important and timely. It modernizes the Pipeline Safety Act of 2002, which, while regarded as successful,

now should be expanded to address some new urgent needs.

For example, there have been two instances in the recent past of major oil spills from low pressure transmission lines in Alaska. The most recent spill necessitated shutting down for an extended time a substantial portion of the oil flow from Alaska to the lower 48 States. These spills, which were much publicized, highlighted the need for regulation of the low stress transmission lines which are currently exempt from all regulation. The bill before us today subjects low stress transmission lines to Federal regulation and addresses that urgent need.

As another example of needed change, the bill contains incentives for all States to adopt programs to prevent damage to pipelines from excavation work. The damage prevention program that is now in place in my State of Virginia has been a demonstrated success in dramatically reducing the incidents of excavation damage to pipelines.

The bill before us specifies that the nine elements that are found in this very successful Virginia law, which are widely recognized as enabling that success, should be included in State damage prevention programs as a condition for States being certified by the U.S. Department of Transportation to regulate and enforce their States' pipeline standards.

The bill also creates a new grant program for States to implement excavation damage prevention programs which include each of those nine elements.

Another new provision will require the implementation of integrity management plans for natural gas distribution lines, which are currently exempt from regulation. Distribution lines account for more than 85 percent of all natural gas lines in the United States. The bill before us directs that in 2007 the Office of Pipeline Safety publish a rule addressing integrity management for distribution lines.

To its credit, that office has worked well under way to create the first management plan for natural gas distribution lines, and I commend the consensus-based approach that the office is taking to achieve its goal, and the fine work that the office has performed so far in pursuit of that effort.

At my urging, the 2002 act included a provision authorizing technical assistance grants for local communities so that they will have the expertise to participate meaningfully in regulatory proceedings that affect transmission lines and other pipelines. I have been disappointed that during the past 4 years no grants have been awarded under that authority. The bill before us directs the Department to publish criteria for the award of grants and to make at least three demonstration community assistance technical grants in the near term.

Finally, the bill authorizes the funding necessary for the Department of Transportation to hire an additional 45

safety inspectors so as to augment the safety advances the bill otherwise makes.

In September, the Energy and Commerce Committee, which shares jurisdiction over pipelines and over this measure, approved this measure by voice vote. That effort was truly bipartisan, and I want to commend Chairman BARTON of the Energy and Commerce Committee, Subcommittee Chairman HALL and Ranking Member DINGELL of the full committee for the constructive work that produced H.R. 5782.

I also want to commend Chairman YOUNG, Ranking Member OBERSTAR, Mr. PETRI and Mr. DEFAZIO of the Transportation and Infrastructure Committee, which shares jurisdiction over this measure with the House Energy and Commerce Committee, for their fine work in bringing this measure to the floor today.

The 2002 law has produced positive results with an increased emphasis on safety and accident prevention, both by the agencies of enforcement and by industry. The bill before us usefully builds on that success.

Mr. Speaker, I urge its approval by the House.

Mr. YOUNG of Alaska. Mr. Speaker, at this time I would like to yield 2 minutes to my good friend from Texas (Mr. HALL).

Mr. HALL. Mr. Speaker, I rise in support of our consensus substitute to H.R. 5782, the Pipeline Protection Inspection, Protection, Enforcement, and Safety Act of 2006. This legislation reflects bipartisan, bicameral agreement on reauthorizing the Nation's pipeline safety laws, and I am really glad to see it up for consideration in the House today.

I am very hopeful that the Senate will also quickly consider this measure, as this amended legislation reflects changes made to ensure passage of this bill in the Senate.

I thank Chairman BARTON, Ranking Member DINGELL, Chairman YOUNG and Ranking Member OBERSTAR for their open process and for working together to reconcile these two bills.

This legislation sets out many new provisions that will help to strengthen an already strong job that is being done by DOT's Pipeline and Hazardous Materials Safety Administration. It adds provisions to encourage and award States to adopt a One-Call notification system before digging or excavating work begins, addressing one of the only rising trends in pipeline accidents. It further addresses a low stress line exemption that allows pipelines like the ones in Alaska Prudhoe Bay oil field, operated by BP, to go unregulated and unaccounted for years while preserving DOT's flexibility in enforcing these new regulations. It also preserves current exemptions for gathering lines and lines affecting production facilities.

All of these provisions reflect careful compromise with industry, with pipeline operation safety and environmental groups, administration and the

States. It is cognizant of the critical and intentionally quiet role pipelines play in fueling this Nation's economy, and adopts provisions that reflect this delicate balance.

Mr. DEFAZIO. Could I inquire as to time remaining, please?

The SPEAKER pro tempore (Mr. LATHAM). The gentleman from Oregon has 12 minutes remaining, and the gentleman from Alaska has 12½ minutes remaining.

Mr. DEFAZIO. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. PASCRELL).

(Mr. PASCRELL asked and was given permission to revise and extend his remarks.)

Mr. PASCRELL. Mr. Speaker, I rise in support of H.R. 5782. I must say that Mr. YOUNG and Mr. OBERSTAR deserve a lot of credit, because in the Transportation Department there was more coming together than I have seen in any place in this Congress. This was not an easy piece of legislation. You go back to 2002, we had some really good debates. We had some good arguments. We had real dissent.

I want to thank Mr. PETRI and Mr. DEFAZIO for getting over that hurdle. We got 2.3 million miles of natural gas in hazardous liquid pipelines. If that sets in, you know how critical these issues are. We could be stuck in the mud debating each other or we could get over the hump and try to get resolve. You did that, and I want to commend you, Mr. YOUNG. I am not patronizing. I am not a patronizing person when I say that to you.

For years many in Congress attempted to pass the legislation to give the Office of Pipeline Safety some real teeth and enforcement to adopt better and tighter safety regulations. In 2002, as was mentioned, we passed a very strong pipeline safety law. By all accounts OPS and the industry have made significant progress since then.

The national mapping system has now been completed. When we looked at that mapping system at the turn of the century, it was a disaster. We didn't know where these pipelines were in the first place. How are you going to fix them if you don't know where they are?

One-Call centers are prevalent throughout the Nation and their "dig safely" campaigns are well publicized.

Number three, I would also like to commend the OPS for actually meeting the deadlines. Man, that is something new and refreshing, placed in the 2002 act, and for promptly following up to complete all the regulation recommendations that were suggested.

The Inspector General found evidence that the OPS enforcement program is actually helping to improve pipeline safety. I am pleased to know that the integrity management program is working as well.

Thousands of threats have already been found and corrected, but there are still hundreds of thousands of miles to go.

□ 1730

The bill before us today builds upon past successes, while looking forward toward our future needs. I am extremely pleased that a long overdue memorandum of understanding on pipeline security between the DLT and the Department of Homeland Security was signed this fall. This has everything to do with the protection of the national security.

This legislation requires the Transportation Department's Inspector General to conduct an assessment of the actions taken by the Department to implement the agreement. H.R. 5782 will ensure that the number of pipeline inspection enforcement personnel will increase by 50 percent within 4 years.

Pipes also caused the Department of Transportation to issue regulations for low-stress pipelines, making a more comprehensive and cohesive pipeline safety standard.

Finally, under this bill, Mr. Speaker, the DLT will publish regulations developed in partnership with the industry stakeholders, strengthening the safety of natural gas distribution pipeline system.

I commend the leaders and the membership of the Transportation Committee for their diligent work, and I urge my colleagues to vote in favor of H.R. 5782.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Speaker, I rise in support of the bill, and I just want to draw attention briefly to one important item.

This bill amends the Pipeline Safety Improvement Act of 2002 over which the Science Committee shares jurisdiction. That act provides for an inter-agency research program on pipeline safety, and that program has proved quite fruitful. This bill maintains that program and even clarifies and expands some of its tasks.

What this bill does not do is provide explicit authorization levels for the work that the National Institutes of Standards and Technology will need to do to carry out its portion of this program. The language, which originated in the other body, excluded funding for NIST because NIST funding has not been independently appropriated but, rather, has been provided by the Department of Transportation to carry out particular tasks. We on the Science Committee are fine with this arrangement. But I want to say explicitly here that we expect NIST to continue to receive funding from DOT to carry out its vital work on pipeline safety and standards.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to express my gratitude today to Chairman YOUNG and Ranking Member OBERSTAR and to the chairman of the Subcommittee on

Highways, Transit and Pipelines, Mr. PETRI, and the ranking member, Mr. DEFAZIO, for working with me to include an amendment I offered in the committee's markup of this bill last summer. I also want to thank the International Association of Firefighters for supporting this amendment, and Jennifer Esposito with the Transportation Committee for her hard work on this bill and the amendment.

The amendment included in this legislation increases the emergency response grant program by \$4 million a year to a total of \$10 million a year. The amendment also requires training standards to make sure that emergency responders have the training they need to protect nearby people, property and the environment from the effects of accidents or incidents involving gas or hazardous liquid pipelines.

I have a letter of support for this amendment from the International Association of Firefighters, and I will include this letter in the RECORD.

Mr. Speaker, this is important legislation to make our communities safer, and it gives first responders the training and resources they need. I encourage all my colleagues to support it.

INTERNATIONAL ASSOCIATION OF
FIRE FIGHTERS,

Washington, DC, July 19, 2006.

Hon. JOHN BARROW,
Washington, DC.

DEAR REPRESENTATIVE BARROW: On behalf of the Nation's more than 270,000 professional fire fighters and emergency medical personnel, I applaud you for your efforts to improve emergency response to accidents involving gas or hazardous liquid pipelines. We strongly support your amendment to H.R. 5782, the Pipeline Safety Improvement Act, to require strong emergency responder training standards, as well as your amendment to provide additional funding for emergency response grants.

While the safety of emergency responders can never be fully guaranteed, the number of injuries resulting from gas or hazardous liquid accidents can be significantly reduced through appropriate training. While training is always necessary for new recruits, refresher training must also be provided on a continuing basis to ensure the ongoing safety of all first responders.

Furthermore, in responding to an incident involving hazardous materials, it is extremely important that emergency responders are not simply trained, but are trained at a level appropriate to their response. Unfortunately, the level of training currently provided in many States and localities is inadequate to prepare emergency responders to respond to an accident involving gas or other hazardous materials. Your amendments not only help provide adequate funding to ensure that all emergency responders are trained, but ensure that responders are trained to contain any release from a safe distance, keep it from spreading, and prevent people, property and the environment from harmful exposures.

Thank you for your leadership on these vital issues. We appreciate your continued support of our Nation's first responders and look forward to working with you in the coming weeks to enhance hazardous materials emergency response.

Sincerely,

BARRY KASINITZ,
Director, Governmental Affairs.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I want to thank Chairman YOUNG and others who have been recognized so far for their diligence, leadership and hard work on this very important issue.

The safe and reliable operation of our Nation's pipeline system is key to our security and our energy independence, and I am generally pleased with the conference report and do support it. I am concerned, however, by certain aspects of the legislation before us today.

As part of the last pipeline safety authorization, Congress required natural gas transmission pipeline operators to undertake an integrity management program. This program required operators to perform initial baseline inspections on all their pipelines in high consequence, or highly populated areas, by 2012 and perform reinspections every 7 years thereafter.

The 7-year period for reinspections was a compromise between two versions of the legislation and was not based on scientific or engineering standards. As a result, Congress required the Government Accountability Office to study the integrity management program and report back with recommendations as to whether the 7-year reinspection interval is appropriate from a safety standpoint.

The purpose of requesting the study was to essentially audit the integrity management program and determine, based on an analysis of data collected during the baseline inspections, what the optimum period for conducting reinspections should be.

These reports were issued in September of this year and reached two important conclusions: The first conclusion was that the integrity management program for natural gas transmission lines is working well overall and is making the system safer. Furthermore, few serious problems are being discovered.

Secondly, the report concludes that a fixed, one-size-fits-all approach to reinspection is not the safest option. It does not give operators the flexibility to tailor inspection resources to the riskiest segments of the pipeline first.

Rather, the GAO recommends switching from a static, fixed-year reinspection interval, to one based on risk and engineering standards. Using a risk-based approach factors in the age, location, soil conditions, climate, metallurgy and changing population near a pipeline, allowing operators to best utilize limited inspection resources.

I am strongly concerned that the commonsense recommendations of the GAO report are not being implemented and that we are passing up an opportunity to make a good regulatory program work even better.

The conference report does contain a provision requiring the Secretary of Transportation to report back to Congress within 60 days of enactment on suggestions for implementing the GAO

recommendations. I hope the committee of jurisdiction will hold hearings on this issue early next year so that we can receive the Secretary's suggestions.

I look forward to continuing the important work of ensuring the safe and reliable operation of our Nation's natural gas transmission system. We must do more to focus resources so that they will have the most impact.

I urge my colleagues to support this legislation.

Mr. DEFAZIO. Mr. Speaker, I yield the balance of my time to the ranking member of the full committee, the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, just about everything that needs to be said about the pipeline safety bill has been said, so I will not repeat the details, the specifics of the legislation. It is a good bill. We have spent a lot of time in subcommittee, in full committee, and in conferring between our Committee on Transportation and Infrastructure and the Energy and Commerce Committee and with the responsible committee in the other body, and we have finally ironed out the details and have a very sound framework for the future.

The Office of Pipeline Safety has had a very checkered history. It has not worked effectively for a very long time, and then it had an awakening and it got on the right track again. We got the number of inspectors increased, funding for the system increased, we straightened out the cooperation, the coordination between the Federal office and the State offices. Then there was a period of decline.

Now this administration, to their great credit, has designated the best person in the history of this program to head up the Office of Pipeline Safety, though it has a longer title now, and that is Admiral Tom Barrett, who brings Coast Guard discipline and a Coast Guard organization structure and a Coast Guard safety mindset into the work of this agency, which is its principal mission, safety.

Admiral Barrett, from the time he walked on to the property, had conversations with me, as I am sure he did with Chairman YOUNG, and instilled great confidence in his ability to lead the agency, implement the law, to give us suggestions on how we can improve the legislative product and give him the tools that the agency needs to carry out its mission effectively. And that has certainly been undertaken, and to his great credit, Admiral Barrett has done a superb job of leadership for the Office of Pipeline Safety.

The first hearing I held as chairman of the Investigations and Oversight Subcommittee in 1987 was following a pipeline break and an extraordinary explosion that killed two people in Moundsview, just outside my congressional district, when a gasoline pipeline leaked for days; and at 2 o'clock in

the morning a car passing through with a loose tailpipe hit the pavement, caused a spark, ignited the whole street, and a mother and her daughter were incinerated in the process. Why? Because the Office of Pipeline Safety and the pipeline operator were not doing their jobs.

That is not going to happen casually at least in the future. There may be some catastrophic failure of some kind, but in place now and with this legislation, and thanks to Admiral Barrett's oversight, there is a system of safety in place in this agency. For that, I thank our subcommittee chairman, Mr. PETRI, the ranking member, Mr. DEFAZIO, our committee staff on both sides, and Chairman YOUNG.

This may be our last opportunity on the House floor during this session of Congress for me to pay tribute to the leadership the gentleman from Alaska has given to our committee over these 6 years.

Forever etched in title 49 of the U.S. Code will be the biggest transportation investment in a single bill in the history of our country, and that will be SAFETEA-LU, \$286.5 billion, a work product through which our chairman led us in subcommittee, in full committee, and in a long and difficult conference with the other body.

I will always remember Chairman YOUNG's courage, Mr. Speaker, standing before his President, advocating for a robust investment of \$375 billion, as recommended by the Department of Transportation, in the future of highway and transit needs in America, improved pavement condition, reduced congestion and improved safety, and standing before his own Republican Conference and advocating, and staying the course, not wilting along the wayside when we had to scale that figure back to the ultimate \$286.5 billion, maintaining intact within that legislation good public policy that will be an enduring legacy for our chairman and for our committee and for our country.

We go now into the implementation of SAFETEA-LU, awaiting the interim report of the commission that our committee authorized on the future of transportation needs in the country and how to finance it. But we will do so with the blueprint in our hand and lying ahead of us, which was crafted by this committee under the chairman's leadership.

That and many other items of significant achievement, including the great investments that our committee has authorized and that are now being carried out in the U.S. Coast Guard, for which I know the chairman has a great affinity and which service is so important to his State of Alaska, but to the thousands of miles of coastline on the salt water coast and the inland waterways on the Great Lakes of our country.

For his leadership, for his skill, for his courage and standing by principle, I salute our chairman, and thank him for his service and for the privilege of

the partnership that we have enjoyed during these 6 years.

Mr. YOUNG of Alaska. Mr. Speaker, I thank the gentleman for his kind words. My closing statement will recognize his contributions to what we have been able to do.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MURPHY).

Mr. MURPHY. Mr. Speaker, I thank the chairman for yielding, and I rise in support of H.R. 5782. This bill will save lives. One way it can save lives is illustrated by a story of two children from my district, Moon Township, in Pennsylvania.

On March 16, 2005, while walking home from school, two teenagers, a brother and sister, walked past a construction crew that was drilling in front of their house. The crew had ruptured a natural gas distribution line. The children entered the home without knowing that natural gas was seeping in. Soon afterwards, this house exploded to look like this. Both children were inside. They escaped. Both were injured, one seriously, but thankfully both survived.

The explosion occurred because accumulated natural gas fumes had ignited. When the pipeline was broken, the crew made the calls as required after they broke the gas line, but the procedures they followed did not prevent the children's injuries.

These two young children could have been among the more than 420 fatalities from pipeline accidents in the last 20 years. In this case the notification rules were followed, but the procedures just take too long. We need a faster, simpler system, one in which emergency authorities arrive at the scene quickly, and a single clear system, not the current patchwork of rules that varies State to State and town to town.

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That is why I worked with the family of the two young children, local law enforcement and municipal governments and others interested in pipeline safety to write H.R. 2958, Marc and Chelsea's law. My bill requires pipeline breaches to be immediately reported to appropriate safety authorities in order to prevent future injuries.

I am pleased that the Pipeline Safety Act includes my bill's provisions to establish uniform emergency notifications. With the passage of today's legislation, an excavator who causes a pipeline accident must call the local gas distribution company operator. Also, if there is detectable gas, the excavator must also call 911 immediately.

Establishing consistent notification requirements is critical because there have been over 7,600 pipeline accidents.

I thank Mr. BARTON, Tom Hassenboehler, Mike Layman, Susan Mosychuck for their help in this bill, but also Marc and Chelsea for their help as well.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself the remaining time.

Before I close, Mr. Speaker, I just want to take a moment to thank the many friends and colleagues that I have in this body that have made the last 6 years the most successful and enjoyable of my years in Congress, in 34 years.

While I am looking forward to many more years here in Congress, you are not going to get rid of me that soon, and I will continue to lead the charge for those issues near and dear to my heart. I take great pride in the work of the great Committee on Transportation and Infrastructure over the last 6 years.

We faced some extraordinary challenges in the committee. During this period of time was September 11, 2001. With the support, and I am sorry he has left, the support and cooperation of the ranking member, Congressman JIM OBERSTAR, we worked together, and within 2 weeks of this disaster for the aviation industry we enacted legislation to ensure the continued viability of this key transportation sector. Without the work of this committee, our aviation system would have collapsed.

We also created the Transportation Security Administration and worked to set up the Department of Homeland Security. While I do not support everything that has happened in DHS, I believe that the efforts of our committee have ensured a safer and more secure America.

We enacted the first major port security bill. We have improved pipeline safety, and tonight we will do it again. We enacted a multiple year aviation bill, reauthorized critical Coast Guard programs, restored the effectiveness of FEMA and overcame enormous obstacles to fund the building and maintenance of our highway infrastructure.

I did not accomplish this all alone, and I want to thank my many friends and supporters in Alaska who sent me to work on their behalf.

Again, I want to thank JIM OBERSTAR, and for those that may not know it, we never had a vote in the committee in an adversarial position. We always worked it out, worked together, and I want to thank all the other 73 Members of the committee for their cooperation and support. We have the best reputation of the committees for bipartisanship, and I am proud of that. I hope we can continue to work that way.

I have a great staff that has worked long and hard to draft legislation and negotiate on behalf of the committee: Mrs. Megginson, Graham Hill, who is up in the audience who actually wrote this gas bill, Jim Tymon who worked on this bill and all the other bills and all the other staff members I have.

I know the many sacrifices that the staff have made to get the job done, and I want them to know that I am grateful for their efforts and very proud of them and for America.

I also want to thank my many friends here in Washington who have

taken the time to keep me informed and support our efforts to enact good transportation policy.

I finally want to thank my wife, Lu, TEA-LU, a bill that was named after her, for her close friendship, constant patience, support and encouragement. She is my inspiration for a legacy of the future of this Nation.

I look forward to the next 2 years working with this House in the House of Representatives to achieve great things in the Committee on Transportation and Infrastructure. I may not be the ranking member but I will be on the committee. I will be there, and we can provide for this Nation.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today in support of H.R. 5782—the Pipeline Safety Improvement Act of 2006.

I want to thank Chairman YOUNG and Ranking Member OBERSTAR and my other colleagues, who brought this vital and important bill to the floor today.

Pipeline security has gone under the radar in recent years—but there are critical issues which must be addressed. This bill addresses many of these problems.

This bill strengthens the "one-call notification system" which allows private citizens and the construction industry to quickly and easily notify utilities and pipeline owners of excavation.

The one-call notification system is vital to protecting these key resources and critical infrastructure from third-party damage.

Unfortunately, third parties are the number one cause of pipeline damage—disrupting the economy and putting many in harms way. These occurrences can easily be prevented and this bill helps do just that. This bill subjects anyone who does not comply with this system to stiff action and penalties.

This bill establishes a State Damage Prevention Program—which is a program which aims to prevent damage to underground infrastructure. This program will be based at the state level and this bill provides for a state grant program managed by the Department of Transportation.

This bill improves the management of pipeline infrastructure by mandating the recommendations set forth by the NTSB—the National Transportation Safety Board.

The bill will also improve pipeline security by assessing risk associated with human error and reducing damage from these issues by specifically providing for training and simulation exercises.

On the technology side, this bill will improve on leak detection technology and monitoring alarms which will improve safety around hazardous materials and the pipelines which carry them.

This bill also takes into account environmentally sensitive areas. It mandates new standards for pipelines in these areas which will aim to limit or prevent accidents in these susceptible and crucial areas.

This bill also aims to assess and prevent possible gasoline shortages and price spikes by assessing how future pipeline capacity shortages might impact the price of gas at the pump.

And finally and most importantly, this bill provides for proper communications between the Department of Transportation and the Department of Homeland Security to ensure reliability for these important and critical assets.

Mr. DINGELL. Mr. Speaker, I rise in strong support of H.R. 5782 as amended. This is a good bill that reflects considerable work between the Committee on Energy and Commerce and the Committee on Transportation and Infrastructure.

Pipeline safety is not one of the most high-profile issues that the Congress deals with but it is one of the most important. Because oil and gas pipelines are largely out of the public's sight, they are usually out of mind as well, that is until we have a failure such as, those several years ago in the State of Washington and New Mexico, which left several people dead. The shut-in of Prudhoe Bay in Alaska last August served as a stark reminder of that dire consequences of non-lethal pipeline accidents.

After the Prudhoe Bay incident I announced that pipeline safety reauthorization needed to include three important elements: First, the law needed to be changed to cover low-stress pipelines such as those that failed in Alaska; second, enforcement needed to be strengthened; and third, we needed more transparency in DOT's enforcement processes. I am pleased to report that this bill accomplishes those objectives but also does much more.

The bill addresses excavation damage—one of the leading causes of pipeline incidents—through several measures. It requires States with pipeline safety programs certified by the Department of Transportation (DOT) to establish a damage prevention program. The bill establishes grants to States to carry out such programs, and includes new penalty provisions for those who fail to abide by a State's call-before-you-dig program.

The bill also requires DOT to prescribe minimum integrity management standards for gas distribution operators, including a new requirement that excess flow valves be installed on new service lines. These new provisions will help strengthen that portion of the gas pipeline system that is closest to most American homes.

The bill takes a substantial step in making DOT's pipeline safety enforcement process more transparent to the general public, which has been a longstanding concern of mine. DOT will now be required to publish a monthly summary of its enforcement actions on both liquid and gas pipelines, giving the public valuable insight into areas where problems exist, and giving pipeline operators a forum to demonstrate they have been corrected.

The bill before us includes language passed by the Committee on Energy and Commerce that requires the vast majority of low-stress liquid lines to be regulated in a manner similar to high-stress liquid lines. This language responds to the issues raised by the spill on Alaska's North Slope last spring.

This bill also includes new language to require that pipeline operators file management plans that set forth a maximum limit on the hours of service performed by control room employees. I congratulate my good friend, the gentleman from Minnesota Mr. OBERSTAR, for his dedication to this issue.

Finally, the bill authorizes DOT to hire an additional 45 new safety inspectors to carry out the important responsibilities that we have assigned to the department in this bill.

I want to thank Chairmen YOUNG and BARTON and Ranking Member OBERSTAR for all of their efforts on this bill and I urge the House to pass H.R. 5782.

Mr. BARTON of Texas. Mr. Speaker, I rise in support of our consensus substitute to H.R. 5782, The Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006. This legislation represents a broad, consensus-based process that exemplifies what can happen when different interests come together in order to produce a successful product.

I thank Chairman YOUNG and Ranking Member OBERSTAR for working with Mr. DINGELL and myself on reconciling our two bills and for the open and fair process between the two Committees of jurisdiction.

Reauthorizing the Pipeline Safety laws became more complicated after BP's inexcusable Prudhoe Bay oilfield shutdown in August. After rigorous enforcement and analysis, and after a thorough investigation by the House Energy and Commerce Committee, DOT was able to approve restart of some of these lines at the Prudhoe Bay oilfield.

This substitute to H.R. 5782 retains compromise language that was marked up in the Energy and Commerce Committee to address the low stress pipeline exemption, as well as several other provisions that were worked out in bipartisan fashion. For example, the bill strengthens state one-call requirements for excavation damage, provides new authority and grant money to the states to develop their own damage prevention programs modeled after the successful programs already in place, and puts some sunshine on enforcement actions.

The low stress language preserves exemptions for gathering lines, flow lines, and other integrated pipeline facilities, but removes the exemption from DOT Part 195 regulation that was used by the BP Prudhoe Bay transit pipelines. The low stress language should also preserve the inherent flexibility that is already built into DOT's integrity management program.

In addition, in crafting the administrative procedures implementing the safety order authority under sec. 2(f), DOT should provide a pipeline operator an opportunity to confer with DOT before exercising the operator's right to a hearing. Informal consultation has the potential to produce remedies acceptable to both operator and DOT that will resolve the vast majority of concerns without the need for a formal hearing. Any action taken by mutual agreement as a result of any such consultation should be reduced to writing and made both public and enforceable. This approach will save time and legal costs and bring about safety improvements sooner.

I urge our friends in the other body to take this bill up and pass it this week, as it reflects changes that were drafted in order to reach agreement with the Senate.

Mr. LARSEN of Washington. I rise in full support of the Pipeline Inspection, Protection, Enforcement and Safety Act of 2006.

This bill is the result of months of hard work. I want to commend Chairmen YOUNG and BARTON and Ranking Members OBERSTAR and DINGELL, as well as committee staff for the countless hours they put in to get this bill done.

It was over 7 years ago, on June 10, 1999, that a pipeline explosion claimed the lives of two 10-year-old boys and an 18-year-old young man in my district in Bellingham, Washington. Since that time we have made excellent progress in ensuring the safety of our Nation's pipelines.

The 2002 Pipeline Safety Improvement Act did a lot of good things. It increased penalty

fines, improved pipeline testing timelines, and allowed for state oversight.

This bill is another step forward.

As a body, we can all be proud that we'll now be regulating low-stress liquid pipelines just as we regulate all other hazardous liquid pipes. What happened with BP lines in Alaska this summer shouldn't have happened and this bill will ensure operators are properly maintaining their low-stress lines.

I urge my colleagues to vote yes on this bill.

Mr. YOUNG of Alaska. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 5782, as amended.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5782.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

PERMISSION TO INCLUDE EXCHANGE OF LETTERS ON H.R. 5782, PIPELINE SAFETY IMPROVEMENT ACT OF 2006

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent to include in the RECORD an exchange of letters between myself and Chairman BOEHLERT on H.R. 5782.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,

Washington, DC, December 5, 2006.

Hon. DON YOUNG,
Chairman, Committee on Transportation and Infrastructure, 2165 Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing regarding the jurisdictional interest of the Science Committee in H.R. 5782, the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006, as proposed for consideration under suspension of the Rules of the House. The Science Committee has jurisdiction over Section 26 of the suspension version of the bill, which amends Section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107-355) and Section 18, which provides funding to carry out Section 12 of the Pipeline Safety Improvement Act of 2002.

The Science Committee recognizes the importance of H.R. 5782 and the need for the legislation to move expeditiously. Therefore, I will not stand in the way of floor consideration. This, of course, is conditional on our