



December 1, 2023

The Honorable Sam Graves
Chair, Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

The Honorable Rick Larsen
Ranking Member, Committee on Transportation and
Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Graves and Ranking Member Larsen,

The Distribution Contractors Association (DCA) represents contractors, suppliers and manufacturers who provide construction services including installation, replacement and rehabilitation of natural gas distribution systems as well as gas transmission pipelines in communities across the country. DCA supports the Promoting Innovation in Pipeline Efficiency and Safety Act (PIPES Act), and we encourage the Transportation and Infrastructure Committee to approve the legislation before the end of this year.

Section 18 of the PIPES Act addresses the enduring problem with damages to underground facilities during excavation activity. DCA has long advocated for policy that supports shared responsibility in damage prevention. A fundamental responsibility of the damage prevention process is ensuring for accurate and timely locating and marking of subsurface facilities. The legislation includes language that would take significant steps toward improved pipeline mapping, underground facility locating, and ensuring all stakeholders are required to participate in the 811 process.

Specifically, the PIPES Act would require states to demonstrate that they have adopted or can show progress toward adoptions of several leading practices in their damage prevention programs as part of the criteria considered when states apply for PHMSA damage prevention grant dollars. These leading practices include (but are not limited to):

- Examining and limiting exemptions, including municipal exemptions;
- Requiring a "positive response" from the facility owner prior to excavation;
- Requiring marking of all lines and laterals, including sewer lines and laterals;
- Encouraging training for locate professionals;
- Encouraging the use of technologies to locate underground facilities, such as geographic information systems (GIS), which offer the most detailed and prolific pipeline mapping available.

DCA believes these provisions will undoubtedly improve the damage prevention process.

The bill also includes language that would hold those who engage in physical attacks on pipeline infrastructure accountable. Specifically, the bill would establish a criminal penalty of up to 10 years in prison for those who cause a defect to or disruption of a pipeline system. Importantly, the provision includes pipeline facilities under construction.

DCA supports the PIPES Act and encourage the committee to advance the bill through the committee as soon as possible. We thank you for your leadership.

Best Regards,

A handwritten signature in black ink, appearing to read "Rob Darden", written over a white background.

Rob Darden
Executive Vice President