

Voluntary Information Sharing- Governance Alternatives

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Voluntary Information Sharing – Governance Alternatives

PHMSA Administered

- Drawing upon experience of Federal Aviation Administration – ASIAs
- PHMSA administers

Privately Administered

- Drawing upon experience of Commercial Aviation – CAST
- Private entity administers

- VIS Governing Board – PHMSA, pipeline operators, service providers, NAPSR representatives, trade associations, public representatives, labor unions and universities
 - Third-Party Information Manager – Private Entity
 - Issues Analysis Team(s) – comprising representation of Governing Board with deep technical knowledge

- Legal protections through statute
- Funding through Federal appropriation
- Possible co-funding from private entities

- Legal protections through contract
- Funding through private contributions
- Possible co-funding from PHMSA

Voluntary Information Sharing – Governance Alternatives

Option A

- PHMSA/Industry Co-Chairs
- PHMSA provides day-to-day oversight & operational management of VIS
- PHMSA/Congress funds VIS
- Legislative protections on confidentiality & non-punitive reporting. Notwithstanding Congressional action, confidentiality, NDAs, MOUs and other types of implementation agreements
- Issue Analysis Team Make-up: NAPSR-appointed State agent (or designated representative), labor and technical experts from industry and PHMSA

Major Differences Between The Options

Option B

- Industry Chair, PHMSA Board Member
- VIS CEO provides day-to-day executive management
- VIS Operations Group provides day-to-day management
- Industry participants fund VIS. Confidentially provided by confidentiality Agreements & NDAs, Non-Punitive Reporting by PHMSA Agreement
- Issue Analysis Team Make-up: Participants with expertise in specified subject matter

Option C

- Industry/PHMSA Co-Chairs. Motions require unanimous Chair consent
- VIS CEO provides day-to-day executive management
- VIS Operations Group provides day-to-day management
- Split funding between industry, PHMSA, grants, etc. fund VIS
- Legislative protections on confidentiality & non-punitive reporting
- Issue Analysis Team Make-up: Participants with expertise in specified subject matter

Option D

- Industry/PHMSA Co-Chairs. Motions require unanimous Chair consent
- PHMSA provides day-to-day oversight & operational management of VIS
- Tabled for the VIS Parent Committee Meeting
- Legislative protections on confidentiality & non-punitive reporting. Notwithstanding Congressional action, confidentiality, NDAs, MOUs and other types of implementation agreements
- Issue Analysis Team – Step 1, Issue Analysis Selection Committee (subset of the Executive Board made up of NAPSR-appointed State agent (or designated representative), labor and technical experts from industry and PHMSA) responsible for populating the Issue Analysis Technical Working Group with technical and non-technical expertise. Step 2) Issue Analysis Technical Working Group that conducts the analysis and provides reports and products to the Board

Pros and Cons

PHMSA Administered Option A

Pros

- Credibility with public
- Sufficient funding (contingent on Congress)
- Immediate organizational capability
- Ability to draw directly upon other governmental experience
- Legal protections in statute
- All operators bear the cost, not just users (thus may be more likely to participate/use VIS Data, also less expensive for everyone)
- More public engagement

Cons

- Possible industry organization resistance
- Susceptibility to changing/ competing priorities
- Susceptibility to funding cuts
- All operators bear cost not just users

Privately Administered Option B

Pros

- Stable administrative governance
- Not susceptible to government funding fluctuations
- Participating operators and service providers bear costs
- Ability to quickly and nimbly add enhancements or incorporation of technology solutions for the VIS
- Ability to expand program scope as needed and fund expeditiously

Cons

- Possible lack of credibility
- No existing organization, Would need to be built from the ground up
- Stability of funding or possible insufficient Industry participation to fund program at all

Jointly Administered Option C and D

Pros

- Stable administrative governance and credibility with the public
- Provides more options for funding
- Immediate organizational capability
- Ability to draw directly upon private and governmental experience akin to the FAA
- Legal protections in statute
- More public engagement

Cons

- Possible industry organization resistance
- Unanimity and consensus building can take more time
- Uncertainty of funding