

PIPELINE SAFETY REAUTHORIZATION

MAY 20, 1999.—Ordered to be printed

Mr. BLILEY, from the Committee on Commerce,
submitted the following

REPORT

[To accompany H.R. 1378]

[Including cost estimate of the Congressional Budget Office]

The Committee on Commerce, to whom was referred the bill (H.R. 1378) to authorize appropriations for carrying out pipeline safety activities under chapter 601 of title 49, United States Code, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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AMENDMENT

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. AUTHORIZATION OF APPROPRIATIONS.

Section 60125 of title 49, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

“(a) GAS AND HAZARDOUS LIQUID.—To carry out this chapter (except for sections 60107 and 60114(b)) related to gas and hazardous liquid, there are authorized to be appropriated to the Department of Transportation—

“(1) \$21,442,000 for fiscal year 1999, of which \$15,700,000 is to be derived from user fees for fiscal year 1999 collected under section 60301 of this title;

“(2) \$22,694,000 for fiscal year 2000, of which \$16,300,000 is to be derived from user fees for fiscal year 2000 collected under section 60301 of this title;

“(3) \$22,900,000 for fiscal year 2001, of which \$16,740,000 is to be derived from user fees for fiscal year 2001 collected under section 60301 of this title; and

“(4) \$23,520,000 for fiscal year 2002, of which \$17,200,000 is to be derived from user fees for fiscal year 2002 collected under section 60301 of this title.”;

(2) in subsection (c)(1)—

(A) by striking subparagraphs (A) through (F);

(B) by redesignating subparagraphs (G) and (H) as subparagraphs (A) and (B), respectively; and

(C) by inserting at the end the following new subparagraphs:

“(C) \$15,940,000 for fiscal year 2001, of which \$14,070,000 is to be derived from user fees for fiscal year 2001 collected under section 60301 of this title.

“(D) \$16,370,000 for fiscal year 2002, of which \$14,450,000 is to be derived from user fees for fiscal year 2002 collected under section 60301 of this title.”; and

(3) by adding at the end the following new subsections:

“(g) RECOMMENDATIONS AND RESPONSES.—

“(1) AUTHORIZATION.—Out of amounts authorized under subsection (a), there are authorized to be appropriated such sums as may be necessary to carry out this subsection.

“(2) RESPONSE REQUIREMENT.—Whenever the Office of Pipeline Safety has received recommendations from the National Transportation Safety Board regarding pipeline safety, it shall submit a formal written response to each such recommendation within 90 days after receiving the recommendation. The response shall indicate whether the Office intends—

“(A) to carry out procedures to adopt the complete recommendations;

“(B) to carry out procedures to adopt a part of the recommendations; or

“(C) to refuse to carry out procedures to adopt the recommendations.

“(3) TIMETABLE FOR COMPLETING PROCEDURES AND REASONS FOR REFUSALS.—A response under paragraph (2)(A) or (B) of this subsection shall include a copy of a proposed timetable for completing the procedures. A response under paragraph (2)(B) of this subsection shall detail the reasons for the refusal to carry out procedures on the remainder of the recommendations. A response under paragraph (2)(C) of this subsection shall detail the reasons for the refusal to carry out procedures to adopt the recommendations.

“(4) PUBLIC AVAILABILITY.—The Office shall make a copy of each recommendation and response available to the public, including in electronic form.

“(5) REPORTS TO CONGRESS.—The Office shall submit to Congress on January 1 of each year for which funds are authorized pursuant to this Act a report describing each recommendation on pipeline safety made by the National Transportation Safety Board to the Office during the prior year and the Office’s response to each recommendation.

“(h) DAMAGE PREVENTION ACTIVITIES.—Out of amounts authorized under subsection (a), there are authorized to be appropriated to the Department of Transportation \$500,000 for fiscal year 2000, to remain available for expenditure until the end of fiscal year 2001, to support damage prevention activities, including public education and awareness, arising out of the best practices study conducted under section 6105 of this title.”.

PURPOSE AND SUMMARY

H.R. 1378, a bill reauthorizing the natural gas and hazardous liquid pipeline safety programs contained in 49 U.S.C. §60101 et seq., extends those programs for an additional two years, through Fiscal Year 2002. Authorization for the current pipeline safety program expires at the end of Fiscal Year 2000. The amounts authorized for the program reflect an approximate 2.7 percent annual increase in funding to keep pace with inflation. In addition, the bill makes minor changes to the current program, by requiring the Office of Pipeline Safety (OPS) to formally respond to recommendations from the National Transportation Safety Board (NTSB) and provides some additional funding for damage prevention activities, including public education and awareness.

BACKGROUND AND NEED FOR LEGISLATION

There are approximately 2 million miles of underground pipelines in the United States, made up of approximately 160,000 miles of liquids pipelines, 300,000 miles of gas transmission lines, and 1.5 million miles of gas distribution lines. These lines transport approximately 22 trillion cubic feet of gas per year and over 50 percent of the petroleum products consumed in the U.S. They are regulated by the Office of Pipeline Safety within the Department of Transportation (DOT).

Current Federal pipeline safety regulations cover pipeline design, construction, operation and maintenance, emergency procedures, pipeline testing and inspections, corrosion control, and company reporting requirements. While the Department of Transportation is primarily responsible for developing and enforcing pipeline safety regulations, current safety programs provide for States to assume responsibility for intrastate regulatory inspection and enforcement responsibilities under an annual certification. To qualify for this certification, a State must adopt the minimum Federal regulations and may adopt additional or more stringent regulations as long as they are not incompatible. By law, States that are certified to implement Federal pipeline regulations may receive as much as 50 percent of the personnel and equipment costs of a State program from the Federal government. State and local governments may also legislate damage prevention laws and land use control and may sponsor emergency preparedness planning and training. In practice, States vary considerably in their authority and capacity to address pipeline safety.

Authorization for the Natural Gas Pipeline and Hazardous Liquid Pipeline Safety Acts, now codified as 49 U.S.C. §60101 et seq., expires September 30, 2000.

Current law

The basic concept underlying the Federal pipeline safety regulatory program is that a pipeline operator is responsible for maintaining the safety of its system while the government is responsible for setting minimum safety standards and ensuring that operators are in compliance with those standards. The current natural gas and liquid pipeline safety laws, in large measure, still take the approach of providing regulations to address every perceived risk. In

the past, the Pipeline Safety Acts often had been modified in each reauthorization to respond to the most recent accident. For example, as a result of accidents in Kansas which occurred on the service lines leading from the street to the home, in 1992 Congress added requirements that the DOT begin rulemakings on regulating customer-owned service lines and requiring excess flow valves. Similarly, as a result of an accident in New York Harbor, Congress also required DOT to do a rulemaking on low pressure hazardous liquid pipelines.

In 1996, Congress made several significant changes to the pipeline safety statute. First, it authorized DOT to use risk assessment techniques when implementing new rulemakings. Although it left in place most existing pipeline safety regulations, it also required DOT to do a cost benefit analysis before issuing any new significant standards. In part, because of that change, DOT's backlog of rulemakings has been reduced considerably. In addition, some stakeholders and the department testified that the regulations enacted pursuant to these rulemakings are more relevant to the risks faced by pipelines.

Second, in 1996 Congress authorized DOT to undertake a risk management demonstration project. This demonstration program allowed DOT and the pipelines, on a voluntary basis, to begin basing pipeline safety and environmental decisionmaking on risk management principles. This approach was designed to allow the safety investments of pipeline operators to be directed to those risks that pose the greatest threat.

Under this program, DOT and the volunteer pipeline work together to determine how best to address pipeline safety issues for that particular pipeline or segment of pipeline. This allows pipeline operators to assess the risks on their pipelines, create pipeline safety programs which are tailored to individual pipelines or pipeline segments, and implement those plans. The concept behind risk management is that each pipeline operator knows its system best and this would give the operator the flexibility to accomplish the goal of pipeline safety while utilizing alternative technologies or techniques to those contemplated by current regulations. The plans have to provide an equal or greater level of safety than the current regulatory standards and be approved by DOT. Five projects have been approved under this program and there are several more proposals pending.

The Committee, however, remains concerned about DOT's lack of compliance with congressionally mandated deadlines under the pipeline safety statute. In particular, the Accountable Pipeline Safety and Partnership Act of 1996, (P.L. 104-304) required that the Secretary of Transportation survey and assess, by June 1, 1998, the effectiveness of remotely controlled valves to shut off the flow of natural gas in the event of a rupture of an interstate natural gas pipeline facility and determine whether the use of remotely controlled valves would be technically and economically feasible and would reduce risks associated with a rupture of an interstate natural gas pipeline facility. That review is to include, but not be limited to, high-density population areas. The Committee notes that, as of this date, the DOT has yet to fulfill these statutory obligations. Consequently, the Committee directs the Secretary

to complete its Congressional directives as expeditiously as possible.

H.R. 1378

Authorization for the current pipeline safety program will expire before Congress will have an opportunity to fully evaluate the impact of the changes made in 1996. Thus, the Committee decided to extend the existing program, with only minor changes, for an additional two years. At the end of that period, DOT, pipeline operators, and other interested stakeholders will be able to report to Congress as to the effectiveness of the new approach.

In addition, H.R. 1378 makes two minor changes to the existing program. First, it authorizes an additional \$500,000 over two years to support damage prevention activities, including public education and awareness, arising out of the "best practices" study DOT was required to perform pursuant to 49 U.S.C. §6105. Second, it establishes a process for OPS to respond more formally to recommendations made by the NTSB. Importantly, it does not require OPS to adopt all NTSB requirements, but merely to adopt, partially adopt, or reject the recommendations and state the reasons for failure to fully adopt such recommendations.

User fees

Since 1986, the Federal pipeline safety program has been funded by user fees assessed on transmission facilities. Those user fees are, in turn, passed on by the pipelines to consumers of the products transported by the pipelines. In 1995, after a major pipeline rupture near an apartment complex in Edison, New Jersey, natural gas pipeline user fees rose to \$97 per mile, more than double the fee for the previous year. In 1996, after a close examination of the Office of Pipeline Safety's budget, the fee declined and has leveled off at approximately \$68 per mile in 1998. Oil pipelines user fees are slightly less at approximately \$58 per mile.

H.R. 1378 continues with the trend established in 1996 and increases funding for the pipeline safety programs by approximately 2.7 percent per year (to keep pace with inflation) for the two years authorized under the legislation. This authorization reflects that the primary responsibility for pipeline safety rests with the pipeline operator. DOT's primary role is to assure that the pipeline safety regulations are sufficient to protect public health and safety and the environment, and that pipeline operators are complying with these regulations.

HEARINGS

The Subcommittee on Energy and Power held a hearing on reauthorizing the pipeline safety program on February 3, 1999. The Subcommittee received testimony from: Ms. Kelley Coyner, Administrator of Research and Special Programs, U.S. Department of Transportation; The Honorable Ed Holmes, Commissioner, Chair, NARUC Committee on Gas, Kentucky Public Service Commission; Mr. John Zurcher, Manager, Pipeline Safety, Columbia Gas Transmission Corporation; Mr. Richard Cook, Vice President, Washington Gas; Ms. Lois Epstein, Engineer, Pollution Prevention Alli-

ance, Environmental Defense Fund; and Mr. C. Richard Wilson, Vice Chairman, Buckeye Partners, L.P.

COMMITTEE CONSIDERATION

On April 14, 1999, the Subcommittee on Energy and Power met in open markup session and approved H.R. 1378 for Full Committee consideration, without amendment, by a voice vote. The Full Commerce Committee met in open markup session on April 21, 1999, and ordered H.R. 1378 reported to the House, amended, by a rollcall vote of 40 yeas to 0 nays.

ROLLCALL VOTES

Clause 3(b) of rule XIII of the Rules of the House requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto. The following are the recorded votes on the motion to report H.R. 1378 and on amendments offered to the measure, including the names of those Members voting for and against.

**COMMITTEE ON COMMERCE -- 106TH CONGRESS
ROLL CALL VOTE #2**

BILL: H.R. 1378, A bill to authorize appropriations for carrying out pipeline safety activities under chapter 601 of title 49, United States Code.

MOTION: Motion by Mr. Bliley to order H.R. 1378 reported to the House, amended.

DISPOSITION: AGREED TO, by a roll call vote of 40 yeas to 0 nays.

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Bliley	X			Mr. Dingell	X		
Mr. Tauzin	X			Mr. Waxman			
Mr. Oxley	X			Mr. Markey	X		
Mr. Bilirakis	X			Mr. Hall	X		
Mr. Barton	X			Mr. Boucher			
Mr. Upton	X			Mr. Towns	X		
Mr. Stearns				Mr. Pallone	X		
Mr. Gillmor	X			Mr. Brown	X		
Mr. Greenwood				Mr. Gordon	X		
Mr. Cox				Mr. Deutsch			
Mr. Deal	X			Mr. Rush	X		
Mr. Largent	X			Ms. Eshoo	X		
Mr. Burr	X			Mr. Klink	X		
Mr. Bilbray	X			Mr. Stupak	X		
Mr. Whitfield				Mr. Engel			
Mr. Ganske	X			Mr. Sawyer	X		
Mr. Norwood	X			Mr. Wynn			
Mr. Coburn	X			Mr. Green	X		
Mr. Lazio	X			Ms. McCarthy			
Mrs. Cubin				Mr. Strickland			
Mr. Rogan	X			Ms. DeGette	X		
Mr. Shimkus	X			Mr. Barrett	X		
Mrs. Wilson	X			Mr. Luther	X		
Mr. Shadegg	X			Ms. Capps	X		
Mr. Pickering	X						
Mr. Fossella	X						
Mr. Blunt							
Mr. Bryant	X						
Mr. Ehrlich	X						

COMMITTEE ON COMMERCE -- 106TH CONGRESS
VOICE VOTES
4/21/1999

BILL: H.R. 1378, A bill to authorize appropriations for carrying out pipeline safety activities under chapter 601 of title 49, United States Code.

AMENDMENT: An Amendment by Mr. Markey, #1, to provide funds for the Office of Pipeline Safety to respond to National Transportation Safety Board recommendations within 90 days of receipt.

DISPOSITION: AGREED TO by a voice vote.

AMENDMENT: An Amendment by Mr. Pallone, #2, to authorize an additional \$500,000 to the Department of Transportation to support damage prevention activities, including public education and awareness programs.

DISPOSITION: AGREED TO by a voice vote.

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee held an oversight hearing and made findings that are reflected in this report.

COMMITTEE ON GOVERNMENT REFORM OVERSIGHT FINDINGS

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, no oversight findings have been submitted to the Committee by the Committee on Government Reform.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee finds that H.R. 1378, a bill reauthorizing the natural gas and hazardous liquid pipeline safety programs contained in 49 U.S.C. § 60101 et seq., would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 3, 1999.

Hon. TOM BLILEY,
*Chairman, Committee on Commerce,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN. The Congressional budget Office has prepared the enclosed cost estimate for H.R. 1378, a bill to authorize appropriations for carrying out pipeline safety activities under chapter 601 of title 49, United States Code.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are James O'Keeffe (for federal costs), and Lisa Cash Driskill (for the state and local impact).

Sincerely,

BARRY B. ANDERSON
(for Dan L. Crippen, Director).

Enclosure.

H.R. 1378—A bill to authorize appropriations for carrying out pipeline safety activities under chapter 601 of title 49, United States Code

Summary: The Department of Transportation's Office of Pipeline Safety (OPS) is responsible for regulatory, research, and risk management activities aimed at enhancing safety in the transportation of gas and hazardous liquids by pipeline. The office also provides grants to states to further promote pipeline safety. These two pipeline safety programs are currently authorized through fiscal year 2000. (Public Law 104-304 authorized appropriations of \$73 million to OPS for 1999 and 2000.) H.R. 1378 would authorize additional appropriations of \$79 million for the programs over the 2000-2002 period. (The bill would leave the 1999 authorization unchanged and would increase the 2000 authorization by \$500,000.) H.R. 1378 also would require OPS to provide a detailed response to the National Transportation Safety Board's recommendations for improving pipeline safety. In addition, the bill would earmark \$500,000 out of the amounts authorized for fiscal year 2000 for damage prevention.

OPS has authority to charge and collect fees from pipeline users to offset some or all of the costs of the pipeline safety programs. In 1998, for example, fees of \$29 million offset most of the programs' gross cost of \$32 million. H.R. 1378 would specify the amounts of fees to be collected over the 1999-2002 period, which would range from \$29 million to \$32 million. Such fees are recorded as offsetting receipts—a credit against direct spending. Because H.R. 1378 would affect direct spending, pay-as-you-go procedures would apply; but CBO estimates that fees collected under the bill would exceed those under current law by less than \$500,000 a year.

Assuming appropriation of the specified amounts, CBO estimates that implementing H.R. 1378 would increase net spending by \$16 million over the 1999-2004 period. That amount represents the difference between additional outlays of \$78 million for the increase in the 2000 authorization and for the new 2001 and 2002 authorizations, and the estimated fees of \$62 million for the latter two years.

H.R. 1378 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 1378, is shown in the following table. The costs of this legislation fall within budget function 400 (transportation).

	By fiscal year, in millions of dollars—					
	1999	2000	2001	2002	2003	2004
CHANGES IN SPENDING SUBJECT TO APPROPRIATION ¹						
Estimated net authorization ²	0	1	8	8	0	0
Estimated outlays	0	(²)	4	7	4	1

¹ H.R. 1378 would also affect direct spending, but changes would be less than \$500,000 a year.

² The amounts shown are the differences between the bill's authorized funding levels for each year and the estimated fee collection under current law.

³ Less than \$500,000.

Assuming appropriation of the amounts authorized and collection of fees at the amounts specified in H.R. 1378, CBO estimates that implementing the bill would increase net outlays by about \$16 million over the 1999–2004 period. That figure represents increases in the net authorization for the program of \$5000,000 in 2000, \$8 million in 2001, and \$8.1 million in 2002. In each of these cases, the change in net authorization is the difference between the gross funding level and the expected fees. The bill would authorize gross funding of \$36 million for 1999 (as authorized in current law), and gradually rising amounts up to \$40 million for 2002. The bill specifies collections of fees to offset the spending for pipeline safety, rising from \$29 million in 1999 to \$32 million in 2002. The fee levels in H.R. 1378 are identical to CBO’s estimates of fees for 1999 and 2000 under current law. For 2001 and 2002, the bill’s fee levels are slightly greater than the amounts that CBO estimates would be collected under a simple extension of current law (allowing for annual increases to keep pace with anticipated inflation). As a result, we estimate changes in fees of less than \$500,000 a year for 2001 and 2002.

Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. The net changes in outlays and governmental receipts that are subject to pay-as-you-go procedures are shown in the following table. The only impact of the bill on direct spending would be its effect on collections from fees, and that amount would be less than \$500,000 in each of the years 2001 and 2002.

	By fiscal year, in millions of dollars—										
	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Changes in outlays	0	0	0	0	0	0	0	0	0	0	0
Changes in receipts	Not applicable										

Estimated impact on State, local, and tribal governments: H.R. 1378 contains no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. Of the amount authorized for the Office of Pipeline Safety over the 1999–2002 period, about \$32 million would be earmarked for grants in fiscal years 2001 and 2002 to be used to reimburse up to 50 percent of the cost of state pipeline safety programs. In addition, state regulators of pipeline safety would benefit from training and research by OPS.

Estimated impact on the private sector: This bill contains no new private-sector mandates as defined in UMRA.

Estimate prepared by: Federal costs: James O’Keeffe; Impact on State, local, and tribal governments: Lisa Cash Driskill.

Estimate approved by: Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of Rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for this legislation is provided in Article I, section 8, clause 3, which grants Congress the power to regulate commerce with foreign nations, among the several States, and with the Indian tribes.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

The bill contains three paragraphs. Paragraph (1) eliminates obsolete funding provisions and extends authorization for the gas and hazardous liquid programs through Fiscal Year 2002.

Paragraph (2) also eliminates earlier funding provisions and extends funding for the State grant program through the end of Fiscal Year 2002.

Paragraph (3) amends 49 U.S.C. § 60125 by adding two new subsections. New subsection (g) requires that whenever the Office of Pipeline Safety (OPS) receives a recommendation from the National Transportation Safety Board (NTSB) it must submit a written response by which it adopts, partially adopts, or rejects the NTSB recommendation within 90 days. OPS must make its responses publicly available and report its responses to NTSB recommendations to Congress annually. New subsection (h) authorizes an additional \$500,000 to be used over two years for damage prevention activities, including public education and awareness activities.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 60125 OF TITLE 49, UNITED STATES CODE

§ 60125. Authorization of appropriations

[(a) GAS AND HAZARDOUS LIQUID.—To carry out this chapter (except for sections 60107 and 60114(b)) related to gas and hazardous liquid, there are authorized to be appropriated to the Department of Transportation—

[(1) \$19,448,000 for fiscal year 1996;

[(2) \$20,028,000 for fiscal year 1997, of which \$14,600,000 is to be derived from user fees for fiscal year 1997 collected under section 60301 of this title;

[(3) \$20,729,000 for fiscal year 1998, of which \$15,100,000 is to be derived from user fees for fiscal year 1998 collected under section 60301 of this title;

[(4) \$21,442,000 for fiscal year 1999, of which \$15,700,000 is to be derived from user fees for fiscal year 1999 collected under section 60301 of this title; and

[(5) \$22,194,000 for fiscal year 2000, of which \$16,300,000 is to be derived from user fees for fiscal year 2000 collected under section 60301 of this title.】

(a) GAS AND HAZARDOUS LIQUID.—To carry out this chapter (except for sections 60107 and 60114(b)) related to gas and hazardous liquid, there are authorized to be appropriated to the Department of Transportation—

(1) \$21,442,000 for fiscal year 1999, of which \$15,700,000 is to be derived from user fees for fiscal year 1999 collected under section 60301 of this title;

(2) \$22,694,000 for fiscal year 2000, of which \$16,300,000 is to be derived from user fees for fiscal year 2000 collected under section 60301 of this title;

(3) \$22,900,000 for fiscal year 2001, of which \$16,740,000 is to be derived from user fees for fiscal year 2001 collected under section 60301 of this title; and

(4) \$23,520,000 for fiscal year 2002, of which \$17,200,000 is to be derived from user fees for fiscal year 2002 collected under section 60301 of this title.

* * * * *

(C) STATE GRANTS.—(1) Not more than the following amounts may be appropriated to the Secretary to carry out section 60107 of this title:

[(A) \$7,750,000 for the fiscal year ending September 30, 1993.

[(B) \$9,000,000 for the fiscal year ending September 30, 1994.

[(C) \$10,000,000 for the fiscal year ending September 30, 1995.

[(D) \$12,000,000 for fiscal year 1996.

[(E) \$14,000,000 for fiscal year 1997, of which \$12,500,000 is to be derived from user fees for fiscal year 1997 collected under section 60301 of this title.

[(F) \$14,490,000 for fiscal year 1998, of which \$12,900,000 is to be derived from user fees for fiscal year 1998 collected under section 60301 of this title.】

[(G)] (A) \$15,000,000 for fiscal year 1999, of which \$13,300,000 is to be derived from user fees for fiscal year 1999 collected under section 60301 of this title.

[(H)] (B) \$15,524,000 for fiscal year 2000, of which \$13,700,000 is to be derived from user fees for fiscal year 2000 collected under section 60301 of this title.

(C) \$15,940,000 for fiscal year 2001, of which \$14,070,000 is to be derived from user fees for fiscal year 2001 collected under section 60301 of this title.

(D) \$16,370,000 for fiscal year 2002, of which \$14,450,000 is to be derived from user fees for fiscal year 2002 collected under section 60301 of this title.

* * * * *

(g) **RECOMMENDATIONS AND RESPONSES.**—

(1) **AUTHORIZATION.**—*Out of amounts authorized under subsection (a), there are authorized to be appropriated such sums as may be necessary to carry out this subsection.*

(2) **RESPONSE REQUIREMENT.**—*Whenever the Office of Pipeline Safety has received recommendations from the National Transportation Safety Board regarding pipeline safety, it shall submit a formal written response to each such recommendation within 90 days after receiving the recommendation. The response shall indicate whether the Office intends—*

(A) *to carry out procedures to adopt the complete recommendations;*

(B) *to carry out procedures to adopt a part of the recommendations; or*

(C) *to refuse to carry out procedures to adopt the recommendations.*

(3) **TIMETABLE FOR COMPLETING PROCEDURES AND REASONS FOR REFUSALS.**—*A response under paragraph (2)(A) or (B) of this subsection shall include a copy of a proposed timetable for completing the procedures. A response under paragraph (2)(B) of this subsection shall detail the reasons for the refusal to carry out procedures on the remainder of the recommendations. A response under paragraph (2)(C) of this subsection shall detail the reasons for the refusal to carry out procedures to adopt the recommendations.*

(4) **PUBLIC AVAILABILITY.**—*The Office shall make a copy of each recommendation and response available to the public, including in electronic form.*

(5) **REPORTS TO CONGRESS.**—*The Office shall submit to Congress on January 1 of each year for which funds are authorized pursuant to this Act a report describing each recommendation on pipeline safety made by the National Transportation Safety Board to the Office during the prior year and the Office's response to each recommendation.*

(h) **DAMAGE PREVENTION ACTIVITIES.**—*Out of amounts authorized under subsection (a), there are authorized to be appropriated to the Department of Transportation \$500,000 for fiscal year 2000, to remain available for expenditure until the end of fiscal year 2001, to support damage prevention activities, including public education*

and awareness, arising out of the best practices study conducted under section 6105 of this title.

