

109TH CONGRESS
2^D SESSION

H. R. 5678

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.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2006

Mr. YOUNG of Alaska (for himself and Mr. OBERSTAR) (both by request): introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

3 (a) **SHORT TITLE.**—This Act may be cited as the
 4 “Pipeline Safety and Reliability Improvement Act of
 5 2006”.

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

13 (c) **TABLE OF CONTENTS.**—

Sec. 1. Short title; amendment of title 49, United States Code; table of con-
 tents.

Sec. 2. Pipeline safety and damage prevention.

Sec. 3. Energy transportation infrastructure reliability.

Sec. 4. Authorization of appropriations.

14 **SEC. 2. PIPELINE SAFETY AND DAMAGE PREVENTION.**

15 (a) **ONE-CALL CIVIL ENFORCEMENT.**—

16 (1) Section 60114 is amended by adding at the
 17 end a new subsection (d) to read as follows:

18 “(d) **ENFORCEMENT.**—Any person who engages in
 19 excavation activity without first using an available one-call
 20 notification system to establish the location of under-
 21 ground facilities in the excavation area, who disregards lo-
 22 cation information or markings established by a pipeline
 23 facility operator, or who fails to take reasonable steps to

1 ensure safe excavation to prevent damage to a pipeline,
2 shall be subject to any action available under this chapter,
3 including a civil action under section 60120, an adminis-
4 trative action under this chapter, including the assessment
5 of civil penalties under section 60122, and, if appropriate,
6 a criminal action under section 60123.”.

7 (2) Section 60122(a)(1) is amended in the first
8 sentence by inserting “, 60114(d),” between “section
9 60114(b)” and “or 60118(a) of this title”.

10 (b) STATE DAMAGE PREVENTION PROGRAMS.—

11 (1) Section 60105(b)(4) is amended to read as
12 follows:

13 “(4) has committed to establishing a program
14 designed to prevent damage by excavation, demoli-
15 tion, tunneling, or construction activity to the pipe-
16 line facilities to which the certification applies that
17 subjects persons who violate the applicable require-
18 ments of that program to civil penalties and other
19 enforcement actions that are substantially the same
20 as are provided under this chapter, and addresses
21 the elements in section 60134(b);”.

22 (2) Chapter 601 is amended by adding at the
23 end the following new section:

1 **“§ 60134. State damage prevention programs**

2 “(a) IN GENERAL.—In order to qualify for a grant
3 under this section, each State authority (including a mu-
4 nicipality if the agreement applies to intrastate gas pipe-
5 line transportation) having an annual certification in ac-
6 cordance with section 60105 or an agreement in accord-
7 ance with section 60106 shall have an effective damage
8 prevention program that meets the requirements of sub-
9 section (b).

10 “(b) DAMAGE PREVENTION PROGRAM ELEMENTS.—

11 An effective damage prevention program includes the fol-
12 lowing elements:

13 “(1) Participation by operators, excavators, and
14 other stakeholders in the development and imple-
15 mentation of methods for establishing and maintain-
16 ing effective communications between stakeholders
17 from receipt of an excavation notification until suc-
18 cessful completion of the excavation, as appropriate.

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

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

1 “(4) Participation by operators, excavators, and
2 other stakeholders in the development and imple-
3 mentation of effective employee training programs to
4 ensure that operators, the one-call center, the en-
5 forcing agency, and the excavators have partnered to
6 design and implement training for the employees of
7 operators, excavators, and locators.

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

11 “(6) A process for resolving disputes that de-
12 fines the State authority’s role as a partner and
13 facilitator to resolve issues.

14 “(7) Enforcement of State damage prevention
15 laws and regulations for all aspects of the excavation
16 process, including public education, and the use of
17 civil penalties for violations assessable by the appro-
18 priate State authority.

19 “(8) A process for fostering and promoting the
20 use, by all appropriate stakeholders, of improving
21 technologies that may enhance communications, un-
22 derground pipeline locating capability, and gathering
23 and analyzing information about the accuracy and
24 effectiveness of locating programs.

1 “(9) A process for review and analysis of the ef-
2 fectiveness of each program element, including a
3 means for implementing improvements identified by
4 such program reviews.

5 “(c) GRANTS TO STATES.—

6 “(1) IN GENERAL.—The Secretary may make a
7 grant of financial assistance to a State that qualifies
8 under this section to assist in improving the overall
9 quality and effectiveness of a damage prevention
10 program of a State. In making grants under this
11 section, the Secretary shall take into consideration
12 the commitment of each State to ensuring the effec-
13 tiveness of its damage prevention program, including
14 legislative and regulatory actions taken by the State.

15 “(2) APPLICATION.—If a State authority files
16 an application for a grant under this section not
17 later than September 30 of a calendar year, the Sec-
18 retary of Transportation shall review the State’s
19 damage prevention program to determine its effec-
20 tiveness. For programs determined to be effective,
21 the Secretary may make a grant of financial assist-
22 ance for the cost of the personnel, equipment, and
23 activities the authority reasonably requires during
24 the next calendar year to carry out an effective dam-
25 age prevention program as described in subsection

1 (b) of this section. A grant made under this section
2 is not subject to the section 60107(a) limitation on
3 the maximum percentage of funds to be paid by the
4 Secretary. A State authority filing an application
5 under this subsection shall demonstrate that the
6 Governor (or chief executive) has designated it as
7 the appropriate State authority to receive the grant
8 funds. Funds provided under this section may not be
9 used for lobbying or in direct support of litigation.

10 “(d) AUTHORIZATION OF APPROPRIATIONS.—To
11 carry out this section, the following amounts are author-
12 ized to be appropriated to the Secretary:

13 “(1) \$1,500,000 for fiscal year 2008 to be de-
14 rived from amounts appropriated to the Secretary
15 under section 60125(c) of this title.

16 “(2) \$1,750,000 for fiscal year 2009 to be de-
17 rived from amounts appropriated to the Secretary
18 under section 60125(c) of this title.

19 “(3) \$2,000,000 for fiscal year 2010 to be de-
20 rived from amounts appropriated to the Secretary
21 under section 60125(c) of this title.

22 Such funds shall remain available until expended.”.

23 (3) The table of sections of chapter 601 is
24 amended by adding at the end the following new
25 item:

“60134. State damage prevention programs.”.

1 (c) STATE PIPELINE SAFETY GRANTS.—Section
2 60107(a) is amended by striking “not more than 50 per-
3 cent” and inserting in its place “not more than 80 per-
4 cent”.

5 (d) DAMAGE PREVENTION TECHNOLOGY DEVELOP-
6 MENT.—Section 60114 (as amended by this section) is
7 further amended by adding at the end the following new
8 subsection:

9 “(e) TECHNOLOGY DEVELOPMENT GRANTS.—To the
10 extent and in the amount provided in advance in appro-
11 priations acts, the Secretary may make grants to any or-
12 ganization or entity (not including for-profit entities) for
13 the development of technologies that will facilitate the pre-
14 vention of pipeline damage caused by excavation activities,
15 with emphasis on wireless and global positioning tech-
16 nologies having potential for use in connection with notifi-
17 cation systems and underground facility locating and
18 marking services. If a grant is made pursuant to this sub-
19 section, the Secretary shall establish and follow appro-
20 priate procedures for awarding grants under this sub-
21 section and shall ensure that any funds granted are prop-
22 erly used. Funds provided under this subsection may not
23 be used for lobbying or in direct support of litigation. The
24 Secretary may also support such technology development

1 through cooperative agreements with trade associations,
2 academic institutions, and other qualified organizations.”.

3 (e) SAFETY ORDERS.—Section 60117(l) is amended
4 to read as follows:

5 “(l) SAFETY ORDERS.—

6 “(1) IN GENERAL.—The Secretary may make a
7 grant of financial assistance to a State that qualifies
8 under this section to assist in improving the overall
9 quality and effectiveness of a damage prevention
10 program of a State. In making grants under this
11 section, the Secretary shall take into consideration
12 the commitment of each State to ensuring the effec-
13 tiveness of its damage prevention program, including
14 legislative and regulatory actions taken by the State.

15 “(2) CONSIDERATION.—In making a determina-
16 tion under paragraph (1) of this section, the Sec-
17 retary shall, if relevant, consider—

18 “(A) the considerations specified in section
19 60112(b);

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

22 “(C) the likelihood that the condition will
23 progress over time;

1 “(D) the likelihood that the condition is
2 present or could develop on other areas of the
3 pipeline; and

4 “(E) other factors the Secretary considers
5 appropriate.”.

6 (f) GAS PIPELINE INTEGRITY REASSESSMENT.—Sec-
7 tion 60109(c)(3)(B) is amended to read as follows:

8 “(B) Subject to paragraph (5), periodic re-
9 assessment of the facility at a minimum of once
10 every 7 years, using methods described in sub-
11 paragraph (A), until the Secretary issues regu-
12 lations basing the reassessment intervals on
13 technical data, risk factors, and engineering
14 analyses.”.

15 (g) INTEGRITY PROGRAM ENFORCEMENT.—Section
16 60109(c)(9)(A)(iii) is amended to read as follows:

17 “(iii) INADEQUATE PROGRAMS.—If
18 the Secretary determines that a risk anal-
19 ysis or integrity management program does
20 not comply with the requirements of this
21 subsection or regulations issued as de-
22 scribed in paragraph (2), has not been ade-
23 quately implemented, or is inadequate for
24 the safe operation of a pipeline facility, the
25 Secretary may conduct proceedings under

1 sections 60108(a), 60112, 60118(a) and
2 (b), 60120, 60122, or any other section of
3 this chapter, to enforce the requirements.”.

4 (h) LIMITATION ON INFLATIONARY ADJUSTMENTS.—
5 Section 60122(a) is amended by adding at the end the
6 following new paragraph:

7 “(4) The maximum civil penalty amounts available
8 under this section are excepted from the inflation adjust-
9 ment requirements of section 4 of the Federal Civil Pen-
10 alties Inflation Adjustment Act of 1990, as amended by
11 the Debt Collection Improvement Act of 1996.”.

12 (i) DIRECT SALES LINES.—Subsection 60101(a) is
13 amended—

14 (1) in paragraph (6)—

15 (A) by striking “—” the first place it ap-
16 pears and all that follows through “(A) means
17 a gas pipeline” and inserting “means a gas
18 pipeline”;

19 (B) by striking subparagraph (B);

20 (C) by redesignating clauses (i) and (ii) as
21 subparagraphs (A) and (B), respectively; and

22 (D) by striking “(15 U.S.C. 717 et seq.);
23 but” and inserting “(15 U.S.C. 717 et seq.)”;

24 and

25 (2) in paragraph (9)—

1 (A) by striking “means—” and all that fol-
2 lows through “(A) a gas pipeline facility” and
3 inserting “means a gas pipeline facility”;

4 (B) by striking subparagraph (B); and

5 (C) by striking “(15 U.S.C. 717 et seq.);
6 and” and inserting “(15 U.S.C. 717 et seq.)”.

7 **SEC. 3. ENERGY TRANSPORTATION INFRASTRUCTURE RE-**
8 **LIABILITY.**

9 (a) PERMIT STREAMLINING.—

10 (1) CONSTRUCTION AND EXPANSION OF HAZ-
11 ARDOUS LIQUID PIPELINES.—

12 (A) Section 60133(e) is amended to read
13 as follows:

14 “(e) OMBUDSMAN.—The Secretary shall designate an
15 ombudsman to assist resolving disagreements between
16 Federal, State, and local agencies and pipeline operators
17 arising during agency review of pipeline repairs and haz-
18 ardous liquid pipeline construction projects in order to ex-
19 pedite pipeline projects, consistent with protection of
20 human health, public safety, and the environment.”.

21 (B) Section 60133(f) is amended by strik-
22 ing the first sentence and inserting the fol-
23 lowing: “The Secretary shall encourage States
24 and local governments to consolidate their re-
25 spective permitting processes for pipeline repair

1 and hazardous liquid pipeline construction
2 projects subject to any time periods for repairs
3 specified by rule by the Secretary.”.

4 (C) Section 60133 is further amended by
5 adding at the end the following new subsection:

6 “(g) CONSTRUCTION AND EXPANSION OF PIPE-
7 LINES.—Upon request by any person proposing to con-
8 struct or expand a hazardous liquid pipeline, the Secretary
9 may coordinate the environmental reviews and permitting
10 processes of the agencies having responsibility for issuing
11 permits or otherwise authorizing pipeline construction
12 projects if the Secretary determines that coordinating the
13 permitting processes to expedite the completion of the
14 project would be in the national interest.”.

15 (2) PIPELINE REPAIRS.—Section 60133 (as
16 amended by this subsection) is further amended by
17 adding at the end the following new subsection:

18 “(h) PRESUMPTIVE EXCLUSIONS.—

19 “(1) NEPA REVIEW.—With respect to any of
20 the activities described in paragraph (3) of this sub-
21 section, including activities on non-Federal land, if
22 the Federal agency having responsibility for con-
23 ducting environmental reviews under the National
24 Environmental Policy Act of 1969 (42 U.S.C. 4321
25 et seq.) (NEPA) determines that—

1 “(A) the proposed activity is substantially
2 similar to a pipeline repair activity for which
3 the Interagency Committee has developed or
4 adopted best practices under subsection (a)(3)
5 of this section for determining and reducing or
6 eliminating the potential for significant impacts
7 to the human environment under NEPA,

8 “(B) the proposed repair activity is con-
9 sistent with these best practices, and

10 “(C) in the absence of extraordinary cir-
11 cumstances, the proposed repair activity is not
12 likely to individually or cumulatively result in
13 significant impacts on the human environment,
14 then a Federal agency having responsibility for con-
15 ducting environmental reviews under NEPA or co-
16 ordinating the permitting process may, in consulta-
17 tion with the Council on Environmental Quality,
18 adopt categorical exclusions for those repair activi-
19 ties, and actions by those agencies regarding pipeline
20 repair permits shall be subject to a rebuttable pre-
21 sumption that the use of a categorical exclusion will
22 apply.

23 “(2) ESA REVIEW.—With respect to any of the
24 activities described in paragraph (3) of this sub-
25 section, including activities on non-Federal land, if

1 the Secretary of Interior or the Secretary of Com-
2 merce—

3 “(A) determines that a proposed activity is
4 substantially similar to a pipeline repair activity
5 for which the Interagency Committee has devel-
6 oped or adopted best practices under subsection
7 (a)(3) of this section for determining and re-
8 ducing or eliminating impacts to listed species
9 under the Endangered Species Act of 1973 (16
10 U.S.C. 1531 et seq.) (ESA),

11 “(B) concludes that if these best practices
12 are followed, the repair activity is not likely to
13 jeopardize the continued existence of any listed
14 species or adversely modify the habitat of such
15 species, and

16 “(C) concludes that the repair activity
17 would not conflict with any existing biological
18 opinion or any agreement made under the ESA
19 relating to the geographic area where the pro-
20 posed pipeline repair will occur,

21 then action by the Secretary of the Interior or the
22 Secretary of Commerce regarding pipeline repair
23 permits shall be subject to a rebuttable presumption
24 that the ESAs biological assessment and consulta-
25 tion requirements have been satisfied.

1 “(3) ACTIVITIES DESCRIBED.—The activities
2 referred to in paragraphs (1) and (2) are the fol-
3 lowing:

4 “(A) Site repairs required to ensure the in-
5 tegrity of an existing pipeline facility performed
6 entirely within an existing right-of-way corridor
7 that do not change the physical character of the
8 facility and where the facility was constructed
9 in accordance with the environmental reviews
10 and authorizations, if any, required by Federal
11 law.

12 “(B) Functional replacement of pipeline
13 equipment performed entirely within an existing
14 right-of-way corridor that does not change the
15 physical character of the facility and where the
16 facility was constructed in accordance with the
17 environmental reviews and authorizations, if
18 any, required by Federal law.”.

19 (b) INTERNATIONAL ACTIVITIES.—Section 60117 (as
20 amended by section 2 of this Act) is further amended by
21 adding at the end the following new subsection:

22 “(m) INTERNATIONAL UNIFORMITY OF STANDARDS
23 AND REQUIREMENTS.—

24 “(1) PARTICIPATION IN INTERNATIONAL FO-
25 RUMS.—Subject to guidance and direction from the

1 Secretary of State, the Secretary of Transportation
2 may participate in international forums that estab-
3 lish or recommend mandatory standards and re-
4 quirements for transporting gas and hazardous liq-
5 uids by pipeline in international commerce.

6 “(2) CONSULTATION.—The Secretary may con-
7 sult with interested authorities to ensure that, to the
8 extent practicable, regulations the Secretary pre-
9 scribes under this chapter are consistent with stand-
10 ards and requirements related to transporting gas
11 and hazardous liquids by pipeline that international
12 authorities adopt.

13 “(3) DIFFERENCES IN INTERNATIONAL STAND-
14 ARDS AND REQUIREMENTS.—If the Secretary pre-
15 scribes a standard or requirement concerning inter-
16 national transportation by pipeline, nothing in this
17 section requires that such standard be identical to a
18 standard or requirement adopted by an international
19 authority.

20 “(4) INFORMATION EXCHANGE AND TECHNICAL
21 ASSISTANCE.—Subject to guidance and direction of
22 the Secretary of State, the Secretary of Transpor-
23 tation may engage in activities to support inter-
24 national efforts to share information about the risks
25 to the public and the environment from pipelines

1 and means of protecting against those risks. The
2 Secretary may provide technical assistance to domes-
3 tic and appropriate international organizations to fa-
4 cilitate efforts to reduce or eliminate inconsistent re-
5 quirements that inhibit the safety and efficiency of
6 pipeline transportation in or affecting interstate or
7 foreign commerce.”.

8 (c) EMERGENCY PREPAREDNESS.—

9 (1) EMERGENCY WAIVERS.—Section 60118(c)
10 is amended to read as follows:

11 “(c) WAIVERS BY SECRETARY.—

12 “(1) NONEMERGENCY WAIVERS.—On applica-
13 tion of a person owning or operating a pipeline facil-
14 ity, the Secretary by order may waive compliance
15 with any part of an applicable standard prescribed
16 under this chapter on terms the Secretary considers
17 appropriate, if the waiver is not inconsistent with
18 pipeline safety. The Secretary shall state in the
19 order the reasons for granting a waiver under this
20 paragraph. The Secretary may act on a non-
21 emergency waiver only after notice and an oppor-
22 tunity for a hearing.

23 “(2) EMERGENCY WAIVERS.—The Secretary by
24 order may waive compliance with any part of an ap-
25 plicable standard prescribed under this chapter on

1 terms the Secretary considers appropriate without
2 prior notice and comment if the Secretary deter-
3 mines that the waiver is necessary to address an ac-
4 tual or impending emergency involving pipeline
5 transportation, including but not limited to emer-
6 gencies caused by natural or manmade disasters.
7 The Secretary shall state in the order the reasons
8 for granting a waiver under this paragraph.”.

9 (2) RESTORATION OF OPERATIONS.—Section
10 60301(d) is amended—

11 (A) in paragraph (1)(B), by striking
12 “and”;

13 (B) by redesignating paragraph (2) as
14 paragraph (3); and

15 (C) by inserting after paragraph (1) the
16 following new paragraph:

17 “(2) may be used for activities involving the
18 restoration of energy pipelines that have been or are
19 anticipated to become disrupted by manmade or nat-
20 ural disaster, including aid to other Federal agen-
21 cies; and”.

22 (d) PETROLEUM TRANSPORTATION CAPACITY
23 STUDY.—(1) Chapter 601 (as amended by this Act) is fur-
24 ther amended by adding at the end the following new sec-
25 tion:

1 **“§ 60135. Petroleum product transportation capacity**
2 **study**

3 “(a) IN GENERAL.—The Secretary of Transportation
4 may conduct analyses of the domestic transport of petro-
5 leum products by pipeline. Such analyses should identify
6 areas of the United States where shortages of pipeline ca-
7 pacity and reliability concerns exist, where such shortages
8 have or are anticipated to contribute to significant in-
9 creases in the price of petroleum products, or where un-
10 planned loss of individual pipelines may cause shortages
11 of petroleum products or price disruptions. For the pur-
12 pose of this section, ‘petroleum product’ means oil of any
13 kind or in any form, gasoline, diesel fuel, aviation fuel,
14 fuel oil, kerosene, any product obtained from refining or
15 processing of crude oil, liquefied petroleum gases, natural
16 gas liquids, petrochemical feedstocks, condensate, waste or
17 refuse mixtures containing any of the above, and any other
18 liquid hydrocarbon compounds.

19 “(b) CONSULTATION.—In preparing any such anal-
20 yses, the Secretary may consult with other government
21 agencies and public- and private-sector experts in pipeline
22 and other forms of petroleum product transportation, en-
23 ergy consumption, capacity, population, and economic de-
24 velopment.

25 “(c) DATA COLLECTION.—

1 “(1) The Secretary may collect information rel-
2 evant to the study from the Department of Energy’s
3 Energy Information Administration and may enter
4 into an interagency agreement for this purpose.

5 “(2) In the absence of sufficient information
6 collection by the Energy Information Administra-
7 tion, the Secretary may collect information relevant
8 to the study in any other manner.”.

9 (2) The table of sections of chapter 601 is further
10 amended by adding at the end the following new item:

 “60135. Petroleum product transportation capacity study.”.

11 (e) COST REIMBURSEMENTS.—Section 60117 (as
12 amended by section 2 of this Act and subsection (b) of
13 this section) is further amended by adding at the end the
14 following new subsection:

15 “(n) COST RECOVERY FOR DESIGN REVIEWS.—If the
16 Secretary conducts facility design safety reviews, con-
17 sulting, or field work in connection with a proposal to con-
18 struct, expand, or operate a pipeline system or liquefied
19 natural gas pipeline facility, the Secretary may require the
20 person requesting such reviews or consulting to pay the
21 associated costs incurred by the Secretary, such funds to
22 be deposited into the pipeline safety fund. Funds deposited
23 pursuant to this section are authorized to be appropriated
24 for the purposes set forth in section 60301(d). The Sec-
25 retary may assess such costs in any reasonable manner.”.

1 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) Section 60125(a) is amended to read as follows:

3 “(a) GAS AND HAZARDOUS LIQUID.—To carry out
4 this chapter (except for section 60107) related to gas and
5 hazardous liquid, the following amounts are authorized to
6 be appropriated to the Department of Transportation,
7 from fees collected under section 60301 in each respective
8 year, and from the Oil Spill Liability Trust Fund as speci-
9 fied below:

10 “(1) For fiscal year 2007, \$55,497,000, of
11 which \$39,872,000 is from fees and \$15,625,000 is
12 from the Fund.

13 “(2) For fiscal year 2008, \$57,997,000, of
14 which \$42,651,000 is from fees and \$15,346,000 is
15 from the Fund.

16 “(3) For fiscal year 2009, \$60,482,000, of
17 which \$44,839,000 is from fees and \$16,003,000 is
18 from the Fund.

19 “(4) For fiscal year 2010, \$62,375,000, of
20 which \$46,444,000 is from fees and \$15,931,000 is
21 from the Fund.”.

22 (b) Section 60125(b)(1) concerning State grants is
23 amended to read as follows:

24 “(1) To carry out section 60107 of this chapter, the
25 following amounts are authorized to be appropriated to the
26 Department of Transportation, from fees collected under

1 section 60301 in each respective year, and from the Oil
2 Spill Liability Trust Fund as specified below:

3 “(A) For fiscal year 2007, \$20,238,000, of
4 which \$17,053,000 is from fees and \$3,185,000 is
5 from the Fund.

6 “(B) For fiscal year 2008, \$23,221,000, of
7 which \$19,567,000 is from fees and \$3,654,000 is
8 from the Fund. Of the amount appropriated to carry
9 out section 60107 of this title, \$1,500,000 shall be
10 available for fiscal year 2008 for the grants to
11 States authorized in section 60134.

12 “(C) For fiscal year 2009, \$24,513,000, of
13 which \$20,656,000 is from fees and \$3,857,000 is
14 from the Fund. Of the amount appropriated to carry
15 out section 60107 of this title, \$1,750,000 shall be
16 available for fiscal year 2009 for the grants to
17 States authorized in section 60134.

18 “(D) For fiscal year 2010, \$25,855,000, of
19 which \$21,786,000 is from fees and \$4,069,000 is
20 from the Fund. Of the amount appropriated to carry
21 out section 60107 of this title, \$2,000,000 shall be
22 available for fiscal year 2010 for the grants to
23 States authorized in section 60134.”.

24 (c) Section 60125(c) is hereby repealed.

1 (d) Sections 60125(d) and 60125(e) are redesignated
2 as sections 60125(c) and 60125(d), respectively.

3 (e) Section 60125(c)(2), as redesignated by sub-
4 section (d) of this section, is amended by striking “2003
5 through 2006” and inserting “2007 through 2010”.

6 (f) Section 6107 is amended—

7 (1) in subsection (a), by striking “fiscal years
8 2003 through 2006” and inserting “fiscal years
9 2007 through 2010”; and

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

13 (g) Section 5128 is amended—

14 (1) in subsection (a)—

15 (A) by adding at the end the following new
16 paragraph:

17 “(5) For fiscal year 2009, such sums as may be
18 necessary.”; and

19 (B) by adding at the end the following new
20 paragraph:

21 “(6) For fiscal year 2010, such sums as may be
22 necessary.”;

23 (2) in subsection (b), by striking “through
24 2008” in the introductory language and inserting
25 “through 2010”; and

1 (3) in subsection (c), by striking “through
2 2008” and inserting “through 2010”.

○