

Opening Statement of Republican Leader Fred Upton
Subcommittee on Energy
“The State of Pipeline Safety and Security in America”
May 1, 2019
As Prepared for Delivery

Thank you, Mr. Chairman for holding this hearing to begin our work to reauthorize the nation’s pipeline safety laws. I would also like to thank you for making this a bipartisan effort, and for working with us to select the witnesses and prepare for this hearing. We have a great track record when we work together from the very beginning, especially when it involves public safety.

Throughout my time in Congress, I have especially prioritized pipeline safety. It’s personal for me, as it is for those of us who have had to deal with a pipeline accident in our home state. I often recall the 2010 oil spill in the Kalamazoo River, near my district, which lead to the passage of our pipeline safety bill in 2012. In response to the Kalamazoo spill specifically, we cut down on the incident reporting time and upped the financial penalties for violations.

In 2016, we came together again to pass another bipartisan pipeline safety bill, which is set to expire at the end of this fiscal year. I am proud of the work we accomplished with that bill, particularly the language that I was able to include to require mandatory annual inspections for certain pipeline crossings, such as Enbridge’s Line 5,

which crosses the Straits of Mackinac at a depth of more than 250 below the surface of the water.

Mr. Chairman, as we turn to this upcoming reauthorization, I hope that we can receive a commitment from you to adopt the same bipartisan formula that worked so well the last two times we did pipeline safety reauthorization.

I am confident that today's hearing will provide us with a good start. We have two panels offering a diverse range of views, including the Administrator of PHMSA, a Commissioner from the Ohio Public Utility Commission, a representative from the Government Accountability Office, representatives of oil and gas pipeline operators, and pipeline safety advocates.

As one can tell from the witness lineup, an effective pipeline safety and security program requires communication and cooperation among a wide array of stakeholders.

Today's hearing will also allow Members to examine GAO's recommendations to address significant weaknesses in TSA's pipeline security program management. I was disappointed to learn that while TSA was invited to participate in today's hearing, the agency declined to appear. Going forward, I encourage the Administration and TSA to take this matter seriously and cooperate with the Committee.

We know from the Committee's oversight that TSA staffing issues are a major limitation. Even though TSA has over 50,000 employees, only a handful are assigned to pipeline security. I understand that TSA only had 6 full time equivalent staff assigned to pipeline security in 2018. Only 6 out of 50,000 employees!

Strengthening cybersecurity for pipelines is an issue I care deeply about, and I believe Congress needs to act. I have a bill, H.R. 370 – the Pipeline and LNG facility Cybersecurity Preparedness Act, that would help address some of the vulnerabilities outlined in the GAO report.

Although my bill is more focused on DOE's role as the sector-specific agency for energy, I am committed to getting it over the finish line, and I am open-minded about ways to strengthen cybersecurity through our pipeline safety reauthorization bill.

At the end of the day, we cannot separate pipeline safety from pipeline security, and we cannot allow agencies to carry out a turf war over jurisdiction. Especially if they are going to refuse to testify before the Energy and Commerce Committee.

With that, Mr. Chairman, thank you for holding this hearing and I will yield back.