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5 AMERICA'S ENERGY INFRASTRUCTURE:

6 AUTHORIZING PIPELINE SAFETY

7 WEDNESDAY, MARCH 4, 2026

8 House of Representatives,

9 Subcommittee on Energy,

10 Committee on Energy and Commerce,

11 Washington, D.C.

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16 The subcommittee met, pursuant to call, at 10:15 a.m., in Room 2123, Rayburn House Office
17 Building, Hon. Robert E. Latta [chairman of the subcommittee] presiding.

18 Present: Representatives Latta, Palmer, Allen, Balderson, Pfluger, Harshbarger,
19 Miller-Meeks, Bentz, Fry, Evans, Goldman, Fedorchak, Guthrie (ex officio), Castor, Peters, Menendez,
20 Mullin, McClellan, DeGette, Matsui, Tonko, Veasey, Schrier, Fletcher, Auchincloss, and Pallone (ex
21 officio).

22 Also Present: Representative Joyce.

23 Staff Present: Andrew Furman, Professional Staff Member, Energy; Sydney Greene,
24 Director, Finance and Logistics; Annabelle Huffman, Clerk, Health; Calvin Huggins, Clerk, Energy;
25 Megan Jackson, Staff Director; AT Johnson, Special Advisor; Sophie Khanahmadi, Deputy Staff

26 Director; Mary Martin, Chief Counsel, Energy; Sarah Meier, Counsel and Parliamentarian; Joel Miller,
27 Chief Counsel; Ben Mullaney, Press Secretary; Lillian Noland, Staff Assistant; Seth Ricketts, Special
28 Assistant; Peter Spencer, Senior Professional Staff Member, Energy; Timothy Trimble, Staff Assistant;
29 Jane Vickers, Press Assistant; Tiffany Guarascio, Minority Staff Director; Jackson Hall, Minority Intern;
30 Kristopher Pittard, Minority Professional Staff Member; Emma Roehrig, Minority Staff Assistant;
31 Kylea Rogers, Minority Policy Analyst; Andrew Souvall, Minority Director of Communications,
32 Outreach and Member Services; Hannah Treger, Minority Staff Assistant; Kyle Wolf, Minority Press
33 Intern; and Tuley Wright, Minority Staff Director, Energy.

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36 Mr. Latta. The Subcommittee on Energy will now come to order. The chair recognizes
37 himself for 5 minutes for an opening statement.

38 Again, good morning and welcome to today's Energy Subcommittee hearing to discuss
39 legislation authorizing the Pipeline and Hazardous Material Safety Administration's Pipeline Safety
40 Program.

41 We welcome our witness, the Honorable Paul Roberti, the Administrator of the Pipeline and
42 Hazardous Material Safety Administration, or PHMSA, and thank him for appearing before us today.
43 Your perspective will inform our legislative effort and update us on the Administration's priorities for
44 maintaining the safety of America's pipeline infrastructure and enabling the safe expansion of it.

45 It is good to have a Senate-confirmed Administrator leading this vital safety agency after the
46 record-long vacancy under the Biden-Harris administration.

47 PHMSA is an agency under the U.S. Department of Transportation, DOT, that develops and
48 enforces Federal safety regulations for the Nation's pipeline infrastructure and the transportation of
49 hazardous materials. PHMSA works closely with industry and pipeline operators to ensure the safe
50 delivery of the Nation's most abundant energy resources from natural gas and crude oil to propane,
51 jet fuel, gasoline, and other refined petroleum products.

52 States also play an essential role in carrying out PHMSA's pipeline safety program, acting as
53 boots on the ground to help inspect and oversee the safety of over 3.3 million miles of both liquid
54 and gas pipelines in PHMSA's jurisdiction. In fact, States inspect and enforce the pipeline safety
55 regulations for 85 percent of the infrastructure under PHMSA's safety authority.

56 Pipelines continue to be the safest and most efficient mode of transport for the energy of
57 American families, and our economy depends on it.

58 Reliable, affordable natural gas makes up almost half of our country's resource mix for power
59 generation, and more than half of the American families run on natural gas to heat their homes, cook

60 their food, and power their lives. Pipeline infrastructure in this country is essential to ensure the
61 safe delivery of energy to fuel our country.

62 To advance PHMSA's mission to oversee the safety of our pipeline infrastructure, we will
63 review the discussion draft before us today, and that draft legislation before us today focuses on
64 safety, exactly as Congress originally intended with PHMSA's mission. This discussion draft
65 reauthorizes PHMSA for 5 years, enabling PHMSA to continue modernizing and enhancing its pipeline
66 safety program.

67 The draft would codify several important provisions to improve the efficiency and safety of
68 the agency. For example, the bill would remove duplicative regulations that do not improve safety,
69 clarify the PHMSA's cost-benefit analysis focuses on safety and not anti-energy agendas, reduces red
70 tape so special permit programs can efficiently focus on pertinent safety requirements, strengthen
71 penalties for pipeline safety violations that impair pipeline operations, establish a voluntary
72 information-sharing program to advance good safety products among pipeline operators, and ensure
73 State damage prevention programs adopt best practices to reduce the leading cause of pipeline
74 damage incidents.

75 The United States' energy system is at a turning point. We are witnessing unprecedented
76 energy demand not seen in decades, and demand is only expected to increase over the next several
77 years, of which we have heard from almost probably every witness that we have had before us,
78 saying that we need more energy.

79 Safe, efficient deployment and oversight of our gas and liquid pipeline system is key to
80 providing reliable energy and power to American families. For too long, sound pipeline safety
81 policy has been hijacked by the environmental left, intent on stymieing the pipeline expansion and
82 limiting its massive benefits to our Nation.

83 I look forward to working with PHMSA's pipeline operators and relevant stakeholders to make
84 sure the pipeline safety program is efficient, predictable, and focused on safety priorities that

85 promote confidence and enable the safe expansion of our pipeline system.

86 I hope to work with my colleagues on both sides of the aisle to advance legislation that
87 provides for durable and focused safety oversight appropriate to the pipeline infrastructure.

88 Again, we want to thank you, Administrator Roberti, for being with us today.

89 And, with that, I yield back, and the chair now recognizes the gentlelady from Florida's 14th
90 District, the ranking member of the subcommittee, for 5 minutes for an opening statement.

91 [The prepared statement of Mr. Latta follows:]

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93 ***** COMMITTEE INSERT *****

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95 Ms. Castor. Well, thank you, Mr. Chairman, and welcome to Administrator Roberti.

96 Colleagues, pipeline safety should be a bipartisan priority for this committee. It should be
97 easy to agree that pipeline safety requires adequate resources. It requires a robust professional
98 workforce and a regulator willing to do its job to keep Americans safe.

99 Congress has proved that we can deliver on those goals, and we have done it in a bipartisan
100 way. We passed the PIPES Act of 2020 to address methane pollution and improve safety standards
101 for gas gathering lines and other pipeline segments. We followed that in 2021 with the Bipartisan
102 Infrastructure Law, which allocated \$1 billion over 5 years for grants to help replace leak-prone gas
103 pipelines.

104 Today's hearing should be about building on those successes. Unfortunately, as with so
105 many bills, our Republican colleagues have decided to bring through this committee, you are just not
106 living up to your responsibility to our hardworking neighbors back home. Because it appears, based
107 upon the work product from the Republican side of the aisle, that you are not serious about pipeline
108 safety.

109 You have allowed the office, PHMSA's Office of Pipeline Safety authorization to lapse for over
110 2.5 years. Meanwhile, the Senate Commerce Committee passed a bipartisan PHMSA
111 reauthorization bill. The House Transportation and Infrastructure Committee passed a bipartisan
112 bill. But, unfortunately, the Energy and Commerce Republicans have decided to write a bill without
113 Democratic input, which only reflects the priorities of oil and gas polluters. This is not how we craft
114 serious, durable policy.

115 Colleagues, PHMSA needs reform, such as new authorities to regulate emerging technology
116 like hydrogen and carbon dioxide pipelines. These are industries that Republicans say they support,
117 but the bill is silent. It doesn't authorize any studies or rulemakings that would help us make these
118 industries safer.

119 PHMSA also needs resources, but this bill authorizes nearly \$200 million per year less than the
120 House Transportation and Infrastructure Committee has passed. PHMSA needs staff, which is why
121 the House T&I bill authorizes an increase in the number of employees with certain subject-matter
122 expertise. The Energy and Commerce Committee bill does nothing for workforce development.

123 It also is silent while the Trump administration has cut the number of employees at PHMSA by
124 14 percent, or they have declined, anyway. Nearly all of PHMSA's senior career staff chose to leave
125 rather than endorse the administration's actions.

126 PHMSA also needs congressional oversight, particularly now. Pipeline safety enforcement
127 was cut in half in 2025. PHMSA should hold dangerous actors accountable by increasing maximum
128 penalties for breaking the law, but this still does nothing to strengthen enforcement.

129 Just last week, the President stood before Congress and claimed that he has rapidly ended
130 high prices. That is not true, and our hardworking neighbors back home know this very well.
131 Electricity prices are up 13 percent on average but much higher in many places. The average U.S.
132 household paid \$116 more in their electricity bills last year compared to the year before. Many are
133 paying more.

134 Since Trump took office, utilities have proposed rate hikes of at least \$92 billion, as illegal
135 tariffs have cost hardworking Americans thousands of dollars. And, amidst all of this pain, the
136 administration is trying to gut energy assistance and disaster relief programs.

137 And, now, based upon the war in Iraq, the future is very uncertain for the cost of energy. It
138 looks like, again, the average working American and businesses that rely on consistent energy are
139 going to be paying more. All of that is going to continue this affordability squeeze that I know my
140 folks back home can't afford. None of it lowers costs, and none of this keeps Americans safe.

141 Once again, the President is proving he has no solutions to real problems of hardworking
142 families. If they are looking in the Energy and Commerce Committee, their time is probably better
143 spent elsewhere.

144 But hope springs eternal. I really encourage my Republican colleagues to work with us to
145 develop a real PHMSA reauthorization bill that protects the American people, not just oil and gas
146 interests.

147 Thanks and I yield back my time.

148 [The prepared statement of Ms. Castor follows:]

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150 ***** COMMITTEE INSERT *****

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152 Mr. Latta. Thank you. The gentlelady yields back.

153 The chair now recognizes the gentleman from Kentucky, the full committee chairman of the
154 Energy and Commerce Committee, for 5 minutes for an opening statement.

155 The Chair. Thank you, Mr. Chair. Thank you, Administrator Roberti, for being here. My
156 good friend from Florida used a term I was about to use, "hope springs eternal."

157 This is a discussion draft, and so there are opportunities for us to do this in a bipartisan way.
158 We hope that we can. I would note there are a couple of provisions that were not included in our
159 discussion draft because there were some concerns from the minority for them if they were
160 included. So, hopefully, that is a signal that we want to do this in good faith, and we want to work
161 together, and hopefully we can get to a solution.

162 So I would say look to the Energy and Commerce Committee. Hopefully, we can work
163 together to find common ground, but it has to be common ground. It can't be just one way or the
164 other. So we appreciate that, and hope does spring eternal that we can work together.

165 We are not working up next week. The discussion draft is before us, and, hopefully, the
166 opportunity to come up with a bipartisan solution because I believe, if we can do it, they are more
167 stable, and it gives people more certainty. So we will continue to work in that direction.

168 So PHMSA's pipeline safety program promotes safe delivery of more than two-thirds of our
169 Nation's energy products to market through its regulations and oversight and partnership with State
170 safety programs. As we consider today's pipeline safety discussion draft and the work and priorities
171 of PHMSA, we should not lose focus on the central role of pipelines.

172 The energy supplied through pipelines is the safest and most affordable form of fuel
173 transport. It is vital for keeping our lights on, for heating our homes, and for making many of the
174 products our modern society relies upon.

175 Pipeline infrastructure networks include about 2.4 million miles of natural gas lines serving 74

176 million American homes and businesses, and there are a half a million miles of oil and natural gas
177 transmission lines in the related storage infrastructure, which serves communities, manufacturers,
178 refiners, and transportation sector.

179 The recent winter storm, Fern, clearly demonstrated the benefits of this essential
180 infrastructure. People had the gas they needed to heat their homes during one of the largest cold
181 weather emergencies in years, and natural gas-fired power generators had the supplies to produce
182 the power needed when demand reached its peak.

183 This was lifesaving performance made possible by the pipeline transmission and storage
184 network that is designed to deliver the fuels Americans need when they need it.

185 We need a regulatory system designed to serve the lifesaving value of a safe and efficient
186 pipeline infrastructure, and we need to expand capacity to expand the benefits of energy. More
187 capacity means lower prices.

188 The discussion of the draft today provides a great opportunity to meet what should be a
189 bipartisan goal of expanding the safe delivery of affordable, reliable energy. I look forward to
190 working with my colleagues to provide the tools and guidance this administration needs to get this
191 done right.

192 Thank you, and I yield back.

193 [The prepared statement of The Chair follows:]

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195 ***** COMMITTEE INSERT *****

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197 Mr. Latta. Well, thank you very much. The gentleman yields back.

198 The chair now recognizes the gentleman from New Jersey, the ranking member of the full
199 committee, for 5 minutes of questions -- or, I'm sorry, for an opening statement.

200 Mr. Pallone. Thank you, Chairman Latta.

201 We are here today to discuss the Republican proposal to reauthorize the Pipeline and
202 Hazardous Material Safety Administration's pipeline safety activities more than 2 years after the last
203 authorization, the PIPES Act of 2020, expired.

204 It is disappointing to me that Republicans are, once again, choosing to go it alone on this
205 reauthorization because bipartisan cooperation is necessary to get any reauthorization across the
206 finish line, and that is exactly the approach that both the House Transportation and Infrastructure
207 Committee and the Senate Commerce Committee have taken, working together in producing
208 bipartisan bills.

209 It is also troubling that Republicans are choosing a partisan path when you look at how the
210 Trump administration has weakened and radically altered PHMSA's pipeline safety program over the
211 last year. Enforcement activities have fallen off a cliff. The number of pipeline enforcement cases
212 opened last year was roughly half of the average during the prior 4 years.

213 And, instead of focusing on safety in the first weeks of the Trump administration, PHMSA
214 withdrew two ready-to-be-finalized safety rules required by law and has yet to re-issue them.

215 PHMSA staffing is also a major issue with a 14 percent reduction and nearly all of its senior
216 career staff choosing to leave. So, even if the administration were to suddenly recognize the
217 importance of keeping our pipeline safe, it is unclear to me if PHMSA has the resources and staff
218 necessary to aggressively enforce our Nation's pipeline safety laws.

219 So, Administrator Roberti, I was, frankly, hopeful that, with your confirmation, the bleeding
220 and disorder of PHMSA would stop, but, unfortunately, that has not been the case. In recent

221 months, PHMSA has been engaged in a bogus audit of grants given to the Pipeline Safety Trust, the
222 Nation's only nonprofit dedicated to pipeline safety.

223 For months, PHMSA suspended reimbursements to the Pipeline Safety Trust and now is only
224 allowing the resumption of the grant on the condition that it not be used to compensate the trust
225 executive director, who testified before this committee last year on pipeline safety.

226 To me, this looks a lot like retaliation against the only organization working to shine a light on
227 the Trump administration's dangerous PHMSA agenda, and it is unacceptable and cannot happen
228 again.

229 You also recently issued a memo indicating that PHMSA would waive enforcing pipeline safety
230 rules for pipelines helping Trump's so-called energy dominance agenda. And, Administrator
231 Roberti, PHMSA does not have the authority to selectively enforce our Nation's laws based on
232 whether the President thinks a pipeline is important or not.

233 So let me now turn to the discussion draft before us today. This draft represents a marked
234 improvement over the version that committee Republicans proposed last Congress. It no longer
235 contains a number of provisions that Democrats had identified as poison pills and were completely
236 unrelated to pipeline safety.

237 However, any pipeline safety reauthorization must strengthen PHMSA's core safety and
238 enforcement responsibilities, especially in light of an administration that seems unwilling to do so.
239 And, on that count, this Republican bill falls short.

240 The bill fails to reauthorize a few provisions from the PIPES Act, including tag grants and
241 damage prevention programs that are vital to communities. It also fails to formally authorize the
242 continuation of the successful Bipartisan Infrastructure Law program to replace aging, unsafe
243 distribution pipelines across the Nation.

244 The draft bill attempts to roll back a requirement from the 2020 law that PHMSA consider
245 environmental harms and does nothing to push PHMSA to finalize safety rules for carbon dioxide

246 pipelines and methane leak detection. And, finally, the bill does nothing to enhance PHMSA's
247 ability to fight back against companies flouting its safety rules and regulations.

248 That is not to say the bill is all bad. I support the establishment of a voluntary
249 information-sharing system, and I also think that pushing States to adopt best practices for their
250 one-call excavation programs is a good idea, but the bad in this discussion draft outweighs the good.

251 Committee Republicans should learn the lessons of the partisan approach they took last
252 Congress and not repeat the same mistakes. There is ample time to negotiate and alter the bill
253 before a markup, and I am hopeful we can get to a bipartisan product just like the other two
254 committees have done.

255 If we can't, then we risk further delaying reauthorization of PHMSA's critical pipeline safety
256 authorities, and I don't think that is acceptable, and I don't believe Republicans do either.

257 So, Chairman Latta, let's work in a bipartisan fashion so we can produce a bill that keeps the
258 American people safe. I thank you. I yield back the balance of my time, Mr. Chairman.

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260 [The prepared statement of Mr. Pallone follows:]

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264 Mr. Latta. Thank you very much. The gentleman yields back.

265 And this now concludes member opening statements. The chair reminds members that,
266 pursuant to the committee rules, all members' opening statements will be made part of the record.

267 Again, we want to thank our witness for joining us today and taking the time to testify before
268 the subcommittee. Our witness will have an opportunity to give an opening statement, followed by
269 a round of questions from our members. Our witness today is Administrator Paul J. Roberti, the
270 pipeline and hazardous material safety -- from the safety administration.

271 And, before recognizing you, just some quick housekeeping. If you pull that mike up to you
272 close, we would appreciate that. And, also, with the lights, you will have 5 minutes. At 4 minutes,
273 it will be green; 1 minute when yellow; and, at red, times up.

274 So we appreciate you being here today, and at this time, you are recognized for 5 minutes for
275 an opening statement.

276
277 **STATEMENT OF THE HONORABLE PAUL J. ROBERTI, ADMINISTRATOR, PIPELINE AND HAZARDOUS**
278 **MATERIALS SAFETY ADMINISTRATION**

279

280 Mr. Roberti. Thank you.

281 Chairman Latta, Ranking Member Castor, and members of the subcommittee, thank you for
282 the invitation to testify on the reauthorization of the U.S. Department of Transportation's Pipeline
283 and Hard Material Safety Administration's pipeline safety program.

284 I appreciate the subcommittee's support for PHMSA's vital work for ensuring the safety of our
285 Nation's vast energy transportation network.

286 Safety drives everything we do at DOT and PHMSA. Our goal is a zero future -- zero incident
287 future for the Nation's network of over 3.3 million miles of pipelines transporting oil, gas, and other
288 energy products all across the country. A modern, safe, reliable transportation network is critical to
289 ensuring American homes and businesses always have access to the energy needed to power daily
290 life.

291 PHMSA's pipeline safety program has three key elements: Updating or developing new
292 regulations, policies and guidance for operators, using our inspection enforcement process to hold
293 pipeline operators accountable, and supporting research into new and promising technologies.
294 Each of these three elements is critical to ensuring the safety and reliability of our pipeline network,
295 which is more important than ever as the Nation experiences an energy renaissance propelled
296 innovative production technologies and growing global demand for U.S. energy.

297 Under Secretary Duffy's leadership, the PHMSA team has been hard at work unleashing
298 American energy and delivering on President Trump's America First agenda. PHMSA is operating
299 more efficiently and effectively than ever before, initiating more pro-growth, pro-safety rulemakings
300 in the first year of this administration than in the previous 4 years combined.

301 Our regulatory agenda has been heavily focused on modernizing regulations and eliminating
302 unnecessary and outdated requirements that do not advance safety. Many of PHMSA's regulations
303 have not been updated in decades, and last year, we initiated several concurrent efforts to update
304 key sections of our code to enhance safety and encourage continued industry innovation.

305 At the same time, PHMSA has revamped its enforcement program to ensure the process is
306 fair while continuing to hold operators accountable. PHMSA announced new inspection
307 enforcement priorities for the agency last year, a first-of-its-kind effort that recently led to the
308 issuance of the highest proposed civil administrative penalty in the agency's history. The agency is
309 also deploying its investigators earlier and more often to ensure that we are onsite when incidents
310 occur.

311 PHMSA remains laser focused on safety, which is why we have also redirected the agency's
312 research and development program to focus on projects that will improve the safety of our existing
313 infrastructure and to keep it operating safely for years to come.

314 PHMSA's most recent pipeline safety authorization expired in 2023. While the agency has
315 continued to operate since then, we appreciate the subcommittee's attention to extending our
316 authorization using a streamlined approach. PHMSA is continuing to work to complete several
317 outstanding mandates from past reauthorizations, and your bill will allow us to focus on advancing
318 those priorities without adding to the agency's backlog.

319 The committee's proposed approach introduces important statutory reforms aligned with the
320 Administration's efforts to modernize the agency, such as reforms to our special permit program.

321 I have been a public servant most of my career, and I am honored to return to PHMSA as
322 Administrator after 4 years in which the agency's top post was left vacant. Having served as both a
323 State utility regulator and as PHMSA's chief counsel, I know how critical the agency's work is to
324 ensuring public safety, and I am grateful that President Trump has prioritized returning the agency to
325 its core safety mission.

326 Today's PHMSA is more efficient, effective, and responsive than ever before. I am grateful
327 to the dedicated PHMSA staff for their hard work keeping the American people safe and ensuring
328 affordable domestic energy is available where it is needed.

329 In closing, thank you, again, Chairman Latta, Ranking Member Castor, and members of the
330 subcommittee for holding this hearing and for the opportunity to share my vision for a modern
331 PHMSA. I look forward to your questions.

332 [The prepared statement of Mr. Roberti follows:]

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336 Mr. Latta. Well, thank you very much for your testimony, and we will now move into the
337 question-answer portion of our hearing, and I will begin the questioning and recognize myself for 5
338 minutes.

339 Mr. Roberti, we often discuss affordability. Will increasing pipeline infrastructure help drive
340 down energy prices?

341 Mr. Roberti. I'm sorry?

342 Mr. Latta. We often discuss affordability. Will increasing pipeline infrastructure help drive
343 down energy prices?

344 Mr. Roberti. Absolutely, Chairman. The Nation's pipeline network remains the envy of the
345 world. The amount of energy that moves safely to propel our economy and our way of life is
346 really -- it is an incredible story. That infrastructure is critical.

347 We are not a permitting agency, but to the extent that the Nation will need more energy, and
348 we know that to be the case, then the safest way to move that energy to homes and businesses and
349 to power plants that support the electric grid is through pipelines.

350 Mr. Latta. As a regulator, you have a key role in enabling the safe expansion of the pipeline
351 infrastructure. What are your priorities in terms of expanding our pipeline infrastructure in a safe
352 manner?

353 Mr. Roberti. So our priorities are to breed trust in the safety of the transportation network.
354 It is to be an effective, streamlined, respected regulator to ensure that the code, on the one hand,
355 the regulations, which are in this book here, are modernized, that they are clear, that they are
356 up-to-date, that they take advantage of, that they reflect the engineering and technologies of today
357 and not from decades ago.

358 And, on the other hand, I think it would fall into three categories: compliance, enforcement,
359 and accountability. The industry needs to be held accountable to run their operations safely, and I

360 am highly, highly committed to that.

361 Mr. Latta. You mentioned something. You talk about modernization of the regulations
362 and also being clear. You know, that word "clear," when you talk about the Federal Government,
363 could also be kind of muddy. So what do we need to do on those regulations to make sure they are
364 clear for people across the country?

365 Mr. Roberti. So that is a really good question. One of the efforts I bring -- and my entire
366 leadership team are folks that have been in the Federal Government before. So we come back with
367 an understanding of how the government works. When we write regulations, less words are more.
368 We need to be very, very clear about what these regulations do so that we have transparency and a
369 full understanding by the industry of what they need to do. So having clear regulations is one piece
370 of it.

371 The other side of it is I think to make sure the industry knows where we are targeting our
372 enforcement, and our re-prioritization of our enforcement in the last year has sent a clear message
373 to industry of where we are going to target our enforcement so that they can focus on those areas of
374 their system because we are going to be coming out and inspecting in areas such as integrity
375 management programs, activities in high consequence areas. And, especially if an incident or
376 accident occurs, we are going to be there, and we are going to investigate it, and we are going to
377 make sure that the code was complied with.

378 Mr. Latta. Well, thank you.

379 PHMSA is responsible for not only developing the safety regulation but also enforcing it.
380 You just were mentioning that. Explain how you are prioritizing enforcement to ensure the most
381 significant safety concerns are always addressed.

382 Mr. Roberti. Yes, so, historically, PHMSA inspectors went out, and typically they would be,
383 you know, citing everything and anything. And the reassessment of the enforcement program was
384 to focus on areas where safety would be most impacted. So, again, as I mentioned, high

385 consequence areas, control rooms, and leak detection; knowing when a leak is occurring so that it
386 can be addressed immediately; accidents and incidents, avoiding accidents and incidents; excavation
387 damage, which I know is the subject of this bill.

388 Areas where we are seeing the greatest impacts to safety and impacts on the environment is
389 where we are prioritizing enforcement. That sends a clear message to industry where they should
390 devote their resources because that is where we are going to be looking.

391 Mr. Latta. Well, thank you. My time has almost expired, and I will submit my other
392 questions, written questions to you. And I will yield back.

393 And, at this time, I recognize the gentlelady from Florida, the ranking member of the
394 subcommittee, for 5 minutes for questions.

395 Ms. Castor. Thank you, Mr. Chairman. Welcome, Mr. Administrator.

396 Mr. Roberti. Thank you.

397 Ms. Castor. The Pipeline and Hazardous Material Safety Administration's pipeline safety
398 program oversees the safety of 3.3 million miles of oil, gas, and other pipelines that stretch across
399 the country. For most Americans, it is out of sight, out of mind, which means that the responsibility
400 of your agency is particularly important to ensure the safety of the American public and our
401 businesses.

402 Over the last 10 years, there have been an average of over 620 pipeline safety incidents each
403 year, resulting in an average of 43 injuries and 11 deaths, and these numbers, unfortunately, are
404 climbing every year. Last April, a pipeline explosion in Missouri killed a 5-year-old child.
405 Meanwhile, in January 2024, an explosion from a natural gas line in Fort Worth, Texas, injured 21
406 people.

407 I heard you answer to the chairman, and I know you said in your Senate confirmation hearing
408 that safety is going to be your top priority. Is that right?

409 Mr. Roberti. Yes. Yes, absolutely. The mission is safety.

410 Ms. Castor. Yes. It is very concerning that, since 2024, the number of employees at
411 PHMSA has decreased by more than 14 percent. Aren't you concerned with the ability of your
412 agency to keep folks safe when you are losing many of the experts that should be tasked to do that?

413 Mr. Roberti. So you are correct; we have lost some staff. But those -- if you look in the
414 broader context, when I was chief counsel just a few years ago, the agency's budget and the staffing
415 was -- I mean, the budget was almost double.

416 So where we are today, all of the administration's efforts to reduce workforce did not touch
417 critical safety workers. So the inspection and enforcement divisions have seen not big reductions.
418 And we are hiring. We are working to hire there.

419 Ms. Castor. Mr. Administrator, I hear what you are saying, but we are also watching what
420 you are doing, and we understand that pipeline safety enforcement was cut in half in 2025. So it is
421 not computing there. You know, the actual results rather than the rhetoric is what the Congress is
422 focused on.

423 Mr. Administrator, the Bipartisan Infrastructure Law created PHMSA's first every
424 infrastructure grant program designating \$1 billion in grant funding to repair, rehabilitate, and
425 replace gas distribution pipelines. The grants were wildly popular. Hundreds of communities
426 across 29 States were able to take advantage of these grants, including one across the bay from
427 where I am in Clear Water, Florida.

428 Do you believe that the Congress should fully fund and authorize that important initiative?

429 Mr. Roberti. Well, I know that free money is always wildly popular, and let me place that in
430 context. The grant program focused on publicly-owned gas systems. Investor-owned gas systems
431 were not part of the grant program.

432 So I come from Rhode Island to serve my -- as I said when I got confirmed, I came from Rhode
433 Island to serve my Nation. In my State, with an investor-owned utility, we have made investments
434 in efforts to replace cast iron, bare steel, and high-risk infrastructure over the course of 20 years.

435 So the big issue for Congress -- and we will implement whatever program effectively that you
436 decide to fund, but the big issue is an equity issue. Should States that are paying for the repayment
437 of aged and leak-prone pipelines, which they have an obligation to do, which we need regulators,
438 economic regulators in those States to require capital programs to systematically replace aged
439 infrastructure, should those States that are doing it now bail out States that haven't done it --

440 Ms. Castor. So is your answer a "no," you don't support reauthorization of that very popular
441 grant program to repair, rehabilitate, and replace gas distribution pipelines?

442 Mr. Roberti. I just raised the equity issue, but if the Congress in its wisdom decides to
443 continue that program --

444 Ms. Castor. If safety is your overriding -- you said safety is your overriding concern, and you
445 do not support -- or would you support it with changes? Is that what you are saying?

446 Mr. Roberti. I support -- the regulations require all operators to make investments and to
447 address leak-prone, high-risk infrastructure, and whether or not the taxpayers pay for it or those
448 utilities do what all other utilities are doing across the country, particularly in States where they don't
449 have publicly-owned gas systems, you know, you get to the same place. It is just a question of who
450 pays for it.

451 Ms. Castor. I yield back.

452 Mr. Latta. Thank you very much. The gentlelady's time has expired.

453 The chair now recognizes the gentleman from Kentucky, the chair of the full committee, for 5
454 minutes for questions.

455 The Chair. Thank you, Mr. Chair, and thank you, Administrator Roberti, for being here.

456 I want to build off your comments in your testimony about operating more effectively than
457 ever, initiating more pro-growth, pro-safety rulemakings.

458 So our pipeline system, with its life-enhancing and lifesaving energy delivery, is essential to a
459 strong and safe society. So my questions are: How do you see your safety priorities enabling the

460 safe expansion of pipelines and not unnecessarily limiting their benefits? And how should we
461 incorporate that vision for not unnecessarily limiting benefits of pipelines into our discussion draft?
462 We want to make sure we are safe, safe first and foremost, but also not limiting.

463 Mr. Roberti. So, thank you, Mr. Chairman, for the question.

464 We are not a permitting agency. Decisions about whether pipes get permitted are either
465 with the Federal Government if it is interstate and with the States. But the extent those pipelines
466 exist, we are going to make sure that our rules in terms of the specifications for the design, the
467 construction are clear, that they are enforced, that the pipelines are operated safely in accordance
468 with our code, and to basically not be distracted.

469 One of the observations I have had when you look at prior reauthorizations is that there are
470 so many reports and efforts that seem to become a distraction to the agency to focus on its core duty
471 to inspect and enforce compliance with the code. So I think that, in some sense, in my view, as a
472 Federal agency, less is more.

473 Instead of more mandates and more studies and more -- looking for opportunities for fuel
474 conversions that may be, you know, futuristic technologies, we need to focus on what I think is the
475 bread and butter of this agency, which is compliance, enforcement, accountability, modernizing the
476 code, and dealing with the outstanding congressional mandates that Congress has put upon the
477 agency.

478 The Chair. Do you have any examples of, like, proposals or anything that might distract you
479 from being able to do what you think is the core mission, which we think is ensuring the people have
480 safe pipelines?

481 Mr. Roberti. Well, one of the big giant differences from the last administration to this
482 administration was not the distraction of converting the agency into more of an environmental
483 regulator, focused on long-term effects on climate change rather than focused on what is really the
484 pure safety mission of maintaining and keeping the product in the pipe.

485 So we are looking for, you know, real impacts on safety, real impacts on the environment,
486 discharges of oil into rivers or fields. That is where the core safety mission lies. And so, when we
487 try to expand -- when the last administration expanded the agency to do many of these things that
488 were really outside the scope and more in the realm of an environmental regulator, I believe that it
489 diluted and distracted the agency and its workforce from that core mission of safety.

490 The Chair. Okay, thanks. You know, unfortunately, we have to have enforcement action
491 sometimes, and it is good that you are there.

492 So you talk about publishing enforcement priorities. How does publishing enforcement
493 priorities and related data help to deter unsafe operations?

494 Mr. Roberti. Well, our hope is that, by telling operators where we are going to be focusing,
495 they are going to be more diligent and put more resources into those efforts. Leak detection,
496 integrity management, and high consequence areas, excavation damage prevention, which is
497 predominantly done by our State partners, but those are key areas where we want to -- and certainly
498 avoiding incidents and accidents.

499 You know, the number of incidents and accidents, that is always going to be a warning. We
500 are trying to achieve a zero incident future. Pipelines are, by far, the safest mode of transportation,
501 but one fatality or one major accident is one too many in my opinion.

502 The Chair. Okay, thanks.

503 So you talk about State damage prevention programs. What are your thoughts on the
504 importance of those programs? And would this provision help remove the largest cause of pipeline
505 incidents?

506 Mr. Roberti. Yes. So, when you look at the number of incidents in 2025, when you look at
507 the incidents, there were 25 fatalities; 80 percent of those lie within the jurisdiction of our State
508 partners where we don't have primary jurisdiction, but we use our State partners because those are
509 the local gas companies. So 80 percent of the 25 were within States and local utilities. Of that, 30

510 to 40 percent are related to excavation damage.

511 So one of the highest public safety impacts is in this area of excavation damage, and I believe
512 that these --

513 Mr. Latta. I'm sorry. The gentleman's time has expired.

514 The Chair. Thank you, Mr. Chair. I yield back.

515 Mr. Latta. Thank you very much.

516 The chair now recognizes the gentleman from New Jersey, the ranking member of the full
517 committee, for 5 minutes for questions.

518 Mr. Pallone. Thank you, Chairman Latta.

519 Administrator Roberti, as I mentioned in my opening statement, I am concerned about the
520 reduction in pipeline safety enforcement activity of PHMSA last year, and, according to your own
521 data, last year PHMSA opened roughly half as many enforcement cases than it did, on average,
522 during the Biden administration. And, as of Monday, PHMSA has only opened 10 enforcement
523 cases this year.

524 Now, during your confirmation hearing and also today, you stated that you wanted to assure
525 the public that pipelines are safety, but I think PHMSA's actions speak louder than your words,
526 frankly.

527 So let me ask you: Why did enforcement decline so dramatically last year? And can you
528 commit that the amount of enforcement cases PHMSA initiates will rebound to typical levels this
529 year?

530 Mr. Roberti. Yes, so many of the numbers in the period of time that you are referring to
531 were before I came on as administrator.

532 Mr. Pallone. I realize that.

533 Mr. Roberti. I have -- within this agency, if you ask anybody, they will -- if you ask anybody
534 in this agency what I talk about, they will know the three words I talk about: compliance,

535 enforcement, accountability.

536 Mr. Pallone. Right, but what I'm asking you is --

537 Mr. Roberti. And I think, in the last few months, you've seen that. The highest
538 administrative penalty that we rendered at the close of the year for \$9 million for an operator that
539 spilled a significant amount of oil into the Gulf of Mexico, we took action. That was at my direction.

540 Mr. Pallone. No, I appreciate that.

541 Mr. Roberti. And I expect that that -- I expect, Chairman, that -- I expect that that will
542 continue.

543 Mr. Pallone. I just want to be sure -- and I am not asking for a specific number, but I just
544 want your commitment that PHMSA will rebound in terms of the number of enforcement cases. In
545 general, there will be a rebound to typical levels, you know. That is all. Can you say "yes" or "no"?

546 Mr. Roberti. Yes.

547 Mr. Pallone. Okay.

548 Mr. Roberti. I do expect that to rebound. And I would note that, for 2025, the level of
549 fines, actually, was the highest in the history of the entire agency.

550 Mr. Pallone. Okay.

551 Mr. Roberti. Because of those late year activities.

552 Mr. Pallone. All right. Thanks.

553 Now, I also wanted to discuss a notice of limited enforcement discretion that PHMSA
554 published in January, and my concern is that this is essentially a blanket waiver of all safety rules for
555 gas and hazardous liquid pipelines in order to address what I consider the President's phony energy
556 emergency.

557 So let me ask you, why should Americans have trust in the safety of pipelines if you are
558 announcing that pipelines that benefit the President politically won't be subject to safety standards?
559 Because that is how I look at this notice of limited enforcement discretion.

560 Mr. Roberti. No, I appreciate your question and your concern. That effort can only
561 happen, an operator can only achieve enforcement discretion with a demonstration that safety will
562 not be undermined.

563 Mr. Pallone. How do they do that?

564 Mr. Roberti. We will ensure we will look at the circumstances in which the operator has
565 stated that there is an emergency. Now, remember, we are talking about a situation where there
566 may be an energy emergency where the ability to move product may mean the difference between
567 whether a community is able to heat their homes at night.

568 So there are corresponding safety and reliability issues that would be taken into consideration
569 here, but if we are not satisfied that enforcement discretion or a special permit is appropriate
570 because it will undermine safety, that permit will not be issued.

571 Mr. Pallone. Okay.

572 Mr. Roberti. And any time we find that, we find evidence that -- or we have a concern about
573 safety, we will revoke that.

574 Mr. Pallone. All right. I appreciate that.

575 Let me just ask you one more question. Has PHMSA done an analysis of the financial benefit
576 pipeline operators will gain from the waiver we just discussed?

577 Mr. Roberti. From that waiver, no. I don't expect it to be used unless there are serious
578 exigencies that warrant a strong public need to assist communities because of a deprivation of
579 energy supply where we need to find ways -- similar to, if there is a major storm or hurricane, we
580 may, on the hazmat side, waive hours of service requirements in order to get product to gas stations
581 or heating oil to homes. It is in that context. It would have to be a --

582 Mr. Pallone. Okay. I mean, my concern, and I am not going to ask you anything more, my
583 concern is that this waiver jeopardizes safety and, essentially, pads the profits of pipeline companies
584 of -- you know, at a time when energy bills are skyrocketing.

585 But I appreciate your response. Thank you.

586 Thank you, Mr. Chairman.

587 Mr. Latta. Thank you. The gentleman yields back.

588 And the chair now recognizes the gentleman from Alabama's Sixth District for 5 minutes of
589 questions.

590 Mr. Palmer. Thank you, Mr. Chairman.

591 Administrator Roberti, the U.S. officially initiated its departure from the United Nations
592 Framework Convention on Climate Change, which helped drive the Biden administration's climate
593 agenda. Does this reduce spending on enforcement in the climate area, in this area that could be
594 used more effectively for other priorities?

595 Mr. Roberti. I missed the end of the question. I am sorry.

596 Mr. Palmer. I will try to speak better English. I am from the south.

597 Does this reduce spending in that area? Enforcement on the Biden climate agenda, does
598 that free up funding that could be used more effectively for other priorities?

599 Mr. Roberti. Yes. I do think that the expansive focus on things beyond direct impacts --

600 Mr. Palmer. It doesn't mean that you are negating any responsibility for taking care of the
601 environment and safety issues?

602 Mr. Roberti. No. No, not at all.

603 Mr. Palmer. Okay.

604 Let me ask you something else. How important is private investment for improving the
605 Nation's network of pipelines? And do we need new pipelines to replace old ones to meet the
606 Nation's energy needs?

607 Mr. Roberti. Well, that is a great question. I mean, the beauty of the American system
608 of -- the network of pipelines that we rely on, for the most part, is funded by private capital because
609 we have regulatory institutes --

610 Mr. Palmer. Private investment is very important.

611 Mr. Roberti. Extremely important.

612 Mr. Palmer. Let me ask you this --

613 Mr. Roberti. I think it is the best way.

614 Mr. Palmer. We need additional pipelines. We are going to have to have a major increase
615 in investment energy and process refining critical minerals, rare earth elements. Are you concerned
616 that the Keystone XL reversal signals to the private market that another pipeline project or another
617 major project could be canceled as a political act even after years of work and major sunk costs?

618 Mr. Roberti. Well, to the extent that the Presidential permits -- one administration
619 can -- there is a clause in each Presidential permit that allows it to be rescinded. It is not good
620 policy to do that.

621 Mr. Palmer. Well, that should cause private investors to be concerned. It will increase the
622 cost of pipeline because --

623 Mr. Roberti. Absolutely. Yes, it will.

624 Mr. Palmer. -- because of the risk mitigation that you would have to look into.

625 Are you -- is PHMSA coordinating with other agencies to ensure reliable pipeline
626 cybersecurity?

627 Mr. Roberti. Yes, we do. We have a memoranda of agreement with the Department of
628 Homeland Security and the Transportation Security Administration. We work closely with FERC.
629 We will engage with our DOE partners and get briefings from the FBI and so forth.

630 Mr. Palmer. Do you have any jurisdictional conflicts at the Federal or State level?

631 Mr. Roberti. The jurisdiction really resides in CISA at the Homeland Security Department
632 and in TSA, but being that we have so many inspectors that are out in the field and in control rooms,
633 we try to coordinate with them so that we can help assist in achieving their ends.

634 Mr. Palmer. Let me ask you, PHMSA has been mandated by Congress to complete the idle

635 pipeline rulemaking as part of the 2020 reauthorization. Pipeline operators need regulatory
636 certainty from PHMSA for situations where they suspend normal service on pipeline systems due to
637 changes in market conditions in which the status of the pipelines is neither active nor abandoned.

638 The current PHMSA PIPES Act 2020 chart, which tracks the progress of pipeline safety
639 rulemakings, projects publication of a notice of proposed rulemaking on idle pipelines by February 26
640 of 2027. Could you provide an update on implementation of the idle pipeline rulemaking?

641 Mr. Roberti. Yes. So I am very aware. That is one of our mandates. Our teams are
642 working on it. We hope to advance that to an NPRM by fall, and I think there are good reasons to
643 do so.

644 Mr. Palmer. It is going to be very important that we have this, again, because of the
645 emerging energy needs that we need and I think in terms of upgrading and expanding the network of
646 pipelines across the country.

647 So, Mr. Chairman, with that, I will yield back.

648 Mr. Latta. Thank you very much. The gentleman yields back.

649 The chair now recognizes the gentleman from California's 50th District for 5 minutes of
650 questions.

651 Mr. Peters. Thank you, Mr. Chairman, for holding this important hearing on pipeline safety.

652 My local utility, San Diego Gas and Electric, manages over 16,000 miles of natural gas
653 pipelines. Those pipelines are a critical component of our energy infrastructure. They help keep
654 the lights on for us and, similarly, for millions of Americans across the country.

655 And every witness before the Energy Subcommittee has been clear this year: We need
656 more of everything, whether it is transmission, pipelines, renewables, or gas. And that is why
657 ensuring that this infrastructure is safe and appropriately regulated is critical both for the safety of
658 our communities and for the long-term competitiveness of the natural gas and pipeline industry.

659 Unfortunately, the regulatory pendulum swing, especially when it comes to pipeline

660 regulation, can stand in the way, and at the EPA, the Obama administration issued methane control
661 rules. Trump repealed them. Biden put them back. And now Trump is repealing them again.

662 And we are seeing that, at PHMSA, specifically regarding standards for pipeline leakage and
663 safety standards, we had the bipartisan PIPES Act of 2020, which was signed into law by President
664 Trump. It mandated that these rules be updated and finalized within a set amount of time.
665 Unfortunately, the Biden administration delayed. They blew past that deadline, and they only
666 issued rules on their way out the door. The Trump administration then promptly and without
667 explanation declined to finalize them.

668 So that enforcement ambiguity, combined with the drop of the enforcement that Mr. Pallone
669 talked about, is leaving industries and communities with some uncertainty. That is why I introduced
670 a bill with Representative Carter of Louisiana and Senator Lujan which would codify the draft rule and
671 modernize decades-old standards for gas pipeline leak detection and repair.

672 The bill would not disallow future updates to the rule or discourage future innovation, but it
673 provides regulatory certainty for industry to make sure there are durable rules that they can follow.
674 Updated rules are estimated to deliver up to \$1.5 billion in net benefits to industry and consumers
675 while eliminating up to half a million metric tons of methane emissions.

676 And I would just pause to say that, with regard to methane emissions, it is a serious
677 environmental concern, sure, but it is also a customer demand issue. The reason that so much
678 innovation has happened around methane in the United States is not because of government
679 regulation but because of consumer demand from places like Korea, Japan, and the EU that want
680 clean gas. And American gas is cleaner because of that consumer demand. We should be proud
681 of that, and we should be calling it out.

682 But addressing the fugitive emissions from oil and gas operations is one of the most effective
683 ways to protect public health while keeping America's energy sector globally competitive.

684 So, Mr. Roberti, does PHMSA intend to issue and finalize an updated leak detection and repair

685 rule?

686 Mr. Roberti. We do. That is on the list of mandates. When this administration came in,
687 that was a -- it was a proposed rule. It had not been submitted to the Federal Register. Across all
688 departments of government, all of those rules were pulled back for further examination. We are
689 examining that. I want to get these mandates done. I intend to. That is on our list.

690 Mr. Peters. Do you have a sense of your timing for that?

691 Mr. Roberti. That one, it is probably not this year. But, you know, it is something we want
692 to -- we definitely want to address.

693 Mr. Peters. So the majority's draft that we are discussing today would disallow the
694 administration from considering the environmental benefits of issuing pipeline safety standards,
695 including leak detection and repair. Can you explain what environmental benefits PHMSA does
696 consider when it updates standards? And how do you balance between economic safety and
697 environmental benefits of rules?

698 Mr. Roberti. Yes. So, you know, you could -- I mean, in the academia world, you could
699 make all sorts of arguments on the nexus to the environment, the nexus to safety. But, at some
700 point, you draw limits about where is the proper nexus for the execution of the agency's mission.
701 And our view is, yes, we don't want methane leaking out of any pipes.

702 You know, containment of all products that are moving through pipes, it is essential that we
703 have containment, but as we address how to implement the rule, we want to be sensitive to
704 available technologies; what is cost-effective? I would say, at the top of it, leaks and high
705 consequence areas are critical that they not exist, that they be detected because public safety is at
706 risk.

707 Leaks of our liquid pipelines where there is a potential leak to a river or into the environment,
708 those are high priority.

709 But I think this administration's policies, it is much less -- it is a tenuous link to the climate

710 change.

711 Mr. Peters. I am going to run out of time, but I would just say that maintaining protection
712 against leaks has environmental benefits, and I hope this doesn't scare you all from doing it.

713 And I yield back.

714 Mr. Latta. Thank you. The gentleman's time has expired.

715 And the chair now recognizes the gentleman from Georgia's 12th District for 5 minutes of
716 questions.

717 Mr. Allen. Thank you, Chair Latta, for holding this important hearing to discuss pipeline
718 safety reauthorization legislation. This is not only a national security issue; it is a serious economic
719 issue. For example, we have got wells capped because we have gas. We can't burn it off, and we
720 need to get in the pipeline. And, plus, we just had the coldest winter in recent memory that I can
721 recall.

722 And, because of the past policies, the war on fossil fuel, you know, everything is driven to
723 electric generation, and now we have all of this gas that is much more efficient. In fact, heat pumps
724 don't work when it gets below 30 degrees. So you are sitting there using strip heat 90 percent of
725 the time to heat your home, and that is not efficient at all.

726 But we have got to get this done, and, you know, I want to thank you for your efforts in
727 making sure that we move forward and dominate in this energy production.

728 Building up our pipeline capacity is critical to delivering this affordable energy to our
729 constituents across the country, and, obviously, pipeline safety is critical, and we want to do
730 everything we can to make sure that we are doing the right thing environmentally and otherwise.
731 Like you said, there is this nexus, like, to what extremes do you go to and that sort of thing, and,
732 obviously, safety is important.

733 With this in mind, Administrator Roberti, can you describe the important role of a cost-benefit
734 when considering these regulations that are imposed on you?

735 Mr. Roberti. Thank you for the question.

736 The cost-benefit analysis, if you look at any regulation, and all good public policy must look at
737 technical considerations, economic considerations, and the benefits, there must be -- a cost-benefit
738 analysis is what I think is fundamental to good government, to good regulation.

739 So these requirements stem all the way back to a Presidential executive order still in place
740 today from prior Presidents. I think it is Executive Order 12886, I think is the number, which drives
741 the use and requirement that executive agencies use cost-benefit analyses. So they are good.

742 Now, there is an overlay in the PIPELINE Safety Act. Either way, we are doing that as, I think,
743 an essential component of developing regulations that make an appropriate balance between the
744 cost and the benefits.

745 Mr. Allen. Well, there is a lot of concern about affordability, particularly since we had
746 such -- you know, if you were born after 1982, you never saw inflation in this country until the Biden
747 administration took over. So, you know, affordability is critical to our people.

748 The discussion draft would -- and, obviously, Congress has done a lot to deal with regulation
749 and looking at everything and, like I said, the cost-benefit; what is it doing? And how much does it
750 cost? How much does it cost the American people?

751 Would you agree good policy should de-emphasize non-U.S. benefits given they can result in
752 extra costs without benefiting taxpayers?

753 RPTR SEFRANEK

754 EDTR HOFSTAD

755 [11:16 a.m.]

756 Mr. Roberti. Did you say non-U.S.

757 Mr. Allen. Yeah.

758 Mr. Roberti. No, I wouldn't agree with that.

759 Mr. Allen. Okay. All right.

760 During a previous subcommittee hearing, I mentioned the need to reform the special permit
761 program. How does this discussion draft modernize this process so that we can expand pipeline
762 infrastructure projects while maintaining safety and ensure the process is beneficial?

763 Mr. Roberti. Well, I know that the last administration had tried to move the program
764 forward, but did so and created a -- required a NEPA analysis, the National Environmental Policy Act.
765 And it was used as basically -- it basically complicated and -- I think it was really unnecessary. It
766 completely bogged down that program, and it never went anywhere.

767 Mr. Allen. Right.

768 Mr. Roberti. And NEPA is -- I mean, you know, I don't need to tell you that there is a role for
769 NEPA. But when you are talking about existing infrastructure and you are talking about using
770 innovative technologies to advance safety and move product, it is not something that I know that I
771 would believe NEPA is triggered.

772 And I have done my share of NEPA cases. I have argued them in the U.S. courts of appeal.
773 So I know a little bit about this. But --

774 Mr. Allen. Right.

775 Mr. Roberti. -- we have somewhat distorted the role of NEPA --

776 Mr. Latta. And I am sorry, but --

777 Mr. Roberti. -- in our process --

778 Mr. Latta. -- the gentleman's time is up.

779 Mr. Allen. I yield back. Thank you, sir.

780 Mr. Latta. Thank you very much.

781 The chair now recognizes the gentleman from New Jersey's Eighth District for 5 minutes for
782 questions.

783 Mr. Menendez. Thank you, Chairman.

784 Pipelines are everywhere. They are buried under our schools, recreational areas,
785 drinking-water sources, and our neighborhoods. When pipeline incidents happen, they happen in
786 our communities, where we live, where our kids go to school. And they have serious, sometimes
787 fatal consequences in our communities. That is why pipeline safety is critical.

788 Last Congress, I discussed a 2020 CO2 pipeline rupture in Mississippi which resulted in mass
789 carbon dioxide poisoning. Two hundred people were evacuated, and at least 45 people were
790 hospitalized.

791 So the stakes of pipeline safety aren't hypothetical; they are very real. And it is the
792 responsibility of the government to protect our communities and prevent another accident like this
793 from happening again.

794 Mr. Roberti, your testimony highlights that, quote, safety drives everything you do at the
795 Pipeline and Hazardous Materials Safety Administration's pipeline safety program, and key elements
796 of PHMSA's pipeline safety program include updating and developing regulations, enforcement to
797 hold pipeline operators accountable.

798 Is that correct? Just "yes" or "no."

799 Mr. Roberti. Yes.

800 Mr. Menendez. Thank you.

801 In January of last year, PHMSA issued a notice of proposed rulemaking for CO2 pipelines in
802 response to the 2020 accident we discussed earlier. This rule would have required emergency

803 responders to be trained on hazards specific to CO2, expand PHMSA's jurisdiction to cover more
804 pipelines carrying CO2, and address other safety issues that came out of the Mississippi accident.

805 But, Mr. Roberti, PHMSA withdrew this rule last year. Is that correct, yes or no?

806 Mr. Roberti. It was not a rule. It was on the web- -- it never went to the Federal Register,
807 for whatever reason.

808 Mr. Menendez. So how would you describe it?

809 Mr. Roberti. So that was a --

810 Mr. Menendez. It was a safety precaution in response to the 2022 Mississippi accident that
811 occurred.

812 Mr. Roberti. So the Satartia incident was a very serious incident. That --

813 Mr. Menendez. And so what was --

814 Mr. Roberti. -- is acknowledged.

815 Mr. Menendez. -- what was the response to it that you are saying is not a rule?

816 Mr. Roberti. On the -- on the rule?

817 Mr. Menendez. You are saying it was not a rule, so I am asking you, how would you describe
818 it?

819 Mr. Roberti. How would I describe it? It was an effort to develop a rule. It was never an
820 actual rule that got posted in the Federal Register. And like every administration --

821 Mr. Menendez. All right. So that initiative is no longer being considered, yes or no?

822 Mr. Roberti. It is being considered, because it is a mandate of Congress on the gaseous CO2
823 rules, and I have committed to address all of the mandates of Congress. That is a priority while I am
824 here as Administrator.

825 But that rule went -- the scope of that rule was far wider and greater. In fact, if you look at
826 Satartia --

827 Mr. Menendez. I want to have a long conversation, but I have to move on. Because I do

828 believe it is important rulemaking, however you want to describe it, given the real-life example that
829 prompted PHMSA to initiate the rulemaking process, which was already required from a 2011
830 pipeline safety reauthorization that is now 15 years overdue.

831 Can you tell me what these plans are that you described to take up this rulemaking? Are we
832 going to see something potentially in the next 6 months?

833 Mr. Roberti. I don't know that we will get to it in 6 months, but we are going to get to that,
834 because it is a mandate, and I have instructed my staff that I want to get all the mandates done.

835 Mr. Menendez. All right. Please push it forward, right? Because we have seen the
836 consequences in places like Mississippi, which colleagues across the aisle represent. It is important
837 to do.

838 Mr. Roberti. That Satartia incident, though -- had that operator complied with existing
839 regulations under Part 195 --

840 Mr. Menendez. Right, but the rulemaking was about --

841 Mr. Roberti. -- it would have never happened.

842 Mr. Menendez. -- how we prepare -- how we prepare when these accidents happen and
843 making sure our emergency staff is prepared for the unique dynamics of CO2 accidents.

844 Mr. Roberti. Yes.

845 Mr. Menendez. So I understand what you are saying, but the response was about how do
846 we train our first responders, which is critically important and should be supplemented.

847 I have to move on.

848 Mr. Roberti. And they failed --

849 Mr. Menendez. I am sorry, I have to move on.

850 Mr. Roberti. All right.

851 Mr. Menendez. Your testimony also highlighted that enforcement and holding pipeline
852 operators accountable are also key to PHMSA's mission. Is that correct, yes or no?

853 Mr. Roberti. I am sorry. I --

854 Mr. Menendez. Sure. In your testimony, it is highlighted that enforcement and holding
855 pipeline operators accountable are also key to PHMSA's mission. Is that correct, yes or no?

856 Mr. Roberti. Absolutely, yes.

857 Mr. Menendez. Because, according to a Politico article from this January, the Trump
858 administration has slashed pipeline enforcement in 2025, bringing about half the average number of
859 cases as in previous years. PHMSA also announced it would cease enforcement against any pipeline
860 operators who claimed that they had to violate safety standards to accommodate the President's
861 claimed, quote, "energy emergency."

862 That doesn't sound like it is in line with PHMSA's commitment to holding pipeline operators
863 accountable. It sounds like just another way for pipeline operators to circumvent safety
864 regulations.

865 All this is on top of a 14-percent decrease in staffing since President Trump took office. We
866 have talked about that we need more pipelines. We have less staff to make sure that everything is
867 done properly and safely.

868 So an already under-resourced and understaffed agency experienced a 14-percent drop in
869 staffing levels, and the bill we are considering today provides an even deeper funding cut to this
870 agency. These are the challenges that we have, with our friends across the aisle.

871 We know that this can be done in a bipartisan way. Our House T&I Committee has shown
872 that we can do it. We should follow their lead instead of making this a partisan pursuit in
873 furtherance of the President's failed policies.

874 I yield back.

875 Mr. Latta. Thank you very much.

876 The gentleman's time has expired, and he yields back.

877 The chair now recognizes the gentleman from Ohio's 12th District for 5 minutes for questions.

878 Mr. Balderson. Thank you, Mr. Chairman.

879 Administrator, thank you for being here.

880 I will give you the opportunity if you would like to finish the discussion on the CO2 incident
881 and finish that as you were explaining.

882 Mr. Roberti. Well, you know, the Satartia incident I know was a very serious incident, and
883 we deployed investigators to that incident, and it resulted in a \$2.8 million fine because of the failure
884 of that operator to do what is already required in Part 195 of our code, which covers liquid CO2
885 pipelines. And they failed to take into account the risks of storms, erosion, geohazards. They
886 failed in the execution of their integrity management program responsibilities and also the
887 communication with emergency responders. And we held them accountable with that fine.

888 So that is why we get into a debate. How much do the regulations need to be -- how many
889 more words do you need in this code for requiring conduct that is already clear?

890 And that is why I -- that is why I believe enforcement and accountability is the absolute top
891 priority for this agency, for me, for Secretary Duffy, and we are going to hold operators accountable.
892 Because, had they followed the code, that incident should not have occurred.

893 Mr. Balderson. Thank you very much. I appreciate that response.

894 I will move on with my question.

895 The draft legislation we are discussing today includes language clarifying that in-plant piping
896 systems, which are part of a larger refining and production facility, are regulated by OSHA and
897 PHMSA.

898 Administrator, last July, your agency issued a notice of proposed rulemaking to exempt
899 in-plant piping systems. In the notice, PHMSA recog- -- reorganized that applying overlapping
900 regulatory programs to in-plant piping systems often results in uncertainty and compliance issues.

901 Can you discuss how this overlap can make it more challenging for operators to maintain safe
902 operations?

903 Mr. Roberti. Well, yes. So we have moved that rule. We see that it is embedded in the
904 draft bill here, and we think it is a good thing. And I will tell you why. Because there was
905 ambiguity over the course of decades, who had jurisdiction.

906 One thing I have always seen in government -- and to this day, we still deal with this -- you
907 have multiple agencies; it is good government for agencies to know their swim lanes and have clarity
908 for the industry on who regulates.

909 And so in-plant piping, OSHA, for the most part, does refineries and on-premise piping like
910 that. And we wanted to clarify, kind of make it pretty clear, that this would be an OSHA
911 responsibility, they would handle that. And, that way, operators know who is responsible for
912 regulating.

913 Mr. Balderson. All right. Thank you.

914 PHMSA's notice of proposed rulemaking noted that OSHA's regulatory programs provide an
915 equivalent level of safety to PHMSA. Would you agree with that assessment?

916 Mr. Roberti. I would. I have met with -- I have had some high-level meetings with OSHA to
917 coordinate on their approach to some of their regulatory methodologies, and they seem to be very
918 good.

919 Mr. Balderson. Thank you.

920 Lastly, can you provide an update on where the rulemaking stands and when PHMSA may
921 issue a final rule?

922 Mr. Roberti. On the in-plant piping?

923 Mr. Balderson. Yes.

924 Mr. Roberti. That is moving through. I don't know, as I sit here right now, the precise
925 timing, but we can get you that information.

926 Mr. Balderson. I appreciate that.

927 Mr. Roberti. I would be glad to follow up.

928 Mr. Balderson. Okay. Thank you.

929 And I appreciate your attention -- we have to be conscious of our time here -- appreciate your
930 attention to supporting the safe expansion of America's LNG export capacity.

931 At the direction of Congress, last year, PHMSA issued an advance notice of proposed
932 rulemaking to modernize Federal standards for LNG facilities.

933 Following comments from the LNG industry and interested parties, do you believe there is
934 room for PHMSA to better coordinate with FERC and the U.S. Coast Guard to prevent conflicting or
935 unnecessary regulatory requirements?

936 Mr. Roberti. Absolutely. As my prior example about having appropriate swim lanes -- it
937 makes no sense, as the agency with safety jurisdiction, to send inspectors out to inspect an LNG
938 facility, only to find out that FERC, after granting a permit, has a whole team there doing the same
939 thing for another week or two.

940 Mr. Balderson. All right.

941 Mr. Roberti. So swim lanes are important. That is -- it is better government.

942 Mr. Balderson. All right.

943 I am only going to leave you 15 seconds here. And is this an issue the National Center of
944 Excellence for LNG Safety will focus on in the future?

945 Mr. Roberti. That will be. I mean, that center, which we are excited we are going to be
946 opening later this spring, will focus on knowledge management, best practices.

947 We are working closely -- we are going to work closely with FERC to figure out how -- we have
948 a memorandum of agreement with FERC. I intend to meet with the Chairman of FERC to further

949 Mr. Latta. And I am sorry --

950 Mr. Roberti. -- discuss this.

951 Mr. Latta. -- the gentleman's time has expired.

952 The chair now recognizes the gentlelady from Virginia's Fourth District for 5 minutes for

953 questions.

954 Ms. McClellan. Thank you, Chairman Latta and Ranking Member Castor, for this important
955 hearing today.

956 PHMSA has the incredible responsibility of overseeing a 3.3-million-mile-long network of
957 pipelines transporting oil, natural gas, and hazardous chemicals such as ammonia and hydrocarbons.
958 Maintaining strong oversight of these chemicals, highly volatile energy products, and the pipelines
959 that transport them across the Nation are an incredibly difficult but vital task.

960 And that is why I am disappointed in the current legislation as it stands. While the House
961 Transportation and Infrastructure Committee and the Senate Commerce Committee have advanced
962 bipartisan legislation geared towards maintaining strong pipeline oversight and providing funding to
963 continue updating and maintaining aging pipeline infrastructure, this committee has proposed
964 legislation -- the Republicans on this committee have proposed legislation, with no bipartisan input,
965 that underfunds and degrades PHMSA's ability to carry out the important task of overseeing
966 America's pipelines.

967 Most notably, this legislation includes provisions that strip requirements for PHMSA to
968 consider environmental impacts in its safety standards.

969 And this comes at a time when pipeline safety enforcement has plummeted at an alarming
970 level and was cut in half in 2025 alone.

971 Administrator Roberti, do you believe that community engagement, support, and
972 transparency are important in the long-term success of a pipeline project, such as those your agency
973 oversees?

974 Mr. Roberti. We have our -- we have our community liaisons. They are very important.
975 They do a good job. We rely on them when an incident occurs. So, yes, I do.

976 Ms. McClellan. Thank you. I agree that it is incredibly important.

977 And yet this administration is cutting enforcement activity, and the bill further attempts to

978 strip PHMSA of its ability to consider environmental impacts in issuing safety standards. I fail to see
979 how any pipeline project under this administration or the parameters of the bill would garner any
980 meaningful support or trust from impacted communities. There is no accountability. There is no
981 guarantee that their environmental and related safety concerns will be considered for these massive
982 projects.

983 And I suspect that it is our historically disadvantaged communities that will continue to suffer
984 those consequences. We have seen that time and time again in Virginia, where the same
985 communities, mostly the ones that don't have the resources or have had the historical power to fight
986 back against these projects, have been the ones that have been disproportionately impacted by
987 these projects and their environmental and public health impacts. And I think that communities
988 that have historically borne disproportionate environmental and public health burdens should not
989 receive less oversight due to a lack of political access or fewer resources.

990 So, Administrator, does PHMSA track inspections, incidents, and enforcement outcomes in a
991 manner that allows you to demonstrate with evidence that safety oversight is being applied
992 consistently across communities, including those that have been historically overburdened by such
993 programs and projects?

994 Mr. Roberti. So you raise an important area about transparency on what we do.

995 When I came to this agency, I was chief counsel, but as I return as Administrator, one of the
996 things I observed is that our website is not user-friendly. It actually does not show you the degree
997 of work that our inspectors are doing out there. Every time a pipeline ruptures and we send out
998 teams and we issue corrective action orders and there are remediation plans, you cannot easily see
999 all of the activity we are doing on monitoring the remediation of these pipelines.

1000 And that is something that is a high priority. We are looking at our -- we collect a lot of data,
1001 but when you go on the website, it is not user-friendly.

1002 I may not be so IT-literate on how to find things on a website, but I think we can achieve great

1003 improvements. I want the public, I want communities to know -- when there is a pipeline in their
1004 community and something goes wrong or they are interested in it, I want them to be able to track
1005 the progress of -- or the situation and know exactly what PHMSA is doing on their behalf. Because
1006 right now it doesn't look like -- it looks like a black hole.

1007 Ms. McClellan. Well, I can tell you, it definitely does look like a black hole.

1008 And I can tell you, there are a significant number of communities in Virginia over the past
1009 year -- now that they are aware of just how many pipeline assets are concentrated in their
1010 communities, they are very concerned about the safety and what the Federal Government and what
1011 your agency is doing to keep them safe.

1012 And, with that, I yield back.

1013 Mr. Latta. Thank you very much.

1014 The gentlelady yields back.

1015 And the chair now recognizes the gentlelady from Tennessee's First District for 5 minutes for
1016 questions.

1017 Mrs. Harshbarger. Thank you, Mr. Chairman.

1018 Thank you for being here, Mr. Administrator.

1019 According to the Common Ground Alliance, 2024 saw more than 170,000 reported damages
1020 to underground infrastructure. That includes pipelines and water and electric utilities. And there
1021 were nearly 9,000 incidents just in Tennessee alone. And during that same year, more than 1
1022 million calls were made to 811 to help locate underground infrastructure before an excavation.

1023 You know, 811 is one of our most critical tools for pipeline safety. So my question is, what
1024 specific steps is PHMSA taking to strengthen public awareness and compliance with 811
1025 requirements nationwide? And how can Congress ensure that States are given best practices for
1026 implementing their damage prevention programs?

1027 Mr. Roberti. Thank you for the question. Yes, the excavation damage is a heightened

1028 concern when you -- and I talked about it earlier -- when you look at the number of incidents. And
1029 you cited them.

1030 We rely on our State partners. Through the funds granted to us from Congress, we issue
1031 One Call Grants --

1032 Mrs. Harshbarger. Yeah.

1033 Mr. Roberti. -- to our State partners and excavation prevention programs. But they are
1034 small dollars overall, when you consider it.

1035 A lot of the jurisdiction still resides in States. We try to leverage the grant program as a way
1036 to achieve best or better practices from certain States. I have witnessed -- in my experience, I think
1037 it is a patchwork of -- there are leaders and there are laggards --

1038 Mrs. Harshbarger. Yeah.

1039 Mr. Roberti. -- across the country.

1040 And that is why I think this provision, the leading practices that are specified in this draft
1041 bill -- that I think the time has come for bolstering a national standard. Because, again, the impacts
1042 to the public, the amount of activity out there in terms of construction --

1043 Mrs. Harshbarger. Yes.

1044 Mr. Roberti. -- and everything that is under the ground, we probably need to have more
1045 training and more supervision --

1046 Mrs. Harshbarger. Well, that goes right into my next question.

1047 You know, those PHMSA Technical Assistance Grants were established to ensure communities
1048 stay informed and strengthen pipeline safety at a local level.

1049 Last year, approximately half of PHMSA's Technical Assistance Grant funding went to an
1050 organization where a recent audit found significant deficiencies related to financial practices, and it is
1051 unclear whether that organization used taxpayer funds for prohibited lobbying activities due to poor
1052 record-keeping practices.

1053 So, as PHMSA evaluates future Technical Assistance Grant awards, how will you ensure
1054 stronger financial oversight and accountability for the recipients?

1055 Mr. Roberti. Well, we were charged by the administration and the President issued a
1056 memorandum to look at --

1057 Mrs. Harshbarger. Yes.

1058 Mr. Roberti. -- funding and how funding was being used by NGOs. We did that. The
1059 audit was initiated before I came in as Administrator, but the findings demonstrated that this
1060 particular organization -- Congress chose --

1061 Mrs. Harshbarger. Yes.

1062 Mr. Roberti. -- to take most of our funding for Technical Assistance Grants and give it to this
1063 organization.

1064 Mrs. Harshbarger. Yeah.

1065 Mr. Roberti. And we have a whole bunch of smaller organizations. It is a highly
1066 competitive process. And we don't have enough money over there.

1067 Mrs. Harshbarger. Yeah.

1068 Mr. Roberti. And for this organization, we found it was clear as day that they were engaged
1069 in activities like lobbying, advocacy, litigation -- litigation against my agency.

1070 Technical assistance is not giving Federal taxpayer dollars from my agency and have them
1071 come back and toss bricks at the work we are trying to do to advance safety.

1072 Mrs. Harshbarger. It is a little bit messed up.

1073 Will PHMSA prioritize awards to organizations that focus on educating contractors and
1074 businesses and localities about excavation safety, damage prevention, and 811 compliances?

1075 Mr. Roberti. I am sorry. I missed at the end of that.

1076 Mrs. Harshbarger. Will they prioritize awards to organizations that focus on educating these
1077 entities?

1078 Mr. Roberti. Yes. We want to see -- you know, to help with community engagement. We
1079 want to use these dollars to increase awareness about pipelines, increase -- help communities, help
1080 emergency responders know what is out there, how to deal when we have an incident or an
1081 accident.

1082 Mrs. Harshbarger. Yes.

1083 Mr. Roberti. That is good use of these grant dollars.

1084 Mrs. Harshbarger. Yes.

1085 Mr. Roberti. And we are going to continue requiring that. In fact, all of our grants -- we
1086 didn't just -- there was an allegation that we picked on this particular grantee. This is our largest
1087 recipient. There were issues there. We have addressed them. And we are going to make sure
1088 that all grantees using Federal taxpayer dollars do the same.

1089 Mrs. Harshbarger. Yes. Well, you should have looked at them. Yeah. But you are doing
1090 your job.

1091 So I have a few more questions, but I yield back, Mr. Chairman.

1092 Mr. Allen. [Presiding.] The gentlelady yields.

1093 And now I call on Ms. DeGette from Colorado for her line of questioning.

1094 Ms. DeGette. Thank you, Mr. Chairman.

1095 Administrator Roberti, is it true that PHMSA published a rule to limit the types of conditions
1096 that can be included in special permits in September of 2025?

1097 Mr. Roberti. So -- so we -- we revamped our special permit program.

1098 Ms. DeGette. Yeah. And --

1099 Mr. Roberti. One of the things we found was that the special --

1100 Ms. DeGette. Wait. I didn't ask you what you found. I asked you, is it true that you
1101 published a rule to limit the types of conditions that can be included in special permits? Yes or no?

1102 Mr. Roberti. I am not aware of that.

1103 Ms. DeGette. You don't know. Okay.

1104 Well, so the bill -- yeah, here it is.

1105 So, Mr. Chairman, I would ask unanimous consent to put that rule into the record.

1106 Mr. Chairman? I would ask unanimous consent to put the rule that PHMSA enacted in

1107 September 2025 into the record.

1108 Mr. Allen. Without objection.

1109 [The information follows:]

1110

1111 ***** COMMITTEE INSERT *****

1112

1113 Ms. DeGette. Thank you.

1114 So I guess I will educate you, then, that the bill that we are -- the draft bill that we are
1115 considering today, the Pipeline Safety Authorization Act, would codify this rule. That is what the
1116 whole purpose of this is. So, just to let you know.

1117 Mr. Roberti. Okay.

1118 Ms. DeGette. Now, in the notice of proposed rulemaking, it specifically cites criticism from
1119 the Interstate Natural Gas Association of America, INGAA, about PHMSA's practice of adopting
1120 numerous conditions and special permits.

1121 Is that correct?

1122 Mr. Roberti. There -- I mean, there was a practice to add all sorts of extraneous, superfluous
1123 conditions that were intended to prevent innovation --

1124 Ms. DeGette. Right.

1125 Mr. Roberti. -- and prevent -- and --

1126 Ms. DeGette. So it specific- -- do you know whether it specifically cites that criticism from
1127 INGAA about that practice?

1128 Mr. Roberti. I am not aware of that.

1129 Ms. DeGette. Okay.

1130 Is it true that several of your current colleagues used to work at INGAA, including your Deputy
1131 Administrator, Ben Kochman?

1132 Mr. Roberti. The Deputy Administrator did work there.

1133 Ms. DeGette. At INGAA.

1134 And so would you agree with this statement? "It is important to keep a strict bifurcation
1135 between regulators and their former employers so as not to create a conflict of interest."

1136 Mr. Roberti. Well, I think you are -- I would view it differently. Mr. Kochman --

1137 Ms. DeGette. Okay. But you don't think that you had --

1138 Mr. Roberti. Mr. Kochman, like I, we both -- all of us previously worked at PHMSA. We
1139 went out and did other jobs.

1140 Ms. DeGette. Sure.

1141 Mr. Roberti. But in terms of discharging the duties of these positions where you are dealing
1142 with complex regulations, that knowledge and experience is important. When you come into this
1143 agency and you work for me, you adhere to the highest ethical standards, and if you don't have the
1144 safety mission at heart, then you are not on my team.

1145 Ms. DeGette. I don't disagree with that. But, of course, that is not the question that I
1146 asked either -- is, when somebody leaves the agency, don't you think that there needs to be a
1147 bifurcation between the interests that they are now representing in their current position and the
1148 previous position that they held at the agency?

1149 Mr. Roberti. Yes. And there are all --

1150 Ms. DeGette. Thank you. Okay. That is all I was trying to ask you.

1151 Mr. Roberti. But there are all sorts of ethical requirements.

1152 Ms. DeGette. Right. Absolutely.

1153 Mr. Roberti. And it is done by career officials.

1154 Ms. DeGette. Great. Okay. So --

1155 Mr. Roberti. You wouldn't get away with doing anything unethical in the government --

1156 Ms. DeGette. So I guess --

1157 Mr. Roberti. -- trust me.

1158 Ms. DeGette. -- that is why -- I guess that is why we were concerned and dismayed that
1159 Deputy Administrator -- is it "Kochman"?

1160 Mr. Roberti. "Kochman," yes.

1161 Ms. DeGette. -- that Deputy Administrator Kochman recently published an advance notice

1162 of proposed rulemaking to get feedback on how to cut back repair requirements, in which he cited
1163 comments provided from INGAA which he himself authored while serving as INGAA's director of
1164 pipeline safety policy.

1165 And I liken that to if I put a suggestion box outside my congressional office and stuffed it full
1166 of comment cards that I had written out. It looks like I am interested in constructive feedback, but I
1167 don't have to institute any of the changes I didn't already plan on making. That is the way I see it.

1168 So I just want to ask you, do you see a Deputy Administrator citing his own comments
1169 previously made as a conflict of interest?

1170 Mr. Roberti. It would -- if there were a conflict of interest, it would not have happened.

1171 We --

1172 Ms. DeGette. No, no --

1173 Mr. Roberti. -- are very, very careful about that.

1174 Ms. DeGette. But if the Deputy Administrator cited his own comments as a reason for his
1175 decision, don't you think that is a conflict of interest?

1176 Mr. Roberti. Well, the body of the document is worked up by career officials. It gets
1177 signed off on by -- it is signed off by a non-career official. Everyone --

1178 Ms. DeGette. Yeah, I hear -- I know you don't want to answer this question, but I appreciate
1179 you trying --

1180 Mr. Roberti. But that would --

1181 Ms. DeGette. -- to do it.

1182 Mr. Roberti. -- mean that no one who had any engagement in the real world of pipelines
1183 could ever work in this industry.

1184 Ms. DeGette. No. What it would mean is they can't base their decisions on the comments
1185 that they -- on the very comments that they made.

1186 I yield back, Mr. Chairman.

1187 Mr. Balderson. [Presiding.] Thank you.

1188 Dr. Miller-Meeks?

1189 Mrs. Miller-Meeks. Thank you for recognizing me, Mr. Chair.

1190 I would also thank our witness for testifying today.

1191 As the Representative for Iowa's First Congressional District, I know how much our
1192 communities depend on a safe and reliable energy network to power homes, farms, and businesses.
1193 And, in fact, many of the communities within my district are asking for more pipelines and natural
1194 gas, not less.

1195 Much of that energy does move through an extensive network of pipelines that crosses our
1196 States, including rural areas and small towns that don't always make the headlines when something
1197 goes wrong.

1198 Recently, we saw a significant pipeline explosion in Washington County that thankfully did not
1199 result in injuries, but it was a stark reminder that one incident in a rural field can shake an entire
1200 community's confidence.

1201 Our constituents want to know that the rules and oversight in place today match the risk and
1202 technologies of today, not of the world 40 years ago.

1203 PHMSA has laid out a goal of a zero-incident future, and I agree that should be our aim. To
1204 get there, we need a modern regulatory framework that encourages innovation and uses the best
1205 available tools, while updating older regulations that may no longer fit current technology,
1206 equipment, and operations.

1207 This hearing is a chance for Congress to give clearer direction, streamline what isn't working,
1208 and reinforce what is. And I look forward to your answers to my questions on how this legislation
1209 can help us modernize pipeline safety in a way that protects Iowans, helps operators replace aging
1210 line and build new infrastructure, and keeps safety, not political philosophy, at the center of PHMSA's
1211 mission.

1212 Administrator Roberti, incidents like the one in Washington County can shake the public's
1213 confidence even when no one is hurt. What role do you see for PHMSA in keeping the public
1214 informed after an incident regarding the cause, the fixes, and any longer-term safety changes so that
1215 people in rural areas feel they are not in the dark about the risk and the responses?

1216 Mr. Roberti. Well, thank you for the question.

1217 You know, every -- an incident like that -- I am aware of that incident. We deployed our
1218 investigators. They are on site, monitoring the remediation activities. There was, I believe, an
1219 ordered pressure reduction on that pipeline in order to make sure that it is safe.

1220 We have community liaisons that can be available to assist the community with any
1221 questions. My staff is certainly available to liaise with your staff and provide information and
1222 updates as you feel necessary.

1223 Mrs. Miller-Meeks. Thank you.

1224 And when older pipelines are what is being affected, a lot of PHMSA's core regulations were
1225 written for an earlier era of pipeline design and inspection.

1226 How are you making sure that new tools, like advanced in-line inspection, data analytics, and
1227 remote monitoring, are recognized and encouraged in your regulation so that innovation is rewarded
1228 and not penalized?

1229 Mr. Roberti. Yeah. So, I mean, the movement of technology to create better in-line
1230 inspection tools that didn't exist decades ago are critical. And so we have an R&D forum that is
1231 coming up where we are trying to push commercialization of more technologies that are available to
1232 detect anomalies and defects in pipelines. We are going to continue -- we are going to continue to
1233 do that.

1234 In a situation like this, I have made it very clear that our oversight over a pipeline that has had
1235 an accident should require enhancements and a remediation plan. I would expect that there would
1236 be more requirements on in-line inspection, examination of the pipeline, if it is going to continue to

1237 operate. And, certainly, unless we are fully confident, we are not going to allow it to revert to the
1238 original pressure before --

1239 Mrs. Miller-Meeks. So it seems like this is a big opportunity to update outdated PHMSA
1240 rules so that they better reflect today's technology without adding unnecessary red tape for
1241 operations.

1242 Does any Federal agency currently require electric transmission companies to notify pipeline
1243 operators before beginning a reconductoring or voltage upgrade project in a shared right-of-way?

1244 And, if not, should PHMSA work with FERC and DOE to establish a clear, consistent
1245 notification and coordination process to protect both grid reliability and pipeline safety?

1246 Mr. Roberti. So that is definitely an emerging issue. I have met with some trade
1247 organizations that were very concerned about this. There was a failure recently due to this. It
1248 caused the -- the currents from the transmission line actually caused corrosion and a hole in the pipe.

1249 So I think there is great room for improvement on that, and we need to coordinate with our
1250 other Federal partners and States and citing authorities to, I think, do more on that issue.

1251 Mrs. Miller-Meeks. Thank you.

1252 My time has expired. I yield back.

1253 Mr. Balderson. Thank you.

1254 Up next is Representative Matsui from California.

1255 Ms. Matsui. Thank you very much.

1256 Thank you, Mr. Roberti, for being here today.

1257 I think we can all agree that the safe operation of our Nation's pipelines is of critical
1258 importance for all Americans. When something goes wrong, the consequences can be devastating,
1259 whether it is a deadly explosion or a toxic oil spill that contaminates our drinking water and causes
1260 ecological catastrophe.

1261 We rely upon our safety regulator, PHMSA, to have our backs, to make sure that pipelines are

1262 properly maintained and pipeline operators are taking the necessary precautions. Unfortunately, I
1263 am gravely concerned by some of the recent actions taken by PHMSA that undermine pipeline safety.

1264 In California, PHMSA is attempting to overrule State authorities and authorize the restart of
1265 the Sable Offshore oil pipeline, the same pipeline that caused the 2015 Refugio oil spill. That oil
1266 spill released more than 120,000 gallons of oil, affecting 150 miles of California coastline, doing
1267 irreparable harm to ecosystems and forcing the closure of fisheries and beaches, costing local
1268 businesses hundreds of millions of dollars.

1269 Mr. Roberti, yes or no, are you familiar with this pipeline and its history?

1270 Mr. Roberti. I am very well familiar with that pipeline.

1271 Ms. Matsui. Okay. Are you familiar with the cause of the oil spill?

1272 Mr. Roberti. I am familiar with it. I was involved in an enforcement action with eight
1273 Federal agencies and the State of California that, under my leadership, led to one of the highest fines
1274 in the history -- the highest fine in the history of the United States for a discharge of oil into Refugio
1275 State Beach, which, I can tell you, I have walked and even collected --

1276 Ms. Matsui. Okay.

1277 Mr. Roberti. -- an oil-covered stone as a -- as a -- to remember what the impact of such --

1278 Ms. Matsui. All right. Okay.

1279 Mr. Roberti. -- a discharge would be.

1280 Ms. Matsui. Now, you determined the pipeline ruptured due to a defective and inadequate
1281 corrosion protection system. And due to this defect, the California State government required that
1282 the Sable Corporation take additional measures to detect and repair any corrosion before restarting
1283 the pipeline.

1284 The legal settlement following the Refugio oil spill clearly requires California's approval for
1285 Sable to restart the pipeline, but Sable rejected the State's requirements, requesting that PHMSA
1286 intervene and overrule the State of California. In December, PHMSA asserted exclusive authority

1287 over the pipeline and, just 6 days later, issued an emergency permit for the pipeline.

1288 Mr. Roberti, yes or no, did you prepare an environmental review for this decision?

1289 Mr. Roberti. I believe an environmental review is underway.

1290 Ms. Matsui. Well --

1291 Mr. Roberti. Part of that notice --

1292 Ms. Matsui. -- my understanding is that -- okay.

1293 Did you issue a public notice or offer an opportunity for public comment, as required under
1294 law?

1295 Mr. Roberti. The emergency special permit was issued. It has been resubmitted and
1296 noticed. I think it is available for public comment right now.

1297 Ms. Matsui. Well -- okay.

1298 Mr. Roberti. And I think an environmental review is being conducted.

1299 Ms. Matsui. Are you aware that Sable is facing multiple criminal complaints regarding
1300 environmental violations for work conducted as part of this project?

1301 Mr. Roberti. I am not aware of that. I know there is a lot of -- there is litigation.

1302 What our role was was the question of whether the operational characteristics would trigger
1303 interstate, Federal jurisdiction over the safety aspects of that pipeline. And when that request was
1304 submitted, it was clear that it was interstate, so jurisdiction --

1305 Ms. Matsui. Okay.

1306 Mr. Roberti. -- reverted to PHMSA.

1307 Ms. Matsui. In 2016, following the Refugio oil spill, the PHMSA Administrator at that time
1308 said, quote, "This pipeline will not be allowed to operate until we are satisfied that all of the safety
1309 issues have been appropriately addressed."

1310 Can you seriously tell me that in just 6 days, with no environmental review, with no public
1311 comment period, you determined that all the safety issues with this corroded, defective pipeline had

1312 been appropriately addressed?

1313 Mr. Roberti. We -- so that is a very fair question. We deployed -- before we make any
1314 decision on a restart, under our regulations, we deployed a team of investigators. We did it
1315 collaboratively with the Office of the State Fire Marshal. They send inspectors too.

1316 And -- I specifically asked for this -- I went over with my lead field administrator that oversees
1317 these activities a 12-page inspection report to review all aspects of that pipeline facility to make sure
1318 that it has satisfied all of the regulations in the event that it is going to restart.

1319 Ms. Matsui. Well, the companies can self-certify, though. So how does PHMSA plan to
1320 conduct oversight to ensure that pipeline operators aren't endangering public safety?

1321 Mr. Roberti. Yeah, for the -- like I said, the first thing is to send inspectors out there to
1322 inspect the integrity management protocols.

1323 And I specifically asked -- I said, this can't just be pulling stuff off a shelf --

1324 Ms. Matsui. That is right.

1325 Mr. Roberti. -- undusting stuff that Plains All American Pipeline system had. And they
1326 made --

1327 Ms. Matsui. Okay.

1328 Mr. Roberti. -- it very clear that there have been serious efforts done to make sure that the
1329 pipe, the facilities, all of the activities are up to --

1330 Ms. Matsui. I see that my time is up.

1331 Mr. Roberti. -- up to the points of the code.

1332 Mr. Balderson. Your time has expired.

1333 Ms. Matsui. I yield back.

1334 Mr. Balderson. Thank you.

1335 Next up is the gentleman from South Carolina, Mr. Fry.

1336 Mr. Fry. Thank you, Mr. Chairman.

1337 Administrator, thank you for being here.

1338 PHMSA -- what, 3.3 million miles of pipelines? It is kind of astronomical when you think
1339 about it. That is a lot of ground to cover. And Americans depend on that every day for safety, for
1340 reliability, affordable energy.

1341 With the agency's authorization expiring in 2023, I think we have an important opportunity
1342 for both stability and clarity. The broader goal, I think, should be to avoid layering on new
1343 congressional mandates. Obviously, you have testified that you are going through a backlog of old
1344 mandates now and dealing with those, but -- and also to give the administration some running room
1345 to complete those outstanding requirements, modernize regulations, and implement safety
1346 priorities.

1347 The discussion draft reauthorizes programs, strengthens enforcement where needed, and
1348 streamlines the process so the agency can focus on advancing safety while enabling energy delivery.
1349 That should remain, I think, our guiding principle -- strong safety oversight without the unnecessary
1350 bureaucratic expansion. And so I look forward to our discussion here.

1351 Pipeline safety rulemaking has been a long-recurring issue in these debates. Can you talk
1352 about your backlog of rulemaking that you inherited and where you are in implementing those?
1353 And does Congress adding more required rulemakings help your safety-focused agenda?

1354 Mr. Roberti. So -- so we had -- we had a backlog. We are moving -- we finally achieved
1355 compliance with the class location rule, which has been finalized.

1356 We are moving the LNG facilities rule. This deals with LNG export facilities and also
1357 stationary sources of LNG to support -- pressure support for distribution systems. That rule, we
1358 hope to release an NPRM hopefully in the first half of this year.

1359 The idle pipe rule, we are trying to address that mandate.

1360 And then I want to get to -- we have prioritized based on where the greatest impact of safety
1361 would be, where we needed more -- the regulatory certainty. And that still leaves a few of the

1362 mandates, like the leak detection rule, the CO2 gaseous rule. Those are areas that we are trying to
1363 get to. We are trying to get them all done.

1364 Mr. Fry. Great.

1365 I am going to shift focus for a little bit.

1366 In recent years, especially involving high-profile pipelines, there have been "peaceful"
1367 protests -- right? -- with air quotes -- that have provided opportunities for criminals to attack
1368 pipelines and pipeline infrastructure, posing dangers not only to the attackers themselves but the
1369 communities, the safety of workers, certainly of people in the surrounding area and the
1370 environment.

1371 The acts are dangerous -- right? -- such as valve turning and other equipment, but don't
1372 necessarily result in physical damage to the pipeline, which I think poses a prosecutorial problem in
1373 how the law is interpreted to apply to only acts that cause physical damage.

1374 The discussion draft includes a provision to close that loophole. It would expand criminal
1375 penalties to actions that not only damage or destroy but also impair the operation of pipelines and
1376 pipeline facilities.

1377 What are your thoughts on expanding that to cover such acts?

1378 Mr. Roberti. Well, you know, we all support and believe in the right for peaceful protests
1379 and the ability for communities to express their concerns about energy infrastructure running
1380 through their communities.

1381 But where you have pipelines, tampering with a pipeline, an operating pipeline, is not just
1382 dangerous for the person who does it; it is dangerous to others, it is dangerous to workers. It could
1383 create an extremely dangerous situation, and putting aside supply disruption and what that would do
1384 to downstream communities that rely on those energy sources.

1385 I think, in this day, it is unfortunate, but in this day and age, probably the time has come to
1386 make sure that that specific conduct is held to a criminal standard.

1387 Mr. Fry. Yeah.

1388 The measure also covers damage or destruction to facilities under construction. Do you
1389 think that modernizing that, I guess, or closing that loophole would be an effective deterrent for
1390 various physical acts that ultimately deprive the public of affordable energy?

1391 Mr. Roberti. I think it would be an appropriate deterrent. But being vigilant both on the
1392 physical and cybersecurity side, with all the -- you know, the threat vectors are just continuously
1393 growing, and constant vigilance is in order as well.

1394 Mr. Fry. Thank you for that.

1395 And I see my time has expired, unfortunately. It always goes quick. And I know that the
1396 chair, including the current occupant of the chair position, runs a tight ship, so, with that, I yield back.

1397 Thank you.

1398 Mr. Balderson. Thank you, Representative.

1399 Up next is the gentleman from New York, Mr. Tonko.

1400 Mr. Tonko. Thank you, Mr. Chair. I appreciate you and the ranking member hosting this
1401 hearing.

1402 And, in addition to being a safety regulator, PHMSA funds some research and development
1403 activities, and that research can be critical in making well-informed regulatory decisions.

1404 I was surprised to see that, in September, PHMSA terminated nine R&D grants, primarily
1405 involving safety and corrosion issues for CO2 and hydrogen pipelines, totaling \$7 million.

1406 Administrator Roberti, do CO2 and hydrogen pipelines currently exist in the United States?

1407 Mr. Roberti. I believe that there are about 5,600 miles of CO2 pipelines. A much, much
1408 lower number of hydrogen pipelines exist today.

1409 Mr. Tonko. And do you believe, in the years ahead, there will be more or less miles of CO2
1410 and hydrogen pipelines in operation in our country?

1411 Mr. Roberti. You know, that is unclear. I think it depends on how you view the

1412 clean-energy transition. I know that there are differing views on that for supercritical CO2
1413 pipelines. I think the code is fairly sufficient in regulating them. We might want to do some
1414 updates to the latest industry consensus standards.

1415 Mr. Tonko. Yeah. Well, many believe more pipelines in the future.

1416 And so, if the infrastructure already exists, is there any reason why we wouldn't want more
1417 information to improve the safety of their operations, such as knowing how far people should be
1418 from ruptured pipelines to be safe, which was the subject of some of these terminated awards?

1419 Mr. Roberti. So some of these awards kind of, when you look at -- we want to have R&D
1420 that can go to market, that can move the needle on safety. And some of these -- some of these
1421 grants you are speaking of -- I took a personal interest to make sure that, were we making the right
1422 decisions on the appropriate use of taxpayer money? And basically they were looking at, you know,
1423 approaches that would reduce carbon footprints associated with corrosion mitigation. And that
1424 just didn't seem that we were an appropriate area to experiment with taxpayer money. So there
1425 were instances like that.

1426 Focusing on the hydrogen economy, with this administration, it seemed that we could achieve
1427 more safety outcomes moving those dollars to areas that were going to be real and palpable in terms
1428 of the infrastructure that is going to be deployed to meet the energy demands.

1429 And I am not aware of whether we had specific dollars associated with CO2. But those
1430 efforts are -- I don't think they are in the front seat right now of where America's energy economy is
1431 going.

1432 Mr. Tonko. Well, PHMSA's website says these projects were terminated -- and I
1433 quote -- "due to changes in the administration's priorities."

1434 What does that mean? Is the administration no longer prioritizing safety --

1435 Mr. Roberti. It is not about --

1436 Mr. Tonko. -- in terms of pipelines?

1437 Mr. Roberti. It is about -- it is actually about prioritizing safety and doing less R&D on
1438 opportunities for conversion to alternative fuels with lower carbon footprints.

1439 That was a less -- a much less direct way to achieve safety outcomes than to focus our R&D on
1440 developing better ways of detecting corrosion and inhibiting corrosion on pipelines, the real threats
1441 that may result in a rupture to a pipeline.

1442 Mr. Tonko. Well, in December, a PHMSA spokesperson was quoted in E&E News, stating,
1443 quote, "Taxpayers don't want those resources wasted on the Democrats' 'Green New Scam' agenda."
1444 So I am assuming the renewables are what they were focused on?

1445 I would like to point out that these awards were being carried out by research institutions
1446 including North Dakota State University, the University of North Dakota, the University of Oklahoma,
1447 and Texas A&M -- not exactly places that are thought of as bastions of Green New Deal thought
1448 leadership. But they are places that have a lot of nearby pipeline infrastructure, and I would guess
1449 that those communities want to know how to maximize safety.

1450 So, Administrator Roberti, it is incumbent, I think, on you to rise above politics when people's
1451 lives are at stake. And that means making certain that PHMSA research agenda items are
1452 accurately reflecting the emerging issues and knowledge gaps that exist to promote pipeline safety,
1453 especially when renewables are the cleanest and most readily added to the grid.

1454 So I would strongly encourage you to keep this in mind as PHMSA funds research moving
1455 forward.

1456 So, with that, I yield back.

1457 Mr. Latta. [Presiding.] Thank you very much.

1458 The gentleman yields back the remainder of his time.

1459 And the chair now recognizes the gentleman from Colorado's Eighth District for 5 minutes for
1460 questions.

1461 Mr. Evans. Thank you, Chairman, and of course to the ranking member and to the

1462 Administrator for taking the time for this important hearing.

1463 I spent over a decade as a cop. I am 12 years in the U.S. Army and Colorado Army National
1464 Guard. And I now get to represent one of the top energy-producing regions in the Nation. And so
1465 pipeline safety aligns perfectly with those two priorities, which is energy dominance and then public
1466 safety and national security. We need more reliable power, and we have to keep the safety of our
1467 communities top of mind.

1468 Now, lucky for us, the United States, my district produces some of the cleanest and safest oil
1469 and natural gas in the world, and reauthorizing PHMSA, the pipeline safety program, will enable us to
1470 continue that legacy. About 80 percent of the oil and 60 percent of the natural gas in the State of
1471 Colorado comes out of my district.

1472 Unfortunately, the ruling Democrats in Colorado are working to completely eliminate natural
1473 gas by 2050. And, oftentimes, they do that by attacking pipelines and the distribution
1474 infrastructure to get this form of energy into people's homes or to other end users of natural gas.

1475 And so my question to you is, how do burdensome environmental regulations and climate
1476 mandates in blue States like Colorado actually prevent the safe and consistent maintenance of
1477 pipeline infrastructure?

1478 Mr. Roberti. Well, every time the industry -- and this is -- right now, it is a State-by-State
1479 issue. Many States are trying to eliminate pipelines.

1480 And what it does is, to the extent that States hold decisions, say, for distribution systems that
1481 are made of compromised materials like cast iron, bare steel, or even Aldyl A, which is a plastic that is
1482 moving high up on the list for pipeline assets that need to be replaced, States that are pursuing
1483 decarbonization are saying, "Hold on. Let's take a timeout. We won't need these pipelines
1484 anymore."

1485 Unfortunately, whether they are regulators or they are legislators, they are operating in a
1486 world of delusion. These pipelines will be necessary for decades to come. The electric grid can't

1487 possibly accommodate the megawatt-hours that would be necessary to convert the few -- the
1488 high-density sources of energy like oil and jet fuel and natural gas, let alone fly planes. It cannot
1489 happen. And so the math really belies and demonstrates the problem here.

1490 So, when industry is distracted by these policies -- new policies and changes have to occur
1491 over long periods of time. And when you try to force huge changes in an industry by a date certain
1492 because you pick off a round number like 2020 or 2050, you are setting yourself up for failure.

1493 But what it does to safety is this: These companies no longer have the support of State
1494 economic regulators -- that is not the case at the Federal level -- to continue investing in systems to
1495 make sure that they are safe.

1496 Mr. Evans. So is it fair to characterize that as: When regulators and regulatory burden
1497 goes after pipelines, they actually can't invest the money, the time, the resources, and the
1498 technology into making those distribution systems safer because they are dealing with a regulatory
1499 structure or a regulatory concept that says, no, we are not even going to need these pipelines, in the
1500 case of Colorado, by 2050, where natural gas is banned for residential heating? Is that a fair
1501 characterization?

1502 Mr. Roberti. Absolutely. What they are saying is that the customer should get a heat
1503 pump that won't even make your home feel warm, if you have experienced the weather in New
1504 England like we have in the past month, and, on top of it, your electric rates will quadruple to pay for
1505 it at the higher, elevated electricity prices.

1506 Mr. Evans. And --

1507 Mr. Roberti. Is that progress? I don't think so.

1508 Mr. Evans. And, as we know, in Colorado, natural gas is oftentimes cleaner than the
1509 electricity that is coming out of the grid right now for equivalent use of -- for equivalent amount of
1510 energy and when we measure that in terms of carbon footprint.

1511 I have 30 seconds left here. Talk about how the information-sharing systems of this pipeline

1512 safety bill that we are talking about -- tell me about how that enhances public safety. Twenty-five
1513 seconds.

1514 Mr. Roberti. Okay. Well, we think that it will be modeled after what the FAA has done.

1515 There is a lot of data information that comes from in-line inspection tools. All of this
1516 data -- there is a hesitation among the industry to share it, for fear of the safeguards that are built
1517 into this bill.

1518 And this would facilitate sharing of information. We could probably leverage AI to figure out
1519 ways to take this data, share it, and make the pipeline system safer and achieve that zero-incident
1520 future.

1521 Mr. Evans. Thank you.

1522 I yield back.

1523 Mr. Latta. Thank you very much.

1524 The gentleman's time has expired, and he yields back.

1525 The chair now recognizes the gentlelady from Washington's Eighth District for 5 minutes for
1526 questions.

1527 Ms. Schrier. Thank you, Mr. Chairman.

1528 And thank you, Administrator Roberti, for being here today.

1529 Today I would like to focus our attention on safety of liquid pipelines.

1530 Less than 4 months ago, a blueberry farmer just outside my district discovered an oil spill at
1531 the BP Olympic Pipeline, which is a critical supply line for jet fuel.

1532 It took roughly 3 weeks for BP to respond and repair and then restart operations during the
1533 busy travel season, and flights were canceled. And severe fuel shortages at SeaTac, I believe also in
1534 Portland, resulted, in our State, in a State emergency declaration.

1535 I would love to think that this was a one-off, but unfortunately it is not the first time this has
1536 happened. This marks the 26th reportable incident in the last 13 years, resulting in nearly 30,000

1537 total gallons of oil spilled.

1538 And while we are lucky that in this particular instance there weren't reports of significant
1539 harm to wildlife or to public health, a leak in 2023 caused 25,000 gallons of gas to seep into fish
1540 habitat and close a nearby school.

1541 So, Administrator Roberti, as I mentioned earlier, a blueberry farmer tending to his land
1542 detected this first leak randomly. It wasn't BP. And from discovery, again, it took a couple weeks
1543 to identify the point of origin and then longer to fix it.

1544 And so, despite BP touting their systems as state-of-the-art, I am really concerned that this is
1545 considered state-of-the-art if a blueberry farmer detected it, essentially, and if this is a pattern.

1546 And so I guess my question is: It is -- you know, it is alarming, I think, to most of us when a
1547 farmer discovers this and not state-of-the-art systems. And can you kind of comment on why the
1548 public seems to be more able to detect these --

1549 Mr. Roberti. Yeah.

1550 Ms. Schrier. -- than leak operators?

1551 Mr. Roberti. Well, it is interesting; on the natural gas side, the mercaptan that is in all
1552 natural gas is a mechanism for the public being alert --

1553 Ms. Schrier. Yeah.

1554 Mr. Roberti. -- that there is a leak --

1555 Ms. Schrier. You smell it.

1556 Mr. Roberti. -- and that does save lives.

1557 But I share your concerns. I mean, this is the same -- I am well aware of this pipeline. I
1558 have been very active in asking the enforcement division where we are with these reports, failure
1559 investigation reports, and I am going to continue to do that.

1560 Both of those -- those most recent accidents are under investigation, so I am not going to talk
1561 too much about them, but I want you to know, they are under investigation.

1562 I also know, this is the same pipeline, the Olympic Pipeline, that caused the horrible tragedy in
1563 1999 that took the deaths -- that took the lives of three young people.

1564 And so that is the type of stuff with -- I live with every day. That is the type of stuff that
1565 keeps me up at 2:00 a.m.

1566 My goal is to ensure that the operators of pipelines are waking up as much as I am waking up
1567 over incidents like this.

1568 Ms. Schrier. So, I guess, here is where I would like to really go. Standards help companies
1569 rise to standards. And, as you know, PHMSA requires liquid pipeline operators to maintain an
1570 effective leak detection system. But PHMSA has declined to actually set performance standards
1571 after Congress directed a study to examine whether they were necessary.

1572 And it seems like, in every other industry, you put a standard on there if you want an industry
1573 to meet it. And so does PHMSA need clear statutory direction to set a quantitative, not just a
1574 qualitative, performance standard on leak detection systems?

1575 Mr. Roberti. I don't know that we need a standard. I do believe that that is one of the
1576 areas I profiled in our enforcement agenda, to look at leak detection, and I think that that is a really,
1577 really important area where we need to look at those technologies.

1578 So that is definitely -- I think our agency, with the current leadership, we have been
1579 doing -- we have been out in advance. Many of the proposed mandates and efforts that have come
1580 out of the competing bills in Congress we have already been doing. We have been very active on
1581 this front.

1582 But I am going -- I will commit to you and to this committee that we are going to work
1583 aggressively to improve --

1584 RPTR KERR

1585 EDTR SECKMAN

1586 [12:16 p.m.]

1587 Ms. Schrier. Just a final comment in my 13 seconds, please strongly consider actual
1588 standards. It will demand the best in companies and will give more tools to PHMSA.

1589 And I also just have to comment, as many of my colleagues have, that it is very regrettable
1590 that this was not a bipartisan bill. They managed to do it in T&I. They managed to do it in the
1591 Senate. And here we are. I really would hope that, in this committee, known for bipartisanship,
1592 we could, you know, have a seat at the table and bring a bipartisan bill because we need PHMSA
1593 reauthorized.

1594 Thank you. I yield back.

1595 Mr. Latta. Thank you. The gentlelady's time has expired and yields back.

1596 The chair now recognizes the gentleman from Texas' 11th District for 5 minutes for questions.

1597 Mr. Pfluger. Thank you, Mr. Chairman.

1598 And, just a note, it is still a discussion draft, and there is plenty of time to make it bipartisan.
1599 It should be. Pipelines are the safest delivery method in the world.

1600 We appreciate what you are doing. In a State like Texas, we have almost half a million miles
1601 of pipeline that transport the vast majority of our oil, natural gas, CO2, and other things. And our
1602 national security depends on that. We are seeing that play out with the situation in Iran. We
1603 need to continue to build out this network because it is the safest network.

1604 So, Administrator, thank you. The ERCOT grid relies heavily on natural gas-fired generation
1605 to meet the peak demand and maintain grid stability, and adequate pipeline capacity and timely
1606 infrastructure development are directly tied to reliability and affordability.

1607 But can you mention how will the reauthorization of PHMSA help ensure that pipeline
1608 infrastructure can be developed safely and efficiently to improve that reliability and the affordability

1609 for every American family?

1610 Mr. Roberti. Yes. I believe in the value of growing the Nation's pipelines because of how
1611 safe they are. We stand ready to assist in reviewing the plans, designs for pipelines. We don't
1612 permit them, but we work very cooperatively to assist and make sure that the design and the
1613 construction and the operation of those pipelines will be safe and in accordance with our Code of
1614 Federal Regulations.

1615 You know, that to me, having clarity, having understandable regulations, and being a good
1616 government agency that is going to hold operators accountable if they fail to meet the code I think
1617 goes a long way to supporting the development of pipelines.

1618 Mr. Pfluger. Well, that is why this is so important, because that predictability is important
1619 for them to know what those regulations are to meet them, and they have every intent. And I
1620 would invite my colleagues, especially on the other side of the aisle, to come visit my district and see
1621 exactly what these operators are doing not only to comply but above and beyond.

1622 Enhanced oil recovery is very important right now. It depends on CO₂. There are many
1623 companies who have championed that technology. Will PHMSA modernize the safety regulations
1624 for CO₂ specifically in those pipelines to ensure that they are workable for operators,
1625 understandable, and that they can also be safe as well.

1626 Mr. Roberti. Yes. And we have an outstanding gaseous CO₂ mandate. The current
1627 regulations haven't been updated on the supercritical. I think we are going to -- we are going to
1628 move on that. We are going to try to update those regulations.

1629 We are not going to do it in a -- we are not going to write a whole bunch of regulations for
1630 hypothetical events. We are going to try to focus on industry consensus standards, look at what
1631 meets the -- a good balance between cost and benefit, and that is on the list of mandates that I want
1632 to see done while I am here as Administrator.

1633 Mr. Pfluger. How will a reauthorization strengthen the coordination between State agencies

1634 and work better to achieve stated objectives that we have been talking about in this hearing today?

1635 Mr. Roberti. So the grant money that you give us for the State-based grants and the one-call
1636 and the excavation damage prevention grants are really good because not only does it create a
1637 partnership with the States; it is an accountability tool where we evaluate how States are doing on
1638 the various efforts, whether it is to enforce the code for intrastate pipeline operators or, in some
1639 instances, like Washington, if it is an interstate agent where they do the inspections for interstate as
1640 well as intrastate.

1641 But those grants and that partnership I think is a great example of cooperative federalism. I
1642 have a lot of trust in that approach, and, you know, I know everybody needs more money. We try
1643 to give the States as much as we can. We fund up to 80 percent of their programs. We might be
1644 striking a level that is a bit lower than that right now with the current funding.

1645 Mr. Pfluger. Thank you.

1646 Last question for you. As PHMSA shifts towards more of a data-driven approach and a
1647 risk-based oversight model, does the agency intend to potentially revisit how gas-gathering lines are
1648 classified, and specifically for the inspection and compliance resources that are being used?

1649 Mr. Roberti. Yes. So, for the gas-gathering lines, the current pipeline safety law gives the
1650 Secretary this discretion. It is a little convoluted if you read it. In fact, I went to talk to my chief
1651 counsel this morning about reading that language. And, if you want to get into a, like, you know,
1652 like, twirl your head a little bit, you can look at that language. It is in the bill. But I digress.

1653 You know, that area --

1654 Mr. Pfluger. I may have to get it from you in writing. I am sorry. I want to be
1655 respectful --

1656 Mr. Latta. Well, if the gentleman would submit that in writing, the answer to the gentleman
1657 from Texas, your answer to his question, that would be appreciated.

1658 Mr. Roberti. Yes. So, on that area, what we have done --

1659 Mr. Latta. I am sorry. The time has expired. I am sorry. Thank you. Thank you.

1660 The chair now recognizes the gentlelady from Texas' Seventh District for 5 minutes for
1661 questions.

1662 Mrs. Fletcher. Thank you very much, Chairman Latta, and thank you to you and Ranking
1663 Member Castor for holding this hearing.

1664 I am sorry that my friend from Texas is leaving, but I will take him up on his offer. I have
1665 been to his district. I have been to the control rooms there.

1666 And I have the privilege of representing the energy capital of the world in Houston, and
1667 Houston companies, as you likely know, Administrator Roberti, control over 58 percent of the United
1668 States' natural gas pipeline capacity and 33 percent of the oil capacity for oil pipelines. So the
1669 professionals who live and work in my district know that pipeline safety is paramount, and they
1670 dedicate their lives and their careers to making sure that these pipelines are safe.

1671 And the safety of our communities has to remain a priority as demand for energy grows,
1672 which we talk about in this committee all the time, that we are going to have increased demand for
1673 the energy and for the infrastructure to deliver it.

1674 And, to that end, I know from having worked in various capacities here that the safety of our
1675 pipeline infrastructure really depends on a working partnership between industry and government
1676 regulators at PHMSA. And, unfortunately, what we have seen in this administration is that the cuts,
1677 the sort of chaotic, I would say, cuts, and a real push to deregulate have left PHMSA struggling to
1678 fulfill its statutory obligations.

1679 I appreciate your testimony, Administrator Roberti, and I know -- I can tell from this hearing,
1680 you know, that you are working hard to meet the challenges in front of you, but I also am very aware
1681 of the cuts that have been made that make that harder to do. And I have heard it from folks in the
1682 industry and a lot of concerns about what is happening.

1683 We know that, since the beginning of this administration, more than half of PHMSA'S senior

1684 leadership has left, and several major rulemakings were abandoned in response to the President's
1685 regulatory freeze pending review memorandum.

1686 So, you know, what I am hearing from people in my district is that PHMSA lacks the resources
1687 for proper training and isn't prepared, and we are not preparing PHMSA, for the challenges of the
1688 growing demand for pipelines to meet our energy needs. And the bill that we are reviewing today
1689 and talking about really fails to address those issues.

1690 It provides significantly less funding, \$200 million, on average, for pipeline safety activities.
1691 That is less than the bipartisan bill from T&I. It also fails to provide a path forward for PHMSA to
1692 address new technologies like hydrogen and CO2 pipelines. And we need PHMSA to be forward
1693 looking and thinking about the technologies and the sources of the future.

1694 When I was on the Transportation and Infrastructure Committee, we worked on the 2020
1695 reauthorization bill, and I worked really hard to include this technology pilot provision. That was
1696 something that the people in my district told me was critically important, to be able to get realtime
1697 testing results for new technologies in the field.

1698 And that was designed to really help address the concerns that my colleagues have raised on
1699 this side of the aisle about environmental concerns, as well as concerns for overall safety and
1700 concerns from communities.

1701 So I am really disappointed that this bill doesn't reauthorize this bipartisan program, which is
1702 included in the Senate reauthorization bill. I hope, Mr. Chairman, we can work that into our bill, as
1703 we know this is continuing in process, and I would really like to ask for that.

1704 Mr. Roberti, in the time that we have, can you talk a little bit -- like I said, I have heard
1705 concerns from operators that the pilot program's implementation really has prevented the ability for
1706 them to get these new pilot technologies into the field.

1707 And so, as we continue working on PHMSA reauthorization, what can we do to ensure the
1708 success of this program and, ultimately, the reauthorization of this program? If you could talk

1709 about that for the committee, I think that would be very helpful.

1710 Mr. Roberti. Well, there was a bit of alignment between that program and what we are
1711 currently doing on special permits. That program got bogged down because of the influence of
1712 extraneous aspects, like strong application of NEPA review. In our current program, we have tried
1713 to be much more transparent by posting special permits, being open to companies that want to
1714 exploit innovative techniques and prove that they can advance safety, and not use the special permit
1715 process as a way of attaching all sorts of bells and whistles that are not really germane to the
1716 particular area of the code that the operator is seeking to operate under a different approach.

1717 So I think we are making headway. I mean, obviously, if Congress were to do the program
1718 again, we would do it, but we have made great headway, and I think the current legislation reflects
1719 some of the improved processes that we are putting in place to really help operators to say, "If you
1720 have got a better way of doing it" --

1721 Mr. Latta. And I am sorry to interrupt. The gentlelady's time has expired --

1722 Mrs. Fletcher. Thank you.

1723 Mr. Latta. -- and the chair now recognizes the at-large member from the great State of
1724 North Dakota, the gentlelady, for 5 minutes of questions.

1725 Mrs. Fedorchak. Thank you, Mr. Chairman.

1726 And thank you, Mr. Roberti. We go way back, probably about 13 years now that I have
1727 known you, and I just want to first thank you for the passion that you have showed for this issue, for
1728 many, many years.

1729 When I was just a very new commissioner at the North Dakota Public Service Commission and
1730 new at NARUK, I remember being at meetings, and it was shortly after the San Bruno explosion, and
1731 you were the lead voice in all of NARUK on calling attention to that and really getting State regulators
1732 focused on it and really focusing on the need for prevention, for training.

1733 And you were like the biggest leader in NARUK on that issue. So just you continuing to share

1734 your passion and experience on pipeline safety is really gratifying, and I am pleased to have you here
1735 today, so thank you.

1736 A couple of things. Speaking about the partnership with the States, having been a regulator,
1737 we operated on behalf of PHMSA for some of the programs. I thought it was a great way to have
1738 folks who are committed to our State and really care deeply about what happens there focus on
1739 pipeline safety. So I think it is a brilliant program.

1740 Tell me about the benefits of the State partnerships and if you have enough money for that
1741 and if you think that you could save money and have more safety by expanding that model of kind of
1742 that cooperative federalism and more State inspectors.

1743 Mr. Roberti. Yes, it is a great program. Our State partners cover 80 percent of the natural
1744 gas pipelines, the distribution pipelines. I think there is 1.3 million miles of distribution mains,
1745 another almost 1 million miles of service lines, and they are front and center with their inspections.

1746 We work hard to train them, work cooperatively to share information. We have an annual
1747 certification program. We try -- I have made it very clear to my agency and the Office of Pipeline
1748 Safety leadership, I want them engaged in all the regional meetings that the National Association of
1749 Pipeline Safety Representatives have -- they have their regional meetings like NARUK -- and to be
1750 fully engaged to support them, train them, share best practices.

1751 And I make it a -- I drop everything when they have their annual meeting to go speak to them
1752 for all of the historical reasons and, you know, our legacy that we have with NARUK as public utility
1753 commissioners.

1754 So I really believe in it. Funding is up to 80 percent. I think we are tracking about a little
1755 below 60 percent on the funds that we can provide to States for their programs. You know, if
1756 Congress gave us more money on that, we certainly could use it for the States. But, right now, I
1757 think the current budget amounts in the President's budget may not have that in it.

1758 Mrs. Fedorchak. Yes. Well, if there is any information that PHMSA could provide to us in

1759 the cost-benefit of that program, it would be helpful to have so I could be a good advocate for
1760 increasing dollars for that.

1761 Mr. Roberti. Okay.

1762 Mrs. Fedorchak. On another point, you mentioned additional focus on enforcement and
1763 accountability. Can you talk a little bit about that and how that kind of is an extension of your
1764 risk-based approach, too, and how those are working together.

1765 Mr. Roberti. Yes. Like I said, in our enforcement priorities, every time an accident or an
1766 incident happens, I believe that it is incumbent on us to be there on the significant incidents to
1767 evaluate, to report out the facts, the who, what, where, when, what happened, and then to evaluate,
1768 was there -- you know, was there good-faith compliance with the code?

1769 I am not looking for quotas. Numbers, you know, enforcement numbers, it is not about the
1770 numbers. It is about kind of the safety results. I am very focused on the safety results. I believe
1771 many of the criticisms that have occurred that predated me coming in as Administrator, I am hopeful
1772 that they will fade away because we will be out there making sure operators know that they don't
1773 want us to show up, that we are not just going to show up and catalog and chronicle incidents and
1774 accidents. We are going to look and find out, like I used to say when I was subcommittee chairman
1775 at NARUK on pipeline safety, was the accident preventable? And, if it was preventable, what could
1776 have been -- what should have been done under the code?

1777 And that is the accountability mechanism that I think trickles right up to upper management
1778 and to board rooms and that will -- that is my goal, and I am going to pursue that.

1779 Mrs. Fedorchak. Thank you. I appreciate your focus and your experience.

1780 And, Mr. Chairman, I yield back.

1781 Mr. Latta. And the gentlelady's time has expired and yields back.

1782 The chair now recognizes the gentleman from Massachusetts' Fourth District for 5 minutes for
1783 questions.

1784 Mr. Auchincloss. Thank you, Chairman.

1785 Just one question. I know you have got a relatively small R&D budget, what, 12 million? Is
1786 that what it was?

1787 Mr. Roberti. Yes.

1788 Mr. Auchincloss. What could be done on the R&D and tech deployment around methane
1789 leak detection, potent greenhouse gas? And, you know, regrettably, in this discussion draft version
1790 of the bill, protections against methane leaks have been scaled back. I think it is, rightfully, not
1791 going to be acceptable for a bipartisan product.

1792 But are there tech solutions that we should be cognizant of as we continue to negotiate this
1793 draft?

1794 Mr. Roberti. Yes. I mean, leak detection is critical whether it is methane or jet fuel, and so
1795 our upcoming R&D forum, which will occur at the end of this month, I think is a good opportunity to
1796 find out what new technologies. There are some very expensive technologies out there. We want
1797 utilities, like distribution utilities, to avail themselves of the latest technology. Some are really
1798 expensive.

1799 If there are lower cost ways to monitor for methane in high consequence areas, I think that is
1800 definitely a worthy cause.

1801 Mr. Auchincloss. What I would encourage you to do as you think about that, just from
1802 watching other agencies who have done it well or done it poorly, is issue very clear criteria for
1803 success that are actually tech agnostic criteria: Here are the outcomes we are looking for. Here is
1804 how we evaluate that those outcomes have been met. And then here is how we will remunerate
1805 for the success of that.

1806 And so you can create a market for innovators to sell into then if you are very clear about
1807 what you are expecting. Now, it would be helpful if this committee could back that up with
1808 bipartisan language, but I think there is a lot of ingenuity out there, and I think some of these people

1809 will come and find you if you are very clear about what you are looking for.

1810 Mr. Roberti. I totally agree, and I do believe that was one of the defects in the leak
1811 detection rule that we are examining right now, that the need to be technology agnostic is very, very
1812 important. So I agree with that.

1813 Mr. Auchincloss. I have got a few extra minutes. That was my only question. I know a
1814 couple of times you got cut off. Is there anything else that you wanted to address that you haven't
1815 had a chance to say?

1816 Mr. Roberti. No. I appreciate the interest of this committee and the passion you have for
1817 all of these really important issues. So it is a privilege to appear before you today.

1818 Mr. Auchincloss. I yield back, Chair.

1819 Mr. Latta. Thank you very much. The gentleman yields back the balance of his time.

1820 The chair now recognizes the gentleman from California's 15th District for 5 minutes for
1821 questions.

1822 Mr. Mullin. Thank you, Mr. Chair.

1823 Thank you, Administrator Roberti, for your testimony today.

1824 Fifteen years ago, a natural gas pipeline exploded in the San Bruno, which is in my district, just
1825 a few miles from my house. This tragedy claimed eight lives and destroyed or damaged over 100
1826 homes. The impact on the community was devastating and long lasting, and that is why we need to
1827 get reauthorization of this pipeline safety program right.

1828 Compared to the bipartisan proposal coming out of the T&I Committee, this partisan bill has
1829 at least \$150 million less in funding for replacing dangerous and outdated gas distribution pipelines.
1830 My understanding is that this will not sustain the grant program that was established under the
1831 Bipartisan Infrastructure Law to replace aging and inadequate pipeline infrastructure.

1832 So, Administrator, by the time this grant program runs out of funding, will every dangerous
1833 and outdated gas pipeline in America have been replaced?

1834 Mr. Roberti. Well, I wouldn't call the pipelines -- the age has never been -- no pipeline
1835 reaches a certain age where it is declared to be unsafe because of the technologies that can be
1836 employed to monitor them. But I think when you are looking at systems, like cast iron main that
1837 could predate more than a hundred years ago, there comes a point in time where you have to have a
1838 long-term, sustained approach for systemic investment and replacement.

1839 And all operators of utilities, whether they are publicly owned or investor owned, need to be
1840 doing that. So that is the imperative, focusing on systematic investment in systems to make sure
1841 that, within 10 years or 50 years or 100 years, no pipeline asset is going to be 150 years old.

1842 And so the capital markets are -- most communities have bond -- rating agencies giving them
1843 ability to attract funding. They have access to low-cost capital. You know, maybe the better way
1844 is to have a bank where there is low-cost capital, a revolving loan like they do on the clean water
1845 finance for sewer projects for municipally owned.

1846 But I do get concerned if you just take the dump truck and unload hundreds of millions of
1847 dollars out there. I don't know that you get the same tight, cost-effective outcomes in terms of
1848 infrastructure replacements.

1849 Now, we have inherited this program. Whatever Congress decides, we will implement it,
1850 and we will implement it effectively. But, at the end of the day, all operators need to be focused on
1851 knowing their assets, knowing where the risks are, and certainly knowing that, if you have got a
1852 100-year-old pipeline that is leaking, you have got to get that in the capital plan, and you have got to
1853 address it and upgrade it.

1854 Mr. Mullin. Well, I certainly agree with the systemic approach to this, but there are
1855 dangerous pipelines running right now under schools and neighborhoods, and I have a deep concern
1856 if this committee is going to vote on a bill that would not fully fund the program to replace them
1857 given what we have seen happen across the country.

1858 So I believe it is woefully inadequate. Thank you for being here today to answer the

1859 questions.

1860 Mr. Chair, I yield back.

1861 Mr. Latta. Thank you very much.

1862 The gentleman from Texas -- it is the 33rd District, isn't it?

1863 Mr. Veasey. Yes, it is.

1864 Mr. Latta. Boy, I have got a good memory.

1865 -- is recognized for 5 minutes for questions.

1866 Mr. Veasey. Mr. Chairman, thank you very much.

1867 And, Administrator, I appreciate your testimony here today.

1868 Last summer, during our budget hearing, I said that pipeline safety is not a luxury, that it is a

1869 necessity. And we rely on millions and millions of infrastructure to power our country, and we

1870 definitely have a shared responsibility to make sure that this network is as safe as possible.

1871 And, for those of us in the Fort Worth area, this isn't an abstract policy discussion. We are

1872 still very mindful -- and I am not sure if you are aware of the Sandman explosion that happened in

1873 downtown Fort Worth last year. As a matter of fact, my wife and I had just eaten at that hotel a

1874 week or two before that explosion, and it really was just a reminder of how important pipeline safety

1875 is.

1876 I really appreciate your focus on modernizing PHMSA and your efforts to complete

1877 outstanding mandates from the 2020 PIPES Act, and I also appreciate that the discussion draft before

1878 us attempts to move reauthorization forward.

1879 But I do have some serious concerns that the bill does not fully meet at the moment. As a

1880 Texan, I strongly support building and maintaining energy infrastructure, but public confidence in

1881 energy infrastructure depends on trust, and trust, obviously, depends on safety to minimize incidents

1882 like the one I just mentioned in downtown Fort Worth.

1883 Our job here is simple. We have to make sure that Americans can turn on the heat, that

1884 they can fuel their economy and live in their homes knowing the infrastructure around them is safe.
1885 I look forward to a very productive dialogue on how we can work together to achieve our common
1886 goal of a zero incident future.

1887 And so I wanted to ask you: Pipelines are definitely the safest transportation method, but
1888 safety depends on strong standards and consistent enforcement. Would you agree public trust
1889 relies on both industry performance and effective oversight?

1890 Mr. Roberti. Yes.

1891 Mr. Veasey. Absolutely. Thank you.

1892 PHMSA oversees more than 3 million miles of pipeline infrastructure, and that continues to
1893 grow. What do you think happens operationally if funding fails to keep pace with new pipeline
1894 deployment?

1895 Mr. Roberti. Well, for us, as an agency, we work very hard to reorient and make sure that
1896 we are efficient and effective in how we run the agency with an eye toward our core activities, for
1897 the most part, which is updating the code, making sure the code is updated and clear, and making
1898 sure that our enforcement program brings compliance and accountability in the industry.

1899 So we will continue to do that, and that will lead the industry, keep the industry operating,
1900 making sure that they invest properly, that they are employing the latest technologies, inline
1901 inspection tools to make sure their systems are safe.

1902 Mr. Veasey. Yes. No, that makes a lot of sense.

1903 You mentioned in your testimony enforcement cuts and personnel reductions, but incidents
1904 continue to occur each year. Where do your current pipeline policies fall short in preventing
1905 accidents before they happen? Have you had a chance to sort of look at that?

1906 Mr. Roberti. Well, some of these -- I mean, the majority, like 70, 80 percent of the incidents
1907 that we are responsible for are with States. So we don't have primary jurisdiction. And excavation
1908 damage, for instance, is a leading area. Even this morning, there was an incident in Missouri that a

1909 house blew up because someone was drilling and putting in fiber optic cable and drilled through a
1910 pipeline.

1911 Those types of incidents lead to a lot of property damage and can lead to very serious
1912 consequences, including death, and they are avoidable. They are preventable. So we definitely
1913 need to do more on that front.

1914 On everything else, I mean, leak detection for the liquid pipelines, that is -- yes, we have got
1915 to do -- we have to do better. We have to do better. And, certainly, pipelines in
1916 high-consequence areas carry huge responsibilities by the operators to constantly maintain
1917 surveillance on those pipelines to ensure that they are operating safely.

1918 Mr. Veasey. So I understand the practical impact. If PHMSA doesn't have sufficient
1919 resources or authority, what specific safety activities do you think have to be dropped or sort of
1920 minimized?

1921 Mr. Roberti. Well, you know, our inspection enforcement division, those core personnel,
1922 were exempted from any reductions or early retirement programs. We did have a few retirements.
1923 We are not down that significantly, and, as we speak, we are hiring more inspectors. So we are not
1924 going to back off on that area.

1925 Like I said, when I was chief counsel, this agency's budget ballooned in a matter of 5 years.
1926 We are back to where we were when I was chief counsel, and I thought we had a lot of resources
1927 then. I aim to leverage --

1928 Mr. Latta. I am sorry to interrupt again. The gentleman's time has expired.

1929 The chair now recognizes the gentleman from Pennsylvania's 13th District for 5 minutes for
1930 questions.

1931 Mr. Joyce. Thank you, Chairman Latta, for holding this important hearing, and to you,
1932 Administrator Roberti, for testifying.

1933 As I have spoken at length during prior committee hearings, Pennsylvania has an incredibly

1934 strong natural gas industry that is well-situated to meet both domestic and global supply. The
1935 resource that is under the feet of my constituents is plentiful; it is accessible; and it is affordable.

1936 But, in order to move the natural gas to other parts of the country or to LNG export facilities,
1937 Pennsylvania must rely on the United States' energy pipeline, and that is what this discussion is all
1938 about: the safety of those pipelines.

1939 And, while the U.S. houses one of the most expansive pipeline networks in the world, as
1940 demand increases, so will the need for pipeline capacity. Our ability to expand and modernize our
1941 energy delivery network will rely on several factors, but two of the most important entirely are public
1942 trust in the safety and predictable regulation.

1943 I think, Administrator, you will agree with that. Your agency has done incredible influence
1944 and responsibility in both of these areas, and I applaud you for the work that you have already done
1945 since your confirmation in working through overdue rulemaking and modernizing your regulation to
1946 match current technological standards.

1947 Congress and Federal agencies often move slower than the commercial market when it comes
1948 to considering and adopting technological improvements. Administrator Roberti, as PHMSA works
1949 through its rulemaking process, what steps can you take to future proof your regulations, allowing
1950 operators, such as EQT, which drills in Pennsylvania, West Virginia, and Ohio, to adopt new
1951 technologies as they become available?

1952 Mr. Roberti. Well, I think the most important thing, to your question, you raise a really
1953 important issue, is, does the code reflect modern technologies? And so many of our efforts -- we
1954 had 30 various rulemakings in the last year on the pipeline side to do just that, to take -- you know,
1955 the code, and I bring it with me here today because the code, it can't be a stale document. It really
1956 should be a living document. It should move with the times.

1957 And, as it does, I think we get the modern regulations that can leverage the best in advanced
1958 engineering practices. New technologies are going to lead to more cost-effective and safer

1959 outcomes. What that does is it lowers costs for the American consumer, but, also, it breeds safety
1960 and confidence in our pipeline system.

1961 Mr. Joyce. And, to the point that you are making, is there congressional direction that we
1962 can provide in the reauthorization that will assist in incentivizing industry innovation in both safety
1963 and efficiency, rather than hindering it?

1964 Mr. Roberti. Well, I think the biggest thing you can do and what is very nice about this
1965 discussion bill is the attempt to expand the agency's mission beyond our core -- what I have
1966 discussed here today, it is very helpful for us to maintain the course and not try to expand the
1967 agency's mission like we saw in the last administration.

1968 Mr. Joyce. In your testimony, you emphasized PHMSA's refocused enforcement inspection
1969 framework, that should not go soft on safety. You also mentioned examples of recent high-profile
1970 enforcement actions by your agency. Can you expand on how refocusing your oversight allows you
1971 to target the areas with the highest impact on safety?

1972 Mr. Roberti. Yes. And I discussed this earlier about we want to focus on where accidents
1973 and incidents occur. That is a good place to deploy resources, and we are doing that. We want to
1974 focus on control rooms and where the capabilities to detect leaks, leak detection, is front and center.

1975 We want to focus on high-consequence areas where pipelines are in urban or high-population
1976 areas, and if something goes wrong, you will have a disastrous consequence.

1977 Mr. Joyce. Do you feel that this is a more targeted brand of oversight in pipeline safety?

1978 Mr. Roberti. It is going to be more targeted. It is going to be safety driven. So, instead of
1979 having -- instead of handing out 100 speeding tickets for 5 miles over the speeding ticket, you are
1980 more looking like, you know, we are going to have 25 where, you know, the speeds were in excess of
1981 15 to 25 miles per hour, the bigger impacts.

1982 Mr. Joyce. I think you have that overview that is so necessary, and the reauthorization of
1983 PHMSA's pipeline safety program will not overall help to strengthen the U.S. energy pipeline

1984 network, but it will ensure, as it expands, that we can continue to innovate, something you talk
1985 about, and unleash that American energy dominance that we so desperately need.

1986 I thank you for being here today, Administrator. I yield back the remainder of my time.

1987 Mr. Latta. Well, thank you very much. The gentleman's time has expired and yields back.

1988 And, seeing no further members wishing to ask questions of our witness today, thank you so
1989 much for appearing before us today. Members may have additional written questions for you, and I
1990 remind members they have 10 business days to submit additional questions for the record and ask
1991 that witnesses do their best to submit responses within 10 business days upon receipt of their
1992 questions.

1993 I ask unanimous consent to insert in the record the documents included on the staff hearing
1994 documents list.

1995 And, hearing no objections, without objection, so ordered.

1996 [The information follows:]

1997

1998 ***** COMMITTEE INSERT *****

1999

2000 Mr. Latta. And, without objection, the subcommittee is adjourned. Thanks so much for

2001 appearing today.

2002 [Whereupon, at 12:52 p.m., the subcommittee was adjourned.]

2003

2004