

119TH CONGRESS
1ST SESSION

H. R. 1182

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2025

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To require the Secretary of Transportation to promulgate regulations relating to the approval of foreign manufacturers of cylinders, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Compressed Gas Cyl-
3 nder Safety and Oversight Improvements Act of 2025”.

4 **SEC. 2. REGULATION OF FOREIGN MANUFACTURERS OF**
5 **CYLINDERS USED IN TRANSPORTING HAZ-**
6 **ARDOUS MATERIALS.**

7 (a) DEFINITIONS.—In this section:

8 (1) CYLINDER.—The term “cylinder” means
9 any cylinder specified under any of sections 178.36
10 through 178.68 of title 49, Code of Federal Regula-
11 tions (or successor regulations).

12 (2) FOREIGN MANUFACTURER OF CYLINDERS;
13 FMOC.—The term “foreign manufacturer of cyl-
14 inders” or “FMOC” means an entity that manufac-
15 tures cylinders outside of the United States that are
16 intended to be represented, marked, certified, or sold
17 as qualified for use in transporting a hazardous ma-
18 terial in commerce in the United States.

19 (3) IN GOOD STANDING.—The term “in good
20 standing”, with respect to an FMOC, means that
21 the FMOC—

22 (A) is approved by the Secretary pursuant
23 to section 107.807 of title 49, Code of Federal
24 Regulations (or a successor regulation); and

25 (B) has demonstrated 3 years of compli-
26 ance with—

1 (i) part 107 of title 49, Code of Fed-
2 eral Regulations (or successor regulations);
3 and

4 (ii) chapter 51 of title 49, United
5 States Code.

6 (4) SECRETARY.—The term “Secretary” means
7 the Secretary of Transportation.

8 (b) APPROVAL OF FOREIGN MANUFACTURERS OF
9 CYLINDERS.—

10 (1) IN GENERAL.—The Secretary shall promul-
11 gate regulations to provide that an approval pro-
12 vided to an FMOC pursuant to section 107.807 of
13 title 49, Code of Federal Regulations (or a successor
14 regulation), shall be for a period of not longer than
15 1 year, except as provided under paragraph (2).

16 (2) 5-YEAR APPROVAL.—The Secretary may
17 provide a 5-year approval of an FMOC pursuant to
18 section 107.807 of title 49, Code of Federal Regula-
19 tions (or a successor regulation), if the following re-
20 quirements are met:

21 (A) The FMOC attests that none of the
22 cylinders made by the FMOC are prohibited
23 from entry to the United States under section
24 307 of the Tariff Act of 1930 (19 U.S.C.
25 1307).

1 (B) The FMOC certifies that—

2 (i) the information provided pursuant
3 to subsection (e) is accurate; and

4 (ii) the FMOC has a proactive respon-
5 sibility to inform the Secretary if any such
6 information materially changes.

7 (C) The Secretary determines that the
8 FMOC is in good standing.

9 (3) FACILITY INSPECTIONS.—

10 (A) DEFINITION OF OBSTRUCTS.—In this
11 paragraph, the term “obstructs” means taking
12 actions that are known, or reasonably should be
13 known, to prevent, hinder, or impede an inspec-
14 tion.

15 (B) PENALTIES.—The Secretary may sus-
16 pend or terminate an approval of an FMOC if
17 the FMOC obstructs or prevents the Secretary
18 from carrying out an inspection under section
19 107.807(c) of title 49, Code of Federal Regula-
20 tions (or a successor regulation).

21 (4) INTERACTION WITH OTHER STATUTES,
22 AGREEMENTS, REGULATIONS.—Nothing in this sec-
23 tion may be construed to prevent the harmonization
24 of cylinder standards otherwise authorized by law.

1 (5) OTHER CAUSE FOR SUSPENSION OR TERMI-
2 NATION.—The Secretary may suspend or terminate
3 an approval of an FMOC on determination that the
4 FMOC knowingly or intentionally misrepresented re-
5 sponses to the Secretary required by law, including
6 under subsection (e).

7 (c) REEVALUATION BY REQUEST FOR RELATED VIO-
8 LATIONS.—

9 (1) IN GENERAL.—Not later than 1 year after
10 the date of enactment of this Act, the Secretary
11 shall promulgate such regulations as are necessary
12 to establish a process, as determined by the Sec-
13 retary, for any interested party to request a reevalu-
14 ation of the approval of FMOC cylinders under sec-
15 tion 107.807 of title 49, Code of Federal Regula-
16 tions (or a successor regulation), to review the accu-
17 racy and safety of the actions of the FMOC.

18 (2) PETITION FOR REEVALUATION.—The regu-
19 lations promulgated under paragraph (1) shall allow
20 an interested party to file a petition if that party
21 has evidence of inaccurate, changed, or fraudulent
22 attestations or responses made by an FMOC to the
23 Secretary under subsection (e).

24 (d) NOTICE AND COMMENT FOR APPLICATIONS BY
25 FOREIGN MANUFACTURERS OF CYLINDERS.—On receipt

1 of an application for approval under section 107.807 of
2 title 49, Code of Federal Regulations (or a successor regu-
3 lation), the Secretary shall—

4 (1) timely publish notification of the application
5 on the website of the Pipeline and Hazardous Mate-
6 rials Safety Administration; and

7 (2) provide 30 days for public comment on the
8 application prior to approval.

9 (e) ADDITIONAL QUESTIONS TO ENSURE SAFETY
10 AND COMPLIANCE WITH DOT PROCESSES.—

11 (1) ADDITIONAL QUESTIONS.—The Secretary
12 shall require, as part of an application for approval
13 pursuant to section 107.807 of title 49, Code of
14 Federal Regulations (or a successor regulation), that
15 the applicant answer the following questions:

16 (A) Whether the FMOC applying, or any
17 entity controlling more than 10 percent of that
18 FMOC, has ever been subject to a civil mone-
19 tary penalty under title 49, United States Code,
20 relating to any actions carried out as an ap-
21 proved FMOC or during the application for ap-
22 proval under that section.

23 (B) Whether the FMOC applying, or any
24 entity controlling more than 10 percent of that
25 FMOC, has been delinquent in the payment of

1 any civil monetary penalties or other fines or
2 fees under title 49, United States Code.

3 (C) Whether the FMOC applying, or any
4 entity controlling more than 10 percent of that
5 FMOC, is subject to the Do Not Pay Initiative
6 established under section 3354 of title 31,
7 United States Code, as of the date of the appli-
8 cation.

9 (D) Whether the FMOC applying, or any
10 entity controlling more than 10 percent of that
11 FMOC, is listed in the Military End User List
12 of the Department of Commerce as of the date
13 of the application.

14 (E) Whether the FMOC applying, or any
15 entity controlling more than 10 percent of that
16 FMOC, is identified by the Department of De-
17 fense as an entity listed under section 1237 of
18 the Strom Thurmond National Defense Author-
19 ization Act for Fiscal Year 1999 (50 U.S.C.
20 1701 note; Public Law 105–261) as of the date
21 of application.

22 (F) Whether the FMOC applying, or any
23 entity controlling more than 10 percent of that
24 FMOC, has been found guilty of a criminal
25 penalty or assessed a civil penalty under section

1 1760 of division A of the John S. McCain Na-
2 tional Defense Authorization Act for Fiscal
3 Year 2019 (50 U.S.C. 4819).

4 (G) Whether the FMOC applying, or any
5 entity controlling more than 10 percent of that
6 FMOC, is subject to a final antidumping or
7 countervailing duty order from the Department
8 of Commerce as of the date of application.

9 (2) DENIAL OF APPLICATION.—The Secretary
10 may deny under section 107.709 of title 49, Code of
11 Federal Regulations (or a successor regulation), an
12 application for approval under section 107.807 of
13 that title (or a successor regulation) based on the re-
14 sponses to the questions required under paragraph
15 (1).

16 (f) FOREIGN MANUFACTURERS LISTING APPROV-
17 ALS.—Not later than 1 year after the date of enactment
18 of this Act, and annually thereafter, the Secretary shall
19 publish and maintain on the website of the Pipeline and
20 Hazardous Materials Safety Administration a list of ap-
21 proved foreign manufacturers of cylinders and the dura-
22 tion of those approvals.

23 (g) AUTHORIZING FOREIGN INSPECTIONS.—Not
24 later than 18 months after the date of enactment of this

1 Act, the Secretary shall revise section 107.807(d) of title
2 49, Code of Federal Regulations—

3 (1) to require that in any case in which the
4 Secretary determines there is good cause, an inspection under that section shall be carried out annually
5 for such duration as the Secretary determines appropriate;
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7

8 (2) to specify that a refusal of inspection under
9 that section shall result in a loss of the status of in
10 good standing;

11 (3) to allow the Secretary to request, at the discretion of the Secretary—

12 (A) production of test and production
13 records; and
14

15 (B) random sample testing; and

16 (4) to allow for the recovery of all associated
17 costs of foreign inspections to include travel, time,
18 and other costs, as determined by the Secretary.

Passed the House of Representatives June 9, 2025.

Attest: KEVIN F. MCCUMBER,
Clerk.