

119TH CONGRESS  
1ST SESSION

# H. R. 1182

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IN THE SENATE OF THE UNITED STATES

JUNE 10, 2025

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

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## 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   inder 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).

(B) The FMOC certifies that—

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

(ii) the FMOC has a proactive responsibility to inform the Secretary if any such information materially changes.

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

(3) FACILITY INSPECTIONS.—

(A) DEFINITION OF OBSTRUCTS.—In this paragraph, the term “obstructs” means taking actions that are known, or reasonably should be known, to prevent, hinder, or impede an inspection.

(B) PENALTIES.—The Secretary may suspend or terminate an approval of an FMOC if the FMOC obstructs or prevents the Secretary from carrying out an inspection under section 107.807(c) of title 49, Code of Federal Regulations (or a successor regulation).

(4) INTERACTION WITH OTHER STATUTES, AGREEMENTS, REGULATIONS.—Nothing in this section may be construed to prevent the harmonization 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;  
6  
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.*