

(A) COMMENCEMENT OF ACTION.—A person on whose behalf an order was issued under paragraph (3) may commence a civil action against the person or persons to whom such order was issued to require compliance with such order. The appropriate United States district court shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce such order.

(B) ATTORNEY FEES.—The court, in issuing any final order under this paragraph, may award costs of litigation (including reasonable attorney and expert witness fees) to any party whenever the court determines such award of costs is appropriate.

(c) MANDAMUS.—Any nondiscretionary duty imposed by this section shall be enforceable in a mandamus proceeding brought under section 1361 of title 28, United States Code.

(d) NONAPPLICABILITY TO DELIBERATE VIOLATIONS.—Subsection (a) shall not apply with respect to an action of an employee of an employer who, acting without direction from the employer (or such employer's agent), deliberately causes a violation of any requirement relating to pipeline safety under this chapter or any other law of the United States.

(Added Pub. L. 107-355, §6(a), Dec. 17, 2002, 116 Stat. 2989.)

§ 60130. Pipeline safety information grants to communities

(a) GRANT AUTHORITY.—

(1) IN GENERAL.—The Secretary of Transportation may make grants for technical assistance to local communities and groups of individuals (not including for-profit entities) relating to the safety of pipeline facilities in local communities, other than facilities regulated under Public Law 93-153 (43 U.S.C. 1651 et seq.). No grants may be awarded under section 60114(g) until the Secretary has established competitive procedures for awarding grants under this section and criteria for selecting grant recipients. The amount of any grant under this section may not exceed \$100,000 for a single grant recipient. The Secretary shall establish appropriate procedures to ensure the proper use of funds provided under this section.

(2) DEMONSTRATION GRANTS.—At least the first 3 grants awarded under this section shall be demonstration grants for the purpose of demonstrating and evaluating the utility of grants under this section. Each such demonstration grant shall not exceed \$25,000.

(3) DISSEMINATION OF TECHNICAL FINDINGS.—Each recipient of a grant under this section shall ensure that—

(A) the technical findings made possible by the grants are made available to the relevant operators; and

(B) open communication between the grant recipients, local operators, local communities, and other interested parties is encouraged.

(4) TECHNICAL ASSISTANCE DEFINED.—In this subsection, the term “technical assistance”

means engineering and other scientific analysis of pipeline safety issues, including the promotion of public participation in official proceedings conducted under this chapter.

(b) PROHIBITED USES.—Funds provided under this section to grant recipients and their contractors may not be used for lobbying, for direct advocacy for or against a pipeline construction or expansion project, or in direct support of litigation.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Transportation for carrying out this section \$1,500,000 for each of fiscal years 2012 through 2015. Such amounts shall not be derived from user fees collected under section 60301.

(Added Pub. L. 107-355, §9(a), Dec. 17, 2002, 116 Stat. 2994; amended Pub. L. 109-468, §5, Dec. 29, 2006, 120 Stat. 3490; Pub. L. 112-90, §32(e), Jan. 3, 2012, 125 Stat. 1923; Pub. L. 113-188, title XV, §1501(c), Nov. 26, 2014, 128 Stat. 2024.)

REFERENCES IN TEXT

Public Law 93-153, referred to in subsec. (a)(1), is Pub. L. 93-153, Nov. 16, 1973, 87 Stat. 576, as amended. Title II of the Act, known as the Trans-Alaska Pipeline Authorization Act, is classified generally to chapter 34 (§1651 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1651 of Title 43 and Tables.

AMENDMENTS

2014—Subsecs. (c), (d). Pub. L. 113-188 redesignated subsec. (d) as (c) and struck out former subsec. (c) which required annual reports on grants made under this section.

2012—Subsec. (a)(1). Pub. L. 112-90, §32(e)(1), substituted “\$100,000” for “\$50,000”.

Subsec. (b). Pub. L. 112-90, §32(e)(2), inserted “to grant recipients and their contractors” after “this section” and “, for direct advocacy for or against a pipeline construction or expansion project,” after “for lobbying”.

Subsec. (d). Pub. L. 112-90, §32(e)(3), substituted “\$1,500,000 for each of fiscal years 2012 through 2015” for “\$1,000,000 for each of the fiscal years 2003 through 2010”.

2006—Subsec. (a)(1). Pub. L. 109-468, §5(1), substituted “No grants may be awarded under section 60114(g) until the Secretary has established competitive” for “The Secretary shall establish competitive”.

Subsec. (a)(2) to (4). Pub. L. 109-468, §5(2), (3), added pars. (2) and (3) and redesignated former par. (2) as (4).

Subsec. (d). Pub. L. 109-468, §5(4), substituted “2010” for “2006”.

§ 60131. Verification of pipeline qualification programs

(a) IN GENERAL.—Subject to the requirements of this section, the Secretary of Transportation shall require the operator of a pipeline facility to develop and adopt a qualification program to ensure that the individuals who perform covered tasks are qualified to conduct such tasks.

(b) STANDARDS AND CRITERIA.—

(1) DEVELOPMENT.—Not later than 1 year after the date of enactment of this section, the Secretary shall ensure that the Department of Transportation has in place standards and criteria for qualification programs referred to in subsection (a).

(2) CONTENTS.—The standards and criteria shall include the following: