



One Hundred Thirteenth Congress  
U.S. House of Representatives  
Committee on Homeland Security  
Washington, DC 20515

April 3, 2014

**SUBCOMMITTEE ACTION**

The Committee on Homeland Security's Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies met, pursuant to notice, in open markup session, a quorum being present, on Thursday, April 3, 2014 in 311 Cannon House Office Building to consider the following measure: H.R. 4007, (Mr. Meehan) To recodify and reauthorize the Chemical Facility Anti-Terrorism Standards Program. The "Chemical Facility Anti-Terrorism Standards Program Authorization and Accountability Act of 2014".

The Subcommittee took the following actions:

H.R. 4007, to recodify and reauthorize the Chemical Facility Anti-Terrorism Standards Program; was ordered to be forwarded to the Full Committee with a favorable recommendation, as amended, by voice vote.

The Committee agreed to H.R. 4007, amended, by voice vote.

The following amendments were offered:

An Amendment in the Nature of a Substitute to H.R. 3283 offered by Mr. Meehan (#1); was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 4007 offered by Ms. Clarke (#1A); Insert opening quotation marks before each provisions of section 2 through 9, insert closing quotation marks and a following period at the end of section 9, and before section 2 (page 1, after line 4), and insert the following (and make appropriate technical and conforming changes):

Sec. 2. Amendment to Homeland Security Act of 2002 to Provide For the Regulation of Security Practices at Chemical Facilities.

The Homeland Security Act of 2002 is amended by adding at the end the following: "Title XXI-Regulation of Security Practices at Chemical Facilities".; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 4007 offered by Mr. Perry (#1B); Page 3, starting on line 12, strike paragraph (1) and inserting a

new paragraph entitled “(1) Audits and Inspections.”; was AGREED TO by a recorded vote of 5 yeas and 3 nays (Roll Call Vote No. 1).

The vote was as follows:

<b>Roll Call Vote No. 1</b>	
<b>Yeas</b>	<b>Nays</b>
Mr. Meehan Mr. Rogers Mr. Marino Mr. Daines Mr. Perry	Ms. Clarke Mr. Keating Mr. Horsford
<b>5</b>	<b>3</b>

An amendment to the Amendment in the Nature of a Substitute to H.R. 4007 offered by Ms. Clarke (#1C); Page 3, line 12, insert before “The Secretary” the following: “The Secretary shall audit and inspect chemical facilities subject to regulation under this Act for the purposes of determining compliance with this Act.”. Page 3, line 17, strike “a non-Department or non-government entity” and insert “another government entity”.; was NOT AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 4007 offered by Ms. Clarke (#1D); In section 2(a), strike “and require such facilities to submit security vulnerability assessments and to develop and implement site security plans” and insert “, assign such facilities to risk-based tiers, require such facilities to submit vulnerability assessments and to develop and implement site security plans, approve or disapprove the security vulnerability assessments and site security plans submitted by such facilities, audit and inspect such facilities, and enforce compliance with the requirements of this Act”.; was NOT AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 4007 offered by Ms. Clarke (#1E); In Section 2, strike subsection (f).; was NOT AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 4007 offered by Ms. Clarke (#1F); Page 11, after line 21, insert a new section (and renumber the subsequent sections accordingly): entitled “Sec. 9. Assessment of Chemical Facility Anti-Terrorism Standards Exemptions.”; was WITHDRAWN by unanimous consent.

A unanimous consent request by Ms. Clarke to withdraw her amendment was not objected to.

An amendment to the Amendment in the Nature of a Substitute to H.R. 4007 offered by Ms. Clarke (#1G); Page 7, after line 15, insert a new subsection entitled “(g)

Personnel Surety Program.”; was NOT AGREED TO by a recorded vote of 3 yeas and 5 nays (Roll Call Vote No. 2).

The vote was as follows:

<b>Roll Call Vote No. 2</b>	
<b>Yeas</b>	<b>Nays</b>
Ms. Clarke Mr. Keating Mr. Horsford	Mr. Meehan Mr. Rogers Mr. Marino Mr. Daines Mr. Perry
<b>3</b>	<b>5</b>

An amendment to the Amendment in the Nature of a Substitute to H.R. 4007 offered by Ms. Clarke (#1H); Strike section 2 and redesignate sections 8 through 11 as sections 7 through 10, respectively.

Page 11, line 24-25, strike “for each fiscal year” and insert “for each of fiscal years 2015, 2016, and 2017”.; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 4007 offered by Ms. Clarke (#1I); In section 2, redesignate subsections (d) through (f) as subsections (e) through (g), respectively, and insert after subsection (c) a new subsection entitled “(d) Assistance to High Risk Chemical Facilities.”

In subsection (g) of section 2, as redesignated, strike “subsection (e)(1)” and insert “subsection (f)(1)”.; was NOT AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 4007 offered by Mr. Horsford (#1J); Page 2, line 2, after the period insert the following “The preparation of a security vulnerability assessment and site security plan, as required under subsection (a), shall include, to the greatest extent possible, at least one supervisory employee and at least one non-supervisory employee of the covered chemical facility, and at least one employee representative from each bargaining agent at the covered chemical facility, if any, who possesses relevant knowledge, experience, training, or education.”.; NOT AGREED TO by a recorded vote of 3 yeas and 5 nays (Roll Call Vote No. 3).

The vote was as follows:

<b>Roll Call Vote No. 3</b>	
<b>Yeas</b>	<b>Nays</b>
Ms. Clarke Mr. Keating Mr. Horsford	Mr. Meehan Mr. Rogers Mr. Marino Mr. Daines Mr. Perry

<b>3</b>	<b>5</b>
----------	----------

An amendment to the Amendment in the Nature of a Substitute to H.R. 4007 offered by Ms. Horsford (#1K); Insert after section 2 a new section entitled “Sec. 4. Whistleblower Protections.”; NOT AGREED TO by a recorded vote of 3 yeas and 5 nays (Roll Call Vote No. 4).

The vote was as follows:

<b>Roll Call Vote No. 4</b>	
<b>Yeas</b>	<b>Nays</b>
Ms. Clarke Mr. Keating Mr. Horsford	Mr. Meehan Mr. Rogers Mr. Marino Mr. Daines Mr. Perry
<b>3</b>	<b>5</b>

An amendment to the Amendment in the Nature of a Substitute to H.R. 4007 offered by Ms. Clarke (#1L); Page 5, after line 14, insert a new paragraph entitled “(5) Exemption for certain personnel engaged in transportation activities.”; was WITHDRAWN by unanimous consent.

A unanimous consent request by Ms. Clarke to withdraw her amendment was not objected to.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 4007.

