H. R. 916

To extend the chemical facility security program of the Department of Homeland Security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2011

Mr. Dent introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To extend the chemical facility security program of the Department of Homeland Security, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Continuing Chemical Facilities Antiterrorism Security Act of 2011”.

SECTION 2. EXTENSION OF CHEMICAL FACILITIES ANTI TERRORISM SECURITY PROGRAM.

(a) IN GENERAL.—Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (6 U.S.C. 8550(a)(2)) is amended by striking $30,000,000 and inserting $50,000,000.
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121 note) is amended by striking “October 4, 2010” and inserting “October 4, 2015”.

(b) CHEMICAL FACILITY SECURITY ENHANCEMENTS.—

(1) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding at the end the following:

“TITLE XXI—CHEMICAL FACILITY SECURITY

“SEC. 2101. CHEMICAL SECURITY TRAINING PROGRAM.

“(a) Establishment.—Acting through the Administrator of the Federal Emergency Management Agency and in coordination with the Under Secretary for National Protection and Programs, the Secretary shall establish a voluntary chemical security training program (referred to in this section as the ‘training program’) for the purpose of enhancing the capabilities of high-risk chemical facilities to prevent, prepare for, respond to, mitigate against, and recover from threatened or actual acts of terrorism, natural disasters, and other man-made disasters.

“(b) Requirements.—The training program shall provide validated voluntary training that—

“(1) reaches multiple disciplines, including Federal, State, and local government officials, commer-
cial personnel and management, and governmental and nongovernmental emergency response providers;

“(2) provides training at the awareness, performance, and management and planning levels;

“(3) uses multiple training mediums and methods;

“(4) is coordinated with training provided by government training facilities, academic institutions, private organizations, and other entities that provide specialized, state-of-the-art training for governmental and nongovernmental emergency responder providers or commercial personnel and management;

“(5) uses, as appropriate, government training facilities, courses provided by community colleges, public safety academies, State and private universities, and other facilities;

“(6) is consistent with, and supports implementation of, the National Incident Management System, the National Response Framework, the National Infrastructure Protection Plan, the National Preparedness Guidance, the National Preparedness Goal, the National Maritime Transportation Security Plan, and other such national initiatives, and any successors thereto;
“(7) is evaluated against clear and consistent performance measures;
“(8) addresses security requirements under chemical facility security plans; and
“(9) educates, trains, and involves individuals in neighborhoods around chemical facilities on how to observe and report security risks.

“SEC. 2102. CHEMICAL SECURITY EXERCISE PROGRAM.
“(a) IN GENERAL.—Acting through the Administrator of the Federal Emergency Management Agency and in coordination with Under Secretary for National Protection and Programs, the Secretary shall develop a voluntary chemical security exercise program (referred to in this section as the ‘exercise program’) for the purpose of offering voluntary testing and evaluation of the capabilities of the Federal Government, State governments, commercial personnel and management, governmental and nongovernmental emergency response providers, the private sector, or any other organization or entity, as the Secretary determines to be appropriate, to prevent, prepare for, mitigate against, respond to, and recover from acts of terrorism, natural disasters, and other emergencies at chemical facilities.
“(b) REQUIREMENTS.—Under the exercise program, the Secretary shall conduct, on a periodic basis, voluntary joint security exercises at chemical facilities that are—

“(1) scaled and tailored to the needs of each chemical facility;

“(2) for the highest risk chemical facilities, as determined by the Secretary, live training exercises;

“(3) as realistic as practicable and based on current risk assessments, including credible threats, vulnerabilities, and consequences;

“(4) consistent with the National Incident Management System, the National Response Framework, the National Infrastructure Protection Plan, the National Preparedness Guidance, the National Preparedness Goal, the National Maritime Transportation Security Plan, and other such national initiatives, and any successors thereto;

“(5) evaluated against clear and consistent performance measures;

“(6) assessed to learn best practices, which shall be shared with appropriate Federal, State, and local officials, commercial personnel and management, governmental and nongovernmental emergency response providers, and the private sector;
“(7) followed by remedial action in response to lessons learned; and

“(8) designed to assist State and local governments and chemical facilities in designing, implementing, and evaluating exercises that—

“(A) conform to the requirements of this paragraph; and

“(B) are consistent with any applicable Buffer Zone Protection Plan, State homeland security plan, or urban area homeland security plan.

“SEC. 2103. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this title.”.

(2) Table of Contents.—The table of contents in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 2022 the following:

“TITLE XXI—CHEMICAL FACILITY SECURITY

“Sec. 2101. Chemical security training program.
“Sec. 2102. Chemical security exercise program.
“Sec. 2103. Authorization of appropriations.”.