

Security (DHS) is required to: establish risk-based performance standards designed to protect covered chemical facilities from acts of terrorism; require such facilities to submit security vulnerability assessments and develop and implement site security plans; review and approve or disapprove each such assessment and plan; arrange for the audit and inspection of covered chemical facilities to determine compliance with this Act; and notify, and issue an order to comply to, the owner or operator of a facility not in compliance.

The legislation is based upon feedback and information the Homeland Security Committee and the Committee on Energy and Commerce received through countless meetings with industry stakeholders, the regulated community, first responders, union representatives, the Senate Homeland Security and Government Affairs Committee, and the Department of Homeland Security itself.

Among the benefits H.R. 4007 provides are:

Greatly improved coordination and communication between DHS and the owners and operators of chemical facilities.

Enhanced information sharing with the first responders who put themselves in harms way dealing with chemical facility incidents, like the tragedy at West, TX.

A more workable employee-screening methodology, that allows facility owners and operators to implement procedures that make sense and ensure maximum security.

The elimination of the problem of "outlier" chemical facilities (currently, there are thousands of facilities still unknown to DHS) to ensure no facility remains "off the grid".

The certainty that chemical infrastructure security will no longer hang in the balance with each year's appropriations cycle.

Ensures that whistleblower protections available to facility workers who report security issues to DHS are clearly articulated in all CFATS media and materials.

Greater Department accountability through mandatory biannual GAO audits of the CFATS program to provide for informed and thorough Congressional oversight.

I ask my colleagues from both side of the aisle to support this bipartisan bill, which received strong support from the Committee on Homeland Security.

Hon. MICHAEL McCaul,
Chairman, Committee on Homeland Security,
Washington, DC.

Hon. PATRICK MEEHAN,
Chairman, Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies,
Washington, DC.

Hon. BENNIE THOMPSON,
Ranking Member, Committee on Homeland Security,
Washington, DC.

Hon. YVETTE CLARKE,
Ranking Member, Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies,
Washington, DC.

DEAR CHAIRMAN McCaul, RANKING MEMBER THOMPSON, CHAIRMAN MEEHAN, AND RANKING MEMBER CLARKE:

We, the undersigned organizations would like to express our support for H.R. 4007, the CFATS Program Authorization and Accountability Act of 2014 and urge the House Committee on Homeland Security to quickly consider and pass the bill. H.R. 4007 is a streamlined bill that provides a three year authorization of the Chemical Facility Anti-Terrorism Standards (CFATS) program and guidance to the Department of Homeland Security (DHS) on key issues of chemical facility security.

The bill addresses several important policy goals. First, it provides a multi-year authorization to allow DHS to confidently implement CFATS and industry to make important investments with the certainty that goes along with knowing the program will be authorized. The current practice of year-to-year extensions, or worse, short-term continuing resolutions through the appropriations process, is a destabilizing force in the implementation and investment process.

Secondly, the legislation also addresses some of the major impediments to completing site security plans and full implementation of the program. It addresses certain concerns surrounding the personnel surety requirements needed for access; gives covered facilities the ability to meet site security plans through alternate security plans approved by DHS and an option to use 3rd parties as inspectors; improves Congressional oversight regarding the tiering methodology; and ensures better coordination with state and local officials.

We recognize the complexities in implementing a program like CFATS and are fully aware of some of the flaws in management exposed over the past few years. This multi-year authorization will give DHS the time and stability it needs to improve its implementation, but at the same time, will ensure that Congress has the ability to monitor the program and make any necessary changes to it before the next authorization.

The organizations and companies listed below represent thousands of American businesses that employ millions of American workers. We are manufacturers, producers, processors, distributors, transporters, and retailers in agriculture, chemistry, energy, forest products, medicine, and other businesses that form our nation's infrastructure. We support H.R. 4007, and urge the Committee on Homeland Security to quickly consider and pass this important legislation.

Thank you for your timely consideration.

Sincerely,

Agricultural Retailers Association, American Chemistry Council, American Coatings Association, American Forest & Paper Association, American Fuel and Petrochemical Manufacturers, American Gas Association, American Petroleum Institute, American Trucking Associations, Association of Oil Pipe Lines, CropLife America, Edison Electric Institute, Global Cold Chain Alliance, Institute of Makers of Explosives.

International Association of Refrigerated Warehouses, International Liquid Terminals Association, International Warehouse Logistics Association, National Agricultural Aviation Association, National Association of Chemical Distributors, National Association of Manufacturers, National Mining Association, National Pest Management Association, Petroleum Marketers Association of America, Society of Chemical Manufacturers & Affiliates, The Fertilizer Institute, U.S. Chamber of Commerce.

AMERICAN CHEMISTRY COUNCIL,
Washington, DC, July 8, 2014.

Hon. JOHN BOEHNER,
Speaker of the House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER AND LEADER PELOSI: The American Chemistry Council (ACC) urges you to vote yes today on H.R. 4007, The Chemical Facility Anti-Terrorism Standards (CFATS) Authorization and Accountability Act of 2014. ACC strongly supports this bill which would give much needed long term authorization to the CFATS program. CFATS regulates security for a wide variety of facilities that make, store, or use chemicals

from farms to factories. The program allows facilities to tailor their security plans to meet their unique needs, and authorization of the program would give the industry long overdue regulatory certainty.

ACC is the trade association for the chemical industry in the United States, which is a \$770 billion industry and employs 784,000 Americans in high wage jobs. The industry is experiencing a renaissance thanks to the increase in domestic shale gas production, and our members have announced over \$110 billion in new planned capital expenditures that will provide tens of thousands of new jobs, and give manufacturers throughout the value chain a domestic supply of the chemicals they need to manufacture products in this country. Ensuring that clear and workable security regulations remain in place is an important part of creating an environment that will continue to foster these new investments.

DHS has dramatically improved its administration of the CFATS program, which has had a positive impact on enhancing security at US chemical sites, and ACC supports making this a permanent program for the approximately 4,500 sites that are regulated under CFATS. Congressional oversight via an authorization would help DHS with some of the challenges they have faced implementing the program, even as the agency has made progress with a new management structure. The industry has seen considerable increased activity from DHS, including improved quality of inspections and faster authorizations. Most importantly, DHS leadership has demonstrated a commitment to working with stakeholders to improve the implementation of the CFATS program.

A long term authorization outside of the appropriation process will provide the regulatory consistency and operational stability to ensure the success of CFATS, while giving industry confidence in their long term capital commitments to this program. Ensuring the future of this important program will also help DHS recruit and retain top talent to effectively implement CFATS.

Please contact Mike Meenan, Director of Federal Affairs at mike_meenan@americanchemistry.com or at (202) 249-6216 if we can be of any assistance while you consider this important vote.

Sincerely,

CAL DOOLEY.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MEEHAN) that the House suspend the rules and pass the bill, H.R. 4007, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SOCIAL MEDIA WORKING GROUP ACT OF 2014

Mrs. BROOKS of Indiana. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4263) to amend the Homeland Security Act of 2002 to authorize the Department of Homeland Security to establish a social media working group, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4263

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 “Social Media Working Group Act of 2014”.

SEC. 2. SOCIAL MEDIA WORKING GROUP.

(a) **IN GENERAL.**—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding at the end the following new section:

“SEC. 318. SOCIAL MEDIA WORKING GROUP.

“(a) **ESTABLISHMENT.**—The Secretary shall establish within the Department a social media working group (in this section referred to as the ‘Group’).

“(b) **PURPOSE.**—In order to enhance information sharing between the Department and appropriate stakeholders, the Group shall provide guidance and best practices to the emergency preparedness and response community on the use of social media technologies before, during, and after a terrorist attack or other emergency.

“(c) MEMBERSHIP.—

“(1) **IN GENERAL.**—The Under Secretary for Science and Technology shall serve as the permanent chairperson of the Group, and shall designate, on a rotating basis, a representative from a State or local government who is a member of the Group to serve as co-chairperson. The Under Secretary shall establish term limits for individuals appointed to the Group pursuant to paragraph (2). Membership of the Group shall be composed of a cross section of subject matter experts from Federal, State, local, tribal, and nongovernmental organization practitioners, including representatives from the following entities:

“(A) The Office of Public Affairs of the Department.

“(B) The Office of the Chief Information Officer of the Department.

“(C) The Privacy Office of the Department.

“(D) The Federal Emergency Management Agency.

“(E) The Office of Disability Integration and Coordination of the Federal Emergency Management Agency.

“(F) The American Red Cross.

“(G) The Forest Service.

“(H) The Centers for Disease Control and Prevention.

“(I) The United States Geological Survey.

“(J) The National Oceanic and Atmospheric Administration.

“(2) **ADDITIONAL MEMBERS.**—The Under Secretary for Science and Technology shall appoint, on a rotating basis, qualified individuals to the Group. The total number of such additional members shall—

“(A) be equal to or greater than the total number of regular members under paragraph (1); and

“(B) include—

“(i) not fewer than three representatives from the private sector; and

“(ii) representatives from—

“(I) State, local, and tribal entities, including from—

“(aa) law enforcement;

“(bb) fire services;

“(cc) emergency management services; and

“(dd) public health entities;

“(II) universities and academia; and

“(III) non-profit disaster relief organizations.

“(d) **CONSULTATION WITH NON-MEMBERS.**—To the extent practicable, the Group shall work with existing bodies in the public and private sectors to carry out subsection (b).

“(e) MEETINGS.—

“(1) **INITIAL MEETING.**—Not later than 90 days after the date of the enactment of this section, the Group shall hold its initial meeting. Such initial meeting may be held virtually.

“(2) **SUBSEQUENT MEETINGS.**—After the initial meeting under paragraph (1), the Group shall meet at least twice each year, or at the call of the Chairperson. Such subsequent meetings may be held virtually.

“(f) **NONAPPLICABILITY OF FACA.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Group.

“(g) **REPORTS.**—Not later than March 30 of each year, the Group shall submit to the appropriate congressional committees a report that includes the following:

“(1) A review of current and emerging social media technologies being used to support preparedness and response activities related to terrorist attacks and other emergencies.

“(2) A review of best practices and lessons learned on the use of social media during the response to terrorist attacks and other emergencies that occurred during the period covered by the report at issue.

“(3) Recommendations to improve the Department’s use of social media for emergency management purposes.

“(4) Recommendations to improve public awareness of the type of information disseminated through social media, and how to access such information, during a terrorist attack or other emergency.

“(5) Recommendations to improve information sharing among the Department and its components.

“(6) Recommendations to improve information sharing among State and local governments.

“(7) A review of available training for Federal, State, local, and tribal officials on the use of social media in response to a terrorist attack or other emergency.

“(8) A summary of coordination efforts with the private sector to discuss and resolve legal, operational, technical, privacy, and security concerns.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 317 the following new item:

“Sec. 318. Social media working group.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Indiana (Mrs. BROOKS) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Indiana.

GENERAL LEAVE

Mrs. BROOKS of Indiana. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Indiana?

There was no objection.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 4263, the Social Media Working Group Act of 2014. As chairwoman of the Committee on Homeland Security’s Subcommittee on Emergency Preparedness, Response, and Communications, I introduced this bill, along with Ranking Member PAYNE, Chairman MCCAUL, and Representatives PALAZZO and SWALWELL, in response to testimony we received at two social media hearings the subcommittee held last year.

Social media is transforming the way the Nation is communicating before, during, and after a disaster. There are countless examples from recent disasters of how citizens are turning to Facebook, Twitter, and even Instagram for public safety information to comfort survivors and request assistance.

We have seen how vital social media is becoming in preparedness and response efforts, particularly during Superstorm Sandy and in the aftermath of the Boston Marathon bombings.

I recently sent out tweets to inform my own constituents about a tornado warning and recommended that they follow local news outlets for the most up-to-date information. And just last week, FEMA, the National Weather Service, and emergency management agencies along the east coast used social media to alert citizens about Hurricane Arthur, the first named storm of the 2014 hurricane season.

This morning I had the opportunity, along with Chairman MCCAUL, to visit the American Red Cross’ Digital Operations Center, the first ever social media center for humanitarian relief. I was impressed to hear that during Superstorm Sandy, the Red Cross analyzed over 2.5 million pieces of social data and sent over 300 different pieces of information to operation teams to help with decisionmaking.

Last year, the subcommittee held two hearings that focused on this new reality. One of the key takeaways from these hearings was that during and after a disaster there needs to be better communication between the public and private sector, specifically with how to utilize social media as a communications tool. H.R. 4263 addresses this recommendation by authorizing and enhancing the Department of Homeland Security’s Virtual Social Media Working Group to ensure information sharing between the Department and appropriate stakeholders and the leveraging of best practices.

Additionally, this bill will increase stakeholder participation, particularly among the private sector and Federal response agencies, creating a “whole community” dialogue on this issue. The bill will require the group to submit an annual report to Congress highlighting best practices, lessons learned, and any recommendations.

Lastly, this bill will require the group to meet in person or virtually at least twice a year and will not be a financial burden on the Department.

In today’s day and age where new social media platforms and technologies can change the game almost instantly, we must ensure our first responders are nimble enough to adapt to an ever-changing landscape. This group is but one way to help facilitate this.

The Committee on Homeland Security approved H.R. 4263 last month by a bipartisan voice vote. I certainly appreciate the manner in which my ranking member, Mr. PAYNE, has worked with me on passage of this with our committee. I urge Members to join me and the rest of our committee in supporting this bill.

I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 4263, the Social Media Working Group Act of 2014.

The Internet has changed the world. It has changed how the government

serves its citizens, how businesses serve their customers, and how the public engages in activism.

□ 1715

The responses to the Boston Marathon bombings and Hurricane Sandy, which devastated my State, underscores the power and the potential of social media. After each of these devastating events, we saw the Internet used to galvanize ordinary citizens into action.

In the wake of the Boston bombings, Boston residents used Google Docs to let marathoners know that their homes were open to those who were unable to return to their hotels. After Hurricane Sandy, survivors posted the horrific images of homes washed away on Twitter and Facebook to help the world understand the strength of the storm. Survivors also used social media to reconnect with loved ones and to share information about which gas stations, grocery stores, and pharmacies were open.

In my district, the local utility PSE&G used social media to communicate with customers about how to prepare for the storm to mitigate damage and about power restoration afterwards. Public Service Electric and Gas' use of social media was so effective that it was recognized by J.D. Power and Associates as a "best practice." And CS Week, a nonprofit that focuses on customer service for utilities, gave PSE&G an award for innovation and customer service.

Although PSE&G's use of social media was incredibly successful, there were important lessons learned that should be shared among organizations utilizing social media during a disaster response. For example, PSE&G exceeded the allowable number of tweets per day and needed to reach out to Twitter leadership for a temporary expansion of capacity. In addition to spikes in social media use during the disaster, PSE&G learned important lessons related to the tone of communications and the demand for information during a disaster.

H.R. 4263 would authorize the Social Media Working Group that sits with the Science and Technology Directorate to facilitate the exchange of best practices and lessons learned related to the use of social media during disasters. The measure would also ensure that the Federal Government and first responders continue to fully utilize the capabilities of the Internet and social media to communicate with more people during disasters.

I would like to congratulate Subcommittee Chairwoman BROOKS on the success of her efforts to ensure the way government officials and first responders communicate with the public before, during, and after disaster strikes keeps pace with evolving technology.

I urge my colleagues to support H.R. 4263.

With that, Mr. Speaker, I have no more speakers as well, and I yield back the balance of my time.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have seen the rise in the use of social media both before, during, and after disasters. This legislation will help to ensure we are leveraging best practices, sharing and incorporating lessons learned for the use of social media in this area.

I urge all Members to join me in supporting this bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee, I rise in support of H.R. 4263, "The Social Media Working Group Act of 2014," would establish within the Department of Homeland Security (DHS) a social media working group.

The Social Media Working Group would provide guidance and best practices to the emergency preparedness and response community on the use of social media technologies before, during, and after a terrorist attack.

Today, people are relying more on Internet enabled communications to engage and be engaged in communications.

Since September 11, 2001, our nation has committed resources toward the preparation of our first responders and citizens in preventing, mitigating and responding to terrorist events.

As these efforts continue, we must keep up with the times. Part of that requires that Congress makes sure that the Department of Homeland Security and especially the Federal Emergency Management Agency can engage citizens in ways that they receive and send information.

In 2012, smartphones, most particularly phones running Apple Computer's iOS and the open source Android operating system, accounted for at least 40 percent of the mobile devices used in the United States.

In the first quarter of 2012, mobile phone consumers spent over \$109 billion, while consumers of landline-telephone service spent \$64.4 billion.

The Federal Communication Commission reports that this trend is expected accelerate as United States consumers participate in a worldwide trend towards mobile communication devices and away from traditional means of receiving and sending information.

Electronic tablet computers and e-readers, the other fully enabled portable Internet devices, smartphones are increasingly a resource for people to access information, share content, and communicate their views.

Social media is quickly emerging as a major source of information that citizens rely upon to receive news and engage government.

The number of people using social networking sites has nearly doubled since 2008.

In a 2011, a Pew Internet Center Research Project reported that 79 percent of American adults said they used the Internet and 59 percent of all Internet users say they use at least one of social networking service, such as Facebook, Twitter, LinkedIn or Instagram.

The reasons for supporting this bill are obvious and I ask my colleagues in the House to vote for its passage.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today in support of H.R. 4263, the Social Media Working Group Act.

Since I arrived in Congress, I have seen the destruction caused by man-made and natural disasters.

From the September 11th attacks—to Hurricane Katrina—to the mass shootings that have devastated communities across America, one truism that has repeatedly been identified is that early alerts and timely information saves lives.

Toward that end, the Committee on Homeland Security has worked hard to support the Department's efforts to harness all means of communication to ensure that that public can take appropriate action before, during, and after disaster strikes.

To date, Federal efforts have focused on the Emergency Alert System, Wireless Emergency Alerts, and the Integrated Public Alerts and Warning System.

But, as we have seen during recent disasters, social media allows the government and private sector to disseminate useful information to hundreds of thousands of people.

I support the innovative use of social media in disaster preparedness and response because it has the ability to make more people safer, faster.

It can also help first responders work more quickly and more efficiently.

That said, we must work to implement practices to ensure that social media is used appropriately and effectively, and that the information distributed is reliable.

It is critical that information after a disaster must be accurate. There needs to be guidance and policies in place to ensure that widely-distributed disaster-related information is accurate, or to correct the information when it is not.

I am hopeful that H.R. 4263 would provide a forum for government officials and the private sector to come together to address this and other challenges related to the use of social media during disasters and to share best practices.

I congratulate Subcommittee Chairwoman BROOKS and Ranking Member PAYNE, Jr. on their work to ensure that government officials and first responders take full advantage of the technology available to communicate with the public during a disaster.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Indiana (Mrs. BROOKS) that the House suspend the rules and pass the bill, H.R. 4263, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PAYNE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

DEPARTMENT OF HOMELAND SECURITY INTEROPERABLE COMMUNICATIONS ACT

Mrs. BROOKS of Indiana. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4289) to amend the Homeland Security Act of 2002 to require the Under Secretary for Management of the Department of Homeland Security to take administrative action to achieve and maintain interoperable