

HR 901

Chemical Facility Anti-Terrorism Security Authorization Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Emergency Management

Introduced: Mar 3, 2011

Current Status: Placed on the Union Calendar, Calendar No. 368.

Latest Action: Placed on the Union Calendar, Calendar No. 368. (Jun 8, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/901>

Sponsor

Name: Rep. Lungren, Daniel E. [R-CA-3]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Rep. King, Peter T. [R-NY-3]	R · NY		Mar 3, 2011
Rep. Long, Billy [R-MO-7]	R · MO		Mar 3, 2011
Rep. Marino, Tom [R-PA-10]	R · PA		Mar 3, 2011
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Mar 3, 2011
Rep. Rogers, Mike D. [R-AL-3]	R · AL		Mar 3, 2011
Rep. Walberg, Tim [R-MI-7]	R · MI		Mar 3, 2011
Rep. Walsh, Joe [R-IL-8]	R · IL		Mar 3, 2011
Rep. Miller, Candice S. [R-MI-10]	R · MI		Apr 12, 2011
Rep. Duncan, Jeff [R-SC-3]	R · SC		Jun 21, 2011

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Mar 11, 2011
Homeland Security Committee	House	Reported by	Apr 14, 2011

Subjects & Policy Tags

Policy Area:

Emergency Management

Related Bills

No related bills are listed.

Chemical Facility Anti-Terrorism Security Authorization Act of 2011 - Amends the Homeland Security Act of 2002 to require the Secretary of Homeland Security (DHS) to maintain regulations to protect chemical facilities against terrorism, which shall include: (1) risk-based performance standards for facility security, (2) requirements for facility security vulnerability assessments, and (3) requirements for the development and implementation of facility site security plans.

Applies such regulations to any chemical facility that the Secretary determines presents a high level of security risk with respect to acts of terrorism, with the exception of Department of Defense (DOD) and Department of Energy (DOE) facilities, facilities regulated by the Nuclear Regulatory Commission (NRC), port security facilities, public water systems, and treatment works.

Requires such regulations to provide that each facility be permitted to select layered security measures that, in combination, appropriately address the vulnerability assessment and risk-based performance standards.

Directs the Secretary to approve or disapprove each assessment and site security plan. Prohibits the Secretary from disapproving such a plan based on the presence or absence of a particular security measure, but allows the Secretary to disapprove a plan that fails to satisfy performance standards.

Requires the Secretary to: (1) approve or disapprove a security vulnerability assessment or site security plan after publishing final regulations and no later than 180 days after receipt, and (2) provide to a facility owner or operator no later than 14 days after such disapproval written notification that includes a clear explanation of deficiencies and that requires the owner or operator to make revisions to address deficiencies by an appropriate date.

Authorizes the Secretary to approve an alternative security program established by a private sector entity or federal, state, or local authority, or established under another applicable law, if the Secretary determines that the requirements of such program meet the requirements of this Act.

Requires the Secretary to include in any personnel surety regulation issued pursuant to this Act provisions on how a facility owner or operator can meet regulation requirements by submitting: (1) information on an employee or individual holding a valid transportation security card, (2) an alternate security background check conducted by a private sector entity, and (3) an alternate security background check conducted under another applicable law.

Directs the Secretary to provide, upon request, to any owner or operator of a covered chemical facility that is a small business concern technical assistance to prepare a security vulnerability assessment or site security plan.

Requires information developed pursuant to this Act to be protected from public disclosure but permits information sharing with state and local government officials under specified circumstances.

Directs the Secretary to audit and inspect chemical facilities and order compliance with such regulations. Imposes civil penalties for violations. Authorizes the Secretary to issue an order for a facility not in compliance to cease operations.

Requires the Secretary to report annually on: (1) an estimate of the potential jobs created or lost within the private sector as a result of the regulations required under this Act, and (2) information on feedback from facility owners and operators about how the regulations could be revised to spur potential job creation or stem job losses.

Terminates this Act on September 30, 2018. Authorizes appropriations for FY2012-FY2018.

(Sec. 3) Repeals similar provisions of the Department of Homeland Security Appropriations Act, 2007.

(Sec. 4) Directs the Secretary to report on the extent to which the security requirements added by this Act have been harmonized with security requirements for facilities regulated under existing port security provisions.

Actions Timeline

- **Jun 8, 2012:** Committee on Energy and Commerce discharged.
- **Jun 8, 2012:** Placed on the Union Calendar, Calendar No. 368.
- **Mar 9, 2012:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than June 8, 2012.
- **Mar 1, 2012:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than March 9, 2012.
- **Jan 20, 2012:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than March 1, 2012.
- **Jan 6, 2012:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than Jan. 20, 2012.
- **Nov 11, 2011:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than Jan. 6, 2012.
- **Sep 26, 2011:** Reported (Amended) by the Committee on Homeland Security. H. Rept. 112-224, Part I.
- **Sep 26, 2011:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than Nov. 11, 2011.
- **Jun 22, 2011:** Committee Consideration and Mark-up Session Held.
- **Jun 22, 2011:** Ordered to be Reported (Amended) by Voice Vote.
- **Apr 14, 2011:** Subcommittee Consideration and Mark-up Session Held.
- **Apr 14, 2011:** Forwarded by Subcommittee to Full Committee by the Yeas and Nays: 6 - 4 .
- **Mar 11, 2011:** Referred to the Subcommittee on Environment and the Economy.
- **Mar 10, 2011:** Referred to the Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies.
- **Mar 3, 2011:** Introduced in House
- **Mar 3, 2011:** Referred to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, 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.