

March 2, 2009

Dear Member of Congress,

We represent American businesses and local city services that provide millions of jobs and our national infrastructure. Protecting our communities and complying with federal security standards is a top priority for us.

We support straightforward legislation to reauthorize the DHS chemical facility security standards enacted by Congress in 2006. We also support Congress enacting into statute the regulatory framework that the Department of Homeland Security (DHS) carefully established and is now enforcing, known as the "Chemical Facility Anti-Terrorism Standards." Removing the sunset date and making the chemical security regulations permanent would provide the certainty needed to both protect our citizens and enable our economic recovery.

However, we strongly urge you to oppose disrupting this security program by adding provisions that would mandate government-favored substitutions, weaken protection of sensitive information, impose stifling penalties for administrative errors, create conflicts with other security standards or move away from a performance (or risk-based) approach.

For example, last year's "Chemical Facility Anti-Terrorism Act" could have caused disruptions of new federal security standards and reduced jobs in the short term, and in the long term weakened infrastructure protection and economic stability.

Our top concern is that legislation could go beyond security protections by creating a mandate to substitute products and processes with a government-selected technology. Congressional testimony found that this could actually increase risk to the businesses that the bill intends to protect. Such a standard is not measurable and would likely lead to confusion, loss of viable products, prohibitive legal liability, and business failures.

We ask that you ensure that any security legislation avoid overlap and conflict with existing federal security requirements, such as the U.S. Coast Guard's "Maritime Transportation Security Act." Any proposal must also protect from release any sensitive security information on site vulnerability.

Companies in thousands of communities are complying with the landmark new DHS chemical security standards while continuing to provide essential products and services for our daily lives. We believe that counter-productive adjustments to the current law would undermine security and endanger businesses in communities all around the country. Thank you for your consideration of our views.

Agricultural Retailers Association
American Exploration & Production Council
American Farm Bureau Federation
American Forest & Paper Association
American Petroleum Institute
American Trucking Associations
Chemical Producers and Distributors Assn
Consumer Specialty Products Association
Croplife America
Edison Electric Institute
Environmental Technology Council
Institute of Makers of Explosives

International Assn of Drilling Contractors
International Assn of Refrigerated Warehouses
International Dairy Foods Association
International Liquid Terminals Association
Interstate Natural Gas Association of America
Midwest Food Processors Association
National Agricultural Aviation Association
National Association of Chemical Distributors
National Association of Manufacturers
National Mining Association
National Oilseed Processors Association

National Paint and Coatings Association
National Pest Management Association
National Petrochemical & Refiners Assn
National Propane Gas Association
North American Millers' Association
Petroleum Equipment Suppliers Association
Petroleum Marketers Association of America
Synthetic Organic Chemical Manufacturers Assn
The Fertilizer Institute
USA Rice Federation
U.S. Chamber of Commerce