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Chronology of Legislation on Chemical Security

July 25, 2002: The Senate Environment and Public Works (EPW) Committee unanimously adopts a compromise version of Senator Jon Corzine's (D-NJ) bill (S. 1602) to require safer technologies or chemicals where available to prevent catastrophic attacks.

October 23, 2003: The Senate EPW Committee adopts a flawed bill (S. 994) on a party-line vote. The bill has no enforceable provision to prevent catastrophic attacks by requiring safer technologies or chemicals and rubber stamps industry's voluntary programs and never makes it to the floor.

May 19, 2006: Senator Inhofe (R-OK), chair of the EPW Committee, schedules a vote for May 23rd on his wastewater security bill (S. 2781) but rejected an amendment supported by Senators Jeffords (D-VT), Boxer (D-CA), Obama (D-IL) and Lautenberg (D-NJ) which would have provided funding to convert publicly owned water facilities for hazardous chlorine gas to safer chemical processes as recommended by the Government Accountability Office.

June 14-15 2006: Senate Homeland Security and Governmental Affairs (HSGA) Committee votes out weak chemical security legislation (S. 2145). Senator Voinovich (R-OH) proposes 14 weakening amendments. A Voinovich amendment to preempt states is rejected by a 9 to 7 vote. A Lieberman (D-CT) amendment to add cost-effective safer technology requirements is rejected 11 to 5.

July 28, 2006: House Homeland Security (HS) Committee completes mark up of H.R. 5695. The Committee embraces a compromise requiring the use of safer technologies at high priority facilities offered by Representative Markey (D-MA).

September 25, 2006: In a rush to show voters they have done "something" the Conference Committee on the Department of Homeland Security (DHS) Appropriations approved a 744 word unenforceable 3 year chemical security amendment supported by the chemical industry.

March 6, 2008: House HS Committee adopts H.R. 5577 which requires high risk facilities to use safer more secure technologies as long as they are feasible, cost effective and do not shift risks to other facilities.

June 23, 2009: House HSC Committee rejects the most crippling amendments but adopts four weakening amendments to H.R. 2868.

October 21, 2009: House Energy & Commerce (E&C) Committee rejects crippling amendments and adopts a stronger version of H.R. 2868 on chemical plant security and also adopts H.R. 3258 on drinking water plant security. Both bills conditionally require the use of safer chemical processes at the highest risk plants where feasible and cost-effective.

November 6, 2009: In a vote of 230 to 193, the House of Representatives passed a compromise bill, the Chemical and Water Security Act (H.R. 2868), which conditionally requires the use of safer chemical processes at some of the highest risk facilities where feasible and cost-effective. The bill also puts the EPA in charge similar regulations over publicly owned water treatment facilities.

July 28, 2010: Senate HSGA Committee substitutes Senator Collins (R-ME) three year extension of the interim 2006 statute (CFATS) for the House passed bill (H.R. 2868) offered by Chairman Lieberman (I-CT).