

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 901
OFFERED BY MR. THOMPSON OF MISSISSIPPI**

Page 2, line 7, strike subsection (b) and insert the following:

1 “(b) FACILITIES REGULATED.—

2 “(1) FACILITIES REGULATED BY THE SEC-
3 RETARY.—The regulations required by subsection
4 (a) shall apply to any chemical facility that the Sec-
5 retary determines presents a high level of security
6 risk with respect to acts of terrorism.

7 “(2) EXCEPTIONS.—The Secretary may not
8 apply the regulations required by subsection (a) to
9 any of the following:

10 “(A) Any facility owned or operated by the
11 Department of Defense.

12 “(B) Any facility owned or operated by the
13 Department of Energy.

14 “(3) DELEGATION OF AUTHORITY.—The Presi-
15 dent shall delegate the authority to maintain the
16 regulations developed as required under subsection
17 (a) and to enforce such regulations to—

1 “(A) the Nuclear Regulatory Commission,
2 with respect to any facility subject to regulation
3 by the Nuclear Regulatory Commission;

4 “(B) the Commandant of the Coast Guard,
5 with respect to any facility regulated under
6 chapter 701 of title 46, United States Code;
7 and

8 “(C) the Administrator of the Environ-
9 mental Protection Agency, with respect to a
10 public water system, as such term is defined by
11 section 1401(4) of the Safe Drinking Water Act
12 (42 U.S.C. 300f(4)), or a treatment works, as
13 such term is defined by section 212(2) of the
14 Federal Water Pollution Control Act (33 U.S.C.
15 1292(2)).”.

Page 5, after line 2, insert the following:

16 “(3) OTHER FEDERAL AGENCIES.—The Sec-
17 retary shall, as appropriate, provide any information,
18 and make available any determinations, require-
19 ments, or tools obtained or developed for the pur-
20 poses of carrying out the requirements of this title,
21 to the heads of the agencies designated in section
22 2101(b)(3).”.

