



One Hundred Twelfth Congress  
U.S. House of Representatives  
Committee on Homeland Security  
Washington, DC 20515  
June 22, 2011

**COMMITTEE ACTION**

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Wednesday, June 22, 2011, in 311 Cannon House Office Building to consider: H.R. 901, to amend the Homeland Security Act of 2002 to codify the requirement that the Secretary of Homeland Security maintain chemical facility anti-terrorism security regulations; and a Report on the Oversight and Legislative Activities of the Committee on Homeland Security for the first quarter of the 112<sup>th</sup> Congress.

The Committee took the following actions:

H.R. 901, to amend the Homeland Security Act of 2002 to codify the requirement that the Secretary of Homeland Security maintain chemical facility anti-terrorism security regulations; was ordered to be reported to the House with a favorable recommendation, amended, by voice vote.

The Committee adopted H.R. 901, as amended, by a recorded vote of 26 yeas and 5 nays (Roll Call Vote No. 12).

The vote was as follows:

**ROLL CALL VOTE NO. 12**

<b>YEAS</b>	<b>NAYS</b>
Mr. King	Mr. Thompson
Mr. Smith	Ms. Sanchez
Mr. Lungren	Ms. Clarke
Mr. Rogers	Mr. Davis
Mr. McCaul	Mr. Higgins
Mr. Bilirakis	
Mr. Broun	
Mrs. Miller	
Mr. Walberg	
Mr. Cravaack	
Mr. Meehan	
Mr. Quayle	
Mr. Rigell	
Mr. Long	

Mr. Duncan Mr. Marino Mr. Farenthold Mr. Brooks Ms. Jackson Lee Mr. Cuellar Ms. Richardson Ms. Speier Mr. Richmond Mr. Clarke Mr. Keating Ms. Hochul	
<b>26</b>	<b>5</b>

The following amendments were offered:

An Amendment in the Nature of a Substitute offered by Mr. Lungren (#1) was AGREED TO, as amended, by a recorded vote of 22 yeas and 9 nays (Roll Call Vote No. 11).

The vote was as follows:

**ROLL CALL VOTE NO. 11**

<b>YEAS</b>	<b>NAYS</b>
Mr. King Mr. Smith Mr. Lungren Mr. Rogers Mr. McCaul Mr. Bilirakis Mr. Broun Mrs. Miller Mr. Walberg Mr. Cravaack Mr. Meehan Mr. Quayle Mr. Rigell Mr. Long Mr. Duncan Mr. Marino Mr. Farenthold Mr. Brooks Ms. Jackson Lee Mr. Cuellar Mr. Richmond Mr. Clarke	Mr. Thompson Ms. Sanchez Ms. Clarke Ms. Richardson Mr. Davis Mr. Higgins Ms. Speier Mr. Keating Ms. Hochul

<b>22</b>	<b>9</b>
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An amendment offered by Mr. Thompson to the Amendment in the Nature of a Substitute (#1A); Page 2, line 76, strike subsection (b) and insert a new subsection (b) entitled “Facilities Regulated.”

Page 5, after line 2, insert a new paragraph (3) entitled “Other Federal Agencies”; was NOT AGREED TO, by a recorded vote of 9 yeas and 15 nays (Roll Call Vote No. 1).

The vote was as follows:

**ROLL CALL VOTE NO. 1**

<b>YEAS</b>	<b>NAYS</b>
Mr. Thompson	Mr. King
Ms. Sanchez	Mr. Lungren
Ms. Jackson Lee	Mr. Rogers
Mr. Cuellar	Mr. McCaul
Ms. Clarke	Mr. Bilirakis
Ms. Richardson	Mrs. Miller
Mr. Higgins	Mr. Walberg
Mr. Clarke	Mr. Cravaack
Ms. Hochul	Mr. Meehan
	Mr. Rigell
	Mr. Long
	Mr. Duncan
	Mr. Marino
	Mr. Farenthold
	Mr. Brooks
<b>9</b>	<b>15</b>

An amendment offered by Ms. Sanchez to the Amendment in the Nature of a Substitute (#1B); Page 3, after line 22, insert three new paragraphs: “(3) Deadline for Notification.”; “(4) Notification of Disapproval.”; and “(5) reporting.”; was AGREED TO, by voice vote.

An amendment offered by Ms. Richardson to the Amendment in the Nature of a Substitute (#1C); In the matter proposed to be inserted as title XXI of the Homeland Security Act of 2002 by section 2 of the bill, redesignate sections 2104 through 2017 as sections 2105 through 2108, respectively, insert a new section 2104, and amend the proposed amendment to the table of contents of such Act accordingly:

“Sec. 2104. Protections for Whistleblowers at Chemical Facilities Associated with the Risk of Chemical Facility Terrorist Incidents.”; was NOT AGREED TO, by a recorded vote of 11 yeas and 16 nays (Roll Call Vote No. 2).

The vote was as follows:

**ROLL CALL VOTE NO. 2**

<b>YEAS</b>	<b>NAYS</b>
Mr. Thompson Ms. Sanchez Ms. Jackson Lee Mr. Cuellar Ms. Clarke Ms. Richardson Mr. Higgins Ms. Speier Mr. Richmond Mr. Clarke Ms. Hochul	Mr. King Mr. Lungren Mr. Rogers Mr. McCaul Mr. Bilirakis Mr. Broun Mrs. Miller Mr. Walberg Mr. Cravaack Mr. Meehan Mr. Rigell Mr. Long Mr. Duncan Mr. Marino Mr. Farenthold Mr. Brooks
<b>11</b>	<b>16</b>

An en bloc amendment offered by Ms. Jackson Lee to the Amendment in the Nature of a Substitute (#1D); Page 5, after line 9, insert a new subsection entitled “(d) Security Background Checks.”

Page 8, after line 3, insert a new section entitled “Sec. 4. Harmonization.” was AGREED TO, by voice vote.

An amendment offered by Ms. Clarke of New York to the Amendment in the Nature of a Substitute (#1E); Page 7, line 6, strike “2018” and insert “2013”. Page 7, line 10, strike “2018” and insert “2013”.; was NOT AGREED TO by voice vote.

An amendment offered by Ms. Clarke of New York to the Amendment in the Nature of a Substitute (#1F); Page 7, line 6, strike “2018” and insert “2016”. Page 7, line 10, strike “2018” and insert “2016”.; was NOT AGREED TO by a recorded vote of 11 yeas and 18 nays (Roll Call Vote No. 3)

The vote was as follows:

**ROLL CALL VOTE NO. 3**

<b>YEAS</b>	<b>NAYS</b>
Mr. Thompson Ms. Sanchez Ms. Jackson Lee Mr. Cuellar Ms. Clarke	Mr. King Mr. Smith Mr. Lungren Mr. Rogers Mr. McCaul

Ms. Richardson Mr. Higgins Ms. Speier Mr. Richmond Mr. Clarke Ms. Hochul	Mr. Bilirakis Mr. Broun Mrs. Miller Mr. Walberg Mr. Cravaack Mr. Meehan Mr. Quayle Mr. Rigell Mr. Long Mr. Duncan Mr. Marino Mr. Farenthold Mr. Brooks
<b>11</b>	<b>18</b>

An amendment offered by Ms. Clarke of New York to the Amendment in the Nature of a Substitute (#1G); Page 4, after line 4, insert a new section entitled “Sec. 2101A. Office of Chemical Facility Inspections.”; was NOT AGREED TO by a recorded vote of 11 yeas and 18 nays (Roll Call Vote No. 4).

The vote was as follows:

**ROLL CALL VOTE NO. 4**

YEAS	NAYS
Mr. Thompson Ms. Sanchez Ms. Jackson Lee Mr. Cuellar Ms. Clarke Ms. Richardson Mr. Higgins Ms. Speier Mr. Richmond Mr. Clarke Ms. Hochul	Mr. King Mr. Smith Mr. Lungren Mr. Rogers Mr. McCaul Mr. Bilirakis Mr. Broun Mrs. Miller Mr. Walberg Mr. Cravaack Mr. Meehan Mr. Quayle Mr. Rigell Mr. Long Mr. Duncan Mr. Marino Mr. Farenthold Mr. Brooks
<b>11</b>	<b>18</b>

An amendment offered by Mr. Davis to the Amendment in the Nature of a Substitute (#1H); Page 7, after line 10, insert a new section entitled “Sec. 2108. Jobs Impact.”; was AGREED TO by a recorded vote of 28 yeas and 2 nays (Roll Call Vote No. 5).

The vote was as follows:

<b>ROLL CALL VOTE NO. 5</b>	
<b>YEAS</b>	<b>NAYS</b>
Mr. King	Mr. Duncan
Mr. Smith	Mr. Farenthold
Mr. Lungren	
Mr. Rogers	
Mr. McCaul	
Mr. Bilirakis	
Mr. Broun	
Mrs. Miller	
Mr. Walberg	
Mr. Cravaack	
Mr. Meehan	
Mr. Quayle	
Mr. Rigell	
Mr. Long	
Mr. Marino	
Mr. Brooks	
Mr. Thompson	
Ms. Sanchez	
Ms. Jackson Lee	
Mr. Cuellar	
Ms. Clarke	
Ms. Richardson	
Mr. Davis	
Mr. Higgins	
Ms. Speier	
Mr. Richmond	
Mr. Clarke	
Ms. Hochul	
<b>28</b>	<b>2</b>

An amendment offered by Ms. Hochul to the Amendment in the Nature of a Substitute (#1I); Page 4, after line 4, insert a new subsection entitled “(f) Technical Assistance to Small Businesses.”; was AGREED TO by a recorded vote of 29 yeas and 1 nay (Roll Call Vote No. 6).

The vote was as follows:

<b>ROLL CALL VOTE NO. 6</b>	
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YEAS	NAYS
Mr. King Mr. Smith Mr. Lungren Mr. McCaul Mr. Bilirakis Mr. Broun Mrs. Miller Mr. Walberg Mr. Cravaack Mr. Meehan Mr. Quayle Mr. Rigell Mr. Long Mr. Duncan Mr. Marino Mr. Farenthold Mr. Brooks Mr. Thompson Ms. Sanchez Ms. Jackson Lee Mr. Cuellar Ms. Clarke Ms. Richardson Mr. Davis Mr. Higgins Ms. Speier Mr. Richmond Mr. Clarke Ms. Hochul	Mr. Rogers
<b>29</b>	<b>1</b>

An amendment offered by Mr. Clarke of Michigan to the Amendment in the Nature of a Substitute (#1J); Page 5, after line 9, insert a new section, and redesignate accordingly, entitled "Sec. 2103. Security Background Checks of Covered Individuals at Certain Chemical Facilities."; was NOT AGREED TO by a recorded vote of 12 yeas and 18 nays (Roll Call Vote No. 7).

The vote was as follows:

<b>ROLL CALL VOTE NO. 7</b>	
YEAS	NAYS
Mr. Thompson Ms. Sanchez	Mr. King Mr. Smith

Ms. Jackson Lee Mr. Cuellar Ms. Clarke Ms. Richardson Mr. Davis Mr. Higgins Ms. Speier Mr. Richmond Mr. Clarke Ms. Hochul	Mr. Lungren Mr. Rogers Mr. McCaul Mr. Bilirakis Mr. Broun Mrs. Miller Mr. Walberg Mr. Cravaack Mr. Meehan Mr. Quayle Mr. Rigell Mr. Long Mr. Duncan Mr. Marino Mr. Farenthold Mr. Brooks
<b>12</b>	<b>18</b>

An amendment offered by Mr. Clarke of Michigan to the Amendment in the Nature of a Substitute (#1K); Page 2, strike line 21 and all that follows through page 3, line 3. Page 4 after line 4, insert a new subsection entitled “(f) Water Treatment Works and Public Water Systems.”; was NOT AGREED TO by a recorded vote of 11 yeas and 19 nays (Roll Call Vote No. 8).

The vote was as follows:

**ROLL CALL VOTE NO. 8**

<b>YEAS</b>	<b>NAYS</b>
Mr. Thompson Ms. Sanchez Ms. Jackson Lee Ms. Clarke Ms. Richardson Mr. Davis Mr. Higgins Ms. Speier Mr. Richmond Mr. Clarke Ms. Hochul	Mr. King Mr. Smith Mr. Lungren Mr. Rogers Mr. McCaul Mr. Bilirakis Mr. Broun Mrs. Miller Mr. Walberg Mr. Cravaack Mr. Meehan Mr. Quayle Mr. Rigell Mr. Long Mr. Duncan Mr. Marino

	Mr. Farenthold Mr. Brooks Mr. Cuellar
<b>11</b>	<b>19</b>

An amendment offered by Mr. Clarke of Michigan to the Amendment in the Nature of a Substitute (#1L); Page 4, after line 4, insert a new subsection entitled “(f) Consultation.”; was NOT AGREED TO by a recorded vote of 12 yeas and 18 nays (Roll Call Vote No. 9).

The vote was as follows:

<b>ROLL CALL VOTE NO. 9</b>	
<b>YEAS</b>	<b>NAYS</b>
Mr. Thompson	Mr. King
Ms. Sanchez	Mr. Smith
Ms. Jackson Lee	Mr. Lungren
Mr. Cuellar	Mr. Rogers
Ms. Clarke	Mr. McCaul
Ms. Richardson	Mr. Bilirakis
Mr. Davis	Mr. Broun
Mr. Higgins	Mrs. Miller
Ms. Speier	Mr. Walberg
Mr. Richmond	Mr. Cravaack
Mr. Clarke	Mr. Meehan
Ms. Hochul	Mr. Quayle
	Mr. Rigell
	Mr. Long
	Mr. Duncan
	Mr. Marino
	Mr. Farenthold
	Mr. Brooks
<b>12</b>	<b>18</b>

An en bloc amendment offered by Ms. Speier to the Amendment in the Nature of a Substitute (#1M); Page 4, beginning on line 6, strike subsection (a) and insert a new subsection entitled “(a) In General.”;

Page 6, after line 13, insert a new subsection entitled “(f) Delegation of Authority.”; was WITHDRAWN by unanimous consent.

A unanimous consent request by Ms. Speier to withdraw her amendment was not objected to.

A Substitute Amendment in the Nature of a Substitute offered by Mr. Thompson (#2) was NOT AGREED TO by a recorded vote of 13 yeas and 18 nays (Roll Call Vote No. 10).

The vote was as follows:

**ROLL CALL VOTE NO. 10**

<b>YEAS</b>	<b>NAYS</b>
Mr. Thompson Ms. Sanchez Ms. Jackson Lee Mr. Cuellar Ms. Clarke Ms. Richardson Mr. Davis Mr. Higgins Ms. Speier Mr. Richmond Mr. Clarke Mr. Keating Ms. Hochul	Mr. King Mr. Smith Mr. Lungren Mr. Rogers Mr. McCaul Mr. Bilirakis Mr. Broun Mrs. Miller Mr. Walberg Mr. Cravaack Mr. Meehan Mr. Quayle Mr. Rigell Mr. Long Mr. Duncan Mr. Marino Mr. Farenthold Mr. Brooks
<b>13</b>	<b>18</b>

Without objection the Chair authorized staff to make technical and conforming corrections to H.R. 901.

A motion by Mr. Lungren that, pursuant to Rule XXII, clause 1, the Committee authorize the Chair to offer such motions as may be necessary in the House to go to conference with the Senate on the bills reported today by this Committee or on a similar Senate bill, was agreed to.

A motion by Mr. Thompson that, pursuant to Rule XI clause 2(1), Members may have two days in which to file Minority and additional views on H.R. 901, was agreed to.

Report on the Oversight and Legislative Activities of the Committee on Homeland Security for the first quarter of the 112th Congress was ordered to be reported to the House by voice vote.

The Committee adopted the Report on the Oversight and Legislative Activities of the Committee on Homeland Security for the first quarter of the 112th Congress by voice vote.

Without objection the Chair authorized staff to make technical and conforming corrections to the Committee Activity Report.

A motion by Mr. Thompson that, pursuant to Rule XI clause 2(1), Members may have two days in which to file Minority and additional views on the measures considered today, was agreed to.

