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## Security

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## New Security Leadership

- Senate – Senate Homeland Security and Governmental Affairs Committee
  - Sen. Susan Collins (R-Maine), chairman
  - Sen. Joe Lieberman (D-Conn.), ranking minority
- Take over jurisdiction of chemical security away from Senate Environment and Public Works
- House – Select Homeland Security Committee elevated to permanent standing committee
  - Rep. Peter King (R-N.Y.), chairman
  - Rep. Benny Thompson (D-Miss.), ranking minority



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# **Ammonium Nitrate Security Act H.R. 1389**

- Introduced March 17, 2005, by Rep. Maurice Hinchey (D-N.Y.)
- Defines “detonable nitrate fertilizer”
  - ammonium nitrate
- Regulatory authority to the Bureau of Alcohol, Tobacco, Firearms and Explosives



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## **Board and Executive Committee Direction**

- TFI Board of Directors and Executive Committee directed staff to develop a legislative/regulatory strategy to further secure ammonium nitrate and protect use in production agriculture (September 2004)
- TFI establishes executive committee working group (September 2004)



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## TFI Outreach

- U.S. Department of Agriculture
- House and Senate Agriculture Committees
- Department of Homeland Security
- National Association of State Departments of Agriculture
- American Farm Bureau Federation
- National Corn Growers Association
- National Cotton Council
- Association of American Plant Food Control Officials
- Institute of Makers of Explosives
- Agricultural Retailers Association



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## TFI Concept

- Covers solid ammonium nitrate
- Regulatory authority: Department of Homeland Security
- Implementing authority: State Fertilizer Licensing Agencies
- Regulatory requirements:
  - facilities and purchasers must register
  - maintain records of sale or distribution
- Administrative procedures:
  - regulatory consultation with USDA
  - stop sale enforcement
  - data confidentiality
  - civil liability protection
  - state law preemption
  - equivalent registration



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## **Secure Handling of Ammonium Nitrate Act of 2005**

- Introduced in the Senate by Sens. Thad Cochran (R-Miss.), Mark Pryor (D-Ark.), Saxby Chambliss (R-Ga.) and Pat Roberts (R-Kan.) May 26, 2005



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## **Secure Handling of Ammonium Nitrate Act of 2005**

- H.R. 3197 introduced in the House by Reps. Weldon Barton (R-Pa.); Benny Thompson (D-Miss.); Peter King (R-N.Y.), Bob Etheridge (D-N.C.); Sherrod Brown (D-Ohio); and Donna Christensen (D-VI) June 30, 2005
- H.R. 3197 is Identical to S. 1141





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## Options For Going Forward

- Attach to chemical facility security legislation before a bill is introduced
- Offer as an amendment during chemical facility security legislation mark up
- Offer as an amendment to chemical facility security legislation on the Senate floor
- Sit it on the shelf



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## Chemical Facility Security

- Department of Homeland Security announced they see a need for legislation
- DHS supports risk based, tiered approach, based on performance standards and reorganization for progress made
- TFI's position in line with DHS
- Introduction in the Senate delayed due to issues surrounding Hurricane Katrina



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## **Chemical Facility Security (Cont.)**

In testimony in the House and Senate TFI called for:

- Risk based, tiered approach to legislation
- Credit for voluntary assessments and plans already completed or underway
- Credit for compliance with other Federal security regulations
- Protection from Freedom of Information requests



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## Chemical Facility Security (Cont.)

- Legislation is expected to outline the framework only
- DHS regulatory process will provide the details
- Risk Analysis and Management for Critical Assets Protection (RAMCAP)



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## Other Security Related Issues

- Fingerprint Background Checks
- Visits to Chemical Facilities
- Rail Security
- Methamphetamine