

AMENDMENT

OFFERED BY MR. UPTON

H.R. 2868

In section 2111 of the Homeland Security Act of 2002, as proposed to be added by section 3, add at the end the following:

1 “(e) INAPPLICABILITY.—This section shall not apply
2 with respect to a covered chemical facility during any pe-
3 riod for which the Secretary, in consultation with the Sec-
4 retary of Labor, determines that the number of individuals
5 employed by such facility is at least 15 percent less than
6 the number of individuals so employed as of the date of
7 the enactment of the Chemical Facility Anti-Terrorism
8 Act of 2009.

