

AMENDMENT TO H.R. 3258

OFFERED BY M .

Page 7, line 10, insert “, including fire hydrants”
after “distribution facilities”.

Page 16, after line 12, insert the following:

1 “(D) APPEAL.—Before requiring, pursuant
2 to subparagraph (B), the implementation of a
3 method to reduce the consequences of a chem-
4 ical release from an intentional act, the State
5 exercising primary enforcement responsibility
6 for the covered water system, if the system is
7 located in such a State, or the Administrator,
8 if the covered water system is not located in
9 such a State, shall provide such covered water
10 system an opportunity to appeal the determina-
11 tion to require such implementation made pur-
12 suant to subparagraph (B) by such State or the
13 Administrator.

Page 20, beginning on line 1, insert the following:

14 “(6) GUIDANCE FOR COVERED WATER SYSTEMS
15 ASSIGNED TO TIER 3 AND TIER 4.—For covered
16 water systems required to conduct an assessment

1 under paragraph (2) and assigned by the Adminis-
2 trator to tier 3 or tier 4 under subsection (d), the
3 Administrator shall provide guidance and, as appro-
4 priate, tools, methodologies, or computer software, to
5 assist such covered water systems in complying with
6 the requirements of this section.

Page 23, beginning on line 22, amend paragraph (2)
of subsection (1) to read as follows:

7 “(2) INFORMATION SHARING.—

8 “(A) IN GENERAL.—The Administrator
9 shall prescribe such regulations, and may issue
10 such orders, as necessary to prohibit the unau-
11 thorized disclosure of protected information, as
12 described in paragraph (7).

13 “(B) SHARING OF PROTECTED INFORMA-
14 TION.—The regulations under subparagraph
15 (A) shall provide standards for and facilitate
16 the appropriate sharing of protected informa-
17 tion with and between Federal, State, local, and
18 tribal authorities, first responders, law enforce-
19 ment officials, designated supervisory and non-
20 supervisory covered water system personnel
21 with security, operational, or fiduciary responsi-
22 bility for the system, and designated facility
23 employee representatives, if any. Such stand-

1 ards shall include procedures for the sharing of
2 all portions of a covered water system’s vulner-
3 ability assessment and site security plan relat-
4 ing to the roles and responsibilities of system
5 employees or contractor employees under sub-
6 section (f)(1) with a representative of each cer-
7 tified or recognized bargaining agent rep-
8 resenting such employees, if any, or, if none,
9 with at least one supervisory and at least one
10 non-supervisory employee with roles and re-
11 sponsibilities under subsection (f)(1).

12 “(C) PENALTIES.—Protected information,
13 as described in paragraph (7), shall not be
14 shared except in accordance with the standards
15 provided by the regulations under subparagraph
16 (A). Any person who purposefully publishes, di-
17 vulges, discloses, or makes known protected in-
18 formation in any manner or to any extent not
19 authorized by the standards provided by the
20 regulations under subparagraph (A), shall,
21 upon conviction, be imprisoned for not more
22 than one year or fined in accordance with the
23 provisions of chapter 227 of title 18, United
24 States Code, applicable to class A mis-
25 demeanors, or both, and, in the case of Federal

1 employees or officeholders, shall be removed
2 from Federal office or employment.

Page 27, after line 10, insert the following:

3 “(vi) Documents directly related to se-
4 curity drills and training exercises, security
5 threats and breaches of security, and
6 maintenance, calibration, and testing of se-
7 curity equipment.

Page 27, line 11, redesignate clause (vi) as clause
(vii).

Page 27, line 11, strike “documents and records”
and insert “information, documents, and records”.

Page 27, line 18, strike “(iv), and (v)” and insert
“(iv), (v), and (vi)”.

Page 28, line 3, strike “exclusively”.

Page 34, beginning on line 10, amend paragraph (3)
to read as follows:

8 “(3) PREPARATION GRANTS.—
9 “(A) GRANTS.—The Administrator may
10 award grants to, or enter into cooperative
11 agreements with, covered water systems to as-
12 sist such systems in—

1 “(i) preparing and updating vulner-
2 ability assessments, site security plans, and
3 emergency response plans;

4 “(ii) assessing and implementing
5 methods to reduce the consequences of a
6 release of a substance of concern from an
7 intentional act; and

8 “(iii) implementing any other security
9 reviews and enhancements necessary to
10 comply with this section.

11 “(B) PRIORITY.—The Administrator, in
12 awarding grants or entering into cooperative
13 agreements pursuant to this paragraph, shall
14 give priority to covered water systems that have
15 the greatest need and covered water systems
16 that pose the greatest security risk.

Page 36, beginning on line 14, amend subsection (r)
to read as follows:

17 “(r) AUTHORIZATION OF APPROPRIATIONS.—

18 “(1) IN GENERAL.—To carry out this section,
19 there are authorized to be appropriated—

20 “(A) \$315,000,000 for fiscal year 2011, of
21 which up to—

1 “(i) \$30,000,000 may be used for ad-
2 ministrative costs incurred by the Adminis-
3 trator or the States, as appropriate; and

4 “(ii) \$125,000,000 may be used to
5 implement methods to reduce the con-
6 sequences of a chemical release from an in-
7 tentional act at covered water systems with
8 priority given to covered water systems as-
9 signed to tier one or tier two under sub-
10 section (d); and

11 “(B) such sums as may be necessary for
12 fiscal years 2012 through 2015.

13 “(2) SECURITY ENHANCEMENTS.—Funding
14 under this subsection for basic security enhance-
15 ments shall not include expenditures for personnel
16 costs or monitoring, operation, or maintenance of fa-
17 cilities, equipment, or systems.”.

