

AMENDMENT

**OFFERED BY MR. ROSS OF ARKANSAS AND MR.
SPACE OF OHIO**

Amend section 2111(c) of the Homeland Security Act of 2002, as proposed to be added by section 3, to read as follows:

1 “(c) **SECTORAL IMPACTS.**—

2 “(1) **GUIDANCE FOR FARM SUPPLIES MER-**
3 **CHANT WHOLESALERS.**—The Secretary shall provide
4 guidance and, as appropriate, tools, methodologies or
5 computer software, to assist farm supplies merchant
6 wholesalers in complying with the requirements of
7 this section. The Secretary may award grants to
8 farm supplies merchant wholesalers to assist with
9 compliance with subsection (a), and in awarding
10 such grants, shall give priority to farm supplies mer-
11 chant wholesalers that have the greatest need for
12 such grants.

13 “(2) **ASSESSMENT OF IMPACTS.**—Not later
14 than 6 months after the date of enactment of this
15 title, the Secretary shall transmit an assessment of
16 the potential impacts of compliance with provisions
17 of this section regarding the assessment and, as ap-

1 appropriate, implementation, of methods to reduce the
2 consequences of a terrorist attack by manufacturers,
3 retailers, aerial commercial applicators, and distribu-
4 tors of pesticide and fertilizer to the Committee on
5 Energy and Commerce of the House of Representa-
6 tives, the Committee on Homeland Security of the
7 House of Representatives and the Committee on
8 Homeland Security and Governmental Affairs of the
9 Senate. Such assessment shall be conducted by the
10 Secretary in consultation with other appropriate
11 Federal agencies and shall include the following:

12 “(A) Data on the scope of facilities covered
13 by this title, including the number and type of
14 manufacturers, retailers, aerial commercial ap-
15 plicators and distributors of pesticide and fer-
16 tilizer required to assess methods to reduce the
17 consequences of a terrorist attack under sub-
18 section (a) and the number and type of manu-
19 facturers, retailers, aerial commercial applica-
20 tors and distributors of pesticide and fertilizer
21 assigned to tier 1 or tier 2 by the Secretary
22 because of the potential extent and likeli-
23 hood of death, injury, and serious adverse ef-
24 fects to human health, the environment, critical
25 infrastructure, public health, homeland security,

1 national security, and the national economy
2 from the release of a substance of concern at
3 the facility.

4 “(B) A survey of known methods, proc-
5 esses or practices, other than elimination of or
6 cessation of manufacture of the pesticide or fer-
7 tilizer, that manufacturers, retailers, aerial
8 commercial applicators, and distributors of pes-
9 ticide and fertilizer could use to reduce the con-
10 sequences of a terrorist attack, including an as-
11 sessment of the costs and technical feasibility of
12 each such method, process, or practice.

13 “(C) An analysis of how the assessment
14 of methods to reduce the consequences of a
15 terrorist attack under subsection (a) by manu-
16 facturers, retailers, aerial commercial applica-
17 tors, and distributors of pesticide and fertilizer,
18 and, as appropriate, the implementation of
19 methods to reduce the consequences of a ter-
20 rorist attack by such manufacturers, retailers,
21 aerial commercial applicators, and distributors
22 of pesticide and fertilizer subject to sub-
23 section (b), are likely to impact other sectors
24 engaged in commerce.

1 “(D) Recommendations for how to miti-
2 gate any adverse impacts identified pursuant to
3 subparagraph (C).

4 “(3) FARM SUPPLIES MERCHANT WHOLE-
5 SALER.—In this subsection, the term ‘farm supplies
6 merchant wholesaler’ means a covered chemical facil-
7 ity that is primarily engaged in the merchant whole-
8 sale distribution of farm supplies, such as animal
9 feeds, fertilizers, agricultural chemicals, pesticides,
10 plant seeds, and plant bulbs.

In section 2119 of the Homeland Security Act of
2002, as proposed to be added by section 3—

(1) in paragraph (1), insert “, of which up to
\$3,000,000 shall be made available for grants au-
thorized under section 2111(c)(1)” after “attack”;

(2) in paragraph (2), insert “, of which up to
\$3,000,000 shall be made available for grants au-
thorized under section 2111(c)(1)” after “attack”;
and

(3) in paragraph (3), insert “, of which up to
\$3,000,000 shall be made available for grants au-
thorized under section 2111(c)(1)” after “attack”.

