EXTENSIONS OF REMARKS

CHEMICAL FACILITY ANTI-TERRORISM ACT OF 2009

SPEECH OF

HON. STEPHANIE HERSETH SANDLIN

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2868) to amend the Homeland Security Act of 2002 to extend, modify, and recodify the authority of the Secretary of Homeland Security to enhance security and protect against acts of terrorism against chemical facilities, and for other purposes:

Ms. HERSETH SANDLIN. Mr. Chair, today the House is considering H.R. 2868, the Chemical and Water Security Act of 2009. Chemical and water security is essential and of course we must take every sensible step to support the establishment of adequate security programs for drinking water and wastewater facilities and a continuation of efforts to properly improve security measures and risks related to chemical facilities.

However, I have heard serious concerns from agricultural retailers and farm groups in South Dakota about the potential implications of this legislation and am concerned that it is being rushed through the House. Specifically, these constituents are concerned about the inclusion of Inherently Safer Technology (IST) requirements, which will affect products important to agriculture in our state such as anhydrous ammonia fertilizer. Anhydrous ammonia fertilizer is a widely-used and essential lower-cost source of plant nutrients on which many farmers in South Dakota rely. The South Dakota Agribusiness Association has informed my office that, while the bill does not require smaller Tier 3 and 4 facilities to switch to a safer product or process, in the face of higher regulatory costs and increased liability concerns, these facilities may well opt to stop handling this product. While there are replacement fertilizers that could be substituted for anhydrous ammonia, the South Dakota Agribusiness Association anticipates that the cost per acre would increase for farmers as more product application would be needed to obtain the same nitrogen levels needed for certain leading crops, like corn. Farmers in South Dakota are already struggling with increased input costs and I believe we should not rush to put in place new rules that could further raise these costs.

This is especially true, where, as here, the U.S. Department of Homeland Security (DHS) is currently engaged in implementing Chemical Facility Anti-Terrorism Standards (CFATS), which were authorized as part of the Homeland Security Appropriations Act of 2007, which I supported. The crop-related chemical facilities have been working cooperatively with DHS throughout the CFATS process to establish appropriate risk-based standards and ensure compliance. This rulemaking process is not yet complete and I would prefer to allow the Department time to implement CFATS so we can more fully assess the effectiveness of current regulation before authorizing further significant changes to the program. In addition, during testimony before the Committees on Homeland Security and Energy and Commerce, Administration officials expressed concern over whether DHS had the necessary resources and expertise to properly administer IST requirements. Such uncertainty over a critical section of the proposed regulations further supports the view that it is more appropriate to allow the current regulatory process to continue.

At this point there is no companion authorization bill in the Senate. However, as the legislative process continues to move forward, I will continue to work with my colleagues in the House and Senate toward a bill that achieves the goal of properly protecting our citizens, in South Dakota and across the country, from risks posed by accidents or terrorist attacks on chemical, drinking water and wastewater facilities, and ensures that agricultural and other businesses will be protected from overly burdensome regulations. Thank you.

RECOGNIZING THE CAREER AND ACCOMPLISHMENTS OF MR. JIM DURRETT

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, November 6, 2009

Mrs. BLACKBURN. Madam Speaker, I ask my colleagues to join me in congratulating Mr. Jim Durrett of Clarksville, Tennessee, upon his retirement after 32 years of civil service to the City of Clarksville.

Jim's story is inspiring. A native son, he began his work for the city as a laborer in the Street Department. Jim worked diligently and continued to assume more and more responsibility. Eventually, he became the Superintendent of that department and served capably in that role for 20 years through many difficult times.

Jim's leadership over those years prepared him to be named as the Mayor's Chief of Staff in 2007. Since that time, Jim has overseen the city's involvement in some of Clarksville's most exciting developments—the recruitment of Hemlock Semiconductor, the extension of the RiverWalk, the beginning of construction on the long-awaited Marina, and many other important projects. Despite the heavy load of responsibility, Jim's strong work ethic, pleasant demeanor, and the continuing respect of his colleagues is remarkable.

Please join me in honoring Jim Durrett on his service to the City of Clarksville, and wishing him only the best in the years to come.

DEMOCRAT HEALTHCARE BILL: ABORTION COVERAGE

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 6, 2009

Mr. PENCE. Madam Speaker, for 30 years, the pro-life beliefs of millions of Americans have been protected by the federal government. Congress passed the Hyde Amendment in 1976 which bars federal funds from paying for elective abortions. This amendment must be renewed yearly in the annual Labor, Health and Human Services Appropriations bill.

However, the programs included in the Pelosi health care bill, including the government-run plan, are not funded by or beholden to this annual appropriations bill and are therefore not subject to the Hyde amendment.

Legislation of this magnitude must contain clear and decisive language that makes certain that federal funds are not used to pay for elective abortions. References to provisions in current law that are susceptible to being stripped in the annual appropriations process is not any kind of protection at all.

The Pelosi health care plan is also a clear departure from the long-standing federal policy against federal funding of health plans that cover abortions. The Pelosi bill explicitly permits federal funds to subsidize health plans that cover abortions.

The bill's proponents will claim that public dollars are separated from private insurance premiums, but this is nothing more than a slick accounting gimmick rejected by the pro-life community at-large.

According to the non-partisan Congressional Research Service, any outlay by a government run plan for abortions or health care services would by definition be federal funds. The Pelosi health care bill also includes a mandate requiring at least one insurance plan offered in the federal exchange to cover abortions.

The bill before us is a clear departure from the longstanding Hyde law and violates the beliefs of millions of pro-life Americans who find abortion morally unconscionable.

I urge Speaker Pelosi to allow an up-or-down vote on a truly pro-life amendment—the Stupak/Pitts amendment. The Stupak/Pitts amendment would prevent federal dollars from funding abortion and preserve the long-standing federal policy of protecting the unborn. In a last-ditch effort to garner votes, the Democrat majority plans to propose a rule for considering the legislation that claims to "fix" the pro-life concerns in the bill, but the new language still allows federal funding for abortions. This is little more than a political scheme, and the language has been rejected by every major pro-life group in the country.

I urge the Speaker to include genuinely pro-life language into one of the most important pieces of legislation we will likely consider in our lifetime. A vote on the Stupak/Pitts amendment must be allowed to ensure the protection and safety of America's future—our children.