

June 10, 2008

Dear Member of Congress,

We represent American agriculture, food processing, energy, forest products, chemistry, medicine, manufacturing, transportation, building materials and other businesses and local city services that make up our national infrastructure. Protecting our communities and complying with federal security standards is a top priority to us.

We are concerned that the "Chemical Facility Anti-Terrorism Security Act" (S. 5577) would cause disruptions of new federal security standards in the short term, and weaken infrastructure protection and economic stability in the long term.

The Department of Homeland Security (DHS) began enforcement of landmark new chemical security standards in January 2008. Companies in thousands of communities are just beginning to comply with these significant new requirements while continuing to provide essential products and services for our daily lives. Our industries and DHS are investing time, training and other resources to adapt to comprehensive security standards. However, this bill would detract from compliance efforts and, in some cases, impede progress that is underway. We believe that counter-productive, mid-stream adjustments to the current law would undermine security at facilities all around the country.

Our primary concern is that the bill goes beyond requiring security protections based on risk by creating a mandate to change products and processes to a government-selected "safest" technology. Congressional testimony found that this would possibly increase risk and weaken the businesses that the bill intends to protect. Such a standard is not measurable and would likely lead to confusion and prohibitive legal liability. The bill would also weaken protections for sensitive security information and create overlapping and conflicting security requirements.

Making extensive changes now is also premature. The DHS security regulations being implemented are improving security at thousands of facilities that provide the food, water, energy, pharmaceuticals and other chemical manufacturing that are essential for our national security and economic vitality. Rushing approval of this bill would significantly disrupt the recently implemented chemical security standards and create economic uncertainty in many communities. We urge you to reconsider this approach. While we would support straightforward legislation to remove the sunset date and make the chemical security regulations permanent, we strongly urge Congress to refrain from overhauling the program at least until it has been given a fair chance to be implemented and evaluated.

Thank you for your consideration of our views.

Sincerely,

Agricultural Retailers Association
American Farm Bureau Federation
American Forest & Paper Association
American Frozen Food Institute
American Petroleum Institute
Beer Institute
Calorie Control Council
Chemical Producers & Distributors Assn
Consumer Specialty Products Assn
Croplife America
Edison Electric Institute
Environmental Technology Council

Independent Liquid Terminals Assn
Institute of Makers of Explosives
Int'l Assn of Refrigerated Warehouses
International Food Additives Council
Interstate Natural Gas Assn of America
Midwest Food Processors Association
National Agricultural Aviation Assn
National Assn of Chemical Distributors
National Association of Manufacturers
National Assn of Truck Stop Operators
Nat'l Council of Farmer Cooperatives
National Cotton Council of America

National Mining Association
National Oilseed Processors Assn
National Paint and Coatings Assn
Nat'l Petrochemical & Refiners Assn
National Propane Gas Association
Petroleum Equipment Suppliers Assn
Petroleum Marketers Assn of America
The Carpet and Rug Institute
The Fertilizer Institute
U.S. Chamber of Commerce
USA Rice Federation