

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 4470  
OFFERED BY MR. THOMPSON**

Add at the end the following:

**1 SEC. 3. STUDY ON EXCLUDED FACILITIES.**

2 (a) IN GENERAL.—The Secretary of Homeland Secu-  
3 rity shall seek to enter into an agreement with a non-De-  
4 partment of Homeland Security entity for the conduct of  
5 an independent assessment of the following:

6 (1) The implications for national security and  
7 homeland security of exempting from regulation  
8 under title XXI of the Homeland Security Act of  
9 2002 (6 U.S.C. 621 et seq.) excluded facilities (as  
10 such term is defined in section 2101(4) of such Act).

11 (2) The implications for such excluded facilities  
12 of exempting such facilities from regulation.

13 (3) The implications of exempting such facilities  
14 from regulation for the communities located in the  
15 same geographic areas as such facilities.

16 (b) REPORT.—Not later than 16 months after enter-  
17 ing into an agreement under subsection (a), the Secretary  
18 of Homeland Security shall submit to the Committee on  
19 Homeland Security and Governmental Affairs of the Sen-

1 ate and the Committee on Homeland Security and the  
2 Committee on Energy and Commerce of the House of  
3 Representatives a report that includes the findings and  
4 recommendations of the independent assessment required  
5 under such subsection.

