

108TH CONGRESS
2D SESSION

S. 2269

To improve environmental enforcement and security.

IN THE SENATE OF THE UNITED STATES

APRIL 1, 2004

Mr. BOND (for himself and Ms. MIKULSKI) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To improve environmental enforcement and security.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Environmental En-
5 forcement and Security Act of 2004”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) ADMINISTRATOR.—The term “Adminis-
9 trator” means the Administrator of the Environ-
10 mental Protection Agency.

1 (2) CRIMINAL ENFORCEMENT PROGRAM.—The
2 term “criminal enforcement program” means the
3 criminal enforcement program of the Criminal Inves-
4 tigation Division of the Office of Criminal Enforce-
5 ment, Forensics, and Training of the Environmental
6 Protection Agency.

7 (3) SPECIAL AGENT.—The term “special agent”
8 means a Special Agent in the Criminal Investigation
9 Division of the Office of Criminal Enforcement,
10 Forensics, and Training of the Environmental Pro-
11 tection Agency.

12 **SEC. 3. CRIMINAL ENFORCEMENT.**

13 (a) IN GENERAL.—The Administrator shall increase
14 the number of special agents assigned to the criminal en-
15 forcement program as necessary to ensure that the total
16 number of special agents assigned to the criminal enforce-
17 ment program—

18 (1) by September 30, 2005, is at least 330;

19 (2) by September 30, 2006, is at least 340; and

20 (3) by September 30, 2007, is at least 355.

21 (b) HOMELAND SECURITY AND PROTECTIVE SERV-
22 ICE DUTIES.—Not later than September 30, 2005, the
23 Administrator shall ensure that at least 80 special agents
24 are assigned to homeland security and protective service
25 duties.

1 (c) ADMINISTRATIVE SUPPORT STAFF.—The Admin-
2 istrator shall maintain a number of administrative support
3 staff to support special agents that is not less than 10
4 percent of the number of special agents.

5 **SEC. 4. HOMELAND SECURITY DUTIES OF SPECIAL AGENTS.**

6 The Administrator may assign special agents from
7 the criminal enforcement program—

8 (1) to support crisis management and con-
9 sequence management activities during terrorism at-
10 tacks;

11 (2) to support the anti-terrorism and counter-
12 terrorism efforts of the Department of Homeland
13 Security and the Department of Justice to detect,
14 prevent, prepare for, protect against, respond to,
15 and recover from terrorist attacks; and

16 (3) to provide protective service duties.

17 **SEC. 5. DRINKING WATER INFRASTRUCTURE PROTECTION.**

18 (a) IN GENERAL.—The Administrator may provide
19 grants to drinking water systems to improve the security
20 of those facilities against terrorist attack.

21 (b) CRITERIA.—The Administrator shall distribute
22 the grants based on criteria, developed jointly with the
23 Secretary of the Department of Homeland Security, that
24 consider—

25 (1) population density; or

1 (2) service to critical national assets.

2 (c) WATER INFORMATION SHARING AND ANALYSIS
3 CENTER.—The Administrator shall provide for the oper-
4 ation of the Water Information Sharing and Analysis Cen-
5 ter at no cost to subscribers.

6 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) CRIMINAL ENFORCEMENT.—There are author-
8 ized to be appropriated to carry out section 3—

9 (1) \$54,450,000 for fiscal year 2005;

10 (2) \$57,970,000 for fiscal year 2006; and

11 (3) \$62,480,000 for fiscal year 2007.

12 (b) ENFORCEMENT TRAINING.—There are author-
13 ized to be appropriated to train Federal, State, and local
14 lawyers, inspectors, civil and criminal investigators, and
15 technical experts in the enforcement of environmental
16 laws—

17 (1) \$6,000,000 for fiscal year 2005;

18 (2) \$9,000,000 for fiscal year 2006; and

19 (3) \$12,000,000 for fiscal year 2007.

20 (c) COMPLIANCE ASSISTANCE.—To improve compli-
21 ance with environmental laws and reduce risk to human
22 health and the environment, there are authorized to be
23 appropriated to provide information and technical assist-
24 ance to the individuals and entities that are subject to reg-
25 ulation under this or any other Federal environmental law

1 to increase the understanding of those individuals and en-
2 tities of statutory and regulatory environmental require-
3 ments—

- 4 (1) \$37,000,000 for fiscal year 2005;
- 5 (2) \$47,000,000 for fiscal year 2006; and
- 6 (3) \$55,000,000 for fiscal year 2007.

7 (d) ENFORCEMENT TARGETING.—There are author-
8 ized to be appropriated to develop and use strategic tar-
9 geting tools to assist the Administrator and States in com-
10 pliance assistance and civil and criminal enforcement ac-
11 tivities—

- 12 (1) \$5,000,000 for fiscal year 2005;
- 13 (2) \$5,150,000 for fiscal year 2006; and
- 14 (3) \$5,300,000 for fiscal year 2007.

15 (e) AUTHORIZATIONS OF APPROPRIATIONS.—

16 (1) DRINKING WATER INFRASTRUCTURE PRO-
17 TECTION.—There is authorized to be appropriated to
18 carry out section 5(a) \$100,000,000, to remain
19 available until expended.

20 (2) WATER INFORMATION SHARING AND ANAL-
21 YSIS CENTER.—There is authorized to be appro-
22 priated to carry out section 5(c) \$5,000,000 for each
23 fiscal year.

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