

**En Bloc Amendments to
H.R. 4310
National Defense Authorization Act for Fiscal Year 2013
Wednesday, May 9, 2012**

Readiness Subcommittee

En Bloc # 2

Log #	Sponsor	Description
068r1	Rep. Miller	This amendment would clarify the jurisdiction of the EPA with regards to amm and fishing tackle containing lead components, preventing a hike in costs to DOD.
112r1	Rep. Akin	This amendment would required the DOD to establish more stringent sfaety standards for hazardous and sensitive ground shipments.

AMENDMENT TO H.R. 4310**OFFERED BY MR. MILLER OF FLORIDA**

At the end of subtitle B of title III, add the following new section:

1 **SEC. 3__ . MODIFICATION OF DEFINITION.**

2 Section 3(2)(B) of the Toxic Substances Control Act
3 (15 U.S.C. 2602(2)(B)) is amended—

4 (1) in clause (v), by striking “, and” and insert-
5 ing “, or any component of any such article includ-
6 ing, without limitation, shot, bullets and other pro-
7 jectiles, propellants, and primers.”

Amendment Offered by Rep. Akin

H.R. 4310—National Defense Authorization Act for Fiscal Year 2013

To be inserted in the appropriate place the report:

Safety & Security standards for Transportation Protective Service (TPS) commercial carriers

The committee is concerned that DoD has not implemented stringent enough safety standards for potentially dangerous cargo that is routinely transported by Transportation Protective Service (TPS) commercial carriers through our nation's highways and communities. These shipments are often not only potentially hazardous to the public but involve sensitive and classified defense material that require heightened levels of security, improved incident response capabilities and continuous monitoring while in transit.

The committee was disappointed to learn that a number of reasonable recommendations to improve safety performance standards submitted by the Security and Safety Subcommittee of the National Defense Transportation Association's (NDTA) Surface Committee, were later rejected by DoD's Surface Deployment and Distribution Command (SDDC) even though SDDC was an active participant in the subcommittee's deliberations. These standards included the following: adopting minimum DOT safety performance at 50th percentile; mandating proven safety technologies in trucks; requiring carrier operations center be continually staffed; outlining specific carrier responsibilities for incident; and incentivizing carriers with strong safety records

The decision by SDDC, to instead follow less stringent criteria, is found by this committee to be insufficient. It is the view of this committee that material transported by TPS is largely unique to DoD and requires appropriate safety and security measures beyond that required for non-defense commercial carriers.

Accordingly, the committee directs DoD to adopt increased mandatory minimum standards to ensure the safety of the public and require DoD-approved TPS carriers possess adequate procedures and safety standards for both drivers and vehicles. The committee is encouraged that SDDC has undertaken efforts to develop a process and metrics for evaluating driver and carrier performance. The committee therefore directs DoD to provide the defense committees a report on its proposed carrier evaluation and safety standards plan within 45 days after enactment of this Act.