



## **Chemical Facility Anti-Terrorism Standards (CFATS)**

### **NACD Position**

NACD supports legislation to reauthorize the Department of Homeland Security's (DHS) Chemical Facility Anti-Terrorism Standards (CFATS) program. NACD's priorities are to:

- Reauthorize the CFATS program prior to its January 19, 2019, expiration.
- Provide industry with the certainty needed to make long-term facility security investments and enabled DHS to run the CFATS program efficiently.
- Ensure the CFATS program properly protects against security threats at NACD member facilities.

### **Policy Background**

The CFATS program was created in 2007 to help prevent terrorist attacks on high-risk chemical facilities. This DHS-administered program requires covered chemical facilities to prepare Security Vulnerability Assessments and implement Site Security Plans (SSPs) that must satisfy the risk-based performance standards outlined in the rule. The CFATS program had a slow start, suffering from departmental turnover and a severe backlog in authorizing and approving SSPs. A history of one-year and partial-year extensions of the program granted under the appropriations legislation have exacerbated these issues. In 2014, however, Congress passed H.R. 4007, the Protecting and Securing Chemical Facilities from Terrorist Attack Act of 2014, which granted a four-year authorization to the program, ensuring a coordinated effort between government and industry to secure the nation's high-risk chemical facilities better through smart and efficient security investments. DHS, however, has turned the corner and is beginning to authorize and approve SSPs at a steady pace.

### **Reauthorization in 2018**

NACD will continue to advocate for legislation to reauthorize the CFATS program expiring January 19, 2019. Currently, neither the House nor the Senate have introduced legislation. Both chambers are awaiting the release of a comprehensive Government Accountability Office (GAO) report on the CFATS program to be completed and reviewed prior to proposing legislation. The GAO report is expected to be released during the end of the summer. NACD intends to work closely with Congress, DHS, and other stakeholders to ensure the continued viability of the CFATS program without interruption and to promote a smooth reauthorization process leading up to the mid-term elections.