

October 19, 2023

The Honorable Charles Schumer
Majority Leader
United States Senate
322 Hart Senate Office Building
Washington, DC 20510

The Honorable Patrick McHenry
Speaker Pro Tempore
United States House of Representatives
2134 Rayburn House Office Building
Washington, DC 20515

The Honorable Mitch McConnell
Minority Leader
United States Senate
317 Russell Senate Office Building
Washington, DC 20510

The Honorable Hakeem Jeffries
Minority Leader
United States House of Representatives
2433 Rayburn House Office Building
Washington, DC 20515

Dear Leader Schumer, Speaker Pro Tempore McHenry, Minority Leader McConnell, and Minority Leader Jeffries:

On behalf of the chemical industry, we write to you to express our deep concern regarding the expiration of the U.S. Department of Homeland Security's (DHS) Chemical Facility Anti-Terrorism Standards (CFATS) program on July 28, 2023.

In light of the horrific terrorist attacks in Israel, the loss of the CFATS program's critical tools and safeguards relied upon by high-risk chemical facilities to better secure themselves against potential acts of terror is even more troubling. The National Terrorism Advisory System, an alert system of DHS, is maintaining its warning that the United States remains in a heightened threat environment. Additionally, DHS and the U.S. Federal Bureau of Investigation issued "public safety concern" bulletins to state and local law enforcement agencies following the devastating attacks in Israel.

As you are aware, the CFATS program's primary mission is to help reduce the risk of a terrorist attack on the highest-risk chemical facilities by addressing a wide range of potential terrorist threats. For the past 16 years, DHS's Cybersecurity and Infrastructure Security Agency (CISA) has worked with large and small companies to develop a program recognized as the global standard for chemical security.

Chemicals are used in nearly every US industry and are critical to a strong supply chain. The vital role of the chemical industry, however, comes with unique security challenges that require government agencies and companies to work together to stay ahead of the ever-evolving threats facing our nation. And those threats are real and show no signs of diminishing.

When authorized, the CFATS program promotes security by providing threat assessment information, guidance to companies about their security plans and policies, and vetting personnel against the terrorist screening database. For example, CISA officials have stated that for every month the CFATS program is expired, approximately 9,000 new individuals are not screened against the federal database for terrorist ties. CFATS helps minimize the opportunities for threat actors to do harm to our facilities, workers, and the surrounding communities.

We strongly urge the Senate to immediately approve legislation to reauthorize the CFATS program to ensure that chemical facilities across the country and the communities where they operate can remain secure against potential threats.

Sincerely,

Agricultural Retailers Association
American Chemistry Council
American Coatings Association
American Fuel & Petrochemical Manufacturers
Compressed Gas Association
Household & Commercial Products Association
National Association of Chemical Distributors
Society of Chemical Manufacturers & Affiliates
The Adhesive and Sealant Council
The Chlorine Institute
The Fertilizer Institute
The Vinyl Institute