



Chemical Facility Anti-Terrorism Standards Program (CFATS)

Background

In an April 2007 rulemaking, the Department of Homeland Security (DHS) established chemical facility anti-terrorism standards (CFATS). This rule, and its Appendix-A list of chemicals considered to pose various levels of risk due to terrorist actions, established risk-based performance standards for the security of U.S. chemical facilities. Facilities were ranked by tiers, depending on quantities of Appendix-A chemicals of interest processed, stored and distributed. Covered chemical facilities were required to prepare Security Vulnerability Assessments (facility security vulnerabilities) and to develop and implement Site Security Plans (measures that satisfy the identified risk-based performance standards).

Because agribusiness is unique in its use, distribution and storage of chemicals, so are its security needs. To address these unique needs, CropLife America (CLA) formed an Agribusiness Security Working Group in 2002 with the Agricultural Retailers Association (ARA) and The Fertilizer Institute (TFI) to jointly address security concerns. The members of this working group participate in DHS workgroups, such as the Chemical Sector Coordinating Council, to help coordinate agribusiness' response to DHS's requests for comments, and to facilitate our industry's ability to communicate threat information, report suspicious activity and respond to emergencies.

The authorization for CFATS was extended by the FY 2014 DHS appropriations act (Sec. 536. of HR 3547 "the Omnibus") for one year, as it has for the past few years, and funding was also provided in this act for DHS to continue the program while the authorizing committees – House Homeland Security and House Energy and Commerce – continue to work on passing their negotiated multi-year bill.

Position

America's agricultural industry urges you to pass H.R. 4007, "The Chemical Facility Anti-Terrorism Standards (CFATS) Authorization and Accountability Act of 2014" introduced by Cybersecurity, Infrastructure Protection and Security Technologies Subcommittee Chairman Patrick Meehan (R-PA) of the House Homeland Security Committee. The bill proposes a foundational multi-year extension of the current CFATS program for two years, which will create regulatory certainty for the agricultural community and a workable Personnel Surety Program.

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