



## COMMITTEE ON HOMELAND SECURITY

FOR IMMEDIATE RELEASE

Hearing Statement of Chairman Bennie G. Thompson (D-MS)

*Securing Our Nation's Chemical Facilities: Stakeholder Perspectives on Improving the CFATS Program*

March 12, 2019

The perspectives we will hear today are often underrepresented in conversations about how to improve this important anti-terrorism program, and I am proud we have given them a seat at the table.

Last month, the Full Committee received testimony from both the Department of Homeland Security and the Government Accountability Office to kick off our CFATS reauthorization efforts. The conversations at that hearing revealed three ongoing challenges.

Number one: First responders still do not have the information they need to respond safely and effectively to an incident at a chemical facility. As a former volunteer fire fighter who fought to include first responder information access provisions in the CFATS Act of 2014, I am disturbed that gap still exists nearly five years after the West, Texas disaster.

Number two: DHS is not fully leveraging the data and lessons learned as facilities have tiered down or out of the CFATS program. DHS should use the information it collects and the experience of the regulated community to develop voluntary best practices to further reduce risk.

Finally: The CFATS risk tiering methodology does not appear to take into consideration the full spectrum of factors that should inform a facility's risk profile. For example, the CFATS' tiering methodology rigidly focuses on loss of life when evaluating the consequences of a release at a chemical facility. It fails to consider ongoing health consequences, whether the facility is located next door to an elementary school or a nursing home, or whether neighboring structures might make the facility a more desirable terrorist target.

DHS' failure to integrate this kind of information into its tiering methodology is particularly troubling because communities along a chemical facility's fence line tend to be poorer and have first responders who may not be well resourced to respond to chemical facility disaster. I will be interested in hearing our witnesses' perspectives on these important points today.

Another important priority I am glad we will have the opportunity to discuss today is facility engagement with its workforce. Despite provisions in the CFATS Act of 2014 requiring employee engagement on site security plans, I understand that the engagement Congress envisioned is not happening uniformly across the country. In some cases, it is not happening because employees are unaware that facilities are covered under CFATS in the first place. Facility employees are important force multipliers in keeping chemical facilities secure. And in the event of a disaster, facility employees are likely the people who will provide first responders with situational awareness critical to the response.

In the past, this program has enjoyed broad, bipartisan support on and off the Hill. Every Secretary of Homeland Security from Secretary Chertoff to Secretary Nielsen has warned of threats posed by chemical weapons and has supported the CFATS program to make our communities safer and more secure.

I will remind everyone here that we have only until April 2020 to reauthorize this important program. As Chairman, I am committed to getting a CFATS reauthorization package across the finish line. But as I made clear at the CFATS hearing last month, reauthorization will not become an excuse to water down the program.

I look forward to working with my colleagues to get CFATS reauthorization done, and I look forward to the testimony from our witnesses today.

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