



May 18, 2020

Dear Senator:

We, the undersigned Chief Executive Officers and Security Directors of America's leading chemical manufacturers, write regarding the urgent need to reauthorize the Chemical Facilities Anti-Terrorism Standards (CFATS) law well beyond its current expiration date of July 23, 2020. Long-term authorization of this critical program is needed by the chemical industry to provide regulatory stability and certainty so companies can continue to make sound financial decisions and capital investments in securing hazardous chemicals.

The business of chemistry is a \$553 billion enterprise; providing more than 500,000 skilled, good-paying American jobs. The chemical manufacturing industry has grown rapidly in the United States thanks to the increase in domestic shale gas production. In fact, the ACC has identified more than 330 new capital investment projects worth more than \$200 billion adding tens of thousands of jobs and generating almost \$300 billion dollars in economic activity.

CFATS provides a rigorous yet flexible approach to ensuring chemical security by setting a consistent standard across the community of high-risk chemical facilities. As a result, communities across America are safer due to the CFATS regulatory program and the public / private partnership it entails. Further, CFATS saves American business millions of dollars due to the prevention of potential theft and diversion of certain high value chemicals. CFATS requires periodic inspections to verify that regulated facilities are complying with eighteen risk-based performance standards. These standards are broadly defined. Each facility, therefore, is allowed to fashion its **own** compliance regime that is then measured against the performance standards *for that site*. Fundamentally, CFATS requires site operators and regulators – the Department of Homeland Security (DHS) in this case – to collaborate and communicate to secure hazardous chemicals. Indeed, the CFATS Program has been a key point of communication and collaboration for Public-Private concerns during COVID-19 response.

Since the first multi-year CFATS authorization was set to expire, ACC members have advocated for long-term program extension. The justification for a long-term extension was based in part on the successful implementation of CFATS in the years since it received its first four-year authorization, in 2014. Despite these efforts, each successive authorization has become shorter. In addition, the FY 2021 Administration Budget proposes to make the CFATS program voluntary. These developments are not consistent with a robust, nationwide chemical security program. They do not allow the regulated community the time to properly plan for and maintain a security posture. And they do not send the right message regarding America's security posture during a worldwide pandemic, or at any time.

We encourage you to discuss CFATS authorization with Leader McConnell at your earliest convenience. Multi-year reauthorization is the best solution to keep this critical mission on track. We stand ready to assist in this effort. Thank you for your consideration.





Sincerely,

Afton Chemical

Regina A. Harm
President

American Air Liquide Holdings, Inc.

Michael J. Graff
Chairman and CEO

Gary W. Davis
Director of Security-Americas

BASF Corporation

Wayne T. Smith
Chairman and CEO

Kirsten Meskill
Director of Corporate Security

Bayer U.S. LLC

Douglas Wiese
Head of U.S. Security

Brenntag North America

Markus Klaehn
President and CEO

Matthew Fridley
Director of Security and Safety

Celanese

Lori Ryerkerk
Chairman, President and CEO

The Chemours Company

Mark Vergnano
President and CEO

David C. Shelton
SVP for Legal, Ethics and Compliance,
Governmental Affairs and Security

Corteva

Susan Lewis
SVP, Enterprise Operations

Covestro

Haakan Jonsson
Chairman and President

Dow North America

Louis A. Vega
President

Scott Whelchel
Chief Security Officer, Global Director
Emergency Services and Security

DuPont

Donald J. Ostmann Sr.,
Chief Security Officer and Global Security
Director

Evonik Corporation

John Rolando
President





Linde

Jeff Gage
Group Security

The Lubrizol Corporation

Eric Schnur
Chairman and CEO

Daniel Isaacson
Corporate Security Manager

NewMarket

Teddy Gottwald
Chairman and CEO

Nouryon

Larry Ryan
President, Americas

Richard Steinert
Director Health, Safety, Environment and
Security

Olin Corporation

John Fischer
President and CEO

Shree K. Harricharran
Global Security Leader

Occidental Chemical Corporation

B.J. Hebert
President

Jaime Viancos
Director Process Risk and Security

Shell

Beau Black
U.S. Security Advisor

Solvay North America

Mike Lacey
President

Neel Adhikari
Group Physical Security Manager

Sumitomo Chemical America

Scott N. Mitchell
President and CEO

