



CISA
CYBER+INFRASTRUCTURE



CFATS OUTREACH STRATEGY

Fiscal Years 2020-2023

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Background

In Section 550 of the Department of Homeland Security Appropriations Act of 2007, Public Law 109-295, Congress authorized the Department of Homeland Security (DHS) to issue interim final regulations to regulate the security of high-risk chemical facilities, known as the Chemical Facility Anti-Terrorism Standards (CFATS) program. Administered by the Cybersecurity and Infrastructure Security Agency (CISA),¹ the CFATS program has helped make the nation more secure by identifying and regulating high-risk chemical facilities to ensure they have security measures in place that reduce the risk of certain hazardous chemicals being weaponized.

The CFATS-regulated community is extensive and dynamic. The range of industries that CFATS covers includes, but is not limited to, chemical and petrochemical manufacturing, storage and distribution, energy utilities, agriculture product producers and distributors, paints and coatings, explosives, mining, electronics, plastics, semiconductors, and healthcare, among others. CFATS facilities can include oil drilling sites, wineries, breweries, water parks and pools, fisheries and hatcheries, food processors, and motor racing venues.

On December 18, 2014, President Obama signed into law the *Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014* (the CFATS Act of 2014), Public Law 113-254 (6 U.S.C. 621 et seq.), which reauthorized the CFATS program and added new provisions while preserving most of the existing CFATS regulations. The CFATS Act of 2014 (6 U.S.C. § 629) directed the DHS Secretary to establish an outreach implementation plan (Plan) in coordination with relevant federal and state agencies, business associations, and public and private labor organizations to:

- (1) Identify chemical facilities of interest;² and
- (2) Make available compliance assistance materials and information on education and training.

On March 18, 2015, the Department released the initial 2015 Plan, which identified goals, action items, milestones, and metrics to measure progress through fiscal year (FY) 2016 (16).³ The Agency recognizes the invaluable contributions of the stakeholder communities that contributed ideas and input to the initial FY15 Plan.⁴ The Department released updated plans in FY17, FY18, and FY19.

¹ On November 16, 2018, the President signed the Cybersecurity and Infrastructure Security Agency Act of 2018 into law, officially changing the name of the National Protection and Programs Directorate (NPPD) to the Cybersecurity and Infrastructure Security Agency (CISA) and establishing a new agency under DHS. CISA is the agency now responsible for managing and executing the CFATS program.

² The CFATS Act of 2014 defines a “chemical facility of interest” as “a facility that ... holds, or that the Secretary has a reasonable basis to believe holds, a chemical of interest, as designated under Appendix A to part 27 of title 6 Code of Federal Regulations, or any successor thereto, at a threshold quantity set pursuant to relevant risk-related security principles and ... is not an excluded facility.” 6 U.S.C. § 621(2).

³ Since the inception of the CFATS program, the Agency has expended significant resources on various efforts to identify potentially high-risk chemical facilities and ensure that facilities holding threshold quantities of chemicals of interest (COI) submit Top-Screens to the Agency as required by 6 CFR part 27. These efforts have taken a variety of forms, including collaboration with federal, state, and local partners; data mining and data analysis; and follow-up investigations from tips and incidents. This document outlines outreach activities in support of the CISA effort to better identify chemical facilities of interest (CFOI), as well as general CFATS outreach and awareness activities.

⁴ These stakeholders included federal partner departments and agencies (Agriculture, Commerce, Energy, Health and Human Services, Homeland Security, Justice, Labor, Transportation, and Environmental Protection Agency);

On January 18, 2019, President Trump signed into law the *Chemical Facility Anti-Terrorism Standards Program Extension Act* to extend the CFATS Act of 2014 and the CFATS program through April 2020. The President and Congress extended the CFATS program to July 23, 2020, as part of the *Coronavirus Aid, Relief, and Economic Security Act* (CARES Act). CISA is working with Congress on a bill that will reauthorize the program for a longer period.

In FY20, the Agency is transitioning this document to provide a multi-year strategic outlook, supplemented by an annual Outreach Plan that details the year's specific goals, activities, and metrics that CISA will implement. The Agency looks forward to continuing to work with its stakeholders to increase compliance with the CFATS requirements and raise awareness of available educational materials.

Strategic Goals

The three strategic goals outlined below are focused on the CFATS program. CISA is developing details for a variety of nonregulatory chemical security initiatives that will complement the CFATS program and be provided to chemical facilities.⁵

Goal 1: Expand availability of CFATS compliance assistance materials and information on education and training.

Goal 2: Continue stakeholder engagement to raise awareness of CFATS requirements and compliance resources and to gather input to make program improvements.

Goal 3: Continue outreach in support of CISA efforts to identify chemical facilities of interest.

Goal 1: Expand availability of CFATS compliance assistance materials and information on education and training

Accessibility of educational information, materials, and publications is critical to the implementation and success of the CFATS program. A list of available materials, including those in Spanish, and presentations can be found on the [CFATS Resources webpage](#).

CISA utilizes a variety of platforms to make compliance assistance materials available to all CFATS stakeholders.

- The Agency has and will continue to maintain and update webpages on CISA.gov (www.cisa.gov/chemical-security) to enhance web presence and provide covered chemical facilities with more in-depth, detailed information about the CFATS program.
- The CFATS Help Desk will continue to be available for owners and operators to call or email with questions on the CFATS program.⁶

state/regional partners (National Association of State Title III Program Officials); industry organizations (Chemical Sector Coordinating Council, Critical Manufacturing Sector Coordinating Council, Emergency Services Sector Coordinating Council, Food and Agriculture Sector Coordinating Council, Oil and Natural Gas Sector Coordinating Council, and U.S. Chamber of Commerce); labor organizations (International Chemical Workers Union, International Brotherhood of Teamsters, and United Steelworkers); and environmental organizations (Greenpeace).

⁵ If the CFATS program is not reauthorized in July 2020, CISA will shift outreach to focus exclusively on the nonregulatory chemical security initiatives.

⁶ The CFATS Help Desk can be contacted at 866-323-2957 or CSAT@hq.dhs.gov Monday through Friday (except federal holidays) from 8:30 am to 5 pm ET. More information can be found at <https://csat-help.dhs.gov/>.

- The Agency will maintain and update the CFATS Knowledge Center (<https://csat-help.dhs.gov/>), which includes Frequently Asked Questions (FAQs), fact sheets, and other guidance documents. Articles address issues that need a broader context and explanation than what is easily confined to a specific FAQ. The Knowledge Center is the place where periodic updates will be posted to inform the CFATS universe on programmatic progress and future initiatives. CISA continuously reviews and updates information posted to the center to ensure it is current.
- The Agency will continue to issue the Chemical Security Quarterly (previously, CFATS Quarterly), which is a newsletter that provides CFATS program updates and compliance resources to CFATS-covered chemical facilities. In addition to being sent to all CFATS-covered facilities four times a year, this communication is also available to the public for those that elect to opt-in.⁷
- Educational and training materials provided during Compliance Assistance Visits (CAVs) to CFATS-covered facilities will be maintained and updated. The purpose of these visits is to provide in-depth knowledge of and assistance in complying with CFATS.
- The Agency will issue advisory opinions to help clarify CFATS rules whenever appropriate and in the interest of effective administration of the CFATS program. The advisory opinions are often in response to requests from chemical facilities and industry groups.
- The Agency will cosponsor national Chemical Sector Security Summits with the Chemical Sector Coordinating Council (SCC) and plans to host a variety of regional events that serve as educational forums for government and private sector representatives from the chemical community.
- CISA personnel will continue to share resources and expertise through outreach activities—such as speaking engagements, exhibit booths, and webinars—outlined in Goal 3.
- CISA will continue to be a part of the National Working Group on Chemical Facility Security and Safety.⁸ The working group maintains a public website dedicated to sharing information on chemical safety and security and has developed tools, trainings, and resources to strengthen emergency planning and issued guidance documents and chemical safety alerts to educate stakeholders on the best practices for compliance, storage, and handling.⁹

⁷ Individuals can sign up to receive CFATS updates and the Chemical Security Quarterly by going to <https://public.govdelivery.com/accounts/USDHS/subscriber/topics>.

⁸ A national level working group composed of DHS, Environmental Protection Agency (EPA), Occupational Safety and Health Administration (OSHA), and Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) representatives.

⁹ For the web-based repository, please visit <https://www.osha.gov/chemicalexecutiveorder/index.html>.

Goal 2: Continue stakeholder engagement to raise awareness of CFATS requirements and compliance resources and to gather input to make program improvements

Stakeholders are essential partners in raising awareness of CFATS and its requirements. CISA conducts outreach to members of the chemical industry, other industries whose members routinely use threshold levels of CFATS COI, and other stakeholders with an interest in chemical facility security.

Since the CFATS-regulated community is extensive and dynamic, CISA conducts outreach to raise awareness of CFATS requirements among audiences in possession of COI who may not know about the program or do not realize that the program may be applicable to their facilities. The Agency remains committed to fostering relationships with public and private stakeholders at national, federal, regional, state, local, tribal, and territorial levels to achieve this goal.

Industry Associations and Business Groups

- The Agency will continue to regularly engage with SCCs in multiple sectors to provide program updates and obtain input from a broad cross-section of private industry by leveraging their communication mechanisms.
- To reach new audiences, the Agency continues to identify potential industry segments and conduct outreach with their representative trade and professional associations, and relevant professionals—such as risk managers and safety and security specialists. CISA will also continue to similarly engage with state chemical councils and state agricultural industry associations.

Labor Organizations

- The Agency will meet with interested labor organizations periodically to discuss CFATS updates and to solicit input on program issues of interest to labor organizations.

Advocacy Groups

- The Agency will continue to share program updates and invitations to public listening sessions related to CFATS rulemaking and the Chemical Sector Security Summit with environmental, community, and other interest groups as opportunities arise.

Federal Agencies and Departments

- The Agency plans to attend meetings of the Chemical, Oil and Natural Gas, Food and Agriculture, and Emergency Services Government and Sector Coordinating Councils (GCC and SCC) to learn about opportunities for coordination and to provide updates on the CFATS program. CISA will also participate in meetings with other sector GCCs and SCCs as deemed appropriate.
- CISA will continue to work with the Environmental Protection Agency (EPA), Occupational Safety and Health Administration (OSHA), and Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) on the national and regional levels to improve operational coordination with and support to state and local partners as well as enhance federal agency coordination and information sharing. Additionally, within DHS,

coordination and collaboration with the U.S. Coast Guard will continue between the CFATS and Maritime Transportation Security Act (MTSA) programs.

- The CFATS program will continue to coordinate across CISA to conduct outreach and engagement, and distribute educational information and materials through each program's extensive networks.

State, Local, Tribal, and Territorial Agencies and Departments

- The Agency will continue to make sure that state, local, tribal, and territorial officials are aware that CFATS data are available via the IP Gateway Portal to improve data-sharing and emergency planning efforts. Those with the need to know are able to see CFATS facilities in their area of responsibility.

International Agencies and Departments

- The Agency will maintain its leadership role in encouraging a global culture of chemical security. CISA co-chairs the Chemical Security Working Group of the G7 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, leading the U.S. engagement with the G7 on chemical security and helping ensure cooperation among the international community on chemical security efforts.
- The Agency, partnering with the Federal Bureau of Investigation (FBI), INTERPOL, and the Defense Threat Reduction Agency (DTRA), will plan to convene an annual Global Congress on Chemical Security and Emerging Threats. The Congress brings together leaders from around the world to discuss how to strengthen international cooperation in the area of chemical security, share threat mitigation techniques, and highlight voluntary and regulatory best practices in chemical security.
- The Agency will continue to work closely with representatives from the European Commission (EC) and individual EU member states on limiting access to improvised explosive device precursor chemicals. CISA has expanded its coordination with the EU and other international partners on precursor chemicals with a recent focus on collaborating on testing and evaluating explosive precursor chemicals.
- The Agency will continue to work closely with the Department of State on bilateral engagements related to chemical security with various international partners.
- CISA will continue to lend chemical security expertise to the DTRA's Chemical Security Framework Project, where CFATS serves as a model for developing chemical-security regulatory frameworks internationally. The CFATS program will continue to seek lessons learned and best practices from its international partners to help improve the program and to address the latest terrorist threats, tactics, and techniques.

Chemical Sector Security Summit and Regional ChemSecureTalks

- Recognizing the importance of providing a forum for chemical security professionals across industry and government to exchange information, share best practices, strengthen partnerships, and renew the commitment to chemical security, CISA will continue to cosponsor the Chemical Sector Security Summit on a biannual basis.
- On years when a national-level Summit is not held, CISA intends to host regional forums—called ChemSecureTalks—that convene stakeholders to discuss region-specific threats, challenges, and lessons learned.

Gathering and Tracking Feedback

- In response to a 2013 recommendation from the U.S. Government Accountability Office, the Department developed an optional, self-administered questionnaire to systematically obtain feedback on outreach efforts from government and industry stakeholders to improve the CFATS program's outreach activities and provide better customer service to the regulated community.¹⁰ The Agency will continue to obtain feedback from stakeholders.

Goal 3: Continue outreach in support of CISA efforts to identify chemical facilities of interest

The Agency has conducted a number of efforts targeted at identifying facilities that likely should have filed a Top-Screen but have not done so to date, also known as Potential Chemical Facilities of Interest (P-CFOI). Key historical projects and activities aimed at identifying such facilities have taken a variety of forms, including collaboration with federal, state, local, tribal, and territorial partners; data mining and data analysis; and follow-up investigations from tips and incidents.

The Agency will continue its work with federal, state, local, tribal, and territorial officials to identify and obtain datasets containing information on facilities with chemicals to compare with the existing Top-Screen submissions. The Agency will also continue with annual analysis of the EPA Risk Management Plan (RMP) data.

Accordingly, CISA will continue its efforts to systematically coordinate with regional federal partners and state regulatory representatives across the country to share chemical facility information for their areas of responsibility and to identify and collect state lists in order to conduct crosswalk analysis.

- **Federal Partners:** EPA, OSHA, ATF, FBI; Department of Transportation (DOT).
- **State Regulatory Offices:** Environmental Protection/Quality; Occupational Health; Food and Agriculture; Chemist; Plant Food Control; Pesticide; Fertilizer.¹¹

The Agency will especially continue sustained outreach to state, local, tribal, and territorial, officials in the emergency planning and response community to leverage their knowledge of local facility operations for identifying additional P-CFOI.

- **State, Local, Tribal, and Territorial Offices:** Homeland Security; Fire Marshal; First Responder; Emergency Manager; Public Safety; State Emergency Response Commission (SERC); Tribal Emergency Response Commission (TERC); Local Emergency Response Commission (LEPC); Tribal Emergency Planning Committee (TEPC).

While contacting state, local, tribal, and territorial officials to conduct data comparisons, CISA intends to engage these representatives to raise awareness of CFATS requirements and compliance, and to provide additional resources as described in Goal 1 of this Plan. Outreach

¹⁰ Government Accountability Office (GAO), Critical Infrastructure Protection: DHS Efforts to Assess Chemical Security Risk and Gather Feedback on Facility Outreach Can Be Strengthened, GAO-13-353, published Apr 5, 2013, <http://www.gao.gov/products/GAO-13-353> (accessed March 25, 2020).

¹¹ These officials do not exist in every state. CISA identifies and contacts other officials who are performing similar functions, as applicable.

could include meetings focused on CFATS activities, emails distributing recent CFATS program updates and materials, interactions at regional events or conferences, or other activities carried out in partnership with the Agency's Infrastructure Security Division voluntary programs.

CISA will continue to use CFATS facility data, North American Industry Classification System (NAICS) codes,¹² and other open source data to identify industries that regularly use COI at threshold levels.

The Agency will also continue to follow up on information regarding chemical facilities found through monitoring open source articles reporting on facilities, incident information shared with Chemical Security Inspectors in the field, and information reported through the CFATS Tip-Line.¹³

Conclusion

Communication is a key in the success of the CFATS program. CISA will continue to coordinate with stakeholders to build and expand on existing efforts to raise awareness of CFATS requirements and compliance and to provide educational materials through the goals and actions detailed in this Plan over the past several years. The Agency's outreach efforts have consistently incorporated lessons learned and suggestions from program stakeholders, and we look forward to continued discussions and ideas in the coming years. As outreach and engagement activities are dynamic in nature, CISA will identify and document activities associated with each strategic goal laid out in this plan on an annual basis to correspond with the start of each fiscal year. Progress will be measured through the metrics provided for each activity. The Agency will continue to seek dialogue and feedback on CFATS implementation with the chemical-security community.

¹² Government, industry, and other entities use NAICS codes to categorize business establishments by economic sectors (i.e., agriculture, forestry, fishing, and hunting; manufacturing; transportation and warehousing; mining; utilities; hospitals; colleges and universities, etc.). A chemical facility submitting its Top-Screen through the Chemical Security Assessment Tool 2.0 (CSAT) must self-identify by a NAICS code.

¹³ Individuals may anonymously report a possible security concern regarding the CFATS program to CISA through the Tip-Line at 877-394-4347 or CFATSTips@hq.dhs.gov.



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