

December 18, 2024

The Honorable Linda McMahon
Mr. Howard Lutnick
Co-chairs, President Donald J. Trump Transition Team
1100 S. Ocean Blvd.
Palm Beach, Florida 33480

Dear Administrator McMahon and Mr. Lutnick,

We represent the United States chemical industry, its practitioners, and the many diverse industries that rely on chemical products. We are writing to advocate for your support for the reauthorization of the Chemical Facility Anti-Terrorism Standards (CFATS) program, which expired in July 2023.

This chemical security program was authorized during the President-Elect's first term, but the program was allowed to lapse under the current administration and Congress. The CFATS program is a cornerstone partnership and commitment to chemical security in a Post-911 world. During the first Trump term, over 172,000 names were vetted through the Terrorist Screening Database, and five (5) were found to have terrorist ties. It is imperative that we prioritize the reauthorization of the CFATS program to protect our nation's chemical sites from potential terrorist threats.

When operational, the CFATS program established a robust framework for identifying and mitigating security risks at chemical facilities, ensuring resilience against a range of threats. The program has played a critical role in fostering collaboration between the chemical industry and federal and state agencies, enabling the implementation of best practices and enhancement of security measures.

A federal program also helps to ensure that our industry is not faced with a patchwork of state regulations that would place an enormous burden on companies and potentially create confusion and conflicting requirements. Chemical security bills were filed in several states in 2024, and we are concerned that more will be filed in 2025.

We are also concerned that other federal agencies may attempt to fill the void. The EPA is creating new security vulnerabilities through the Risk Management Program (RMP). For example:

- The agency's 2024 final rule forces facilities to more broadly share sensitive information about covered chemicals, including many materials previously designated as Chemicals of Interest under CFATS.
- The agency has updated its RMP Public Data tool, which allows anyone to search for RMP-covered processes around the United States and view chemicals held, five-year accident history and historical accident history, and information on emergency response. In the wrong hands this information could create great harm to our facilities and our citizens.

The chemical industry is a vital component of the U.S. economy, supporting millions of jobs and driving innovation. A secure chemical sector is essential for maintaining our global competitiveness. The reauthorization of CFATS is crucial for ensuring that our industry continues to thrive while maintaining the highest security standards. We urge the Trump 2024 transition team to prioritize the reauthorization of CFATS as part of your agenda. Together, we can strengthen the security of our chemical facilities, protect our communities, and contribute to a more resilient nation.

We welcome the opportunity to meet with you to discuss this matter further and explore how we can collaborate to advance this important initiative. Thank you for considering our request. We look forward to working with you.

Sincerely,

Alliance for Chemical Distribution (ACD)

American Chemical Society (ACS)

American Coatings Association (ACA)

American Fuel & Petrochemical Manufacturers (AFPM)

American Petroleum Institute (API)

International Warehouse Logistics Association (IWLA)

Interstate Natural Gas Association of America (INGAA)

National Industrial Transportation League (NITL)

National Mining Association (NMA)

National Tank Truck Carriers (NTTC)

North American Millers' Association (NAMA)

The Fertilizer Institute (TFI)

The Sulphur Institute (TSI)

U.S. Chamber of Commerce