

Opening Statement of Sen. Tom Coburn
“Charting a Path Forward for the Chemical Facilities
Anti-Terrorism Standards Program”
Wednesday, May 14, 2014

Good morning and welcome. I want to start by telling you how enthused I am with the leadership at DHS and the changes that are occurring, particularly with the Secretary. I also congratulate Under Secretary Suzanne Spaulding and Director David Wulf in terms of the improvements that are being made with the Chemical Facility Anti-Terrorism Standards (CFATS) program, and I mean that very sincerely.

But the CFATS program is one of the programs that deserve a robust review from DHS and this Committee. Since 2007 we have spent nearly \$600 million on the program, and less than 2 percent of the facilities have had a compliance inspection. And in my review of the program, I have learned some problems with the program.

One is that CFATS is not significantly reducing the risk that terrorists will use chemicals to conduct attacks against the United States.

The second thing is that the approach to assessing risk in chemical facilities which guides the CFATS program is broken.

Third, DHS is far behind in meeting its deadlines in this program, reviewing security plans and inspecting facilities, which is not to say Mr. Wulf has not made a lot of progress; he has, and I commend him for the progress he has made with CFATS.

My fourth criticism is there is not enough work with the private sector or security experts to fix the problems in the program.

My fifth criticism is that too much time and effort is spent on administrative aspects of the program that do not improve chemical security. The requirements for other chemical regulations like the Coast Guard’s Maritime Transportation Security Act Program, the Environmental Protection Agency’s Risk Management Program, and the Transportation Security Administration’s Pipeline Security Branch, do not come close to the requirements for CFATS.

It cannot be that complicated. As a matter of fact, in talking to industry I know it is not that complicated. We need to fix CFATS before we make it permanent, and that is what I intend to do. We have got to look at this program and fix it.

I look forward to your testimony, and I thank you for being here.