

**Statement of Chairman Frank Pallone, Jr.
Committee on Energy and Commerce
Subcommittee on the Environment and Climate Change
Hearing on “H.R. 3256, the Protecting and Securing
Chemical Facilities from Terrorist Attacks Act of 2019”**

Sept. 11, 2019

Today, on the 18th anniversary of the September 11th terrorist attacks, we are ~~heremeeting~~ to discuss important security legislation that could help prevent another attack. We will never forget~~The tragedy of~~ 9/11, and ~~its~~the longstanding impacts on families, ~~and~~ first responders, and our nation as a whole. ~~in how we protect it from those who wish us harm.~~ The lessons we learned in the days and years after 9/11 should inform our efforts to strengthen the Chemical Facility Antiterrorism Standards program, otherwise known as CFATS (“see-fats”). This ~~important~~ program provides critical national

security protections by requiring chemical facilities that are high risk terrorist targets to assess and address their vulnerabilities.

High risk chemical facilities hold large stores of industrial chemicals ~~that~~^{which} pose a safety and security risk to the American people if they are released or detonated. A recent report found that more than 134 million Americans live in the vulnerability zones around chemical facilities — that's more than one-third of Americans. The communities most at risk are disproportionately low-income communities and communities of color.

And, unfortunately, the threats to these facilities are only increasing as climate change makes extreme weather more and

more common. CFATS regulated facilities have been impacted by hurricanes, floods, and wildfires, putting us all at risk.

I have been an advocate for increased safety and security at our nation's chemical facilities for many years, well before the CFATS program was established in 2006. My home state of New Jersey, which has a high population density, also has a large number of chemical facilities, so the consequences of lax~~insufficient~~ security could be devastating~~are dire~~. And that's why New Jersey led the way on chemical plant security, adopting requirements for the assessment of so-called "Inherently Safer Technology" and adopting mandatory security standards before the federal program was in place.

Earlier this year, the CFATS program came close to lapsing. Despite the importance of the program and support on both sides of the aisle, the authorization came within 10 days of expiring during Trump's government shutdown.

A bill in the Senate also sought to seriously weaken the program, with changes including an ill-advised exemption for explosives. ~~Fortunately, With little time to spare, I was able to work with~~ Ranking Member Walden and I were able to work with ~~and~~ our colleagues on the Homeland Security Committee to extend the program through April of 2020 without these misguided changes.

Now, we have the opportunity to strengthen and improve the program, and I look forward to continuing to work in a

~~bipartisan fashioning with those same colleagues~~ to move legislation forward again. It's critical that we get this done.

And three recent major chemical incidents this year – one in Crosby, Texas, another in LaPorte, Texas and a third in South Philadelphia, Pennsylvania – underscore the need to do more. –

- ~~• the April 3rd KMCO LLC fire in Crosby, TX,~~
- ~~• the March 17th Intercontinental Terminals Co. (ITC) facility fire in La Porte, TX, and~~
- ~~• the June 21st Philadelphia Energy Solutions refinery explosions in South Philadelphia.~~

H.R. 3256, the “Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2019,” would extend the authorization for this important program and make some welcome improvements. The bill would strengthen the role of

workers at covered facilities and improve reporting to Congress. It would require the Department of Homeland Security to verify information submitted by a covered facility before using it to lower that facilities risk tier. And it would eliminate the worrisome Expedited Approval Program.

I look forward to hearing from the stakeholders today about these and other improvements that can be made in the program.

I hope we can continue to work together, ~~across the aisle~~, to ensure the security of these facilities and protect the surrounding communities.