



February 26, 2018

U.S. Department of Homeland Security
National Protection and Programs Director
Office of Infrastructure Protection
Infrastructure Security Compliance Division
ATTN: 1670-0029
245 Murray Lane SW
Mail Stop 0610
Arlington, VA 20528

RE: Chemical Facility Anti-Terrorism Standards Personnel Surety Program - DHS-2017-0037

Dear Mrs. Amy Graydon:

These comments are submitted on behalf the Society of Chemical Manufacturers and Affiliates (SOCMA) to the Department of Homeland Security (DHS) regarding the Chemical Facility Anti-Terrorism Standards Personnel Surety Program - DHS-2017-0037. SOCMA is committed to proper safety and security measures and values the work of and collaboration with DHS but does not support applying the Personnel Surety Program (PSP) to all Tier 3 and Tier 4 facilities at this time.

The Society of Chemical Manufacturers & Affiliates (SOCMA) is part of a \$300 billion industry that is fueling the U.S. economy. Our members play an indispensable role in the global chemical supply chain, providing specialty chemicals to companies in markets ranging from aerospace and electronics to pharmaceuticals and agriculture.

SOCMA is the only U.S.-based trade association solely dedicated to the specialty and fine chemical industry. SOCMA is developing ChemSectors which will focus on growing key market segments in the specialty chemical industry including pharmaceuticals, agricultural, and performance materials. The industry network extends to more than 20,000 influencers and decision makers in the specialty chemicals supply chain.

The CFATS program has a significant impact on the specialty chemical industry – over half of the facilities represented by SOCMA fall into the CFATS program. SOCMA is supportive of CFATS and believes that the program has had a significant positive impact on security

within specialty chemical facilities. Furthermore, implementation of the CFATS program has dramatically improved over the course of the program's existence.

However, SOCMA does not believe that PSP should be extended to Tier 3 and 4 facilities at this time.

PSP information is just beginning to be run through the Terrorist Screen database (TSDB) for most Tier 1 and 2 facilities. Effectively, PSP is still in the very early stages, similar to those of the pilot stage of a program. DHS should not expand the program until it can see the successes and failures it has with Tier 1 and 2 facilities.

Further, DHS should complete a formal assessment, in conjunction with the Department of Justice and the Federal Bureau of Investigation, on the benefits and positive outcomes of running PSP-gained information through TSDB. A robust review would deliver a better idea of the effectiveness of PSP and may uncover better and new ways for PSP to operate to make it more effective. Additionally, the greater number of facilities and people that can be considered in the review the better. Hence, it may even be premature to complete this analysis.

A major concern for specialty chemical facilities is consistency in enforcement. SOCMA member companies want consistency from inspectors and auditors as they apply rules and regulations. DHS should work with facilities that have already been inspected to make sure inspections are being handled in a consistent fashion. This will allow for DHS to tweak both the program and the training of inspectors to make sure inspectors are as consistent as possible, which will lead to better results for the program.

DHS should complete both an effectiveness and a consistency review of PSP as implemented in Tier 1 and 2 facilities before expanding the program to cover Tier 3 and 4 facilities. Further, upon completion of the effectiveness review for Tiers 1 and 2, DHS should consider trials at Tier 3 and 4 facilities to assess the effectiveness before implementing PSP in all Tier 3 and 4 facilities.

SOCMA appreciates the opportunity to weigh in on this program, which will greatly impact the specialty chemical industry. Please feel free to contact me at helminiak@socma.com or 571.348.5107 with any questions.

Regards,

Robert F. Helminiak
Vice President, Legal and Government Relations
Society of Chemical Manufacturers and Affiliates (SOCMA)
1400 Crystal Drive, Suite 630
Arlington, VA 22202