

**Opening Statement of Ranking Member Yvette D. Clarke (D-NY), as prepared
Subcommittee on Cybersecurity, Infrastructure Protection, & Security Technologies
Committee on Homeland Security**

***Preventing Chemical Terrorism:
Building a Foundation of Security at Our Nation's Chemical Facilities***

The security of our nation's chemical facilities is an important topic for this Committee and this Subcommittee, and I thank you, Mr. Chairman, for holding this hearing.

As most of you know, I am from New York. The city itself has industries of every kind, many of them chemical manufacturers and many that use chemicals.

Right across the Hudson River stands a collection of refineries and chemical facilities between Newark Airport and Port Elisabeth that has been referred to by terrorism experts as "the most dangerous two miles in America" because a major release of toxic chemicals from any of those facilities could injure or kill tens or hundreds of thousands of people, and possibly impact millions.

So it is important to me not just as the Ranking Member of this subcommittee, but also in my duty to protect my constituents, that we do our best to make those chemical facilities as secure as possible.

The Chemical Facility Anti-Terrorism Standards program – CFATS – has been successful to date, even though its final implementation has not been complete.

Even though CFATS is in its middle stages we can already see its value.

Through just the first two phases – the initial "Top Screen" phase where facilities report their chemicals of interest, and the second "Security Vulnerability Assessment" phase, where vulnerabilities are identified, over 3000 facilities that were initially in the program have made changes that lowered their risk to the point that their participation in CFATS is no longer required.

I am sure, Mr. Chairman, that you share my conviction that this program should be made permanent through a comprehensive authorization.

I am also sure that you recognize that while several facilities subject to CFATS have lowered their risk by examining their holdings and making process changes, there is a large and important group of facilities – drinking water, wastewater, and facilities located on ports – that have been exempted from CFATS and therefore have not had the incentive to lower their risk.

I should note that one of our witnesses who will be on the second panel is from a wastewater facility that, on its own initiative, changed from dangerous to benign substances, and we in this room today are all safer for it.

I think that DC Water should be viewed as an example of two important points: 1. Water facilities can represent as much of a hazard as other chemical facilities; and 2. That inherently safer practices do work, are well understood, and can significantly increase security by reducing consequences of a release of chemicals.

If a toxic gas is present in my district, I don't care if it comes from a chemical facility, a refinery, a water treatment facility, or a chemical tank on the port, we still have the same consequences.

Mr. Chairman, I look forward to working together with you to close this and other important security gaps, while at the same time giving permanent status to the current CFATS authorities that have worked well so far.