



The Chemical Facility Anti-Terrorism Standards (CFATS) is a risk-based regulatory program that sets the standards for security at the Nation's high-risk chemical facilities. Personnel surety is a key aspect of facility security and includes vetting facility personnel and unescorted visitors who have or are seeking access to restricted areas and critical assets at high-risk chemical facilities.

Under Risk-Based Performance Standard (RBPS) 12 – Personnel Surety, facilities are required to perform four types of background checks on facility personnel and unescorted visitors who have or are seeking access to restricted areas and critical assets at high-risk chemical facilities. These checks include:

- i) Measures designed to verify and validate identity.
- ii) Measures designed to check criminal history.
- iii) Measures designed to verify and validate legal authorization to work.
- iv) Measures designed to identify people with terrorist ties.

While high-risk facilities have already implemented hundreds of security measures related to vetting for identity, criminal history checks, and legal authorization to work, the Office of Management and Budget, in August 2015, approved the CFATS Personnel Surety Program Information Collection Request for facilities in Tiers 1 and 2 to enable those facilities to screen individuals for terrorist ties.

Then, on December 18, 2015, a notice was published in the in Federal Register to inform Tier 1 and Tier 2 high-risk chemical facilities covered under CFATS of the implementation of the CFATS Personnel Surety Program. The notice, found at <https://federalregister.gov/a/2015-31625>, provides information on:

- Statutory and regulatory history
- Four options available to facilities in order to comply with RBPS 12(iv)
- Program requirements and details
- Chemical Security Assessment Tool (CSAT) user roles and responsibilities
- Privacy considerations

The Department of Homeland Security is rolling out the program in a phased manner. Therefore, high-risk chemical facilities will be individually notified as to when the Department will expect them to begin implementing RBPS 12(iv) in accordance with their security plans. Facilities are not required to take any action on RBPS 12(iv) before being notified by the Department.

Personnel Surety
Verify and Validate Identity
Check Criminal History
Validate Legal Authorization to Work in the U.S.
Identify People with Terrorist Ties

Frequently Asked Questions

What do I need to do to comply with the CFATS Personnel Surety Program requirements, now in effect, that are being implemented?

DHS recommends that facilities familiarize themselves with the contents of the notice of implementation, but no action is required until you are contacted by the Department. **Facilities should wait to be contacted by the Department before altering their SSP/ASP or attempting to submit any information for vetting.** The Department will be contacting Tier 1 and 2 facilities on an individual basis and walking them through information to add to their SSP/ASP and will provide an optional supplement, which discusses information the Department will consider and review in order to make a determination on the facility's ability to satisfy RPBS 12(iv).

How will DHS be notifying me of when/if I need to submit information for vetting for terrorist ties?

If you are a Tier 1 or Tier 2 facility, you will be notified individually by your local chemical security inspector that the Department is expecting your facility to begin to implement RBPS 12(iv). Initially, DHS will be working with certain facilities to complete this requirement during compliance inspections. If you have not been notified that the Personnel Surety Program will be covered during your compliance inspection, please feel free to discuss this with the chemical security inspector who is scheduling your inspection.

Who is an “affected individual”?

Affected individuals are facility personnel or unescorted visitors who have or are seeking access to restricted areas or critical assets at high-risk chemical facilities. High-risk facilities may classify particular contractors or categories of contractors either as “facility personnel” or as “visitors.” This determination should be facility-specific based on the facility's security considerations, operational requirements, and business practices.

There are also certain groups of persons that the Department does not consider to be affected individuals, such as (1) Federal officials who gain unescorted access to restricted areas or critical assets as part of their official duties; (2) State and local law enforcement officials who gain unescorted access to restricted areas or critical assets as part of their official duties; and (3) emergency responders at the State or local level who gain unescorted access to restricted areas or critical assets during emergency situations.

Contact Information

If you have questions or would like additional information, please contact CFATS@hq.dhs.gov.