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CFATS Risk-Based Performance Standard (RBPS) 12(iv) – Screening for Terrorist Ties

Overview

The Cybersecurity and Infrastructure Security Agency's (CISA) Chemical Facility Anti-Terrorism Standards (CFATS) program identifies and works with high-risk facilities to ensure security measures are in place to reduce the risk of more than 300 chemicals of interest (COI) being weaponized. High-risk facilities are assigned to one of four risk-based tiers and must develop a security plan meeting the 18 risk-based performance standards (RBPS) criteria. Facilities have flexibility to select measures tailored to the tier level and unique circumstances.

RBPS 12 – Personnel Surety at a Glance

RBPS 12 – Personnel Surety—performing background checks on and ensuring appropriate credentials for facility personnel and unescorted visitors who have or are seeking access to restricted areas and critical assets—is a key aspect of facility security. These checks include measures designed to:

RBPS 12 – Personnel Surety is the performance standard to ensure appropriate background checks on and credentials for facility personnel, and, as appropriate, unescorted visitors with access to restricted areas or critical assets.

i. Verify and validate identity
ii. Check criminal history
iii. Verify and validate legal authorization to work
iv. Identify people with terrorist ties

Parts i-iii of RBPS 12 have been in effect since the inception of the CFATS program at all high-risk chemical facilities. Security measures range from simple employment screening to comprehensive investigations to check criminal history.

RBPS 12(iv) – Screening for Terrorist Ties

Part iv—screening for terrorist ties (implemented through the CFATS Personnel Surety Program [PSP])—has been in effect since 2015 at Tier 1 and Tier 2 facilities. On July 9, 2019, a notice was published in the Federal Register (84 FR 32768) on the implementation of the PSP at all high-risk facilities—including Tier 3 and Tier 4 facilities. PSP will be implemented in a phased approach, so facilities do not need to take any action until contacted by CISA.

RBPS 12(iv) and the Personnel Surety Program (PSP)

To comply with the CFATS PSP, high-risk facilities may choose one or more of the following four options or propose additional options of their own design for approval on a case-by-case basis.

RBPS 12(iv) Option	Consideration for Security Plan
Option 1 – Direct Vetting: Facilities (or designees) may submit certain information about affected individuals to CISA (via the PSP application in the Chemical Security Assessment Tool [CSAT]) to be compared against information about known or suspected terrorists.	• How will the facility provide notice to affected individuals? • Who at the facility will be designated and trained to submit affected individual information? • Will the facility provide notification to CISA when affected individuals no longer have access to restricted areas and/or critical assets? If so, how?
Option 2 – Use of Vetting Conducted Under Other DHS Programs: Facilities (or designees) may submit information to CISA	• How will the facility provide notice to affected individuals? • What vetting programs allowable under this option (TWIC, HME program, Trusted Traveler programs) will be selected?

RBPS 12(iv) Option	Consideration for Security Plan
(via the PSP application in CSAT) about an affected individual's enrollment in the Transportation Worker Identification Credential (TWIC), Hazardous Materials Endorsement (HME) program, or certain Trusted Traveler programs. CISA will electronically verify the affected individual's current enrollment. These programs conduct checks for terrorist ties equivalent to the direct vetting performed under Option 1.	• Which type of affected individuals will be utilizing the program (e.g., drivers, visitors, maintenance workers)? • What procedures will the facility follow when an affected individual's enrollment cannot be verified by CISA? • What procedures will the facility follow when an affected individual's enrollment can no longer be verified?[1] • What is the timespan for follow-on action if CISA is unable to verify an affected individual is enrolled in other vetting programs or the affected individual's status changes?[2]
Option 3 – Electronic Verification of TWIC: Facilities (or designees) may use electronic readers, such as TWIC readers, to verify the validity of the affected individual's current enrollment in the TWIC program.	• How will the facility provide notice to affected individuals? • What procedures does the facility follow to electronically verify the affected individual's TWIC (e.g., TWIC reader, Physical Access Control Systems [PACS])? • What other security features of the TWIC does the facility leverage (e.g., biometric verification)? • How frequently will the facility revalidate the TWIC? • Does the facility conduct visual validation along with electronic validation of TWIC credentials? If so, what methods are used for visual verification? • What procedures will the facility follow when an affected individual's TWIC cannot be verified?
Option 4 – Visual Verification: Facilities may visually verify a document or credential issued to an affected individual by a federal screening program that periodically vets individuals against the Terrorist Screening Database (TSDB).	• How will the facility provide notice to affected individuals? • Does the facility maintain a policy of which documents or credentials are acceptable for visual verification? • What specific procedures will the facility follow to visually verify the document or credential? • What will the facility do if unable to visually verify a document or credential? **NOTE:** High-risk chemical facilities should carefully consider the security tradeoffs when considering this option.

Tools and Resources

- RBPS 12 – Personnel Surety: cisa.gov/rbps-12-personnel-surety
- RBPS 12(iv) – Personnel Surety Program: cisa.gov/cfats-personnel-surety-program
- PSP Toolkit: cisa.gov/publication/cfats-psp-toolkit
- RBPS Guidance: cisa.gov/publication/cfats-rbps-guidance
- PSP Federal Register notice (84 FR 32768): federalregister.gov/d/2019-14591
- PSP Federal Register notice (83 FR 28244): federalregister.gov/d/2018-12523
- Request a Compliance Assitance Visit: cisa.gov/request-compliance-assistance-visit
- CSAT Help Desk (technical assistance): Call 1-866-323-2957 or email CSAT@hq.dhs.gov

[1] The PSP application provides the high-risk chemical facility (or designee) the status of records about affected individuals submitted under Option 2 (i.e., pending verification, not verified, verified, no longer verified). Only records initially "Verified" can be subsequently updated to "No Longer Verified" when the PSP application periodically re-verifies the affected individual's enrollment. The PSP application does not display why the affected individual is no longer enrolled, only that the affected individual is no longer enrolled in the other DHS programs and thus no longer being checked for terrorist ties.

[2] The PSP application allows facilities to automatically revert Option 2 affected individuals to Option 1 if CISA is unable to verify an affected individual's enrollment in the designated program, allowing for immediate action to address this question.