

February 25, 2021

Mr. Brandon Wales  
Acting Director, Cybersecurity and Infrastructure Security Agency  
U.S. Department of Homeland Security  
245 Murray Lane  
Washington, D.C. 20528



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**Re: Docket No. CISA-2020-0014**

Dear Acting Director Wales:

I am writing to support this Advanced Notice of Proposed Rulemaking (ANPRM) and urge you to move forward with the solutions outlined without delay. The commercial explosives industry has been subject to duplication in security oversight since the introduction of the Chemical Security Anti-Terrorism Standards (CFATS) program. This rulemaking will remedy a long overdue and unnecessary burden on industry that shows no commensurate benefit to national security.

The Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) oversight of commercial explosives has resulted in a steady decrease in thefts of explosives over the last 30 years, according to statistics from the U.S. Bomb Data Center. The added layer of CFATS oversight on these chemicals has not shown a statistical improvement in their security.

On January 21, 2021, the Government Accountability Office (GAO) released their study reviewing the CFATS program and overlap with other chemical security programs<sup>1</sup>. The study found that most CFATS Risk-Based Performance Standards (RBPS) directly overlap with ATF regulatory requirements for commercial explosives.

As all available government data shows that the CFATS program has not increased security for the 49 chemicals listed in this ANPRM, the continuation to a final rule makes sense and takes a positive step towards government efficiency and good stewardship of taxpayer dollars.

Respectfully Submitted,

Terry Newton  
Director Safety/Compliance & HR  
Nelson Brothers, Inc.

<sup>1</sup> GAO-21-12 <https://www.gao.gov/products/GAO-21-12>