

# Chemical-terrorism Vulnerability Information (CVI)

National Protection and Programs Directorate  
Department of Homeland Security

Chemical-terrorism Vulnerability Information (CVI)  
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# Topics to Cover

- What is CVI?
- What is not CVI?
- CVI Forms
- Sharing with Public Officials
- Sharing with Federal Partners
- CVI Next Gen
- Controlled Unclassified Information (CUI)

# What is CVI?

- Only information, or derived from information, specified in CFATS 27.400(b) is CVI. Specifically that means:
  - Security Vulnerability Assessments (SVAs)
  - Site Security Plans (SSPs)
  - Documents relating to the Department’s review and approval of SVAs and SSPs, including Letters of Authorization, Letters of Approval, and responses thereto; written notices; and other documents developed pursuant to 27.240 or 27.245
  - Alternative Security Programs (ASPs) under 27.235
  - Documents relating to inspection or audits of a facility by DHS under 27.250

# What is CVI? (cont.)

- Any records required to be created or retained by a covered facility under 27.255.
- Sensitive portions of orders, notices or letters under 27.300.
- Information developed pursuant to 27.200 or 27.205 (such as the CSAT Top-Screen and the determination by the Assistant Secretary that a chemical facility presents a high level of security risk).
- Other information developed for chemical facility security purposes that the Secretary, in her discretion, determines is similar to the information protected in 27.400(b)(1) through (8).

# What is *Not* CVI

- Information not described in CFATS 27.400(b) is not CVI. Typically that includes:
  - Information not developed, submitted, or retained under Sec. 550 or CFATS
  - Information developed in accordance with other statutory or regulatory obligations
  - Pre-existing information
  - Information, not listed in 6 CFR 27.255, that a facility developed for its own business purposes

# Examples from the CFATS SSP

- A facility is determined by DHS to be a final Tier 1 facility under CFATS. The facility has security measures in place (e.g., a CCTV) that are mentioned in the SSP.
  - The contracts, purchase, purchase orders for the CCTV, and any verbal or written references to the CCTV outside of the SSP document are **not** CVI.
  - Explicit statements from the SSP, or derivative products from the SSP, are CVI.
- A facility is determined by DHS to be a final Tier 3 facility under CFATS. The facility uploaded a pre-existing construction diagram through CSAT as part of the SSP to DHS.
  - The construction diagram itself, outside of the SSP, is **not** CVI.
  - The construction diagram within, attached to, or a part of the SSP is CVI.

# Examples from the CFATS SSP (cont.)

- A facility is determined by DHS to be a final Tier 2 facility under CFATS. The facility discusses the use and placement of contract security guards within the SSP.
  - The guards are not required to be CVI Authorized Users, unless their duties require them to have access to or possess CVI.
  - A contract with the guard company, outside of the SSP document, is ***not*** CVI; the contract, within the SSP document, would be CVI.

# CVI Next Gen

- Revised CVI Procedural Manual
- Deployment of CVI Account Management Tool

# CVI Account Management

- DHS IT application for CVI Authorized Users
- Application enables users to:
  - Reissue CVI Certification
  - Update personal information as it changes
  - Take CVI Training
- Capability to allow CVI Authorized Users to submit CVI related forms to DHS
- Access is provided after the user answers a series of questions rather than through the use of a password

# CVI Forms

- CVI forms that are available for public use:
  - CVI Tracking Log (voluntary)
  - Notification of Emergency or Exigent Circumstances
  - Report of Potential CVI Violation
  - Request for Determination of CVI
  - Determination of a Public Official's Need to Know Specific CVI
- CVI forms are located at [www.dhs.gov/chemicalsecurity](http://www.dhs.gov/chemicalsecurity)
  - Select **Laws & Regulations** link
  - Scroll down to **Chemical-terrorism Vulnerability Information (CVI) Information Collection (1670-0015)** heading
  - Select the [www.reginfo.gov](http://www.reginfo.gov) link

# Disclosing CVI to a Public Official

- Generally, absent exigent circumstances, DHS expects that a Public Official or facility contacts CFATS Chemical Inspector via Helpdesk (866-323-2957) or [CSAT@DHS.GOV](mailto:CSAT@DHS.GOV).
- DHS then determines whether the public official is a CVI Authorized User with a need to know specific CVI. If so, the facility and public official should discuss how to share the necessary information in a non-CVI format or how to share the CVI.
  - Access to CVI (e.g., on-site review of CVI documents)
  - Disclosure of CVI (verbal communication of relevant CVI)
  - Redacted CVI document or summary document of key information
  - Full and complete CVI product in the permanent possession of Public Official

# Disclosing CVI to a Public Official (cont.)

- In the event of a disagreement between the facility and the public official regarding the disclosure or the method of disclosure of CVI, the department encourages the parties to refer the matter to DHS.
- When a facility properly discloses CVI to a public official, the facility does not need to notify DHS of the disclosure.
  - DHS encourages both the facility and the public official or agency to maintain a CVI Tracking Log.

# Disclosing CVI to a Federal Official

- Once the facility verifies the Federal Official is a CVI Authorized User with a need to know specific CVI, the **facility** should discuss how to share the necessary information in a non-CVI format or how to share the CVI:
  - Access to CVI (e.g. on-site review of CVI documents)
  - Disclosure of CVI (verbal communication of relevant CVI)
  - Redacted CVI document or summary document of key information
  - Full and complete CVI product in the permanent possession of Federal Official
- In the event of any disagreement between the facility and the Federal Official regarding the disclosure of CVI or the method of disclosure, the department encourages the parties to refer the matter to DHS.
- DHS suggests that both the facility and the Federal Official to maintain a CVI Tracking Log.

# Controlled Unclassified Information (CUI)

- On November 4, 2010, the President signed an Executive Order on Controlled Unclassified Information (CUI).
- When the CUI is implemented, it will standardize the way the Executive Branch manages sensitive unclassified information that requires safeguarding or dissemination controls.
- NARA has acknowledged the success of the Chemical-terrorism Vulnerability Information (CVI) Program and has stated its intention to approve CVI as a category of CUI. CVI's regulatory requirements will remain largely unchanged.
- When CUI is implemented, training and instruction will be made available to all CVI Authorized Users concerning changes or modifications that affect current CVI protection practices.
- NARA has a CUI website at [www.archives.gov/cui/](http://www.archives.gov/cui/).



# Homeland Security

For more information visit:  
[www.dhs.gov/criticalinfrastructure](http://www.dhs.gov/criticalinfrastructure)

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