

(iii) describes the standards and procedures for obtaining relief from the order.

(C) Opportunity for review

After taking action under paragraph (4), the Secretary shall provide for review of the action if a petition for review is filed within 20 calendar days of the date of issuance of the order for the action.

(D) Expiration of effectiveness of order

If a petition for review of an action is filed under subparagraph (C) and the review under that subparagraph is not completed by the end of the 30-day period beginning on the date the petition is filed, the action shall cease to be effective at the end of such period unless the Secretary determines, in writing, that the violation providing a basis for the action continues to exist.

(6) Retaliation prohibited

(A) In general

An owner or operator of a chemical facility of interest or agent thereof may not discharge an employee or otherwise discriminate against an employee with respect to the compensation provided to, or terms, conditions, or privileges of the employment of, the employee because the employee (or an individual acting pursuant to a request of the employee) submitted a report under paragraph (1).

(B) Exception

An employee shall not be entitled to the protections under this section if the employee—

- (i) knowingly and willfully makes any false, fictitious, or fraudulent statement or representation; or
- (ii) uses any false writing or document knowing the writing or document contains any false, fictitious, or fraudulent statement or entry.

(b) Protected disclosures

Nothing in this subchapter shall be construed to limit the right of an individual to make any disclosure—

- (1) protected or authorized under section 2302(b)(8) or 7211 of title 5;
- (2) protected under any other Federal or State law that shields the disclosing individual against retaliation or discrimination for having made the disclosure in the public interest; or
- (3) to the Special Counsel of an agency, the inspector general of an agency, or any other employee designated by the head of an agency to receive disclosures similar to the disclosures described in paragraphs (1) and (2).

(c) Publication of rights

The Secretary, in partnership with industry associations and labor organizations, shall make publicly available both physically and online the rights that an individual who discloses information, including security-sensitive information, regarding problems, deficiencies, or vulnerabilities at a covered chemical facility would have under Federal whistleblower protection laws or this subchapter.

(d) Protected information

All information contained in a report made under this subsection (a)¹ shall be protected in accordance with section 623 of this title.

(Pub. L. 107–296, title XXI, §2105, as added Pub. L. 113–254, §2(a), Dec. 18, 2014, 128 Stat. 2914.)

TERMINATION OF SECTION

For termination of section by section 5 of Pub. L. 113–254, see Effective and Termination Dates note below.

EFFECTIVE AND TERMINATION DATES

Section effective on the date that is 30 days after Dec. 18, 2014, and authority provided under this section to terminate on the date that is 4 years after such effective date, see sections 4(a) and 5 of Pub. L. 113–254, set out as notes under section 621 of this title.

§ 626. Relationship to other laws

(a) Other Federal laws

Nothing in this subchapter shall be construed to supersede, amend, alter, or affect any Federal law that—

- (1) regulates (including by requiring information to be submitted or made available) the manufacture, distribution in commerce, use, handling, sale, other treatment, or disposal of chemical substances or mixtures; or
- (2) authorizes or requires the disclosure of any record or information obtained from a chemical facility under any law other than this subchapter.

(b) States and political subdivisions

This subchapter shall not preclude or deny any right of any State or political subdivision thereof to adopt or enforce any regulation, requirement, or standard of performance with respect to chemical facility security that is more stringent than a regulation, requirement, or standard of performance issued under this section, or otherwise impair any right or jurisdiction of any State with respect to chemical facilities within that State, unless there is an actual conflict between this section and the law of that State.

(Pub. L. 107–296, title XXI, §2106, as added Pub. L. 113–254, §2(a), Dec. 18, 2014, 128 Stat. 2915.)

TERMINATION OF SECTION

For termination of section by section 5 of Pub. L. 113–254, see Effective and Termination Dates note below.

EFFECTIVE AND TERMINATION DATES

Section effective on the date that is 30 days after Dec. 18, 2014, and authority provided under this section to terminate on the date that is 4 years after such effective date, see sections 4(a) and 5 of Pub. L. 113–254, set out as notes under section 621 of this title.

§ 627. CFATS regulations

(a) General authority

The Secretary may, in accordance with chapter 5 of title 5, promulgate regulations or amend existing CFATS regulations to implement the provisions under this subchapter.

¹ So in original.