

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 5 years and 3 months 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.

(b) Existing CFATS regulations**(1) In general**

Notwithstanding section 4(b) of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, each existing CFATS regulation shall remain in effect unless the Secretary amends, consolidates, or repeals the regulation.

(2) Repeal

Not later than 30 days after December 18, 2014, the Secretary shall repeal any existing CFATS regulation that the Secretary determines is duplicative of, or conflicts with, this subchapter.

(c) Authority

The Secretary shall exclusively rely upon authority provided under this subchapter in—

- (1) determining compliance with this subchapter;
- (2) identifying chemicals of interest; and
- (3) determining security risk associated with a chemical facility.

(Pub. L. 107-296, title XXI, §2107, as added Pub. L. 113-254, §2(a), Dec. 18, 2014, 128 Stat. 2916.)

TERMINATION OF SECTION

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

REFERENCES IN TEXT

Section 4(b) of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, referred to in subsec. (b)(1), is section 4(b) of Pub. L. 113-254, Dec. 18, 2014, 128 Stat. 2919, which repealed section 550 of Pub. L. 109-295, formerly set out as a Regulations note under section 121 of this title, effective as of the date that is 30 days after Dec. 18, 2014.

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§ 628. Small covered chemical facilities**(a) Definition**

In this section, the term “small covered chemical facility” means a covered chemical facility that—

- (1) has fewer than 100 employees employed at the covered chemical facility; and
- (2) is owned and operated by a small business concern (as defined in section 632 of title 15).

(b) Assistance to facilities

The Secretary may provide guidance and, as appropriate, tools, methodologies, or computer software, to assist small covered chemical facilities in developing the physical security, cybersecurity, recordkeeping, and reporting procedures required under this subchapter.

(c) Report

The Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report on best practices that may assist small covered chemical facilities in development of physical security best practices.

(Pub. L. 107-296, title XXI, §2108, as added Pub. L. 113-254, §2(a), Dec. 18, 2014, 128 Stat. 2916.)

TERMINATION OF SECTION

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

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§ 629. Outreach to chemical facilities of interest

Not later than 90 days after December 18, 2014, the Secretary shall establish an outreach implementation plan, in coordination with the heads of other appropriate Federal and State agencies, relevant business associations, and public and private labor organizations, to—

- (1) identify chemical facilities of interest; and
- (2) make available compliance assistance materials and information on education and training.

(Pub. L. 107-296, title XXI, §2109, as added Pub. L. 113-254, §2(a), Dec. 18, 2014, 128 Stat. 2916.)

TERMINATION OF SECTION

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

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SUBCHAPTER XVII—ANTI-TRAFFICKING TRAINING FOR DEPARTMENT OF HOMELAND SECURITY PERSONNEL

§ 641. Definitions

In this subchapter:

(1) Department

The term “Department” means the Department of Homeland Security.

(2) Human trafficking

The term “human trafficking” means an act or practice described in paragraph (9) or (10)¹ of section 7102 of title 22.

(3) Secretary

The term “Secretary” means the Secretary of Homeland Security.

(Pub. L. 114–22, title IX, §901, May 29, 2015, 129 Stat. 264.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this title”, meaning title IX of Pub. L. 114–22, which is classified principally to this subchapter. For complete classification of title IX to the Code, see Tables.

Paragraphs (9) and (10) of section 7102 of title 22, referred to in par. (2), were redesignated pars. (11) and (12), respectively, of section 7102 of title 22 by Pub. L. 115–427, §2(1), Jan. 9, 2019, 132 Stat. 5503.

CODIFICATION

Section was enacted as part of the Justice for Victims of Trafficking Act of 2015, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

§ 642. Training for Department personnel to identify human trafficking**(a) In general**

Not later than 180 days after May 29, 2015, the Secretary shall implement a program to—

(1) train and periodically retrain relevant Transportation Security Administration, U.S. Customs and Border Protection, and other Department personnel that the Secretary considers appropriate, with respect to how to effectively deter, detect, and disrupt human trafficking, and, where appropriate, interdict a suspected perpetrator of human trafficking, during the course of their primary roles and responsibilities; and

(2) ensure that the personnel referred to in paragraph (1) regularly receive current information on matters related to the detection of human trafficking, including information that becomes available outside of the Department’s initial or periodic retraining schedule, to the extent relevant to their official duties and consistent with applicable information and privacy laws.

(b) Training described

The training referred to in subsection (a) may be conducted through in-class or virtual learning capabilities, and shall include—

(1) methods for identifying suspected victims of human trafficking and, where appropriate, perpetrators of human trafficking;

(2) for appropriate personnel, methods to approach a suspected victim of human trafficking, where appropriate, in a manner that is sensitive to the suspected victim and is not likely to alert a suspected perpetrator of human trafficking;

(3) training that is most appropriate for a particular location or environment in which the personnel receiving such training perform their official duties;

(4) other topics determined by the Secretary to be appropriate; and

(5) a post-training evaluation for personnel receiving the training.

(c) Training curriculum review

The Secretary shall annually reassess the training program established under subsection (a) to ensure it is consistent with current techniques, patterns, and trends associated with human trafficking.

(Pub. L. 114–22, title IX, §902, May 29, 2015, 129 Stat. 265.)

CODIFICATION

Section was enacted as part of the Justice for Victims of Trafficking Act of 2015, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

§ 643. Certification and report to Congress**(a) Certification**

Not later than 1 year after May 29, 2015, the Secretary shall certify to Congress that all personnel referred to in section 402(a)¹ have successfully completed the training required under that section.

(b) Report to Congress

Not later than 1 year after May 29, 2015, and annually thereafter, the Secretary shall report to Congress with respect to the overall effectiveness of the program required by this subchapter, the number of cases reported by Department personnel in which human trafficking was suspected, and, of those cases, the number of cases that were confirmed cases of human trafficking.

(Pub. L. 114–22, title IX, §903, May 29, 2015, 129 Stat. 265.)

REFERENCES IN TEXT

Section 402(a), referred to in subsec. (a), probably should be a reference to section 902(a), meaning section 902(a) of Pub. L. 114–22, which is classified to section 642(a) of this title. Section 402 of Pub. L. 114–22, which is classified to section 21301 of Title 34, Crime Control and Law Enforcement, does not contain a subsec. (a) and does not relate to the training of personnel.

This subchapter, referred to in subsec. (b), was in the original “this title”, meaning title IX of Pub. L. 114–22, which is classified principally to this subchapter. For complete classification of title IX to the Code, see Tables.

CODIFICATION

Section was enacted as part of the Justice for Victims of Trafficking Act of 2015, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

§ 644. Assistance to non-Federal entities

The Secretary may provide training curricula to any State, local, or tribal government or private organization to assist the government or organization in establishing a program of training to identify human trafficking, upon request from the government or organization.

(Pub. L. 114–22, title IX, §904, May 29, 2015, 129 Stat. 266.)

¹ See References in Text note below.

¹ See References in Text note below.