

§ 1522.119

policies, security programs, directives, and orders, pertaining to the certified cargo screening program (CCSP).

(5) The validator must have the ability to apply the concepts, principles, and methods of compliance with the requirements of the certified cargo screening program to include assessment, inspection, investigation, and reporting of compliance with the certified cargo screening program.

(b) Each validator and each individual who assists in conducting assessments must successfully undergo a security threat assessment as required under § 1522.121.

§ 1522.119 Training.

(a) *Initial training.* The validation firm must ensure that its validators and individuals who will assist in conducting assessments have completed the initial training prescribed by TSA before conducting any assessment under this subpart.

(b) *Recurrent training.* The validation firm must ensure that each validator and each individual assisting in conducting assessments under this subpart completes the recurrent training prescribed by TSA not later than 12 months after the validator's or individual's most recent TSA-prescribed training. If the validator or individual completes the recurrent training in the month before or the month after it is due, he or she is considered to have taken it in the month it is due.

(c) *Content.* The training required by this section will include coverage of the applicable provisions of this chapter, including this part, part 1520, and § 1540.105.

§ 1522.121 Security threat assessments for personnel of TSA-approved validation firms.

Each of the following must successfully complete a security threat assessment or comparable security threat assessment described in part 1540, subpart C of this chapter:

(a) Each individual who supervises validators or individuals who will assist validators.

(b) The validation firm's validator authorized to perform assessment services under this subpart.

49 CFR Ch. XII (10–1–10 Edition)

(c) The validation firm's Security Coordinator and alternates.

(d) Each individual who will assist the validator in conducting assessments.

§ 1522.123 Conduct of assessments.

(a) *Standards for assessment.* Each validator must assess, in a form and manner prescribed by TSA, whether the person seeking to operate or operating as a certified cargo screening facility is in compliance with 49 CFR part 1549. The validator may be assisted by other individuals; however, the validator is directly responsible for the assessment and must sign the assessment report.

(b) *Conflict of interest.* A validator may not conduct an assessment for which there exists a conflict of interest as defined in § 1552.1.

(c) *Immediate notification to TSA.* If during the course of an assessment, the validator believes that there is or may be an instance of noncompliance with TSA requirements that presents an imminent threat to transportation security or public safety, he or she must report the instance immediately to the Security Coordinator, and the Security Coordinator must report the instance immediately to TSA.

(d) *No authorization to take remedial or disciplinary action.* Neither the validation firm nor the validator is authorized to require any remedial action by, or to take any disciplinary or enforcement action against, the facility under assessment.

(e) *Prohibition on consecutive assessments.* Unless otherwise authorized by TSA, a validation firm must not conduct more than two consecutive assessments of a person seeking approval, or renewal of approval, to operate a certified cargo screening facility.

§ 1522.125 Protection of information.

(a) *Sensitive Security Information.* Each validation firm must comply with the requirements in 49 CFR part 1520 regarding the handling and protection of Sensitive Security Information (SSI).

(b) *Non-disclosure of proprietary information.* Unless explicitly authorized by TSA, no validation firm, or any of its officers, Security Coordinators,