

(1) regularly consult with experts on severe global pandemics, nuclear war, asteroid and comet impacts, supervolcanoes, sudden and severe changes to the climate, and intentional or accidental threats arising from the use and development of emerging technologies; and

(2) share information gained through the consultation required under paragraph (1) with relevant Federal partners listed in section 822(b) of this title.

(Pub. L. 117–263, div. G, title LXXIII, § 7304, Dec. 23, 2022, 136 Stat. 3686.)

§ 824. Enhanced catastrophic incident annex

(a) In general

The Secretary, in coordination with the Administrator and the Federal partners listed in section 822(b) of this title, shall supplement each Federal Interagency Operational Plan to include an annex containing a strategy to ensure the health, safety, and general welfare of the civilian population affected by catastrophic incidents by—

(1) providing for the basic needs of the civilian population of the United States that is impacted by catastrophic incidents in the United States;

(2) coordinating response efforts with State, local, and Indian Tribal governments, the private sector, and nonprofit relief organizations;

(3) promoting personal and local readiness and non-reliance on government relief during periods of heightened tension or after catastrophic incidents; and

(4) developing international partnerships with allied nations for the provision of relief services and goods.

(b) Elements of the strategy

The strategy required under subsection (a) shall include a description of—

(1) actions the Federal Government should take to ensure the basic needs of the civilian population of the United States in a catastrophic incident are met;

(2) how the Federal Government should coordinate with non-Federal entities to multiply resources and enhance relief capabilities, including—

- (A) State and local governments;
- (B) Indian Tribal governments;
- (C) State disaster relief agencies;
- (D) State and local disaster relief managers;
- (E) State National Guards;
- (F) law enforcement and first response entities; and
- (G) nonprofit relief services;

(3) actions the Federal Government should take to enhance individual resiliency to the effects of a catastrophic incident, which actions shall include—

- (A) readiness alerts to the public during periods of elevated threat;
- (B) efforts to enhance domestic supply and availability of critical goods and basic necessities; and
- (C) information campaigns to ensure the public is aware of response plans and services that will be activated when necessary;

(4) efforts the Federal Government should undertake and agreements the Federal Government should seek with international allies to enhance the readiness of the United States to provide for the general welfare;

(5) how the strategy will be implemented should multiple levels of critical infrastructure be destroyed or taken offline entirely for an extended period of time; and

(6) the authorities the Federal Government should implicate in responding to a catastrophic incident.

(c) Assumptions

In designing the strategy under subsection (a), the Secretary, in coordination with the Administrator and the Federal partners listed in section 822(b) of this title, shall account for certain factors to make the strategy operationally viable, including the assumption that—

(1) multiple levels of critical infrastructure have been taken offline or destroyed by catastrophic incidents or the effects of catastrophic incidents;

(2) impacted sectors may include—

- (A) the transportation sector;
- (B) the communication sector;
- (C) the energy sector;
- (D) the healthcare and public health sector; and
- (E) the water and wastewater sector;

(3) State, local, Indian Tribal, and territorial governments have been equally affected or made largely inoperable by catastrophic incidents or the effects of catastrophic incidents;

(4) the emergency has exceeded the response capabilities of State, local, and Indian Tribal governments under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and other relevant disaster response laws; and

(5) the United States military is sufficiently engaged in armed or cyber conflict with State or non-State adversaries, or is otherwise unable to augment domestic response capabilities in a significant manner due to a catastrophic incident.

(Pub. L. 117–263, div. G, title LXXIII, § 7305, Dec. 23, 2022, 136 Stat. 3687.)

Editorial Notes

REFERENCES IN TEXT

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, referred to in subsec. (c)(4), is Pub. L. 93–288, May 22, 1974, 88 Stat. 143, which is classified principally to chapter 68 (§5121 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of Title 42 and Tables.

§ 825. Rules of construction

(a) Administrator

Nothing in this part shall be construed to supersede the civilian emergency management authority of the Administrator under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or the Post Katrina Emergency Management Reform Act¹ (6 U.S.C. 701 et seq.).

¹ See References in Text note below.