

(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.

(b) Secretary

Nothing in this part shall be construed as providing new authority to the Secretary, except to coordinate and facilitate the development of the assessments and reports required pursuant to this part.

(Pub. L. 117–263, div. G, title LXXIII, § 7309, Dec. 23, 2022, 136 Stat. 3689.)

Editorial Notes**REFERENCES IN TEXT**

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, referred to in subsec. (a), 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.

The Post Katrina Emergency Management Reform Act, referred to in subsec. (a), probably means the Post-Katrina Emergency Management Reform Act of 2006, which is title VI of Pub. L. 109–295, Oct. 4, 2006, 120 Stat. 1394, which enacted this chapter and enacted and amended numerous other sections and notes in the Code. For complete classification of this Act to the Code, see Short Title note set out under section 701 of this title and Tables.

CHAPTER 3—SECURITY AND ACCOUNTABILITY FOR EVERY PORT

Sec.

901. Definitions.

SUBCHAPTER I—SECURITY OF UNITED STATES SEAPORTS

PART A—PORT SECURITY GRANTS; TRAINING AND EXERCISE PROGRAMS

911. Repealed.
912. Port Security Exercise Program.
913. Facility exercise requirements.

PART B—PORT OPERATIONS

921. Domestic radiation detection and imaging.
921a. Integration of detection equipment and technologies.
922. Repealed.
923. Random searches of containers.
924. Threat assessment screening of port truck drivers.
925. Border Patrol unit for United States Virgin Islands.
926. Center of Excellence for Maritime Domain Awareness.

SUBCHAPTER II—SECURITY OF THE INTERNATIONAL SUPPLY CHAIN

PART A—GENERAL PROVISIONS

941. Strategic plan to enhance the security of the international supply chain.
942. Post-incident resumption of trade.
943. Automated Targeting System.
944. Container security standards and procedures.
945. Container Security Initiative.

PART B—CUSTOMS—TRADE PARTNERSHIP AGAINST TERRORISM

961. Establishment.
962. Eligible entities.
963. Minimum requirements.
964. Tier 1 participants in C-TPAT.
965. Tier 2 participants in C-TPAT.
966. Tier 3 participants in C-TPAT.
967. Consequences for lack of compliance.
968. Third party validations.

Sec.

969. Revalidation.
970. Noncontainerized cargo.
971. C-TPAT program management.
972. Additional personnel.
973. Authorization of appropriations.

PART C—MISCELLANEOUS PROVISIONS

981. Pilot integrated scanning system.
981a. Pilot integrated scanning system.
982. Screening and scanning of cargo containers.
983. Inspection technology and training.
984. Repealed.
985. Information sharing relating to supply chain security cooperation.

SUBCHAPTER III—ADMINISTRATION

1001. Designation of liaison office of Department of State.
1002. Homeland Security Science and Technology Advisory Committee.
1003. Research, development, test, and evaluation efforts in furtherance of maritime and cargo security.

§ 901. Definitions

In this Act:

(1) Appropriate congressional committees

Except as otherwise provided, the term “appropriate congressional committees” means—

- (A) the Committee on Appropriations of the Senate;
- (B) the Committee on Commerce, Science, and Transportation of the Senate;
- (C) the Committee on Finance of the Senate;
- (D) the Committee on Homeland Security and Governmental Affairs of the Senate;
- (E) the Committee on Appropriations of the House of Representatives;
- (F) the Committee on Homeland Security of the House of Representatives;
- (G) the Committee on Transportation and Infrastructure of the House of Representatives;
- (H) the Committee on Ways and Means of the House of Representatives; and
- (I) other congressional committees, as appropriate.

(2) Commercial Operations Advisory Committee

The term “Commercial Operations Advisory Committee” means the Advisory Committee established pursuant to section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note)¹ or any successor committee.

(3) Commercial seaport personnel

The term “commercial seaport personnel” includes any person engaged in an activity relating to the loading or unloading of cargo or passengers, the movement or tracking of cargo, the maintenance and repair of intermodal equipment, the operation of cargo-related equipment (whether or not integral to the vessel), and the handling of mooring lines on the dock when a vessel is made fast or let go in the United States.

(4) Commissioner

The term “Commissioner” means the Commissioner responsible for the United States

¹ See References in Text note below.