

which is classified generally to chapter 14A (§631 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 631 of Title 15 and Tables.

§ 797. Fraud prevention training program

The Administrator shall develop and implement a program to provide training on the prevention of waste, fraud, and abuse of Federal disaster relief assistance relating to the response to or recovery from natural disasters and acts of terrorism or other man-made disasters and ways to identify such potential waste, fraud, and abuse.

(Pub. L. 109–295, title VI, §698, Oct. 4, 2006, 120 Stat. 1462.)

PART E—AUTHORIZATION OF APPROPRIATIONS

§ 811. Authorization of appropriations

There are authorized to be appropriated to carry out this title¹ and the amendments made by this title for the administration and operations of the Agency—

(1) for fiscal year 2008, an amount equal to the amount appropriated for fiscal year 2007 for administration and operations of the Agency, multiplied by 1.1;

(2) for fiscal year 2009, an amount equal to the amount described in paragraph (1), multiplied by 1.1; and

(3) for fiscal year 2010, an amount equal to the amount described in paragraph (2), multiplied by 1.1.

(Pub. L. 109–295, title VI, §699, Oct. 4, 2006, 120 Stat. 1462.)

Editorial Notes

REFERENCES IN TEXT

This title, referred to in text, is title VI of Pub. L. 109–295, Oct. 4, 2006, 120 Stat. 1355, known as the Post-Katrina Emergency Management Reform Act of 2006. For complete classification of title VI to the Code, see Short Title note set out under section 701 of this title and Tables.

PART F—GLOBAL CATASTROPHIC RISK MANAGEMENT

Editorial Notes

CODIFICATION

Part was enacted as part of the Global Catastrophic Risk Management Act of 2022 and also as part of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, and not part of the Post-Katrina Emergency Management Reform Act of 2006 which comprises this chapter.

§ 821. Definitions

In this part:

(1) Administrator

The term “Administrator” means the Administrator of the Federal Emergency Management Agency.

(2) Basic need

The term “basic need”—

(A) means any good, service, or activity necessary to protect the health, safety, and general welfare of the civilian population of the United States; and

(B) includes—

(i) food;

(ii) water;

(iii) shelter;

(iv) basic communication services;

(v) basic sanitation and health services; and

(vi) public safety.

(3) Catastrophic incident

The term “catastrophic incident”—

(A) means any natural or man-made disaster that results in extraordinary levels of casualties or damage, mass evacuations, or disruption severely affecting the population, infrastructure, environment, economy, national morale, or government functions in an area; and

(B) may include an incident—

(i) with a sustained national impact over a prolonged period of time;

(ii) that may rapidly exceed resources available to State and local government and private sector authorities in the impacted area; or

(iii) that may significantly interrupt governmental operations and emergency services to such an extent that national security could be threatened.

(4) Critical infrastructure

The term “critical infrastructure” has the meaning given such term in section 5195c(e) of title 42.

(5) Existential risk

The term “existential risk” means the potential for an outcome that would result in human extinction.

(6) Global catastrophic risk

The term “global catastrophic risk” means the risk of events or incidents consequential enough to significantly harm or set back human civilization at the global scale.

(7) Global catastrophic and existential threats

The term “global catastrophic and existential threats” means threats that with varying likelihood may produce consequences severe enough to result in systemic failure or destruction of critical infrastructure or significant harm to human civilization. Examples of global catastrophic and existential threats include 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.

(8) Indian Tribal government

The term “Indian Tribal government” has the meaning given the term “Indian tribal government” in section 5122 of title 42.

(9) Local government; State

The terms “local government” and “State” have the meanings given such terms in section 5122 of title 42.

¹ See References in Text note below.

(10) National exercise program

The term “national exercise program” means activities carried out to test and evaluate the national preparedness goal and related plans and strategies as described in section 748(b) of this title.

(11) Secretary

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

(Pub. L. 117–263, div. G, title LXXIII, § 7302, Dec. 23, 2022, 136 Stat. 3684.)

Editorial Notes**REFERENCES IN TEXT**

Section 5195c(e) of title 42, referred to in par. (4), was in the original “section 1016(e) of the Critical Infrastructure Protection Act of 2001 and was translated as reading “section 1016(e) of the Critical Infrastructures Protection Act of 2001”, to reflect the probable intent of Congress.

§ 822. Assessment of global catastrophic risk**(a) In general**

The Secretary and the Administrator shall coordinate an assessment of global catastrophic risk.

(b) Coordination

When coordinating the assessment under subsection (a), the Secretary and the Administrator shall coordinate with senior designees of—

- (1) the Assistant to the President for National Security Affairs;
- (2) the Director of the Office of Science and Technology Policy;
- (3) the Secretary of State and the Under Secretary of State for Arms Control and International Security;
- (4) the Attorney General and the Director of the Federal Bureau of Investigation;
- (5) the Secretary of Energy, the Under Secretary of Energy for Nuclear Security, and the Director of Science;
- (6) the Secretary of Health and Human Services, the Assistant Secretary for Preparedness and Response, and the Assistant Secretary of Global Affairs;
- (7) the Secretary of Commerce, the Under Secretary of Commerce for Oceans and Atmosphere, and the Under Secretary of Commerce for Standards and Technology;
- (8) the Secretary of the Interior and the Director of the United States Geological Survey;
- (9) the Administrator of the Environmental Protection Agency and the Assistant Administrator for Water;
- (10) the Administrator of the National Aeronautics and Space Administration;
- (11) the Director of the National Science Foundation;
- (12) the Secretary of the Treasury;
- (13) the Secretary of Defense, the Assistant Secretary of the Army for Civil Works, and the Chief of Engineers and Commanding General of the Army Corps of Engineers;
- (14) the Chairman of the Joint Chiefs of Staff;
- (15) the Administrator of the United States Agency for International Development;

(16) the Secretary of Transportation; and

(17) other stakeholders the Secretary and the Administrator determine appropriate.

(Pub. L. 117–263, div. G, title LXXIII, § 7303, Dec. 23, 2022, 136 Stat. 3685.)

§ 823. Report required**(a) In general**

Not later than 1 year after December 23, 2022, and every 10 years thereafter, the Secretary, in coordination with the Administrator, shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate and the Committee on Transportation and Infrastructure and the Committee on Armed Services of the House of Representatives a report containing a detailed assessment, based on the input and coordination required under section 822 of this title, of global catastrophic and existential risk.

(b) Matters covered

Each report required under subsection (a) shall include—

- (1) expert estimates of cumulative global catastrophic and existential risk in the next 30 years, including separate estimates for the likelihood of occurrence and potential consequences;
- (2) expert-informed analyses of the risk of the most concerning specific global catastrophic and existential threats, including separate estimates, where reasonably feasible and credible, of each threat for its likelihood of occurrence and its potential consequences, as well as associated uncertainties;
- (3) a comprehensive list of potential catastrophic or existential threats, including even those that may have very low likelihood;
- (4) technical assessments and lay explanations of the analyzed global catastrophic and existential risks, including their qualitative character and key factors affecting their likelihood of occurrence and potential consequences;
- (5) an explanation of any factors that limit the ability of the Secretary to assess the risk both cumulatively and for particular threats, and how those limitations may be overcome through future research or with additional resources, programs, or authorities;
- (6) a forecast of if and why global catastrophic and existential risk is likely to increase or decrease significantly in the next 10 years, both qualitatively and quantitatively, as well as a description of associated uncertainties;
- (7) proposals for how the Federal Government may more adequately assess global catastrophic and existential risk on an ongoing basis in future years;
- (8) recommendations for legislative actions, as appropriate, to support the evaluation and assessment of global catastrophic and existential risk; and
- (9) other matters deemed appropriate by the Secretary, in coordination with the Administrator, and based on the input and coordination required under section 822 of this title.

(c) Consultation requirement

In producing the report required under subsection (a), the Secretary shall—

(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.

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§ 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.