

**(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**

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901. Definitions.

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981. Pilot integrated scanning system.  
981a. Pilot integrated scanning system.  
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#### **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)<sup>1</sup> 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

<sup>1</sup> See References in Text note below.

Customs and Border Protection of the Department of Homeland Security.

**(5) Container**

The term “container” has the meaning given the term in the International Convention for Safe Containers, with annexes, done at Geneva, December 2, 1972 (29 UST 3707).

**(6) Container security device**

The term “container security device” means a device, or system, designed, at a minimum, to identify positively a container, to detect and record the unauthorized intrusion of a container, and to secure a container against tampering throughout the supply chain. Such a device, or system, shall have a low false alarm rate as determined by the Secretary.

**(7) Department**

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

**(8) Examination**

The term “examination” means an inspection of cargo to detect the presence of misdeclared, restricted, or prohibited items that utilizes nonintrusive imaging and detection technology.

**(9) Inspection**

The term “inspection” means the comprehensive process used by the United States Customs and Border Protection to assess goods entering the United States to appraise them for duty purposes, to detect the presence of restricted or prohibited items, and to ensure compliance with all applicable laws. The process may include screening, conducting an examination, or conducting a search.

**(10) International supply chain**

The term “international supply chain” means the end-to-end process for shipping goods to or from the United States beginning at the point of origin (including manufacturer, supplier, or vendor) through a point of distribution to the destination.

**(11) Radiation detection equipment**

The term “radiation detection equipment” means any technology that is capable of detecting or identifying nuclear and radiological material or nuclear and radiological explosive devices.

**(12) Scan**

The term “scan” means utilizing nonintrusive imaging equipment, radiation detection equipment, or both, to capture data, including images of a container.

**(13) Screening**

The term “screening” means a visual or automated review of information about goods, including manifest or entry documentation accompanying a shipment being imported into the United States, to determine the presence of misdeclared, restricted, or prohibited items and assess the level of threat posed by such cargo.

**(14) Search**

The term “search” means an intrusive examination in which a container is opened and

its contents are devanned and visually inspected for the presence of misdeclared, restricted, or prohibited items.

**(15) Secretary**

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

**(16) Transportation disruption**

The term “transportation disruption” means any significant delay, interruption, or stoppage in the flow of trade caused by a natural disaster, heightened threat level, an act of terrorism, or any transportation security incident (as defined in section 70101(6)<sup>1</sup> of title 46).

**(17) Transportation security incident**

The term “transportation security incident” has the meaning given the term in section 70101(6)<sup>1</sup> of title 46.

(Pub. L. 109-347, § 2, Oct. 13, 2006, 120 Stat. 1886.)

**Editorial Notes**

**REFERENCES IN TEXT**

This Act, referred to in text, is Pub. L. 109-347, Oct. 13, 2006, 120 Stat. 1884, known as the Security and Accountability For Every Port Act of 2006 or the SAFE Port Act. For complete classification of this Act to the Code, see Tables.

Section 9503(c) of the Omnibus Budget Reconciliation Act of 1987, referred to in par. (2), is section 9503(c) of title IX of Pub. L. 100-203, which was set out as a note under section 2071 of Title 19, Customs Duties, prior to repeal by Pub. L. 114-125, title I, § 109(g)(1), Feb. 24, 2016, 130 Stat. 137. For establishment of successor committee, see section 4316(a) of Title 19.

Section 70101(6) of title 46, referred to in pars. (16) and (17), was redesignated section 70101(7) of title 46 by Pub. L. 115-254, div. J, § 1805(b)(1), Oct. 5, 2018, 132 Stat. 3534.

**Statutory Notes and Related Subsidiaries**

**SHORT TITLE**

Pub. L. 109-347, § 1(a), Oct. 13, 2006, 120 Stat. 1884, provided that: “This Act [see Tables for classification] may be cited as the ‘Security and Accountability For Every Port Act of 2006’ or the ‘SAFE Port Act’.”

**SUBCHAPTER I—SECURITY OF UNITED STATES SEAPORTS**

**PART A—PORT SECURITY GRANTS; TRAINING AND EXERCISE PROGRAMS**

**§ 911. Repealed. Pub. L. 111-281, title VIII, § 821(b), Oct. 15, 2010, 124 Stat. 3003**

Section, Pub. L. 109-347, title I, § 113, Oct. 13, 2006, 120 Stat. 1895, established the Port Security Training Program and its requirements.

**§ 912. Port Security Exercise Program**

**(a) In general**

The Secretary, acting through the Under Secretary for Preparedness and in coordination with the Commandant of the Coast Guard, shall establish a Port Security Exercise Program (referred to in this section as the “Exercise Program”) for the purpose of testing and evaluating the capabilities of Federal, State, local, and foreign governments, commercial seaport personnel and management, governmental and non-governmental emergency response providers, the