

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)¹ of title 46).

(17) Transportation security incident

The term “transportation security incident” has the meaning given the term in section 70101(6)¹ 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