

retary had determined that such system had met section 981(c) requirements, had a sufficiently low false alarm rate, was capable of being deployed overseas, was capable of integrating with existing systems, would not significantly impact trade flow, and had provided for automated notification of high-risk cargo.

Statutory Notes and Related Subsidiaries

CARGO CONTAINER SCANNING TECHNOLOGY REVIEW

Pub. L. 115-254, div. K, title I, § 1979, Oct. 5, 2018, 132 Stat. 3618, provided that:

“(a) DESIGNATIONS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act [Oct. 5, 2018], and not less frequently than once every 5 years thereafter until the date of full-scale implementation of 100 percent screening of cargo containers and 100 percent scanning of high-risk containers required under section 232 of the SAFE Port Act (6 U.S.C. 982), the Secretary [of Homeland Security] shall solicit proposals for scanning technologies, consistent with the standards under subsection (b)(8) of that section, to improve scanning of cargo at domestic ports.

“(2) EVALUATION.—In soliciting proposals under paragraph (1), the Secretary shall establish measures to assess the performance of the proposed scanning technologies, including—

“(A) the rate of false positives;

“(B) the delays in processing times; and

“(C) the impact on the supply chain.

“(b) PILOT PROGRAM.—

“(1) ESTABLISHMENT.—The Secretary may establish a pilot program to determine the efficacy of a scanning technology referred to in subsection (a).

“(2) APPLICATION PROCESS.—In carrying out the pilot program under this subsection, the Secretary shall—

“(A) solicit applications from domestic ports;

“(B) select up to 4 domestic ports to participate in the pilot program; and

“(C) select ports with unique features and differing levels of trade volume.

“(3) REPORT.—Not later than 1 year after initiating a pilot program under paragraph (1), the Secretary shall submit to the appropriate committees of Congress [Committees on Commerce, Science and Transportation and Homeland Security and Governmental Affairs of the Senate and Committee on Homeland Security of the House of Representatives] a report on the pilot program, including—

“(A) an evaluation of the scanning technologies proposed to improve security at domestic ports and to meet the full-scale implementation requirement;

“(B) the costs to implement a pilot program;

“(C) the benefits of the proposed scanning technologies;

“(D) the impact of the pilot program on the supply chain; and

“(E) recommendations for implementation of advanced cargo scanning technologies at domestic ports.

“(4) SHARING PILOT PROGRAM TESTING RESULTS.—The results of the pilot testing of advanced cargo scanning technologies shall be shared, as appropriate, with government agencies and private stakeholders whose responsibilities encompass the secure transport of cargo.”

§ 983. Inspection technology and training

(a) In general

The Secretary, in coordination with the Secretary of State, the Secretary of Energy, and appropriate representatives of other Federal agencies, may provide technical assistance, equipment, and training to facilitate the implementation of supply chain security measures at ports

designated under the Container Security Initiative.

(b) Acquisition and training

Unless otherwise prohibited by law, the Secretary may—

(1) lease, loan, provide, or otherwise assist in the deployment of nonintrusive inspection and radiation detection equipment at foreign land and sea ports under such terms and conditions as the Secretary prescribes, including non-reimbursable loans or the transfer of ownership of equipment; and

(2) provide training and technical assistance for domestic or foreign personnel responsible for operating or maintaining such equipment.

(Pub. L. 109-347, title II, § 233(a), Oct. 13, 2006, 120 Stat. 1917; Pub. L. 115-254, div. J, § 1816(e)(1), Oct. 5, 2018, 132 Stat. 3541.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-254, which directed the general amendment of “section 233 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 983)”, was executed by generally amending section 233(a) of the Security and Accountability for Every Port Act of 2006, which comprises this section, to reflect the probable intent of Congress. Prior to amendment, section read as follows:

“(1) IN GENERAL.—The Secretary, in coordination with the Secretary of State, the Secretary of Energy, and appropriate representatives of other Federal agencies, may provide technical assistance, equipment, and training to facilitate the implementation of supply chain security measures at ports designated under the Container Security Initiative.

“(2) ACQUISITION AND TRAINING.—Unless otherwise prohibited by law, the Secretary may—

“(A) lease, loan, provide, or otherwise assist in the deployment of nonintrusive inspection and radiation detection equipment at foreign land and sea ports under such terms and conditions as the Secretary prescribes, including nonreimbursable loans or the transfer of ownership of equipment; and

“(B) provide training and technical assistance for domestic or foreign personnel responsible for operating or maintaining such equipment.”

§ 984. Repealed. Pub. L. 115-254, div. J, § 1816(f), Oct. 5, 2018, 132 Stat. 3541

Section, Pub. L. 109-347, title II, § 235, Oct. 13, 2006, 120 Stat. 1919, related to pilot program to improve the security of empty containers.

§ 985. Information sharing relating to supply chain security cooperation

(a) Purposes

The purposes of this section are—

(1) to establish continuing liaison and to provide for supply chain security cooperation between Department and the private sector; and

(2) to provide for regular and timely interchange of information between the private sector and the Department concerning developments and security risks in the supply chain environment.

(b) System

The Secretary shall develop a system to collect from and share appropriate risk informa-

tion related to the supply chain with the private sector entities determined appropriate by the Secretary.

(c) Consultation

In developing the system under subsection (b), the Secretary shall consult with the Commercial Operations Advisory Committee and a broad range of public and private sector entities likely to utilize the system, including importers, exporters, carriers, customs brokers, and freight forwarders, among other parties.

(d) Independently obtained information

Nothing in this section shall be construed to limit or otherwise affect the ability of a Federal, State, or local government entity, under applicable law, to obtain supply chain security information, including any information lawfully and properly disclosed generally or broadly to the public and to use such information in any manner permitted by law.

(e) Authority to issue warnings

The Secretary may provide advisories, alerts, and warnings to relevant companies, targeted sectors, other governmental entities, or the general public regarding potential risks to the supply chain as appropriate. In issuing a warning, the Secretary shall take appropriate actions to protect from disclosure—

(1) the source of any voluntarily submitted supply chain security information that forms the basis for the warning; and

(2) information that is proprietary, business sensitive, relates specifically to the submitting person or entity, or is otherwise not appropriately in the public domain.

(Pub. L. 109-347, title II, §236, Oct. 13, 2006, 120 Stat. 1919.)

SUBCHAPTER III—ADMINISTRATION

§ 1001. Designation of liaison office of Department of State

The Secretary of State shall designate a liaison office within the Department of State to assist the Secretary, as appropriate, in negotiating cargo security-related international agreements.

(Pub. L. 109-347, title III, §301(b), Oct. 13, 2006, 120 Stat. 1920.)

Statutory Notes and Related Subsidiaries

RULE OF CONSTRUCTION

Nothing in this section to be construed to affect the authorities, functions, or capabilities of the Coast Guard to perform its missions or the requirement under section 468 of this title that those authorities, functions, and capabilities be maintained intact, see section 301(c) of Pub. L. 109-347, set out as a note under section 239 of this title.

§ 1002. Homeland Security Science and Technology Advisory Committee

The Under Secretary for Science and Technology shall utilize the Homeland Security Science and Technology Advisory Committee, as appropriate, to provide outside expertise in advancing cargo security technology.

(Pub. L. 109-347, title III, §302(c), Oct. 13, 2006, 120 Stat. 1921.)

§ 1003. Research, development, test, and evaluation efforts in furtherance of maritime and cargo security

(a) In general

The Secretary shall—

(1) direct research, development, testing, and evaluation efforts in furtherance of maritime and cargo security;

(2) coordinate with public and private sector entities to develop and test technologies, and process innovations in furtherance of these objectives; and

(3) evaluate such technologies.

(b) Coordination

The Secretary, in coordination with the Under Secretary for Science and Technology, the Assistant Secretary for Policy, the Commandant of the Coast Guard, the Director for Domestic Nuclear Detection,¹ the Chief Financial Officer, and the heads of other appropriate offices or entities of the Department, shall ensure that—

(1) research, development, testing, and evaluation efforts funded by the Department in furtherance of maritime and cargo security are coordinated within the Department and with other appropriate Federal agencies to avoid duplication of efforts; and

(2) the results of such efforts are shared throughout the Department and with other Federal, State, and local agencies, as appropriate.

(Pub. L. 109-347, title III, §303, Oct. 13, 2006, 120 Stat. 1921.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Reference to the Director for Domestic Nuclear Detection deemed to be a reference to the Assistant Secretary for the Countering Weapons of Mass Destruction Office, see section 2(b)(1)(B) of Pub. L. 115-387, set out as a note under section 591 of this title.

CHAPTER 4—TRANSPORTATION SECURITY

SUBCHAPTER I—TRANSPORTATION SECURITY PLANNING AND INFORMATION SHARING

Sec.	
1101.	Definitions.
1102.	National Domestic Preparedness Consortium.
1103.	National Transportation Security Center of Excellence.
1104.	Immunity for reports of suspected terrorist activity or suspicious behavior and response.

SUBCHAPTER II—TRANSPORTATION SECURITY ENHANCEMENTS

1111.	Definitions.
1112.	Authorization of Visible Intermodal Prevention and Response teams.
1113.	Surface transportation security inspectors.
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1115.	TSA personnel limitations.
1116.	National explosives detection canine team training program.

¹ See Change of Name note below.