

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.

#### Statutory Notes and Related Subsidiaries

##### VALIDATION OF STRATEGY; RECOMMENDATIONS; REPORT

Pub. L. 117–263, div. G, title LXXIII, §§ 7306–7308, Dec. 23, 2022, 136 Stat. 3688, provided that:

“SEC. 7306. VALIDATION OF THE STRATEGY THROUGH AN EXERCISE.

“Not later than 1 year after the addition of the annex required under section 7305 [6 U.S.C. 824], the Administrator shall lead an exercise as part of the national exercise program to test and enhance the operationalization of the strategy required under section 7305.

“SEC. 7307. RECOMMENDATIONS.

“(a) IN GENERAL.—The Secretary, in coordination with the Administrator and the Federal partners listed in section 7303(b) of this title [6 U.S.C. 822(b)], shall provide recommendations to Congress for—

“(1) actions that should be taken to prepare the United States to implement the strategy required under section 7305, increase readiness, and address preparedness gaps for responding to the impacts of catastrophic incidents on citizens of the United States; and

“(2) additional authorities that should be considered for Federal agencies to more effectively implement the strategy required under section 7305.

“(b) INCLUSION IN REPORTS.—The Secretary may include the recommendations required under subsection (a) in a report submitted under section 7308.

“SEC. 7308. REPORTING REQUIREMENTS.

“Not later than 1 year after the date on which the Administrator leads the exercise under section 7306, the Secretary, in coordination with the Administrator, shall submit to Congress a report that includes—

“(1) a description of the efforts of the Secretary and the Administrator to develop and update the strategy required under section 7305; and

“(2) an after-action report following the conduct of the exercise described in section 7306.”

#### § 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 Act<sup>1</sup> (6 U.S.C. 701 et seq.).

##### (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.

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