

United States Code

Title 33 Navigation and Navigable Waters

Chapter 45 -- Tsunami Warning and Education

Sections 3201 - 3208

Incorporates un repealed content from *Tsunami Warning and Education Act* enacted as title VIII of the *Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006* (Public Law 109–479; 33 U.S.C. 3201 et seq.) and additions and modifications of content from *Tsunami Warning, Education, and Research Act of 2017*, part of the *Weather Research and Forecasting Innovation Act of 2017*, (Public Law 115-25; 33 U.S.C. 3201 et seq.)

CHAPTER 45—TSUNAMI WARNING AND EDUCATION

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§3201. Definitions

In this chapter:

(1) The term "Administration" means the National Oceanic and Atmospheric Administration.

(2) The term "Administrator" means the Administrator of the National Oceanic and Atmospheric Administration.

(Pub. L. 109–424, §2, Dec. 20, 2006, 120 Stat. 2902; Pub. L. 109–479, title VIII, §802, Jan. 12, 2007, 120 Stat. 3653; Pub. L. 115–25, title V, §512(a), Apr. 18, 2017, 131 Stat. 128.)

CODIFICATION

Pub. L. 109–424 and title VIII of Pub. L. 109–479 enacted substantially identical sections. Pub. L. 109–424 was repealed by section 512(a) of Pub. L. 115–25.

SHORT TITLE OF 2017 AMENDMENT

Pub. L. 115–25, title V, §501, Apr. 18, 2017, 131 Stat. 115, provided that: "This title [enacting sections 3206a and 3208 of this title, amending this section and sections 3202 to 3207 of this title, and enacting and repealing provisions set out as notes under this section] may be cited as the 'Tsunami Warning, Education, and Research Act of 2017'."

SHORT TITLE

Pub. L. 109–479, title VIII, §801, Jan. 12, 2007, 120 Stat. 3653, provided that: "This title [enacting this chapter] may be cited as the 'Tsunami Warning and Education Act'."

Pub. L. 109–424, §1, Dec. 20, 2006, 120 Stat. 2902, which provided that Pub. L. 109–424 could be cited as the Tsunami Warning and Education Act, was repealed by Pub. L. 115–25, title V, §512(a), Apr. 18, 2017, 131 Stat. 128.

CONSTRUCTION

Pub. L. 115–25, title V, §512(b), Apr. 18, 2017, 131 Stat. 128, provided that: "Nothing in this section [repealing Pub. L. 109–424] may be construed to repeal, or affect in any way, the Tsunami Warning and Education Act [this chapter] enacted as title VIII of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109–479; 33 U.S.C. 3201 et seq.)."

§3202. Purposes

The purposes of this chapter are—

(1) to improve tsunami detection, forecasting, warnings, research, notification, outreach, and mitigation to protect life and property in the United States;

(2) to enhance and modernize the existing United States Tsunami Warning System to increase the accuracy of forecasts and warnings, to ensure full coverage of tsunami threats to the United States with a network of detection assets, and to reduce false alarms;

(3) to improve and develop standards and guidelines for mapping, modeling, and assessment efforts to improve tsunami detection, forecasting, warnings, notification, mitigation, resiliency, response, outreach, and recovery;

(4) to improve research efforts related to improving tsunami detection, forecasting, warnings, notification, mitigation, resiliency, response, outreach, and recovery;

(5) to improve, increase, and develop uniform standards and guidelines for education and outreach activities and ensure that those receiving tsunami warnings and the at-risk public know what to do when a tsunami is approaching, including the warning signs of locally generated tsunami;

(6) to provide technical and other assistance to speed international efforts to establish regional tsunami warning systems in vulnerable areas worldwide;

(7) to foster resilient communities in the face of tsunami and other similar coastal hazards; and

(8) to improve Federal, State, and international coordination for detection, warnings, and outreach for tsunami and other coastal impacts.

(Pub. L. 109–424, §3, Dec. 20, 2006, 120 Stat. 2902; Pub. L. 109–479, title VIII, §803, Jan. 12, 2007, 120 Stat. 3653; Pub. L. 115–25, title V, §§503, 512(a), Apr. 18, 2017, 131 Stat. 115, 128.)

CODIFICATION

Pub. L. 109–424 and title VIII of Pub. L. 109–479 enacted substantially identical sections. Pub. L. 109–424 was repealed by section 512(a) of Pub. L. 115–25.

AMENDMENTS

2017—Par. (1). Pub. L. 115–25, §503(1), inserted "research," after "warnings,".

Par. (2). Pub. L. 115–25, §503(2), amended par. (2) generally. Prior to amendment, par. (2) read as follows:

"to enhance and modernize the existing Pacific Tsunami Warning System to increase coverage, reduce false alarms, and increase the accuracy of forecasts and warnings, and to expand detection and warning systems to include other vulnerable States and United States territories, including the Atlantic Ocean, Caribbean Sea, and Gulf of Mexico areas;"

Par. (3). Pub. L. 115–25, §503(3), amended par. (3) generally. Prior to amendment, par. (3) read as follows: "to improve mapping, modeling, research, and assessment efforts to improve tsunami detection, forecasting, warnings, notification, outreach, mitigation, response, and recovery;"

Par. (4). Pub. L. 115–25, §503(5), added par. (4). Former par. (4) redesignated (5).

Par. (5). Pub. L. 115–25, §503(4), (6), redesignated par. (4) as (5), substituted ", increase, and develop uniform standards and guidelines for" for "and increase", and inserted ", including the warning signs of locally generated tsunami" after "approaching". Former par. (5) redesignated (6).

Par. (6). Pub. L. 115–25, §503(4), (7), redesignated par. (5) as (6) and substituted semicolon at end for ", including the Indian Ocean; and". Former par. (6) redesignated (8).

Par. (7). Pub. L. 115–25, §503(8), added par. (7).

Par. (8). Pub. L. 115–25, §503(4), redesignated par. (6) as (8).

§3203. Tsunami forecasting and warning program

(a) In general

The Administrator, through the National Weather Service and in consultation with other relevant Administration offices, shall operate a program to provide tsunami detection, forecasting, and warnings for the Pacific and Arctic Ocean regions and for the Atlantic Ocean region, including the Caribbean Sea and the Gulf of Mexico.

(b) Components

The program under this section shall—

- (1) include the tsunami warning centers supported or maintained under subsection (d);
- (2) to the degree practicable, maintain not less than 80 percent of the Deep-ocean Assessment and Reporting of Tsunamis buoy array at operational capacity to optimize data reliability;
- (3) utilize and maintain an array of robust tsunami detection technologies;
- (4) maintain detection equipment in operational condition to fulfill the detection, forecasting, and warning requirements of this chapter;
- (5) provide tsunami forecasting capability based on models and measurements, including tsunami inundation models and maps for use in increasing the preparedness of communities and safeguarding port and harbor operations, that incorporate inputs, including—
 - (A) the United States and global ocean and coastal observing system;
 - (B) the global Earth observing system;
 - (C) the global seismic network;
 - (D) the Advanced National Seismic system;
 - (E) tsunami model validation using historical and paleotsunami data;
 - (F) digital elevation models and bathymetry; and
 - (G) newly developing tsunami detection methodologies using satellites and airborne remote sensing;
- (6) maintain data quality and management systems to support the requirements of the program;
- (7) include a cooperative effort among the Administration, the United States Geological Survey, and the National Science Foundation under which the Director of the United States Geological Survey and the Director of the National Science Foundation shall—
 - (A) provide rapid and reliable seismic information to the Administrator from international and domestic seismic networks; and
 - (B) support seismic stations installed before April 18, 2017, to supplement coverage in areas of sparse instrumentation;
- (8) provide a capability for the dissemination of warnings, including graphical warning

products, to at-risk States, territories, and tsunami communities through rapid and reliable notification to government officials and the public, including utilization of and coordination with existing Federal warning systems, including the National Oceanic and Atmospheric Administration Weather Radio All Hazards Program and Wireless Emergency Alerts;

(9) provide and allow, as practicable, for integration of tsunami detection technologies with other environmental observing technologies and commercial and Federal undersea communications cables; and

(10) include any technology the Administrator considers appropriate to fulfill the objectives of the program under this section.

(c) Tsunami warning system

The program under this section shall operate a tsunami warning system that—

(1) is capable of forecasting tsunami, including forecasting tsunami arrival time and inundation estimates, anywhere in the Pacific and Arctic Ocean regions and providing adequate warnings;

(2) is capable of forecasting and providing adequate warnings, including tsunami arrival time and inundation models where applicable, in areas of the Atlantic Ocean, including the Caribbean Sea and Gulf of Mexico, that are determined—

(A) to be geologically active, or to have significant potential for geological activity; and

(B) to pose significant risks of tsunami for States along the coastal areas of the Atlantic Ocean, Caribbean Sea, or Gulf of Mexico; and

(3) supports other international tsunami forecasting and warning efforts.

(d) Tsunami warning centers

(1) In general

The Administrator shall support or maintain centers to support the tsunami warning system required by subsection (c). The Centers shall include—

(A) the National Tsunami Warning Center, located in Alaska, which is primarily responsible for Alaska and the continental United States;

(B) the Pacific Tsunami Warning Center, located in Hawaii, which is primarily responsible for Hawaii, the Caribbean, and other areas of the Pacific not covered by the National Center; and

(C) any additional forecast and warning centers determined by the National Weather Service to be necessary.

(2) Responsibilities

The responsibilities of the centers supported or maintained under paragraph (1) shall include the following:

(A) Continuously monitoring data from seismological, deep ocean, coastal sea level, and tidal monitoring stations and other data sources as may be developed and deployed.

(B) Evaluating earthquakes, landslides, and volcanic eruptions that have the potential to generate tsunami.

(C) Evaluating deep ocean buoy data and tidal monitoring stations for indications of tsunami resulting from earthquakes and other sources.

(D) To the extent practicable, utilizing a range of models, including ensemble models, to predict tsunami, including arrival times, flooding estimates, coastal and harbor currents, and duration.

(E) Using data from the Integrated Ocean Observing System of the Administration in coordination with regional associations to calculate new inundation estimates and periodically update existing inundation estimates.

(F) Disseminating forecasts and tsunami warning bulletins to Federal, State, tribal, and local government officials and the public.

(G) Coordinating with the tsunami hazard mitigation program conducted under section 3204 of this title to ensure ongoing sharing of information between forecasters and emergency

management officials.

(H) In coordination with the Commandant of the Coast Guard and the Administrator of the Federal Emergency Management Agency, evaluating and recommending procedures for ports and harbors at risk of tsunami inundation, including review of readiness, response, and communication strategies, and data sharing policies, to the maximum extent practicable.

(I) Making data gathered under this chapter and post-warning analyses conducted by the National Weather Service or other relevant Administration offices available to the public.

(J) Integrating and modernizing the program operated under this section with advances in tsunami science to improve performance without compromising service.

(3) Fail-safe warning capability

The tsunami warning centers supported or maintained under paragraph (1) shall maintain a fail-safe warning capability and perform back-up duties for each other.

(4) Coordination with National Weather Service

The Administrator shall coordinate with the forecast offices of the National Weather Service, the centers supported or maintained under paragraph (1), and such program offices of the Administration as the Administrator or the coordinating committee, as established in section 3204(d) ¹ of this title, consider appropriate to ensure that regional and local forecast offices—

(A) have the technical knowledge and capability to disseminate tsunami warnings for the communities they serve;

(B) leverage connections with local emergency management officials for optimally disseminating tsunami warnings and forecasts; and

(C) implement mass communication tools in effect on the day before April 18, 2017, used by the National Weather Service on such date and newer mass communication technologies as they are developed as a part of the Weather-Ready Nation program of the Administration, or otherwise, for the purpose of timely and effective delivery of tsunami warnings.

(5) Uniform operating procedures

The Administrator shall—

(A) develop uniform operational procedures for the centers supported or maintained under paragraph (1), including the use of software applications, checklists, decision support tools, and tsunami warning products that have been standardized across the program supported under this section;

(B) ensure that processes and products of the warning system operated under subsection (c)—

(i) reflect industry best practices when practicable;

(ii) conform to the maximum extent practicable with internationally recognized standards for information technology; and

(iii) conform to the maximum extent practicable with other warning products and practices of the National Weather Service;

(C) ensure that future adjustments to operational protocols, processes, and warning products—

(i) are made consistently across the warning system operated under subsection (c); and

(ii) are applied in a uniform manner across such warning system;

(D) establish a systematic method for information technology product development to improve long-term technology planning efforts; and

(E) disseminate guidelines and metrics for evaluating and improving tsunami forecast models.

(6) Available resources

The Administrator, through the National Weather Service, shall ensure that resources are available to fulfill the obligations of this chapter. This includes ensuring supercomputing resources are available to run, as rapidly as possible, such computer models as are needed for purposes of

the tsunami warning system operated under subsection (c).

(e) Transfer of technology; maintenance and upgrades

In carrying out this section, the Administrator shall—

(1) develop requirements for the equipment used to forecast tsunamis, including—

(A) provisions for multipurpose detection platforms;

(B) reliability and performance metrics; and

(C) to the maximum extent practicable, requirements for the integration of equipment with other United States and global ocean and coastal observation systems, the global Earth observing system of systems, the global seismic networks, and the Advanced National Seismic System;

(2) develop and execute a plan for the transfer of technology from ongoing research conducted as part of the program supported or maintained under section 3205 of this title into the program under this section; and

(3) ensure that the Administration's operational tsunami detection equipment is properly maintained.

(f) Federal cooperation

When deploying and maintaining tsunami detection technologies under the program under this section, the Administrator shall—

(1) identify which assets of other Federal agencies are necessary to support such program; and

(2) work with each agency identified under paragraph (1)—

(A) to acquire the agency's assistance; and

(B) to prioritize the necessary assets in support of the tsunami forecast and warning program.

(g) Congressional notifications

(1) In general

The Administrator shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives within 30 days of—

(A) impaired regional forecasting capabilities due to equipment or system failures;

(B) significant contractor failures or delays in completing work associated with the tsunami forecasting and warning system; and

(C) the occurrence of a significant tsunami warning.

(2) Contents

In a case in which notice is submitted under paragraph (1) within 30 days of a significant tsunami warning described in subparagraph (C) of such paragraph, such notice shall include, as appropriate, brief information and analysis of—

(A) the accuracy of the tsunami model used;

(B) the specific deep ocean or other monitoring equipment that detected the incident, as well as the deep ocean or other monitoring equipment that did not detect the incident due to malfunction or other reasons;

(C) the effectiveness of the warning communication, including the dissemination of warnings with State, territory, local, and tribal partners in the affected area under the jurisdiction of the National Weather Service; and

(D) such other findings as the Administrator considers appropriate.

(Pub. L. 109–424, §4, Dec. 20, 2006, 120 Stat. 2903; Pub. L. 109–479, title VIII, §804, Jan. 12, 2007, 120 Stat. 3654; Pub. L. 115–25, title V, §§504, 512(a), Apr. 18, 2017, 131 Stat. 116, 128.)

REFERENCES IN TEXT

Section 3205 of this title, referred to in subsec. (e)(2), was in the original "section 6", meaning section 6 of Pub. L. 109–424, and was translated as if it referred to section 806 of Pub. L. 109–479, which enacted a substantially identical section 3205 of this title. Section 6 of Pub. L. 109–424 was repealed by section 512(a) of Pub. L. 115–25.

CODIFICATION

Pub. L. 109–424 and title VIII of Pub. L. 109–479 enacted substantially identical sections. Pub. L. 109–424 was repealed by section 512(a) of Pub. L. 115–25.

AMENDMENTS

2017—Subsec. (a). Pub. L. 115–25, §504(a), substituted "Atlantic Ocean region, including the Caribbean Sea and the Gulf of Mexico" for "Atlantic Ocean, Caribbean Sea, and Gulf of Mexico region".

Subsec. (b)(1). Pub. L. 115–25, §504(b)(1), substituted "supported or maintained" for "established".

Subsec. (b)(2). Pub. L. 115–25, §504(b)(4), added par. (2). Former par. (2) redesignated (3).

Subsec. (b)(3), (4). Pub. L. 115–25, §504(b)(3), redesignated pars. (2) and (3) as (3) and (4), respectively. Former par. (4) redesignated (5).

Subsec. (b)(5). Pub. L. 115–25, §504(b)(5), amended par. (5) generally. Prior to amendment, par. (5) read as follows: "provide tsunami forecasting capability based on models and measurements, including tsunami inundation models and maps for use in increasing the preparedness of communities, including through the TsunamiReady program;"

Pub. L. 115–25, §504(b)(3), redesignated par. (4) as (5). Former par. (5) redesignated (6).

Subsec. (b)(6). Pub. L. 115–25, §504(b)(3), redesignated par. (5) as (6). Former par. (6) redesignated (7).

Subsec. (b)(7). Pub. L. 115–25, §504(b)(6), amended par. (7) generally. Prior to amendment, par. (7) read as follows: "include a cooperative effort among the Administration, the United States Geological Survey, and the National Science Foundation under which the Geological Survey and the National Science Foundation shall provide rapid and reliable seismic information to the Administration from international and domestic seismic networks;"

Pub. L. 115–25, §504(b)(3), redesignated par. (6) as (7). Former par. (7) redesignated (8).

Subsec. (b)(8). Pub. L. 115–25, §504(b)(2), (7), redesignated par. (7) as (8) and inserted ", including graphical warning products," after "warnings", ", territories," after "States" and "and Wireless Emergency Alerts" after "Hazards Program". Former par. (8) redesignated (9).

Subsec. (b)(9). Pub. L. 115–25, §504(b)(2), (8), redesignated par. (8) as (9) and inserted "provide and" before "allow" and "and commercial and Federal undersea communications cables" after "observing technologies". Former par. (9) redesignated (10).

Subsec. (b)(10). Pub. L. 115–25, §504(b)(2), redesignated par. (9) as (10).

Subsec. (c). Pub. L. 115–25, §504(c), amended subsec. (c) generally. Prior to amendment, subsec. (c) related to tsunami warning system areas.

Subsec. (d). Pub. L. 115–25, §504(d), amended subsec. (d) generally. Prior to amendment, subsec. (d) related to the location of tsunami warning centers and the responsibilities of the centers.

Subsec. (e). Pub. L. 115–25, §504(e), amended subsec. (e) generally. Prior to amendment, subsec. (e) related to the National Weather Service's responsibilities regarding tsunami equipment and technology.

Subsec. (f). Pub. L. 115–25, §504(f), amended subsec. (f) generally. Prior to amendment, text read as follows: "When deploying and maintaining tsunami detection technologies, the Administrator shall seek the assistance and assets of other appropriate Federal agencies."

Subsec. (g). Pub. L. 115–25, §504(h), designated existing provisions as par. (1) and inserted heading, redesignated former pars. (1) and (2) as subpars. (A) and (B), respectively, of par. (1) and realigned margins, added subpar. (C) of par. (1), and added par. (2).

Pub. L. 115–25, §504(g)(1), (3), redesignated subsec. (h) as (g) and struck out former subsec. (g) which related to annual equipment certification.

Subsec. (h). Pub. L. 115–25, §504(g)(3), redesignated subsec. (h) as (g).

Subsecs. (i) to (k). Pub. L. 115–25, §504(g)(2), struck out subsecs. (i) to (k) which related to Comptroller General report, external review by the National Academy of Sciences, and establishment of a process for monitoring and certifying contractor performance, respectively.

CHANGE OF NAME

Committee on Science of House of Representatives changed to Committee on Science and Technology of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007. Committee on Science and Technology of House of Representatives changed to Committee on Science, Space, and Technology of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

¹ *So in original. Probably should be "section 3204(b)".*

§3204. National tsunami hazard mitigation program

(a) Program required

The Administrator, in coordination with the Administrator of the Federal Emergency Management Agency and the heads of such other agencies as the Administrator considers relevant, shall conduct a community-based tsunami hazard mitigation program to improve tsunami preparedness and resiliency of at-risk areas in the United States and the territories of the United States.

(b) Coordinating committee

In conducting the program under this section, the Administrator shall establish a coordinating committee comprising representatives of Federal, State, local, and tribal government officials. The Administrator may establish subcommittees to address region-specific issues. The committee shall—

- (1) recommend how funds appropriated for carrying out the program under this section will be allocated;
- (2) ensure that areas described in section 3203(c) of this title in the United States and its territories can have the opportunity to participate in the program;
- (3) provide recommendations to the National Weather Service on how to improve the TsunamiReady program, particularly on ways to make communities more tsunami resilient through the use of inundation maps and other mitigation practices; and
- (4) ensure that all components of the program are integrated with ongoing hazard warning and risk management activities, emergency response plans, and mitigation programs in affected areas, including integrating information to assist in tsunami evacuation route planning.

(c) Program components

The Program conducted under subsection (a) shall include the following:

- (1) Technical and financial assistance to coastal States, territories, tribes, and local governments to develop and implement activities under this section.
- (2) Integration of tsunami preparedness and mitigation programs into ongoing State-based hazard warning, resilience planning, and risk management activities, including predisaster planning, emergency response, evacuation planning, disaster recovery, hazard mitigation, and community development and redevelopment planning programs in affected areas.
- (3) Coordination with other Federal preparedness and mitigation programs to leverage Federal investment, avoid duplication, and maximize effort.
- (4) Activities to promote the adoption of tsunami resilience, preparedness, warning, and mitigation measures by Federal, State, territorial, tribal, and local governments and nongovernmental entities, including educational and risk communication programs to discourage development in high-risk areas.
- (5) Activities to support the development of regional tsunami hazard and risk assessments. Such regional risk assessments may include the following:
 - (A) The sources, sizes, and other relevant historical data of tsunami in the region, including paleotsunami data.
 - (B) Inundation models and maps of critical infrastructure and socioeconomic vulnerability in areas subject to tsunami inundation.
 - (C) Maps of evacuation areas and evacuation routes, including, when appropriate, traffic studies that evaluate the viability of evacuation routes.
 - (D) Evaluations of the size of populations that will require evacuation, including populations with special evacuation needs.
 - (E) Evaluations and technical assistance for vertical evacuation structure planning for communities where models indicate limited or no ability for timely evacuation, especially in areas at risk of near shore generated tsunami.
 - (F) Evaluation of at-risk ports and harbors.
 - (G) Evaluation of the effect of tsunami currents on the foundations of closely-spaced, coastal high-rise structures.

(6) Activities to promote preparedness in at-risk ports and harbors, including the following:

(A) Evaluation and recommendation of procedures for ports and harbors in the event of a distant or near-field tsunami.

(B) A review of readiness, response, and communication strategies to ensure coordination and data sharing with the Coast Guard.

(7) Activities to support the development of community-based outreach and education programs to ensure community readiness and resilience, including the following:

(A) The development, implementation, and assessment of technical training and public education programs, including education programs that address unique characteristics of distant and near-field tsunami.

(B) The development of decision support tools.

(C) The incorporation of social science research into community readiness and resilience efforts.

(D) The development of evidence-based education guidelines.

(8) Dissemination of guidelines and standards for community planning, education, and training products, programs, and tools, including—

(A) standards for—

(i) mapping products;

(ii) inundation models; and

(iii) effective emergency exercises; and

(B) recommended guidance for at-risk port and harbor tsunami warning, evacuation, and response procedures in coordination with the Coast Guard and the Federal Emergency Management Agency.

(d) Authorized activities

In addition to activities conducted under subsection (c), the program conducted under subsection (a) may include the following:

(1) Multidisciplinary vulnerability assessment research, education, and training to help integrate risk management and resilience objectives with community development planning and policies.

(2) Risk management training for local officials and community organizations to enhance understanding and preparedness.

(3) In coordination with the Federal Emergency Management Agency, interagency, Federal, State, tribal, and territorial intergovernmental tsunami response exercise planning and implementation in high risk areas.

(4) Development of practical applications for existing or emerging technologies, such as modeling, remote sensing, geospatial technology, engineering, and observing systems, including the integration of tsunami sensors into Federal and commercial submarine telecommunication cables if practicable.

(5) Risk management, risk assessment, and resilience data and information services, including—

(A) access to data and products derived from observing and detection systems; and

(B) development and maintenance of new integrated data products to support risk management, risk assessment, and resilience programs.

(6) Risk notification systems that coordinate with and build upon existing systems and actively engage decisionmakers, State, local, tribal, and territorial governments and agencies, business communities, nongovernmental organizations, and the media.

(e) No preemption with respect to designation of at-risk areas

The establishment of national standards for inundation models under this section shall not prevent

States, territories, tribes, and local governments from designating additional areas as being at risk based on knowledge of local conditions.

(f) No new regulatory authority

Nothing in this chapter may be construed as establishing new regulatory authority for any Federal agency.

(Pub. L. 109–424, §5, Dec. 20, 2006, 120 Stat. 2906; Pub. L. 109–479, title VIII, §805, Jan. 12, 2007, 120 Stat. 3657; Pub. L. 115–25, title V, §§505(a), (b), 512(a), Apr. 18, 2017, 131 Stat. 121, 128.)

CODIFICATION

Pub. L. 109–424 and title VIII of Pub. L. 109–479 enacted substantially identical sections. Pub. L. 109–424 was repealed by section 512(a) of Pub. L. 115–25.

AMENDMENTS

2017—Subsec. (a). Pub. L. 115–25, §505(a), amended subsec. (a) generally. Prior to amendment, text read as follows: "The Administrator, through the National Weather Service and in consultation with other relevant Administration offices, shall conduct a community-based tsunami hazard mitigation program to improve tsunami preparedness of at-risk areas in the United States and its territories."

Subsecs. (c) to (f). Pub. L. 115–25, §505(b), added subsecs. (c) to (f) and struck out former subsecs. (c) and (d) which related to program components and provided a savings clause, respectively.

§3205. Tsunami research program

(a) In general

The Administrator shall, in consultation with such other Federal agencies, State, tribal, and territorial governments, and academic institutions as the Administrator considers appropriate, the coordinating committee under section 3204(d) ¹ of this title, and the panel under section 3206a(a) of this title, support or maintain a tsunami research program to develop detection, forecast, communication, and mitigation science and technology, including advanced sensing techniques, information and communication technology, data collection, analysis, assessment for tsunami tracking and numerical forecast modeling, and standards development.

(b) Responsibilities

The research program supported or maintained under subsection (a) shall—

(1) consider other appropriate and cost effective solutions to mitigate the impact of tsunami, including the improvement of near-field and distant tsunami detection and forecasting capabilities, which may include use of a new generation of the Deep-ocean Assessment and Reporting of Tsunamis array, integration of tsunami sensors into commercial and Federal telecommunications cables, and other real-time tsunami monitoring systems and supercomputer capacity of the Administration to develop a rapid tsunami forecast for all United States coastlines;

(2) coordinate with the National Weather Service on technology to be transferred to operations;

(3) conduct social science research to develop and assess community warning, education, and evacuation materials;

(4) develop the technical basis for validation of tsunami maps, numerical tsunami models, digital elevation models, and forecasts; and

(5) ensure that research and findings are available to the public and the scientific community.

(Pub. L. 109–424, §6, Dec. 20, 2006, 120 Stat. 2907; Pub. L. 109–479, title VIII, §806, Jan. 12, 2007, 120 Stat. 3658; Pub. L. 115–25, title V, §§506, 512(a), Apr. 18, 2017, 131 Stat. 123, 128.)

CODIFICATION

Pub. L. 109–424 and title VIII of Pub. L. 109–479 enacted substantially identical sections. Pub. L. 109–424 was repealed by section 512(a) of Pub. L. 115–25.

AMENDMENTS

2017—Pub. L. 115–25, §506(1), (2), designated first and second sentences of existing provisions as subsecs. (a) and (b), respectively, and inserted headings.

Subsec. (a). Pub. L. 115–25, §506(1), (2), substituted "The Administrator shall, in consultation with such other Federal agencies, State, tribal, and territorial governments, and academic institutions as the Administrator considers appropriate, the coordinating committee under section 3204(d) of this title, and the panel under section 3206a(a) of this title, support or maintain" for "The Administrator shall, in consultation with other agencies and academic institutions, and with the coordinating committee established under section 3204(b) of this title, establish or maintain" and "assessment for tsunami tracking and numerical forecast modeling, and standards development." for "and assessment for tsunami tracking and numerical forecast modeling."

Subsec. (b). Pub. L. 115–25, §506(2), substituted "The research program supported or maintained under subsection (a) shall—" for "Such research program shall—".

Subsec. (b)(1). Pub. L. 115–25, §506(3)(A), amended par. (1) generally. Prior to amendment, par. (1) read as follows: "consider other appropriate research to mitigate the impact of tsunami;"

Subsec. (b)(3). Pub. L. 115–25, §506(3)(B), substituted "conduct" for "include" and struck out "and" at end.

Subsec. (b)(4). Pub. L. 115–25, §506(3)(D), added par. (4). Former par. (4) redesignated (5).

Subsec. (b)(5). Pub. L. 115–25, §506(3)(C), (E), redesignated par. (4) as (5) and substituted "to the public and the scientific community" for "to the scientific community".

¹ So in original. Probably should read "section 3204(b)".

§3206. Global tsunami warning and mitigation network

(a) Support for development of an international tsunami warning system

The Administrator shall, in coordination with the Secretary of State and in consultation with such other agencies as the Administrator considers relevant, provide technical assistance, operational support, and training to the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific, and Cultural Organization, the World Meteorological Organization of the United Nations, and such other international entities as the Administrator considers appropriate, as part of the international efforts to develop a fully functional global tsunami forecast and warning system comprised of regional tsunami warning networks.

(b) International Tsunami Information Center

The Administrator, through the National Weather Service and in consultation with other relevant Administration offices, in cooperation with the Intergovernmental Oceanographic Commission, may operate an International Tsunami Information Center to improve tsunami preparedness for all Pacific Ocean nations participating in the International Tsunami Warning System of the Pacific, and may also provide such assistance to other nations participating in a global tsunami warning system established through the Intergovernmental Oceanographic Commission. As part of its responsibilities around the world, the Center may—

- (1) monitor international tsunami warning activities around the world;
- (2) assist member states in establishing national warning systems, and make information available on current technologies for tsunami warning systems;
- (3) maintain a library of materials to promulgate knowledge about tsunami in general and for use by the scientific community; and
- (4) disseminate information, including educational materials and research reports.

(c) Detection equipment; technical advice and training

In carrying out this section, the National Weather Service—

- (1) shall give priority to assisting nations in identifying vulnerable coastal areas, creating inundation maps, obtaining or designing real-time detection and reporting equipment, and supporting communication and warning networks and contact points in each vulnerable nation;
- (2) may support a process for transfer of detection and communication technology to affected nations for the purposes of supporting the international tsunami warning system; and

(3) shall provide technical and other assistance to support international tsunami programs.

(d) Data-sharing requirement

The National Weather Service, when deciding to provide assistance under this section, may take into consideration the data sharing policies and practices of nations proposed to receive such assistance, with a goal to encourage all nations to support full and open exchange of data.

(Pub. L. 109–424, §7, Dec. 20, 2006, 120 Stat. 2907; Pub. L. 109–479, title VIII, §807, Jan. 12, 2007, 120 Stat. 3659; Pub. L. 115–25, title V, §§507, 512(a), Apr. 18, 2017, 131 Stat. 124, 128.)

CODIFICATION

Pub. L. 109–424 and title VIII of Pub. L. 109–479 enacted substantially identical sections. Pub. L. 109–424 was repealed by section 512(a) of Pub. L. 115–25.

AMENDMENTS

2017—Subsec. (a). Pub. L. 115–25, §507(1), amended subsec. (a) generally. Prior to amendment, text read as follows: "The Administrator, through the National Weather Service and in consultation with other relevant Administration offices, in coordination with other members of the United States Interagency Committee of the National Tsunami Hazard Mitigation Program, shall provide technical assistance and training to the Intergovernmental Oceanographic Commission, the World Meteorological Organization, and other international entities, as part of international efforts to develop a fully functional global tsunami forecast and warning system comprising regional tsunami warning networks, modeled on the International Tsunami Warning System of the Pacific."

Subsec. (b). Pub. L. 115–25, §507(2), in introductory provisions, substituted "may operate" for "shall operate" and "the Center may" for "the Center shall".

Subsec. (c)(1). Pub. L. 115–25, §507(3)(A), substituted "supporting" for "establishing".

Subsec. (c)(2). Pub. L. 115–25, §507(3)(B), substituted "support" for "establish" and "supporting" for "establishing".

§3206a. Tsunami Science and Technology Advisory Panel

(a) Designation

The Administrator shall designate an existing working group within the Science Advisory Board of the Administration to serve as the Tsunami Science and Technology Advisory Panel to provide advice to the Administrator on matters regarding tsunami science, technology, and regional preparedness.

(b) Membership

(1) Composition

The Panel shall be composed of no fewer than 7 members selected by the Administrator from among individuals from academia or State agencies who have academic or practical expertise in physical sciences, social sciences, information technology, coastal resilience, emergency management, or such other disciplines as the Administrator considers appropriate.

(2) Federal employment

No member of the Panel may be a Federal employee.

(c) Responsibilities

Not less frequently than once every 4 years, the Panel shall—

(1) review the activities of the Administration, and other Federal activities as appropriate, relating to tsunami research, detection, forecasting, warning, mitigation, resiliency, and preparation; and

(2) submit to the Administrator and such others as the Administrator considers appropriate—

(A) the findings of the working group with respect to the most recent review conducted under paragraph (1); and

(B) such recommendations for legislative or administrative action as the working group

considers appropriate to improve Federal tsunami research, detection, forecasting, warning, mitigation, resiliency, and preparation.

(d) Reports to Congress

Not less frequently than once every 4 years, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives a report on the findings and recommendations received by the Administrator under subsection (c)(2).

(Pub. L. 109–479, title VIII, §808, as added Pub. L. 115–25, title V, §508(a)(2), Apr. 18, 2017, 131 Stat. 125.)

PRIOR PROVISIONS

A prior section 808 of Pub. L. 109–479 was renumbered section 809 and is classified to section 3207 of this title.

§3207. Authorization of appropriations

There are authorized to be appropriated to the Administrator to carry out this chapter—

(1) \$25,000,000 for fiscal year 2008, of which—

(A) not less than 27 percent of the amount appropriated shall be for the tsunami hazard mitigation program under section 3204 of this title; and

(B) not less than 8 percent of the amount appropriated shall be for the tsunami research program under section 3205 of this title;

(2) \$26,000,000 for fiscal year 2009, of which—

(A) not less than 27 percent of the amount appropriated shall be for the tsunami hazard mitigation program under section 3204 of this title; and

(B) not less than 8 percent of the amount appropriated shall be for the tsunami research program under section 3205 of this title;

(3) \$27,000,000 for fiscal year 2010, of which—

(A) not less than 27 percent of the amount appropriated shall be for the tsunami hazard mitigation program under section 3204 of this title; and

(B) not less than 8 percent of the amount appropriated shall be for the tsunami research program under section 3205 of this title;

(4) \$28,000,000 for fiscal year 2011, of which—

(A) not less than 27 percent of the amount appropriated shall be for the tsunami hazard mitigation program under section 3204 of this title; and

(B) not less than 8 percent of the amount appropriated shall be for the tsunami research program under section 3205 of this title;

(5) \$29,000,000 for fiscal year 2012, of which—

(A) not less than 27 percent of the amount appropriated shall be for the tsunami hazard mitigation program under section 3204 of this title; and

(B) not less than 8 percent of the amount appropriated shall be for the tsunami research program under section 3205 of this title; and

(6) \$25,800,000 for each of fiscal years 2016 through 2021, of which—

(A) not less than 27 percent of the amount appropriated for each fiscal year shall be for activities conducted at the State level under the tsunami hazard mitigation program under section 3204 of this title; and

(B) not less than 8 percent of the amount appropriated shall be for the tsunami research

program under section 3205 of this title.

(Pub. L. 109–424, §8, Dec. 20, 2006, 120 Stat. 2908; Pub. L. 109–479, title VIII, §809, formerly §808, Jan. 12, 2007, 120 Stat. 3660; renumbered §809 and amended Pub. L. 115–25, title V, §§508(a)(1), 510, 512(a), Apr. 18, 2017, 131 Stat. 124, 127, 128.)

CODIFICATION

Pub. L. 109–424 and title VIII of Pub. L. 109–479 enacted substantially identical sections. Pub. L. 109–424 was repealed by section 512(a) of Pub. L. 115–25.

AMENDMENTS

2017—Par. (6). Pub. L. 115–25, §510, which directed the addition of par. (6) to this section "as redesignated by section __08(a)(1)" of Pub. L. 115–25, was executed by adding par. (6) to this section as redesignated by section 508(a)(1) of Pub. L. 115–25, to reflect the probable intent of Congress.

§3208. Outreach responsibilities

The Administrator of the National Oceanic and Atmospheric Administration, in coordination with State and local emergency managers, shall develop and carry out formal outreach activities to improve tsunami education and awareness and foster the development of resilient communities.

Outreach activities may include—

- (1) the development of outreach plans to ensure the close integration of tsunami warning centers supported or maintained under section 3203(d) of this title, as amended by this Act, with local Weather Forecast Offices of the National Weather Service and emergency managers;
- (2) working with appropriate local Weather Forecast Offices to ensure they have the technical knowledge and capability to disseminate tsunami warnings to the communities they serve; and
- (3) evaluating the effectiveness of warnings and of coordination with local Weather Forecast Offices after significant tsunami events.

(Pub. L. 115–25, title V, §511, Apr. 18, 2017, 131 Stat. 127.)

REFERENCES IN TEXT

Section 3203(d) of this title, as amended by this Act, referred to in par. (1), means section 3203(d) of this title, as amended by Pub. L. 115–25.

CODIFICATION

Section was enacted as part of the Tsunami Warning, Education, and Research Act of 2017, and also as part of the Weather Research and Forecasting Innovation Act of 2017, and not as part of the Tsunami Warning and Education Act which comprises this chapter.

DEFINITIONS

For definition of "State" as used in this section, see section 8501 of Title 15, Commerce and Trade.