

### § 2317. Rapid response information system

#### (a) Inventory of rapid response assets

(1) The head of each Federal Response Plan agency shall develop and maintain an inventory of physical equipment and assets under the jurisdiction of that agency that could be made available to aid State and local officials in search and rescue and other disaster management and mitigation efforts associated with an emergency involving weapons of mass destruction. The agency head shall submit a copy of the inventory, and any updates of the inventory, to the Administrator of the Federal Emergency Management Agency for inclusion in the master inventory required under subsection (b).

(2) Each inventory shall include a separate listing of any equipment that is excess to the needs of that agency and could be considered for disposal as excess or surplus property for use for response and training with regard to emergencies involving weapons of mass destruction.

#### (b) Master inventory

The Administrator of the Federal Emergency Management Agency shall compile and maintain a comprehensive listing of all inventories prepared under subsection (a). The first such master list shall be completed not later than December 31, 1997, and shall be updated annually thereafter.

#### (c) Addition to Federal response plan

Not later than December 31, 1997, the Administrator of the Federal Emergency Management Agency shall develop and incorporate into existing Federal emergency response plans and programs prepared under section 5196(b) of title 42 guidance on accessing and using the physical equipment and assets included in the master list developed under subsection<sup>1</sup> to respond to emergencies involving weapons of mass destruction.

#### (d) Database on chemical and biological materials

The Administrator of the Federal Emergency Management Agency, in consultation with the Secretary of Defense, shall prepare a database on chemical and biological agents and munitions characteristics and safety precautions for civilian use. The initial design and compilation of the database shall be completed not later than December 31, 1997.

#### (e) Access to inventory and database

The Administrator of the Federal Emergency Management Agency shall design and maintain a system to give Federal, State, and local officials access to the inventory listing and database maintained under this section in the event of an emergency involving weapons of mass destruction or to prepare and train to respond to such an emergency. The system shall include a secure but accessible emergency response hotline to access information and request assistance.

(Pub. L. 104-201, div. A, title XIV, § 1417, Sept. 23, 1996, 110 Stat. 2724; Pub. L. 109-295, title VI, § 612(c), Oct. 4, 2006, 120 Stat. 1410.)

<sup>1</sup> So in original. Probably should be “subsection (b)”.

#### CHANGE OF NAME

“Administrator of the Federal Emergency Management Agency” substituted for “Director of the Federal Emergency Management Agency” wherever appearing in text on authority of section 612(c) of Pub. L. 109-295, set out as a note under section 313 of Title 6, Domestic Security. Any reference to the Administrator of the Federal Emergency Management Agency in title VI of Pub. L. 109-295 or an amendment by title VI to be considered to refer and apply to the Director of the Federal Emergency Management Agency until Mar. 31, 2007, see section 612(f)(2) of Pub. L. 109-295, set out as a note under section 313 of Title 6.

### SUBCHAPTER II—INTERDICTION OF WEAPONS OF MASS DESTRUCTION AND RELATED MATERIALS

#### § 2331. Procurement of detection equipment for United States border security

Of the amount authorized to be appropriated by section 301,<sup>1</sup> \$15,000,000 is available for the procurement of—

(1) equipment capable of detecting the movement of weapons of mass destruction and related materials into the United States;

(2) equipment capable of interdicting the movement of weapons of mass destruction and related materials into the United States; and

(3) materials and technologies related to use of equipment described in paragraph (1) or (2).

(Pub. L. 104-201, div. A, title XIV, § 1421, Sept. 23, 1996, 110 Stat. 2725.)

#### REFERENCES IN TEXT

Section 301, referred to in text, is section 301 of Pub. L. 104-201, div. A, title III, Sept. 23, 1996, 110 Stat. 2475, which is not classified to the Code.

#### § 2332. Sense of Congress concerning criminal penalties

##### (a) Sense of Congress concerning inadequacy of sentencing guidelines

It is the sense of Congress that the sentencing guidelines prescribed by the United States Sentencing Commission for the offenses of importation, attempted importation, exportation, and attempted exportation of nuclear, biological, and chemical weapons materials constitute inadequate punishment for such offenses.

##### (b) Urging of revision to guidelines

Congress urges the United States Sentencing Commission to revise the relevant sentencing guidelines to provide for increased penalties for offenses relating to importation, attempted importation, exportation, and attempted exportation of nuclear, biological, or chemical weapons or related materials or technologies under the following provisions of law:

(1) Section 4610 of this title.

(2) Sections 2778 and 2780 of title 22.

(3) The International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(4) Section 2139a(c) of title 42.

(Pub. L. 104-201, div. A, title XIV, § 1423, Sept. 23, 1996, 110 Stat. 2725; Pub. L. 105-261, div. A, title X, § 1069(c)(1), Oct. 17, 1998, 112 Stat. 2136.)

#### REFERENCES IN TEXT

The International Emergency Economic Powers Act, referred to in subsec. (b)(3), is title II of Pub. L. 95-223,

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