

(A) establish performance goals for the implementation of the public alert and warning system by the Agency;

(B) describe the performance of the public alert and warning system, including—

(i) the type of technology used for alerts and warnings issued under the system;

(ii) the measures taken to alert, warn, and provide equivalent information to individuals with disabilities, individuals with access and function<sup>1</sup> needs, and individuals with limited-English proficiency; and

(iii) the training, tests, and exercises performed and the outcomes obtained by the Agency;

(C) identify significant challenges to the effective operation of the public alert and warning system and any plans to address these challenges;

(D) identify other necessary improvements to the system; and

(E) provide an analysis comparing the performance of the public alert and warning system with the performance goals established under subparagraph (A).

## (2) Congress

The Administrator shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives each report required under paragraph (1).

(Pub. L. 107–296, title V, §526, as added Pub. L. 114–143, §2(a), Apr. 11, 2016, 130 Stat. 327.)

### REFERENCES IN TEXT

Section 2(b) of the Integrated Public Alert and Warning System Modernization Act of 2015, referred to in subsec. (b)(9), is section 2(b) of Pub. L. 114–143, Apr. 11, 2016, 130 Stat. 329, which is not classified to the Code.

### CONSTRUCTION

Pub. L. 114–143, §2(d), Apr. 11, 2016, 130 Stat. 332, provided that:

“(1) DEFINITION.—In this subsection, the term ‘participating commercial mobile service provider’ has the meaning given that term under section 10.10(f) of title 47, Code of Federal Regulations, as in effect on the date of enactment of this Act [Apr. 11, 2016].

“(2) LIMITATIONS.—Nothing in this Act [enacting this section and provisions set out as a note under section 101 of this title], including an amendment made by this Act, shall be construed—

“(A) to affect any authority—

“(i) of the Department of Commerce;

“(ii) of the Federal Communications Commission;

or

“(iii) provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

“(B) to provide the Secretary of Homeland Security with authority to require any action by the Department of Commerce, the Federal Communications Commission, or any nongovernmental entity;

“(C) to apply to, or to provide the Administrator of the Federal Emergency Management Agency with au-

thority over, any participating commercial mobile service provider;

“(D) to alter in any way the wireless emergency alerts service established under the Warning, Alert, and Response Network Act (47 U.S.C. 1201 et seq.) or any related orders issued by the Federal Communications Commission after October 13, 2006; or

“(E) to provide the Federal Emergency Management Agency with authority to require a State or local jurisdiction to use the integrated public alert and warning system of the United States.”

## § 321p. National planning and education

The Secretary shall, to the extent practicable—

(1) include in national planning frameworks the threat of an EMP or GMD event; and

(2) conduct outreach to educate owners and operators of critical infrastructure, emergency planners, and emergency response providers at all levels of government regarding threats of EMP and GMD.

(Pub. L. 107–296, title V, §527, as added Pub. L. 114–328, div. A, title XIX, §1913(a)(4), Dec. 23, 2016, 130 Stat. 2686.)

## § 321q. Coordination of Department of Homeland Security efforts related to food, agriculture, and veterinary defense against terrorism

### (a) Program required

The Secretary, acting through the Assistant Secretary for Health Affairs, shall carry out a program to coordinate the Department’s efforts related to defending the food, agriculture, and veterinary systems of the United States against terrorism and other high-consequence events that pose a high risk to homeland security.

### (b) Program elements

The coordination program required by subsection (a) shall include, at a minimum, the following:

(1) Providing oversight and management of the Department’s responsibilities pursuant to Homeland Security Presidential Directive 9—Defense of United States Agriculture and Food.

(2) Providing oversight and integration of the Department’s activities related to veterinary public health, food defense, and agricultural security.

(3) Leading the Department’s policy initiatives relating to food, animal, and agricultural incidents, and the impact of such incidents on animal and public health.

(4) Leading the Department’s policy initiatives relating to overall domestic preparedness for and collective response to agricultural terrorism.

(5) Coordinating with other Department components, including U.S. Customs and Border Protection, as appropriate, on activities related to food and agriculture security and screening procedures for domestic and imported products.

(6) Coordinating with appropriate Federal departments and agencies.

(7) Other activities as determined necessary by the Secretary.

### (c) Rule of construction

Nothing in this section may be construed as altering or superseding the authority of the Sec-

<sup>1</sup> So in original. Probably should be “functional”.