

selected entity's inclusion of qualified disadvantaged business concerns under paragraph (3)(D)) and make improvements and adjustments to the program as necessary and appropriate.

(B) Review of standards

Each review under subparagraph (A) shall include an assessment of the voluntary preparedness standard or standards used in the program under this subsection.

(5) Voluntary participation

Certification under this subsection shall be voluntary for any private sector entity.

(6) Public listing

The designated officer shall maintain and make public a listing of any private sector entity certified as being in compliance with the program established under this subsection, if that private sector entity consents to such listing.

(c) Rule of construction

Nothing in this section may be construed as—

(1) a requirement to replace any preparedness, emergency response, or business continuity standards, requirements, or best practices established—

(A) under any other provision of federal law; or

(B) by any Sector Risk Management Agency, as those agencies are defined under Homeland Security Presidential Directive-7; or

(2) exempting any private sector entity seeking certification or meeting certification requirements under subsection (b) from compliance with all applicable statutes, regulations, directives, policies, and industry codes of practice.

(Pub. L. 107-296, title V, § 524, as added Pub. L. 110-53, title IX, § 901(a), Aug. 3, 2007, 121 Stat. 365; amended Pub. L. 116-283, div. H, title XC, § 9002(c)(2)(B), Jan. 1, 2021, 134 Stat. 4772.)

Editorial Notes

AMENDMENTS

2021—Subsec. (b)(2)(E)(i)(II). Pub. L. 116-283, § 9002(c)(2)(B)(i), substituted “Sector Risk Management Agency” for “sector-specific agency”.

Subsec. (c)(1)(B). Pub. L. 116-283, § 9002(c)(2)(B)(ii), substituted “Sector Risk Management Agency” for “sector-specific agency”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Reference to Assistant Secretary for Infrastructure Protection deemed to be a reference to Assistant Director for Infrastructure Security, see section 654(a)(3) of this title. Assistant Secretary for Infrastructure Protection serving on the day before Nov. 16, 2018, authorized to continue to serve as Assistant Director for Infrastructure Security on and after such date, see section 2(b)(4) of Pub. L. 115-278, set out as a note under section 654 of this title.

DEADLINE FOR DESIGNATION OF OFFICER

Pub. L. 110-53, title IX, § 901(c), Aug. 3, 2007, 121 Stat. 371, provided that: “The Secretary of Homeland Security shall designate the officer as described in section

524 of the Homeland Security Act of 2002 [6 U.S.C. 321m], as added by subsection (a), by not later than 30 days after the date of the enactment of this Act [Aug. 3, 2007].”

§ 321n. Acceptance of gifts

(a) Authority

The Secretary may accept and use gifts of property, both real and personal, and may accept gifts of services, including from guest lecturers, for otherwise authorized activities of the Center for Domestic Preparedness that are related to efforts to prevent, prepare for, protect against, or respond to a natural disaster, act of terrorism, or other man-made disaster, including the use of a weapon of mass destruction.

(b) Prohibition

The Secretary may not accept a gift under this section if the Secretary determines that the use of the property or services would compromise the integrity or appearance of integrity of—

- (1) a program of the Department; or
- (2) an individual involved in a program of the Department.

(c) Report

(1) In general

The Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an annual report disclosing—

- (A) any gifts that were accepted under this section during the year covered by the report;
- (B) how the gifts contribute to the mission of the Center for Domestic Preparedness; and
- (C) the amount of Federal savings that were generated from the acceptance of the gifts.

(2) Publication

Each report required under paragraph (1) shall be made publically available.

(Pub. L. 107-296, title V, § 525, as added Pub. L. 111-245, § 2(a)(1), Sept. 30, 2010, 124 Stat. 2620.)

§ 321o. Integrated public alert and warning system modernization

(a) In general

To provide timely and effective warnings regarding natural disasters, acts of terrorism, and other man-made disasters or threats to public safety, the Administrator shall—

- (1) modernize the integrated public alert and warning system of the United States (in this section referred to as the “public alert and warning system”) to help ensure that under all conditions the President and, except to the extent the public alert and warning system is in use by the President, Federal agencies and State, tribal, and local governments can alert and warn the civilian population in areas endangered by natural disasters, acts of terrorism, and other man-made disasters or threats to public safety; and