

(3) the total cost of the undertaking for which the assistance is given or used;

(4) the amount and nature of the portion of the cost of the undertaking described in paragraph (3) that is supplied by a source other than the Agency;

(5) the return on investment, as defined by the Under Secretary; and

(6) any other record that will facilitate an effective audit with respect to the assistance.

(b) Access by government officials

The Under Secretary, the Inspector General of the Department of Commerce, and the Comptroller General of the United States, or any duly authorized representative of any such individual, shall have access, for the purpose of audit, investigation, and examination, to any book, document, paper, record, or other material of the Agency or an MBDA Business Center.

(Pub. L. 117–58, div. K, title VII, §100703, Nov. 15, 2021, 135 Stat. 1466.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this division”, meaning div. K of Pub. L. 117–58, Nov. 15, 2021, 135 Stat. 1445, which is classified principally to this chapter. For complete classification of division K to the Code, see Short Title note set out under section 9501 of this title and Tables.

§ 9594. Review and report by Comptroller General

Not later than 4 years after November 5, 2021, the Comptroller General of the United States shall—

(1) conduct a thorough review of the programs carried out under this chapter; and

(2) submit to Congress a detailed report of the findings of the Comptroller General of the United States under the review carried out under paragraph (1), which shall include—

(A) an evaluation of the effectiveness of the programs in achieving the purposes of this chapter;

(B) a description of any failure by any recipient of assistance under this chapter to comply with the requirements under this chapter; and

(C) recommendations for any legislative or administrative action that should be taken to improve the achievement of the purposes of this chapter.

(Pub. L. 117–58, div. K, title VII, §100704, Nov. 15, 2021, 135 Stat. 1466.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in pars. (1) and (2), was in the original “this division”, meaning div. K of Pub. L. 117–58, Nov. 15, 2021, 135 Stat. 1445, which is classified principally to this chapter. For complete classification of division K to the Code, see Short Title note set out under section 9501 of this title and Tables.

§ 9595. Biannual reports; recommendations

(a) Biannual report

Not later than 1 year after November 15, 2021, and 90 days after the last day of each odd-num-

bered year thereafter, the Under Secretary shall submit to Congress, and publish on the website of the Agency, a report of each activity of the Agency carried out under this chapter during the period covered by the report.

(b) Recommendations

The Under Secretary shall periodically submit to Congress and the President recommendations for legislation or other actions that the Under Secretary determines to be necessary or appropriate to promote the purposes of this chapter.

(Pub. L. 117–58, div. K, title VII, §100705, Nov. 15, 2021, 135 Stat. 1466.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this division”, meaning div. K of Pub. L. 117–58, Nov. 15, 2021, 135 Stat. 1445, which is classified principally to this chapter. For complete classification of division K to the Code, see Short Title note set out under section 9501 of this title and Tables.

§ 9596. Separability

If a provision of this chapter, or the application of a provision of this chapter to any person or circumstance, is held by a court of competent jurisdiction to be invalid, that judgment—

(1) shall not affect, impair, or invalidate—

(A) any other provision of this chapter; or

(B) the application of this chapter to any other person or circumstance; and

(2) shall be confined in its operation to—

(A) the provision of this chapter with respect to which the judgment is rendered; or

(B) the application of the provision of this chapter to each person or circumstance directly involved in the controversy in which the judgment is rendered.

(Pub. L. 117–58, div. K, title VII, §100706, Nov. 15, 2021, 135 Stat. 1467.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this division”, meaning div. K of Pub. L. 117–58, Nov. 15, 2021, 135 Stat. 1445, which is classified principally to this chapter. For complete classification of division K to the Code, see Short Title note set out under section 9501 of this title and Tables.

§ 9597. Executive Order 11625

The powers and duties of the Agency shall be determined—

(1) in accordance with this chapter and the requirements of this chapter; and

(2) without regard to Executive Order 11625 (36 Fed. Reg. 19967; relating to prescribing additional arrangements for developing and coordinating a national program for minority business enterprise).

(Pub. L. 117–58, div. K, title VII, §100707, Nov. 15, 2021, 135 Stat. 1467.)

Editorial Notes

REFERENCES IN TEXT

Executive Order 11625, referred to in section catchline and par. (2), is Ex. Ord. No. 11625, Oct. 13, 1971, 36 F.R.

19967, which is set out as a note under section 631 of this title.

This chapter, referred to in par. (1), was in the original “this division”, meaning div. K of Pub. L. 117–58, Nov. 15, 2021, 135 Stat. 1445, which is classified principally to this chapter. For complete classification of division K to the Code, see Short Title note set out under section 9501 of this title and Tables.

§ 9598. Authorization of appropriations

There are authorized to be appropriated to the Under Secretary \$110,000,000 for each of fiscal years 2021 through 2025 to carry out this chapter, of which—

(1) a majority shall be used in each such fiscal year to carry out the MBDA Business Center Program under part B of subchapter I, including the component of that program relating to specialty centers; and

(2) \$20,000,000 shall be used in each such fiscal year to carry out subchapter III.

(Pub. L. 117–58, div. K, title VII, § 100708, Nov. 15, 2021, 135 Stat. 1467.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this division”, meaning div. K of Pub. L. 117–58, Nov. 15, 2021, 135 Stat. 1445, which is classified principally to this chapter. For complete classification of division K to the Code, see Short Title note set out under section 9501 of this title and Tables.

CHAPTER 121—FLOOD LEVEL OBSERVATION, OPERATIONS, AND DECISION SUPPORT

Sec.

- 9701. Definitions.
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- 9703. Observations and modeling for total water prediction.
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- 9711. Gap analysis on availability of snow-related data to assess and predict flood and flood impacts.
- 9712. Availability to the public of flood-related data.

§ 9701. Definitions

In this chapter:

(1) Administrator

The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.

(2) State

The term “State” means each State of the United States, the District of Columbia, the

Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands of the United States, and any other territory or possession of the United States.

(Pub. L. 117–316, § 2, Dec. 27, 2022, 136 Stat. 4406.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 117–316, Dec. 27, 2022, 136 Stat. 4406, known as the Flood Level Observation, Operations, and Decision Support Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 117–316, § 1(a), Dec. 27, 2022, 136 Stat. 4406, provided that: “This Act [enacting this chapter and amending sections 8513, 8514, 8515, and 8521 of this title] may be cited as the ‘Flood Level Observation, Operations, and Decision Support Act’ or the ‘FLOODS Act’.”

§ 9702. National Integrated Flood Information System

(a) In general

The Administrator shall establish a system, to be known as the “National Integrated Flood Information System”, to better inform and provide for more timely decision making to reduce flood-related effects and costs.

(b) System functions

The Administrator, through the National Integrated Flood Information System, shall—

(1) provide an effective flood early warning system that—

(A) collects and integrates information on the key indicators of floods and flood impacts, including streamflow, reservoir release and diversion, precipitation, soil moisture, snow water equivalent, land cover, and evaporative demand;

(B) makes usable, reliable, and timely forecasts of floods;

(C) assesses the severity of flood conditions and effects;

(D) provides information described in subparagraph (A), forecasts described in subparagraph (B), and assessments described in subparagraph (C) at the national, regional, and local levels, as appropriate; and

(E) communicates flood forecasts, flood conditions, and flood impacts to appropriate entities engaged in flood planning, preparedness, and response and post-event flood extent, including—

(i) decision makers at the Federal, State, local, and Tribal levels of government; and

(ii) the public;

(2) provide timely data, information, and products that reflect differences in flood conditions among localities, regions, watersheds, and States;

(3) coordinate and integrate, through inter-agency agreements as practicable, Federal re-