

PUBLIC LAW 109-347—OCT. 13, 2006

SECURITY AND ACCOUNTABILITY FOR EVERY
PORT ACT OF 2006

Subtitle B—Port Security Grants; Training and Exercise Programs

46 USC 70103
note.

SEC. 111. RISK ASSESSMENT TOOL.

In updating Area Maritime Security Plans required under section 70103(b)(2)(F) of title 46, United States Code, and in applying for grants under section 70107 of such title, the Secretary of the Department in which the Coast Guard is operating shall make available, and Area Maritime Security Committees may use a risk assessment tool that uses standardized risk criteria, such as the Maritime Security Risk Assessment Tool used by the Coast Guard.

SEC. 112. PORT SECURITY GRANTS.

(a) **BASIS FOR GRANTS.**—Section 70107(a) of title 46, United States Code, is amended by striking “for making a fair and equitable allocation of funds” and inserting “for the allocation of funds based on risk”.

(b) **ELIGIBLE USES.**—Section 70107(b) of title 46, United States Code, is amended—

(1) in paragraph (2), by inserting after “crewmembers.” the following: “Grants awarded under this section may not be used to construct buildings or other physical facilities, except those which are constructed under terms and conditions consistent with the requirements under section 611(j)(8) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121(j)(8)), including those facilities in support of this paragraph, and specifically approved by the Secretary. Costs eligible for funding under this paragraph may not exceed the greater of—

“(A) \$1,000,000 per project; or

“(B) such greater amount as may be approved by the Secretary, which may not exceed 10 percent of the total amount of the grant.”; and

(2) by adding at the end the following:

“(5) The cost of conducting exercises or training for prevention and detection of, preparedness for, response to, or recovery from terrorist attacks.

“(6) The cost of establishing or enhancing mechanisms for sharing terrorism threat information and ensuring that the mechanisms are interoperable with Federal, State, and local agencies.

“(7) The cost of equipment (including software) required to receive, transmit, handle, and store classified information.”.

(c) **MULTIPLE-YEAR PROJECTS, ETC.**—Section 70107 of title 46, United States Code, is amended—

(1) by redesignating subsections (e), (f), (g), (h), and (i) as subsections (i), (j), (k), (l), and (m), respectively, and by inserting after subsection (d) the following:

“(e) **MULTIPLE-YEAR PROJECTS.**—

“(1) **LETTERS OF INTENT.**—The Secretary may execute letters of intent to commit funding to such authorities, operators, and agencies.

“(2) **LIMITATION.**—Not more than 20 percent of the grant funds awarded under this subsection in any fiscal year may be awarded for projects that span multiple years.

“(f) **CONSISTENCY WITH PLANS.**—The Secretary shall ensure that each grant awarded under subsection (e)—

“(1) is used to supplement and support, in a consistent and coordinated manner, the applicable Area Maritime Transportation Security Plan; and

“(2) is coordinated with any applicable State or Urban Area Homeland Security Plan.

“(g) **APPLICATIONS.**—Any entity subject to an Area Maritime Transportation Security Plan may submit an application for a grant under this section, at such time, in such form, and containing such information and assurances as the Secretary may require.

“(h) **REPORTS.**—Not later than 180 days after the date of the enactment of the SAFE Port Act, the Secretary, acting through the Commandant of the Coast Guard, shall submit a report to Congress, in a secure format, describing the methodology used to allocate port security grant funds on the basis of risk.”; and

(2) in subsection (i)(1), as redesignated, by striking “program” and inserting “Secretary”.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—Section 70107(1) of title 46, United States Code, as redesignated, is amended to read as follows:

“(1) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$400,000,000 for each of the fiscal years 2007 through 2011 to carry out this section.”

(e) **BASIS FOR GRANTS.**—Section 70107(a) of title 46, United States Code, is amended by striking “national economic and strategic defense concerns” and inserting “national economic, energy, and strategic defense concerns based upon the most current risk assessments available”.

SEC. 113. PORT SECURITY TRAINING PROGRAM

6 USC 911.

(a) **IN GENERAL.**—The Secretary, acting through the Under Secretary for Preparedness and in coordination with the Commandant of the Coast Guard, shall establish a Port Security Training Program (referred to in this section as the “Training Program”) for the purpose of enhancing the capabilities of each facility required to submit a plan under section 70103(c) of title 46, United States Code, to prevent, prepare for, respond to, mitigate against, and recover from threatened or actual acts of terrorism, natural disasters, and other emergencies.

(b) **REQUIREMENTS.**—The Training Program shall provide validated training that—

(1) reaches multiple disciplines, including Federal, State, and local government officials, commercial seaport personnel and management, and governmental and nongovernmental emergency response providers;

(2) provides training at the awareness, performance, and management and planning levels;

(3) utilizes multiple training mediums and methods;

(4) addresses port security topics, including—

(A) facility security plans and procedures, including how security plans and procedures are adjusted when threat levels increase;

(B) facility security force operations and management;

(C) physical security and access control at facilities;

(D) methods of security for preventing and countering cargo theft;