mental Oceanographic Commission, the World Meteorological Organization, and other international entities, as part of international efforts to develop a fully functional global tsunami forecast and warning system comprising regional tsunami warning networks, modeled on the International Tsunami Warning System of the Pacific.

(b) International Tsunami Information Center

The Administrator, through the National Weather Service and in consultation with other relevant Administration offices, in cooperation with the Intergovernmental Oceanographic Commission, shall operate an International Tsunami Information Center to improve tsunami preparedness for all Pacific Ocean nations participating in the International Tsunami Warning System of the Pacific, and may also provide such assistance to other nations participating in a global tsunami warning system established through the Intergovernmental Oceanographic Commission. As part of its responsibilities around the world, the Center shall—

(1) monitor international tsunami warning activities around the world;

(2) assist member states in establishing national warning systems, and make information available on current technologies for tsunami warning systems;

(3) maintain a library of materials to promulgate knowledge about tsunami in general and for use by the scientific community; and

(4) disseminate information, including educational materials and research reports.

(c) Detection equipment; technical advice and training

In carrying out this section, the National Weather Service—

(1) shall give priority to assisting nations in identifying vulnerable coastal areas, creating inundation maps, obtaining or designing real-time detection and reporting equipment, and establishing communication and warning networks and contact points in each vulnerable nation;

(2) may establish a process for transfer of detection and communication technology to affected nations for the purposes of establishing the international tsunami warning system; and

(3) shall provide technical and other assistance to support international tsunami programs.

(d) Data-sharing requirement

The National Weather Service, when deciding to provide assistance under this section, may take into consideration the data sharing policies and practices of nations proposed to receive such assistance, with a goal to encourage all nations to support full and open exchange of data.

(Pub. L. 109–424, § 7, Dec. 20, 2006, 120 Stat. 2907; Pub. L. 109–479, title VIII, § 807, Jan. 12, 2007, 120 Stat. 3659.)

CODIFICATION

Pub. L. 109–424 and title VIII of Pub. L. 109–479 enacted substantially identical sections. This section is based on the text of section 807 of Pub. L. 109–479.

§ 3207. Authorization of appropriations

There are authorized to be appropriated to the Administrator to carry out this chapter—

(1) $25,000,000 for fiscal year 2008, of which—

(A) not less than 27 percent of the amount appropriated shall be for the tsunami hazard mitigation program under section 3204 of this title; and

(B) not less than 8 percent of the amount appropriated shall be for the tsunami research program under section 3205 of this title;

(2) $26,000,000 for fiscal year 2009, of which—

(A) not less than 27 percent of the amount appropriated shall be for the tsunami hazard mitigation program under section 3204 of this title; and

(B) not less than 8 percent of the amount appropriated shall be for the tsunami research program under section 3205 of this title;

(3) $27,000,000 for fiscal year 2010, of which—

(A) not less than 27 percent of the amount appropriated shall be for the tsunami hazard mitigation program under section 3204 of this title; and

(B) not less than 8 percent of the amount appropriated shall be for the tsunami research program under section 3205 of this title;

(4) $28,000,000 for fiscal year 2011, of which—

(A) not less than 27 percent of the amount appropriated shall be for the tsunami hazard mitigation program under section 3204 of this title; and

(B) not less than 8 percent of the amount appropriated shall be for the tsunami research program under section 3205 of this title; and

(5) $29,000,000 for fiscal year 2012, of which—

(A) not less than 27 percent of the amount appropriated shall be for the tsunami hazard mitigation program under section 3204 of this title; and

(B) not less than 8 percent of the amount appropriated shall be for the tsunami research program under section 3205 of this title.

(Pub. L. 109–424, § 8, Dec. 20, 2006, 120 Stat. 2908; Pub. L. 109–479, title VIII, § 808, Jan. 12, 2007, 120 Stat. 3660.)

CODIFICATION

Pub. L. 109–424 and title VIII of Pub. L. 109–479 enacted substantially identical sections. This section is based on the text of section 808 of Pub. L. 109–479.

CHAPTER 46—NATIONAL LEVEE SAFETY PROGRAM

Sec.
3301. Definitions.
3302. Committee on Levee Safety.
3303. Inventory and inspection of levees.
3304. Limitations on statutory construction.
3305. Authorization of appropriations.

§ 3301. Definitions

In this chapter, the following definitions apply:

(1) Committee

The term ''committee'' means the Committee on Levee Safety established by section 3302(a) of this title.

(2) Inspection

The term ''inspection'' means an actual inspection of a levee—

(A) to establish the global information system location of the levee;

(B) to determine the general condition of the levee; and

(C) to estimate the number of structures and population at risk and protected by the levee that would be adversely impacted if the levee fails or water levels exceed the height of the levee.

(3) Levee

(A) In general

The term ''levee'' means an embankment, including floodwalls—

(i) the primary purpose of which is to provide hurricane, storm, and flood protection relating to seasonal high water, storm surges, precipitation, and other weather events; and

(ii) that normally is subject to water loading for only a few days or weeks during a year.

(B) Inclusion

The term includes structures along canals that constrain water flows and are subject to more frequent water loadings but that do not constitute a barrier across a watercourse.

(4) State

The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(5) State levee safety agency

The term ''State levee safety agency'' means the agency of a State that has regulatory authority over the safety of any non-Federal levee in the State.

(6) United States

The term ''United States'', when used in a geographical sense, means all of the States.

(Pub. L. 110–114, title IX, § 9002, Nov. 8, 2007, 121 Stat. 1288.)

SHORT TITLE

Pub. L. 110–114, title IX, § 9001, Nov. 8, 2007, 121 Stat. 1288, provided that: ''This title [enacting this chapter] may be cited as the 'National Levee Safety Act of 2007'.''

§ 3302. Committee on Levee Safety

(a) Establishment

There is established a committee to be known as the ''Committee on Levee Safety''.

(b) Membership

The committee shall be composed of 16 members as follows:

(1) The Secretary (or the Secretary's designee), who shall serve as the chairperson of the Committee.[1]

(2) The Administrator of the Federal Emergency Management Agency (or the Administrator's designee).

(3) The following 14 members appointed by the Secretary:

(A) Eight representatives of State levee safety agencies, one from each of the eight civil works divisions of the Corps of Engineers.

(B) Two representatives of the private sector who have expertise in levee safety.

(C) Two representatives of local and regional governmental agencies who have expertise in levee safety.

(D) Two representatives of Indian tribes who have expertise in levee safety.

(c) Duties

(1) Development of recommendations for national levee safety program

The committee shall develop recomendations[2] for a national levee safety program, including a strategic plan for implementation of the program.

(2) Report

Not later than 180 days after November 8, 2007, the committee shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Environment and Public Works of the Senate a report containing the recommendations developed under paragraph (1).

(d) Purposes

In developing recommendations under subsection (c)(1), the committee shall ensure that the national levee safety program meets the following goals:

(1) Ensuring the protection of human life and property by levees through the development of technologically, economically, socially, and environmentally feasible programs and procedures for hazard reduction and mitigation relating to levees.

(2) Encouraging use of the best available engineering policies and procedures for levee site investigation, design, construction, operation and maintenance, and emergency preparedness.

(3) Encouraging the establishment and implementation of an effective national levee safety program that may be delegated to qualified States for implementation, including identification of incentives and disincentives for State levee safety programs.

(4) Ensuring that levees are operated and maintained in accordance with appropriate and protective standards by conducting an inventory and inspection of levees.

(5) Developing and supporting public education and awareness projects to increase public acceptance and support of State and national levee safety programs.

(6) Building public awareness of the residual risks associated with living in levee protected areas.

[1] So in original. Probably should not be capitalized.

[2] So in original.

(7) Developing technical assistance materials for State and national levee safety programs.

(8) Developing methods to provide technical assistance relating to levee safety to non-Federal entities.

(9) Developing technical assistance materials, seminars, and guidelines relating to the physical integrity of levees in the United States.

(e) Compensation of members

A member of the committee shall serve without compensation.

(f) Travel expenses

Subject to the availability of appropriations, the Secretary shall reimburse a member of the committee for travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of a Federal agency under subchapter I of chapter 57 of title 5, while away from the home or regular place of business of the member in performance of services for the committee.

(g) Applicability of Federal Advisory Committee Act

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the committee.

(Pub. L. 110–114, title IX, § 9003, Nov. 8, 2007, 121 Stat. 1288; Pub. L. 110–274, § 1, July 15, 2008, 122 Stat. 2493.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (g), is Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

2008—Subsec. (f). Pub. L. 110–274 substituted ''Subject to the availability of appropriations,'' for ''To the extent amounts are made available in advance in appropriations Acts,''.

''SECRETARY'' DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 110–114, set out as a note under section 2201 of this title.

§ 3303. Inventory and inspection of levees

(a) Levee database

(1) In general

Not later than one year after November 8, 2007, the Secretary shall establish and maintain a database with an inventory of the Nation's levees.

(2) Contents

The database shall include—

(A) location information of all Federal levees in the Nation (including global information system information) and, for non-Federal levees, such information on levee location as is provided to the Secretary by State and local governmental agencies;

(B) utilizing such information as is available, the general condition of each levee; and

(C) an estimate of the number of structures and population at risk and protected by each levee that would be adversely impacted if the levee fails or water levels exceed the height of the levee.

(3) Availability of information

(A) Availability to Federal, State, and local governmental agencies

The Secretary shall make all of the information in the database available to appropriate Federal, State, and local governmental agencies.

(B) Availability to the public

The Secretary shall make the information in the database described in paragraph (2)(A), and such other information in the database as the Secretary determines appropriate, available to the public.

(b) Inventory and inspection of levees

(1) Federal levees

The Secretary, at Federal expense, shall establish an inventory and conduct an inspection of all federally owned and operated levees.

(2) Federally constructed, nonfederally operated and maintained levees

The Secretary shall establish an inventory and conduct an inspection of all federally constructed, non-federally operated and maintained levees, at the original cost share for the project.

(3) Participating levees

For non-Federal levees the owners of which are participating in the emergency response to natural disasters program established under section 701n of this title, the Secretary shall establish an inventory and conduct an inspection of each such levee if the owner of the levee requests such inspection. The Federal share of the cost of an inspection under this paragraph shall be 65 percent.

(Pub. L. 110–114, title IX, § 9004, Nov. 8, 2007, 121 Stat. 1290.)

''SECRETARY'' DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 110–114, set out as a note under section 2201 of this title.

§ 3304. Limitations on statutory construction

Nothing in this chapter shall be construed as—

(1) creating any liability of the United States or its officers or employees for the recovery of damages caused by an action or failure to act; or

(2) relieving an owner or operator of a levee of a legal duty, obligation, or liability incident to the ownership or operation of a levee.

(Pub. L. 110–114, title IX, § 9005, Nov. 8, 2007, 121 Stat. 1290.)

§ 3305. Authorization of appropriations

There is authorized to be appropriated to the Secretary to carry out this chapter $20,000,000 for each of fiscal years 2008 through 2013.

(Pub. L. 110–114, title IX, § 9006, Nov. 8, 2007, 121 Stat. 1291.)

''SECRETARY'' DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 110–114, set out as a note under section 2201 of this title.