

## TITLE 6—DOMESTIC SECURITY

Chap.		Sec.
1.	<b>Homeland Security Organization ...</b>	<b>101</b>
2.	<b>National Emergency Management</b>	<b>701</b>
3.	<b>Security and Accountability for Every Port .....</b>	<b>901</b>
4.	<b>Transportation Security .....</b>	<b>1101</b>
5.	<b>Border Infrastructure and Technology Modernization .....</b>	<b>1401</b>

### PRIOR PROVISIONS

A prior Title 6, Surety Bonds, was enacted by act July 30, 1947, ch. 390, §1, 61 Stat. 646, and was repealed by act Sept. 13, 1982, Pub. L. 97-258, §5(b), 96 Stat. 1068, 1085.

Sections 1 to 5 were repealed by Pub. L. 92-310, title II, §203(1), June 6, 1972, 86 Stat. 202.

Section 1, acts July 30, 1947, ch. 390, 61 Stat. 646; Oct. 31, 1951, ch. 655, §13, 65 Stat. 715, related to custody of official bonds.

Section 2, act July 30, 1947, ch. 390, 61 Stat. 647, directed examination at least once every two years of sufficiency of sureties on official bonds.

Section 3, acts July 30, 1947, ch. 390, 61 Stat. 647; Sept. 3, 1954, ch. 1263, §15, 68 Stat. 1231, related to renewal of bonds and continuance of liability.

Section 4, act July 30, 1947, ch. 390, 61 Stat. 647, related to notice of delinquency of principal. The provisions of the section were reenacted by section 260 of Pub. L. 92-310, which was classified to section 497a of former Title 31. See section 3532 of Title 31, Money and Finance.

Section 5, act July 30, 1947, ch. 390, 61 Stat. 648, related to limitation of actions against sureties.

Sections 6 to 13 were repealed by Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1068, 1085.

Section 6, acts July 30, 1947, ch. 390, 61 Stat. 648; Aug. 9, 1955, ch. 683, §2, 69 Stat. 620; June 6, 1972, Pub. L. 92-310, title II, §203(2), 86 Stat. 202, related to surety companies as sureties. See section 9304 of Title 31, Money and Finance.

Section 7, act July 30, 1947, ch. 390, 61 Stat. 648, related to appointment of agents and service of process with regards to surety companies as sureties. See section 9306 of Title 31.

Section 8, act July 30, 1947, ch. 390, 61 Stat. 649, related to deposit of copy of charter of surety company before transacting business under sections 6 to 13 of this title. See section 9305 of Title 31.

Section 9, act July 30, 1947, ch. 390, 61 Stat. 649, related to quarterly statements of surety companies filed with Secretary of the Treasury. See section 9305 of Title 31.

Section 10, act July 30, 1947, ch. 390, 61 Stat. 649, related to jurisdiction over surety companies with regards to suits on bonds. See section 9307 of Title 31.

Section 11, act July 30, 1947, ch. 390, 61 Stat. 649, provided sanctions for nonpayment of a judgment by surety company. See section 9305 of Title 31.

Section 12, act July 30, 1947, ch. 390, 61 Stat. 649, esopped a surety company to deny its corporate powers, etc. See section 9307 of Title 31.

Section 13, act July 30, 1947, ch. 390, 61 Stat. 650, provided for fining of surety companies for their failure to comply with law. See section 9308 of Title 31.

Section 14, acts July 30, 1947, ch. 390, 61 Stat. 650; Aug. 9, 1955, ch. 683, §1, 69 Stat. 618, which related to purchase of bonds to cover officers and employees of Federal Government, was repealed by Pub. L. 92-310, title II, §203(1), June 6, 1972, 86 Stat. 202.

Section 15, act July 30, 1947, ch. 390, 61 Stat. 650, which related to bonds and notes of United States in lieu of recognizance, stipulation, bond, guarantee, or undertaking and contractors' bonds, was repealed by Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1068, 1085. See sections 9301 and 9303 of Title 31, Money and Finance.

### CHAPTER 1—HOMELAND SECURITY ORGANIZATION

Sec.	
101.	Definitions.
102.	Construction; severability.
103.	Use of appropriated funds.

#### SUBCHAPTER I—DEPARTMENT OF HOMELAND SECURITY

111.	Executive department; mission.
112.	Secretary; functions.
113.	Other officers.
114.	Sensitive Security Information.
115.	Trade and customs revenue functions of the Department.

#### SUBCHAPTER II—INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION

##### PART A—INFORMATION AND ANALYSIS AND INFRASTRUCTURE PROTECTION; ACCESS TO INFORMATION

121.	Information and Analysis and Infrastructure Protection.
121a.	Homeland Security Intelligence Program.
122.	Access to information.
123.	Terrorist travel program.
124.	Homeland Security Advisory System.
124a.	Homeland security information sharing.
124b.	Comprehensive information technology network architecture.
124c.	Coordination with information sharing environment.
124d.	Intelligence components.
124e.	Training for employees of intelligence components.
124f.	Intelligence training development for State and local government officials.
124g.	Information sharing incentives.
124h.	Department of Homeland Security State, Local, and Regional Fusion Center Initiative.
124i.	Homeland Security Information Sharing Fellows Program.
124j.	Rural Policing Institute.
124k.	Interagency Threat Assessment and Coordination Group.
124l.	National asset database.
124m.	Classified Information Advisory Officer.

##### PART B—CRITICAL INFRASTRUCTURE INFORMATION

131.	Definitions.
------	--------------

Sec. 132.	Designation of critical infrastructure protection program.	Sec. 220.	Methamphetamine and methamphetamine precursor chemicals.
133.	Protection of voluntarily shared critical infrastructure information.	221.	Requirements with respect to administering polygraph examinations to law enforcement personnel of U.S. Customs and Border Protection.
134.	No private right of action.	222.	Advanced Training Center Revolving Fund.
	PART C—INFORMATION SECURITY		PART C—MISCELLANEOUS PROVISIONS
141.	Procedures for sharing information.	231.	Transfer of certain agricultural inspection functions of the Department of Agriculture.
142.	Privacy officer.	232.	Functions of Administrator of General Services.
143.	Enhancement of non-Federal cybersecurity.	233.	Functions of Transportation Security Administration.
144.	NET Guard.	234.	Preservation of Transportation Security Administration as a distinct entity.
145.	Cyber Security Enhancement Act of 2002.	235.	Coordination of information and information technology.
	PART D—OFFICE OF SCIENCE AND TECHNOLOGY	236.	Visa issuance.
161.	Establishment of Office; Director.	237.	Information on visa denials required to be entered into electronic data system.
162.	Mission of Office; duties.	238.	Office for Domestic Preparedness.
163.	Definition of law enforcement technology.	239.	Office of Cargo Security Policy.
164.	Abolishment of Office of Science and Technology of National Institute of Justice; transfer of functions.	240.	Border Enforcement Security Task Force.
165.	National Law Enforcement and Corrections Technology Centers.		PART D—IMMIGRATION ENFORCEMENT FUNCTIONS
	SUBCHAPTER III—SCIENCE AND TECHNOLOGY IN SUPPORT OF HOMELAND SECURITY	251.	Transfer of functions to Under Secretary for Border and Transportation Security.
181.	Under Secretary for Science and Technology.	252.	Establishment of Bureau of Border Security.
182.	Responsibilities and authorities of the Under Secretary for Science and Technology.	253.	Professional responsibility and quality review.
183.	Functions transferred.	254.	Employee discipline.
184.	Conduct of certain public health-related activities.	255.	Report on improving enforcement functions.
185.	Federally funded research and development centers.	256.	Sense of Congress regarding construction of fencing near San Diego, California.
186.	Miscellaneous provisions.	257.	Report.
187.	Homeland Security Advanced Research Projects Agency.		PART E—CITIZENSHIP AND IMMIGRATION SERVICES
188.	Conduct of research, development, demonstration, testing and evaluation.	271.	Establishment of Bureau of Citizenship and Immigration Services.
189.	Utilization of Department of Energy national laboratories and sites in support of homeland security activities.	272.	Citizenship and Immigration Services Ombudsman.
190.	Transfer of Plum Island Animal Disease Center, Department of Agriculture.	273.	Professional responsibility and quality review.
191.	Homeland Security Science and Technology Advisory Committee.	274.	Employee discipline.
192.	Homeland Security Institute.	275.	Transition.
193.	Technology clearinghouse to encourage and support innovative solutions to enhance homeland security.	276.	Report on improving immigration services.
194.	Enhancement of public safety communications interoperability.	277.	Report on responding to fluctuating needs.
195.	Office for Interoperability and Compatibility.	278.	Application of Internet-based technologies.
195a.	Emergency communications interoperability research and development.	279.	Children's affairs.
195b.	National Biosurveillance Integration Center.		PART F—GENERAL IMMIGRATION PROVISIONS
195c.	Promoting antiterrorism through international cooperation program.	291.	Abolishment of INS.
	SUBCHAPTER IV—DIRECTORATE OF BORDER AND TRANSPORTATION SECURITY	292.	Voluntary separation incentive payments.
	PART A—UNDER SECRETARY FOR BORDER AND TRANSPORTATION SECURITY	293.	Authority to conduct a demonstration project relating to disciplinary action.
201.	Under Secretary for Border and Transportation Security.	294.	Sense of Congress.
202.	Responsibilities.	295.	Director of Shared Services.
203.	Functions transferred.	296.	Separation of funding.
	PART B—UNITED STATES CUSTOMS SERVICE	297.	Reports and implementation plans.
211.	Establishment; Commissioner of Customs.	298.	Immigration functions.
212.	Retention of Customs revenue functions by Secretary of the Treasury.		SUBCHAPTER V—NATIONAL EMERGENCY MANAGEMENT
213.	Preservation of Customs funds.	311.	Definitions.
214.	Separate budget request for Customs.	312.	Definition.
215.	Definition.	313.	Federal Emergency Management Agency.
216.	GAO report to Congress.	314.	Authority and responsibilities.
217.	Allocation of resources by the Secretary.	314a.	FEMA programs.
218.	Reports to Congress.	315.	Functions transferred.
		316.	Preserving the Federal Emergency Management Agency.
		317.	Regional offices.
		318.	National Advisory Council.
		319.	National Integration Center.
		320.	Credentialing and typing.
		321.	The National Infrastructure Simulation and Analysis Center.

- |   |  |
|---|--|
| <p>Sec.<br/>321a. Evacuation plans and exercises.<br/>321b. Disability Coordinator.<br/>321c. Department and Agency officials.<br/>321d. National Operations Center.<br/>321e. Chief Medical Officer.<br/>321f. Nuclear incident response.<br/>321g. Conduct of certain public health-related activities.<br/>321h. Use of national private sector networks in emergency response.<br/>321i. Use of commercially available technology, goods, and services.<br/>321j. Procurement of security countermeasures for Strategic National Stockpile.<br/>321k. Model standards and guidelines for critical infrastructure workers.<br/>321l. Guidance and recommendations.<br/>321m. Voluntary private sector preparedness accreditation and certification program.<br/>321n. Acceptance of gifts.</p> <p>SUBCHAPTER VI—TREATMENT OF CHARITABLE TRUSTS FOR MEMBERS OF THE ARMED FORCES OF THE UNITED STATES AND OTHER GOVERNMENTAL ORGANIZATIONS</p> <p>331. Treatment of charitable trusts for members of the Armed Forces of the United States and other governmental organizations.</p> <p>SUBCHAPTER VII—MANAGEMENT</p> <p>341. Under Secretary for Management.<br/>342. Chief Financial Officer.<br/>343. Chief Information Officer.<br/>344. Chief Human Capital Officer.<br/>345. Establishment of Officer for Civil Rights and Civil Liberties.<br/>346. Consolidation and co-location of offices.<br/>347. Quadrennial homeland security review.</p> <p>SUBCHAPTER VIII—COORDINATION WITH NON-FEDERAL ENTITIES; INSPECTOR GENERAL; UNITED STATES SECRET SERVICE; COAST GUARD; GENERAL PROVISIONS</p> <p>PART A—COORDINATION WITH NON-FEDERAL ENTITIES</p> <p>361. Office for State and Local Government Coordination.</p> <p>PART B—INSPECTOR GENERAL</p> <p>371. Repealed.</p> <p>PART C—UNITED STATES SECRET SERVICE</p> <p>381. Functions transferred.</p> <p>PART D—ACQUISITIONS</p> <p>391. Research and development projects.<br/>392. Personal services.<br/>393. Special streamlined acquisition authority.<br/>394. Unsolicited proposals.<br/>395. Prohibition on contracts with corporate expatriates.<br/>396. Lead system integrator; financial interests.</p> <p>PART E—HUMAN RESOURCES MANAGEMENT</p> <p>411. Establishment of human resources management system.<br/>412. Labor-management relations.<br/>413. Use of counternarcotics enforcement activities in certain employee performance appraisals.<br/>414. Homeland Security Rotation Program.<br/>415. Homeland Security Education Program.<br/>416. Use of protective equipment or measures by employees.</p> <p>PART F—FEDERAL EMERGENCY PROCUREMENT FLEXIBILITY</p> <p>421. Definition.</p> | <p>Sec.<br/>422. Procurements for defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack.<br/>423. Increased simplified acquisition threshold for procurements in support of humanitarian or peacekeeping operations or contingency operations.<br/>424. Increased micro-purchase threshold for certain procurements.<br/>425. Application of certain commercial items authorities to certain procurements.<br/>426. Use of streamlined procedures.<br/>427. Review and report by Comptroller General.<br/>428. Identification of new entrants into the Federal marketplace.</p> <p>PART G—SUPPORT ANTI-TERRORISM BY FOSTERING EFFECTIVE TECHNOLOGIES</p> <p>441. Administration.<br/>442. Litigation management.<br/>443. Risk management.<br/>444. Definitions.</p> <p>PART H—MISCELLANEOUS PROVISIONS</p> <p>451. Advisory committees.<br/>452. Reorganization.<br/>453. Use of appropriated funds.<br/>453a. Additional uses of appropriated funds.<br/>453b. Requirement to buy certain items related to national security interests from American sources; exceptions.<br/>453c. Disposition of equines unfit for service.<br/>454. Future Years Homeland Security Program.<br/>455. Miscellaneous authorities.<br/>456. Military activities.<br/>457. Regulatory authority and preemption.<br/>458. Office of Counternarcotics Enforcement.<br/>459. Office of International Affairs.<br/>460. Prohibition of the Terrorism Information and Prevention System.<br/>461. Review of pay and benefit plans.<br/>462. Office of National Capital Region Coordination.<br/>463. Requirement to comply with laws protecting equal employment opportunity and providing whistleblower protections.<br/>464. Federal Law Enforcement Training Center.<br/>464a. Repealed.<br/>464b. Staffing accreditation function.<br/>464c. Student housing.<br/>464d. Additional funds for training.<br/>464e. Short-term medical services for students.<br/>465. Joint Interagency Task Force.<br/>466. Sense of Congress reaffirming the continued importance and applicability of the Posse Comitatus Act.<br/>467. Coordination with the Department of Health and Human Services under the Public Health Service Act.<br/>468. Preserving Coast Guard mission performance.<br/>469. Fees for credentialing and background investigations in transportation.<br/>469a. Collection of fees from non-Federal participants in meetings.<br/>470. Disclosures regarding homeland security grants.</p> <p>PART I—INFORMATION SHARING</p> <p>481. Short title; findings; and sense of Congress.<br/>482. Facilitating homeland security information sharing procedures.<br/>483. Report.<br/>484. Authorization of appropriations.<br/>485. Information sharing.<br/>486. Limitation of liability.</p> <p>PART J—SECURE HANDLING OF AMMONIUM NITRATE</p> <p>488. Definitions.</p> |
|---|--|

- Sec.  
488a. Regulation of the sale and transfer of ammonium nitrate.  
488b. Inspection and auditing of records.  
488c. Administrative provisions.  
488d. Theft reporting requirement.  
488e. Prohibitions and penalty.  
488f. Protection from civil liability.  
488g. Preemption of other laws.  
488h. Deadlines for regulations.  
488i. Authorization of appropriations.

SUBCHAPTER IX—NATIONAL HOMELAND SECURITY COUNCIL

491. National Homeland Security Council.  
492. Function.  
493. Membership.  
494. Other functions and activities.  
495. Staff composition.  
496. Relation to the National Security Council.

SUBCHAPTER X—CONSTRUCTION

511. Information security responsibilities of certain agencies.  
512. Construction.  
513. Federal air marshal program.

SUBCHAPTER XI—DEPARTMENT OF JUSTICE DIVISIONS

PART A—EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

521. Legal status of EOIR.  
522. Statutory construction.

PART B—TRANSFER OF THE BUREAU OF ALCOHOL, TOBACCO AND FIREARMS TO THE DEPARTMENT OF JUSTICE

531. Bureau of Alcohol, Tobacco, Firearms, and Explosives.  
532. Explosives Training and Research Facility.  
533. Transferred.

SUBCHAPTER XII—TRANSITION

PART A—REORGANIZATION PLAN

541. Definitions.  
542. Reorganization plan.  
543. Review of congressional committee structures.

PART B—TRANSITIONAL PROVISIONS

551. Transitional authorities.  
552. Savings provisions.  
552a. Savings provision of certain transfers made under the Homeland Security Act of 2002.  
553. Terminations.  
554. National identification system not authorized.  
555. Continuity of Inspector General oversight.  
556. Incidental transfers.  
557. Reference.

SUBCHAPTER XIII—EMERGENCY COMMUNICATIONS

571. Office of Emergency Communications.  
572. National Emergency Communications Plan.  
573. Assessments and reports.  
574. Coordination of Department emergency communications grant programs.  
575. Regional emergency communications coordination.  
576. Emergency Communications Preparedness Center.  
577. Urban and other high risk area communications capabilities.  
578. Definition.  
579. Interoperable Emergency Communications Grant Program.  
580. Border interoperability demonstration project.

Sec. SUBCHAPTER XIV—DOMESTIC NUCLEAR DETECTION OFFICE

591. Domestic Nuclear Detection Office.  
592. Mission of Office.  
592a. Technology research and development investment strategy for nuclear and radiological detection.  
593. Hiring authority.  
594. Testing authority.  
595. Relationship to other Department entities and Federal agencies.  
596. Contracting and grant making authorities.  
596a. Joint annual interagency review of global nuclear detection architecture.

SUBCHAPTER XV—HOMELAND SECURITY GRANTS

601. Definitions.

PART A—GRANTS TO STATES AND HIGH-RISK URBAN AREAS

603. Homeland security grant programs.  
604. Urban Area Security Initiative.  
605. State Homeland Security Grant Program.  
606. Grants to directly eligible tribes.  
607. Terrorism prevention.  
608. Prioritization.  
609. Use of funds.

PART B—GRANTS ADMINISTRATION

611. Administration and coordination.  
612. Accountability.  
613. Identification of reporting redundancies and development of performance metrics.

§ 101. Definitions

In this chapter, the following definitions apply:

(1) Each of the terms “American homeland” and “homeland” means the United States.

(2) The term “appropriate congressional committee” means any committee of the House of Representatives or the Senate having legislative or oversight jurisdiction under the Rules of the House of Representatives or the Senate, respectively, over the matter concerned.

(3) The term “assets” includes contracts, facilities, property, records, unobligated or unexpended balances of appropriations, and other funds or resources (other than personnel).

(4) The term “critical infrastructure” has the meaning given that term in section 5195c(e) of title 42.

(5) The term “Department” means the Department of Homeland Security.

(6) The term “emergency response providers” includes Federal, State, and local governmental and nongovernmental emergency public safety, fire, law enforcement, emergency response, emergency medical (including hospital emergency facilities), and related personnel, agencies, and authorities.

(7) The term “executive agency” means an executive agency and a military department, as defined, respectively, in sections 105 and 102 of title 5.

(8) The term “functions” includes authorities, powers, rights, privileges, immunities, programs, projects, activities, duties, and responsibilities.

(9) The term “intelligence component of the Department” means any element or entity of the Department that collects, gathers, proc-