

This subchapter, referred to in subsec. (c), was in the original “this title”, meaning title II of Pub. L. 107–296, Nov. 25, 2002, 116 Stat. 2145, which enacted this subchapter, amended sections 1030, 2511, 2512, 2520, 2701 to 2703, and 3125 of Title 18, Crimes and Criminal Procedure, sections 10102 and 10122 of Title 34, Crime Control and Law Enforcement, and section 401a of Title 50, War and National Defense, and enacted provisions set out as a note under section 101 of this title and listed in a Provisions for Review, Promulgation, or Amendment of Federal Sentencing Guidelines Relating to Specific Offenses table set out under section 994 of Title 28, Judiciary and Judicial Procedure. For complete classification of title II to the Code, see Tables.

AMENDMENTS

2003—Subsec. (b). Pub. L. 108–7 inserted before period at end “: *Provided*, That any such transfer shall be carried out in accordance with section 605 of Public Law 107–77”.

§ 165. National Law Enforcement and Corrections Technology Centers

(a) In general

The Director of the Office shall operate and support National Law Enforcement and Corrections Technology Centers (hereinafter in this section referred to as “Centers”) and, to the extent necessary, establish new centers through a merit-based, competitive process.

(b) Purpose of Centers

The purpose of the Centers shall be to—

- (1) support research and development of law enforcement technology;
- (2) support the transfer and implementation of technology;
- (3) assist in the development and dissemination of guidelines and technological standards; and
- (4) provide technology assistance, information, and support for law enforcement, corrections, and criminal justice purposes.

(c) Annual meeting

Each year, the Director shall convene a meeting of the Centers in order to foster collaboration and communication between Center participants.

(d) Report

Not later than 12 months after November 25, 2002, the Director shall transmit to the Congress a report assessing the effectiveness of the existing system of Centers and identify the number of Centers necessary to meet the technology needs of Federal, State, and local law enforcement in the United States.

(Pub. L. 107–296, title II, § 235, Nov. 25, 2002, 116 Stat. 2162.)

SUBCHAPTER III—SCIENCE AND TECHNOLOGY IN SUPPORT OF HOMELAND SECURITY

§ 181. Under Secretary for Science and Technology

There shall be in the Department a Directorate of Science and Technology headed by an Under Secretary for Science and Technology.

(Pub. L. 107–296, title III, § 301, Nov. 25, 2002, 116 Stat. 2163.)

§ 182. Responsibilities and authorities of the Under Secretary for Science and Technology

The Secretary, acting through the Under Secretary for Science and Technology, shall have the responsibility for—

(1) advising the Secretary regarding research and development efforts and priorities in support of the Department’s missions;

(2) developing, in consultation with other appropriate executive agencies, a national policy and strategic plan for, identifying priorities, goals, objectives and policies for, and coordinating the Federal Government’s civilian efforts to identify and develop countermeasures to chemical, biological,¹ and other emerging terrorist threats, including the development of comprehensive, research-based definable goals for such efforts and development of annual measurable objectives and specific targets to accomplish and evaluate the goals for such efforts;

(3) supporting the Under Secretary for Intelligence and Analysis and the Assistant Secretary for Infrastructure Protection, by assessing and testing homeland security vulnerabilities and possible threats;

(4) conducting basic and applied research, development, demonstration, testing, and evaluation activities that are relevant to any or all elements of the Department, through both intramural and extramural programs, except that such responsibility does not extend to human health-related research and development activities;

(5) establishing priorities for, directing, funding, and conducting national research, development, test and evaluation, and procurement of technology and systems for—

(A) preventing the importation of chemical, biological,¹ and related weapons and material; and

(B) detecting, preventing, protecting against, and responding to terrorist attacks;

(6) establishing a system for transferring homeland security developments or technologies to Federal, State, local government, and private sector entities;

(7) entering into work agreements, joint sponsorships, contracts, or any other agreements with the Department of Energy regarding the use of the national laboratories or sites and support of the science and technology base at those facilities;

(8) collaborating with the Secretary of Agriculture and the Attorney General as provided in section 8401 of title 7;

(9) collaborating with the Secretary of Health and Human Services and the Attorney General in determining any new biological agents and toxins that shall be listed as “select agents” in Appendix A of part 72 of title 42, Code of Federal Regulations, pursuant to section 262a of title 42;

(10) supporting United States leadership in science and technology;

(11) establishing and administering the primary research and development activities of the Department, including the long-term re-

¹ So in original.

search and development needs and capabilities for all elements of the Department;

(12) coordinating and integrating all research, development, demonstration, testing, and evaluation activities of the Department;

(13) coordinating with other appropriate executive agencies in developing and carrying out the science and technology agenda of the Department to reduce duplication and identify unmet needs; and

(14) developing and overseeing the administration of guidelines for merit review of research and development projects throughout the Department, and for the dissemination of research conducted or sponsored by the Department.

(Pub. L. 107-296, title III, §302, Nov. 25, 2002, 116 Stat. 2163; Pub. L. 109-347, title V, §501(b)(2), Oct. 13, 2006, 120 Stat. 1935; Pub. L. 110-53, title V, §531(b)(1)(C), Aug. 3, 2007, 121 Stat. 334.)

AMENDMENTS

2007—Par. (3). Pub. L. 110-53 substituted “Under Secretary for Intelligence and Analysis and the Assistant Secretary for Infrastructure Protection” for “Under Secretary for Information Analysis and Infrastructure Protection”.

2006—Pars. (2), (5)(A). Pub. L. 109-347 struck out “radiological, nuclear” after “biological.”

§ 183. Functions transferred

In accordance with subchapter XII, there shall be transferred to the Secretary the functions, personnel, assets, and liabilities of the following entities:

(1) The following programs and activities of the Department of Energy, including the functions of the Secretary of Energy relating thereto (but not including programs and activities relating to the strategic nuclear defense posture of the United States):

(A) The chemical and biological national security and supporting programs and activities of the nonproliferation and verification research and development program.

(B) The nuclear smuggling programs and activities within the proliferation detection program of the nonproliferation and verification research and development program. The programs and activities described in this subparagraph may be designated by the President either for transfer to the Department or for joint operation by the Secretary and the Secretary of Energy.

(C) The nuclear assessment program and activities of the assessment, detection, and cooperation program of the international materials protection and cooperation program.

(D) Such life sciences activities of the biological and environmental research program related to microbial pathogens as may be designated by the President for transfer to the Department.

(E) The Environmental Measurements Laboratory.

(F) The advanced scientific computing research program and activities at Lawrence Livermore National Laboratory.

(2) The National Bio-Weapons Defense Analysis Center of the Department of Defense,

including the functions of the Secretary of Defense related thereto.

(Pub. L. 107-296, title III, §303, Nov. 25, 2002, 116 Stat. 2164.)

§ 184. Conduct of certain public health-related activities

(a) In general

With respect to civilian human health-related research and development activities relating to countermeasures for chemical, biological, radiological, and nuclear and other emerging terrorist threats carried out by the Department of Health and Human Services (including the Public Health Service), the Secretary of Health and Human Services shall set priorities, goals, objectives, and policies and develop a coordinated strategy for such activities in collaboration with the Secretary of Homeland Security to ensure consistency with the national policy and strategic plan developed pursuant to section 182(2) of this title.

(b) Evaluation of progress

In carrying out subsection (a), the Secretary of Health and Human Services shall collaborate with the Secretary in developing specific benchmarks and outcome measurements for evaluating progress toward achieving the priorities and goals described in such subsection.

(Pub. L. 107-296, title III, §304, Nov. 25, 2002, 116 Stat. 2165.)

CODIFICATION

Section is comprised of section 304 of Pub. L. 107-296. Subsec. (c) of section 304 of Pub. L. 107-296 amended section 233 of Title 42, The Public Health and Welfare.

§ 185. Federally funded research and development centers

The Secretary, acting through the Under Secretary for Science and Technology, shall have the authority to establish or contract with 1 or more federally funded research and development centers to provide independent analysis of homeland security issues, or to carry out other responsibilities under this chapter, including coordinating and integrating both the extramural and intramural programs described in section 188 of this title.

(Pub. L. 107-296, title III, §305, Nov. 25, 2002, 116 Stat. 2168.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 107-296, Nov. 25, 2002, 116 Stat. 2135, known as the Homeland Security Act of 2002, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 101 of this title and Tables.

§ 186. Miscellaneous provisions

(a) Classification

To the greatest extent practicable, research conducted or supported by the Department shall be unclassified.

(b) Construction

Nothing in this subchapter shall be construed to preclude any Under Secretary of the Depart-