

TITLE 6—DOMESTIC SECURITY

Chap.		Sec.
1.	Homeland Security Organization ...	101
2.	National Emergency Management	701
3.	Security and Accountability for Every Port	901
4.	Transportation Security	1101
5.	Border Infrastructure and Technology Modernization	1401
6.	Cybersecurity	1501

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A prior Title 6, Surety Bonds, was enacted by act July 30, 1947, ch. 390, §1, 61 Stat. 646, and was repealed by act Sept. 13, 1982, Pub.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Sections 1 to 5 were repealed by Pub.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Sections 6 to 13 were repealed by Pub.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.
104.	National biodefense strategy.

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

PART A—INFORMATION AND ANALYSIS; ACCESS TO INFORMATION

121.	Information and Analysis.
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.	Transferred.
124m.	Classified Information Advisory Officer.
124n.	Protection of certain facilities and assets from unmanned aircraft.
125.	Annual report on intelligence activities of the Department of Homeland Security.

Sec. 126.	Department of Homeland Security data framework.	Sec. 212.	Retention of Customs revenue functions by Secretary of the Treasury.
	PART B—INFORMATION SECURITY	213.	Preservation of Customs funds.
131 to 134.	Transferred.	214.	Separate budget request for Customs.
141.	Procedures for sharing information.	215.	Definition.
142.	Privacy officer.	216.	Repealed.
143 to 145.	Transferred.	217.	Allocation of resources by the Secretary.
146.	Cybersecurity workforce assessment and strategy.	218.	Asia-Pacific Economic Cooperation Business Travel Cards.
147 to 151.	Transferred.	220.	Methamphetamine and methamphetamine precursor chemicals.
	PART C—OFFICE OF SCIENCE AND TECHNOLOGY	221.	Requirements with respect to administering polygraph examinations to law enforcement personnel of U.S. Customs and Border Protection.
161.	Establishment of Office; Director.	222.	Advanced Training Center Revolving Fund.
162.	Mission of Office; duties.	223.	Border security metrics.
163.	Definition of law enforcement technology.		PART C—MISCELLANEOUS PROVISIONS
164.	Abolishment of Office of Science and Technology of National Institute of Justice; transfer of functions.	231.	Transfer of certain agricultural inspection functions of the Department of Agriculture.
165.	National Law Enforcement and Corrections Technology Centers.	232.	Functions of Administrator of General Services.
	SUBCHAPTER III—SCIENCE AND TECHNOLOGY IN SUPPORT OF HOMELAND SECURITY	233.	Functions of Transportation Security Administration.
181.	Under Secretary for Science and Technology.	234.	Preservation of Transportation Security Administration as a distinct entity.
182.	Responsibilities and authorities of the Under Secretary for Science and Technology.	235.	Coordination of information and information technology.
183.	Functions transferred.	236.	Visa issuance.
184.	Conduct of certain public health-related activities.	237.	Information on visa denials required to be entered into electronic data system.
185.	Federally funded research and development centers.	238.	Office for Domestic Preparedness.
186.	Miscellaneous provisions.	239.	Office of Cargo Security Policy.
187.	Homeland Security Advanced Research Projects Agency.	240.	Border Enforcement Security Task Force.
188.	Conduct of research, development, demonstration, testing and evaluation.	241.	Prevention of international child abduction.
189.	Utilization of Department of Energy national laboratories and sites in support of homeland security activities.	242.	Department of Homeland Security Blue Campaign.
190.	Transfer of Plum Island Animal Disease Center, Department of Agriculture.	243.	Maritime operations coordination plan.
191.	Homeland Security Science and Technology Advisory Committee.	244.	Maritime security capabilities assessments.
192.	Homeland Security Institute.		PART D—IMMIGRATION ENFORCEMENT FUNCTIONS
193.	Technology clearinghouse to encourage and support innovative solutions to enhance homeland security.	251.	Transfer of functions.
194.	Enhancement of public safety communications interoperability.	252.	Establishment of Bureau of Border Security.
195.	Office for Interoperability and Compatibility.	253.	Professional responsibility and quality review.
195a.	Emergency communications interoperability research and development.	254.	Employee discipline.
195b.	National Biosurveillance Integration Center.	255.	Report on improving enforcement functions.
195c.	Promoting antiterrorism through international cooperation program.	256.	Sense of Congress regarding construction of fencing near San Diego, California.
195d.	Social media working group.	257.	Report.
195e.	Transparency in research and development.		PART E—CITIZENSHIP AND IMMIGRATION SERVICES
195f.	EMP and GMD mitigation research and development and threat assessment, response, and recovery.	271.	Establishment of Bureau of Citizenship and Immigration Services.
	SUBCHAPTER IV—BORDER, MARITIME, AND TRANSPORTATION SECURITY	272.	Citizenship and Immigration Services Ombudsman.
	PART A—BORDER, MARITIME, AND TRANSPORTATION SECURITY RESPONSIBILITIES AND FUNCTIONS	273.	Professional responsibility and quality review.
201.	Repealed.	274.	Employee discipline.
202.	Border, maritime, and transportation responsibilities.	275.	Transition.
203.	Functions transferred.	276.	Report on improving immigration services.
204.	Surface Transportation Security Advisory Committee.	277.	Report on responding to fluctuating needs.
205.	Ombudsman for immigration detention.	278.	Application of Internet-based technologies.
	PART B—U.S. CUSTOMS AND BORDER PROTECTION	279.	Children's affairs.
211.	Establishment of U.S. Customs and Border Protection; Commissioner, Deputy Commissioner, and operational offices.		PART F—GENERAL IMMIGRATION PROVISIONS
		291.	Abolishment of INS.
		292.	Voluntary separation incentive payments.
		293.	Authority to conduct a demonstration project relating to disciplinary action.
		294.	Sense of Congress.
		295.	Director of Shared Services.
		296.	Separation of funding.
		297.	Reports and implementation plans.
		298.	Immigration functions.
			PART G—U.S. CUSTOMS AND BORDER PROTECTION PUBLIC PRIVATE PARTNERSHIPS
		301.	Fee agreements for certain services at ports of entry.

- Sec.
301a. Port of entry donation authority.
301b. Current and proposed agreements.
301c. Definitions.
- SUBCHAPTER V—NATIONAL EMERGENCY MANAGEMENT
311. Definitions.
312. Definition.
313. Federal Emergency Management Agency.
314. Authority and responsibilities.
314a. FEMA programs.
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.
321a. Evacuation plans and exercises.
321b. Disability Coordinator.
321c. Department and Agency officials.
321d. National Operations Center.
321e. Repealed.
321f. Nuclear incident response.
321g. Conduct of certain public health-related activities.
321h. Use of national private sector networks in emergency response.
321i. Use of commercially available technology, goods, and services.
321j. Procurement of security countermeasures for Strategic National Stockpile.
321k. Model standards and guidelines for critical infrastructure workers.
321l. Guidance and recommendations.
321m. Voluntary private sector preparedness accreditation and certification program.
321n. Acceptance of gifts.
321o. Integrated public alert and warning system modernization.
321o-1. Integrated public alert and warning system.
321p. National planning and education.
321q. Coordination of Department of Homeland Security efforts related to food, agriculture, and veterinary defense against terrorism.
- SUBCHAPTER VI—TREATMENT OF CHARITABLE TRUSTS FOR MEMBERS OF THE ARMED FORCES OF THE UNITED STATES AND OTHER GOVERNMENTAL ORGANIZATIONS
331. Treatment of charitable trusts for members of the Armed Forces of the United States and other governmental organizations.
- SUBCHAPTER VII—MANAGEMENT
341. Under Secretary for Management.
342. Chief Financial Officer.
343. Chief Information Officer.
344. Chief Human Capital Officer.
345. Establishment of Officer for Civil Rights and Civil Liberties.
346. Consolidation and co-location of offices.
347. Quadrennial homeland security review.
348. Joint task forces.
349. Office of Strategy, Policy, and Plans.
350. Workforce health and medical support.
- SUBCHAPTER VIII—COORDINATION WITH NON-FEDERAL ENTITIES; INSPECTOR GENERAL; UNITED STATES SECRET SERVICE; COAST GUARD; GENERAL PROVISIONS
- PART A—COORDINATION WITH NON-FEDERAL ENTITIES
361. Office for State and Local Government Coordination.
- PART B—INSPECTOR GENERAL
371. Repealed.
- Sec.
PART C—UNITED STATES SECRET SERVICE
381. Functions transferred.
382. Use of proceeds derived from criminal investigations.
383. National Computer Forensics Institute.
- PART D—ACQUISITIONS
391. Research and development projects.
392. Personal services.
393. Special streamlined acquisition authority.
394. Unsolicited proposals.
395. Prohibition on contracts with corporate expatriates.
396. Lead system integrator; financial interests.
- PART E—HUMAN RESOURCES MANAGEMENT
411. Establishment of human resources management system.
412. Labor-management relations.
413. Use of counternarcotics enforcement activities in certain employee performance appraisals.
414. Homeland Security Rotation Program.
415. Homeland Security Education Program.
416. Use of protective equipment or measures by employees.
- PART F—FEDERAL EMERGENCY PROCUREMENT FLEXIBILITY
421. Definition.
422. Procurements for defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack.
423. Increased simplified acquisition threshold for procurements in support of humanitarian or peacekeeping operations or contingency operations.
424. Increased micro-purchase threshold for certain procurements.
425. Application of certain commercial items authorities to certain procurements.
426. Use of streamlined procedures.
427. Review and report by Comptroller General.
428. Identification of new entrants into the Federal marketplace.
- PART G—SUPPORT ANTI-TERRORISM BY FOSTERING EFFECTIVE TECHNOLOGIES
441. Administration.
442. Litigation management.
443. Risk management.
444. Definitions.
- PART H—MISCELLANEOUS PROVISIONS
451. Advisory committees.
452. Reorganization.
453. Use of appropriated funds.
453a. Additional uses of appropriated funds.
453b. Requirement to buy certain items related to national security interests from American sources; exceptions.
453c. Disposition of equines unfit for service.
454. Future Years Homeland Security Program.
455. Miscellaneous authorities.
456. Military activities.
457. Regulatory authority and preemption.
458. Office of Counternarcotics Enforcement.
459. Office of International Affairs.
460. Prohibition of the Terrorism Information and Prevention System.
461. Review of pay and benefit plans.
462. Office of National Capital Region Coordination.
463. Requirement to comply with laws protecting equal employment opportunity and providing whistleblower protections.
464. Federal Law Enforcement Training Centers.

- Sec. 464a. Repealed.
- 464b. Staffing accreditation function.
- 464c. Student housing.
- 464d. Additional funds for training.
- 464e. Short-term medical services for students.
465. Joint Interagency Task Force.
466. Sense of Congress reaffirming the continued importance and applicability of the Posse Comitatus Act.
467. Coordination with the Department of Health and Human Services under the Public Health Service Act.
468. Preserving Coast Guard mission performance.
469. Fees for credentialing and background investigations in transportation.
- 469a. Collection of fees from non-Federal participants in meetings.
470. Disclosures regarding homeland security grants.
471. Annual ammunition report.
472. Annual weaponry report.
473. Cyber Crimes Center, Child Exploitation Investigations Unit, Computer Forensics Unit, and Cyber Crimes Unit.
- PART I—INFORMATION SHARING
481. Short title; findings; and sense of Congress.
482. Facilitating homeland security information sharing procedures.
483. Report.
484. Authorization of appropriations.
485. Information sharing.
486. Limitation of liability.
- PART J—SECURE HANDLING OF AMMONIUM NITRATE
488. Definitions.
- 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 XII-A—TRANSPORTATION SECURITY
- PART A—GENERAL PROVISIONS
561. Definitions.
- PART B—TRANSPORTATION SECURITY ADMINISTRATION ACQUISITION IMPROVEMENTS
563. 5-year technology investment plan.
- 563a. Acquisition justification and reports.
- 563b. Acquisition baseline establishment and reports.
- 563c. Inventory utilization.
- 563d. Small business contracting goals.
- 563e. Consistency with the Federal Acquisition Regulation and departmental policies and directives.
- 563f. Diversified security technology industry marketplace.
- PART C—MAINTENANCE OF SECURITY-RELATED TECHNOLOGY
565. Maintenance validation and oversight.
- SUBCHAPTER XIII—EMERGENCY COMMUNICATIONS
571. Emergency Communications Division.
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.
- SUBCHAPTER XIV—COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE
590. Definitions.
- PART A—COUNTERING WEAPONS OF MASS DESTRUCTION
591. Countering Weapons of Mass Destruction Office.
- PART B—MISSION OF THE OFFICE
- 591g. Mission of the Office.
- 591h. Relationship to other Department components and Federal agencies.
592. Responsibilities.
- 592a. Technology research and development investment strategy for nuclear and radiological detection.
593. Hiring authority.
594. Testing authority.
595. Repealed.

- Sec.
596. Contracting and grant making authorities.
596a. Joint annual interagency review of global nuclear detection architecture.
596b. Securing the Cities program.

PART C—CHIEF MEDICAL OFFICER

597. Chief Medical Officer.

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.
609a. Nonprofit Security Grant Program.

PART B—GRANTS ADMINISTRATION

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

SUBCHAPTER XVI—CHEMICAL FACILITY ANTI-TERRORISM STANDARDS

621. Definitions.
622. Chemical Facility Anti-Terrorism Standards Program.
623. Protection and sharing of information.
624. Civil enforcement.
625. Whistleblower protections.
626. Relationship to other laws.
627. CFATS regulations.
628. Small covered chemical facilities.
629. Outreach to chemical facilities of interest.

SUBCHAPTER XVII—ANTI-TRAFFICKING TRAINING FOR DEPARTMENT OF HOMELAND SECURITY PERSONNEL

641. Definitions.
642. Training for Department personnel to identify human trafficking.
643. Certification and report to Congress.
644. Assistance to non-Federal entities.
645. Victim protection training for the Department of Homeland Security.
645a. Human trafficking assessment.

SUBCHAPTER XVIII—CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY

PART A—CYBERSECURITY AND INFRASTRUCTURE SECURITY

651. Definitions.
652. Cybersecurity and Infrastructure Security Agency.
653. Cybersecurity Division.
654. Infrastructure Security Division.
655. Enhancement of Federal and non-Federal cybersecurity.
656. NET Guard.
657. Cyber Security Enhancement Act of 2002.
658. Cybersecurity recruitment and retention.
659. National cybersecurity and communications integration center.
660. Cybersecurity plans.
661. Cybersecurity strategy.
662. Clearances.
663. Federal intrusion detection and prevention system.
664. National asset database.

PART B—CRITICAL INFRASTRUCTURE INFORMATION

671. Definitions.

- Sec.
672. Designation of critical infrastructure protection program.
673. Protection of voluntarily shared critical infrastructure information.
674. No private right of action.

§ 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 “EMP” means an electromagnetic pulse caused by a nuclear device or nonnuclear device, including such a pulse caused by an act of terrorism.

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

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

(10) The term “GMD” means a geomagnetic disturbance caused by a solar storm or another naturally occurring phenomenon.

(11) The term “intelligence component of the Department” means any element or entity of the Department that collects, gathers, processes, analyzes, produces, or disseminates intelligence information within the scope of the information sharing environment, including homeland security information, terrorism information, and weapons of mass destruction information, or national intelligence, as defined under section 3003(5) of title 50, except—

(A) the United States Secret Service; and

(B) the Coast Guard, when operating under the direct authority of the Secretary of Defense or Secretary of the Navy pursuant to section 3¹ of title 14, except that nothing in this paragraph shall affect or diminish the authority and responsibilities of the Commandant of the Coast Guard to command or control the Coast Guard as an armed force or

¹ See References in Text note below.