

§ 195a. Emergency communications interoperability research and development

(a) In general

The Under Secretary for Science and Technology, acting through the Director of the Office for Interoperability and Compatibility, shall establish a comprehensive research and development program to support and promote—

(1) the ability of emergency response providers and relevant government officials to continue to communicate in the event of natural disasters, acts of terrorism, and other man-made disasters; and

(2) interoperable emergency communications capabilities among emergency response providers and relevant government officials, including by—

(A) supporting research on a competitive basis, including through the Directorate of Science and Technology and Homeland Security Advanced Research Projects Agency; and

(B) considering the establishment of a Center of Excellence under the Department of Homeland Security Centers of Excellence Program focused on improving emergency response providers' communication capabilities.

(b) Purposes

The purposes of the program established under subsection (a) include—

(1) supporting research, development, testing, and evaluation on emergency communication capabilities;

(2) understanding the strengths and weaknesses of the public safety communications systems in use;

(3) examining how current and emerging technology can make emergency response providers more effective, and how Federal, State, local, and tribal government agencies can use this technology in a coherent and cost-effective manner;

(4) investigating technologies that could lead to long-term advancements in emergency communications capabilities and supporting research on advanced technologies and potential systemic changes to dramatically improve emergency communications; and

(5) evaluating and validating advanced technology concepts, and facilitating the development and deployment of interoperable emergency communication capabilities.

(c) Definitions

For purposes of this section, the term “interoperable”, with respect to emergency communications, has the meaning given the term in section 578 of this title.

(Pub. L. 107–296, title III, § 315, as added Pub. L. 109–295, title VI, § 673(a), Oct. 4, 2006, 120 Stat. 1443.)

§ 195b. National Biosurveillance Integration Center

(a) Establishment

The Secretary, acting through the Assistant Secretary for the Countering Weapons of Mass Destruction Office, shall establish, operate, and

maintain a National Biosurveillance Integration Center (referred to in this section as the “NBIC”), which shall be headed by a Directing Officer, under an office or directorate of the Department that is in existence as of August 3, 2007.

(b) Primary mission

The primary mission of the NBIC is to—

(1) enhance the capability of the Federal Government to—

(A) rapidly identify, characterize, localize, and track a biological event of national concern by integrating and analyzing data relating to human health, animal, plant, food, and environmental monitoring systems (both national and international); and

(B) disseminate alerts and other information to Member Agencies and, in coordination with (and where possible through) Member Agencies, to agencies of State, local, and tribal governments, as appropriate, to enhance the ability of such agencies to respond to a biological event of national concern; and

(2) oversee development and operation of the National Biosurveillance Integration System.

(c) Requirements

The NBIC shall detect, as early as possible, a biological event of national concern that presents a risk to the United States or the infrastructure or key assets of the United States, including by—

(1) consolidating data from all relevant surveillance systems maintained by Member Agencies to detect biological events of national concern across human, animal, and plant species;

(2) seeking private sources of surveillance, both foreign and domestic, when such sources would enhance coverage of critical surveillance gaps;

(3) using an information technology system that uses the best available statistical and other analytical tools to identify and characterize biological events of national concern in as close to real-time as is practicable;

(4) providing the infrastructure for such integration, including information technology systems and space, and support for personnel from Member Agencies with sufficient expertise to enable analysis and interpretation of data;

(5) working with Member Agencies to create information technology systems that use the minimum amount of patient data necessary and consider patient confidentiality and privacy issues at all stages of development and apprise the Privacy Officer of such efforts; and

(6) alerting Member Agencies and, in coordination with (and where possible through) Member Agencies, public health agencies of State, local, and tribal governments regarding any incident that could develop into a biological event of national concern.

(d) Responsibilities of the Directing Officer of the NBIC

(1) In general

The Directing Officer of the NBIC shall—

(A) on an ongoing basis, monitor the availability and appropriateness of surveillance systems used by the NBIC and those systems that could enhance biological situational awareness or the overall performance of the NBIC;

(B) on an ongoing basis, review and seek to improve the statistical and other analytical methods used by the NBIC;

(C) receive and consider other relevant homeland security information, as appropriate; and

(D) provide technical assistance, as appropriate, to all Federal, regional, State, local, and tribal government entities and private sector entities that contribute data relevant to the operation of the NBIC.

(2) Assessments

The Directing Officer of the NBIC shall—

(A) on an ongoing basis, evaluate available data for evidence of a biological event of national concern; and

(B) integrate homeland security information with NBIC data to provide overall situational awareness and determine whether a biological event of national concern has occurred.

(3) Information sharing

(A) In general

The Directing Officer of the NBIC shall—

(i) establish a method of real-time communication with the National Operations Center;

(ii) in the event that a biological event of national concern is detected, notify the Secretary and disseminate results of NBIC assessments relating to that biological event of national concern to appropriate Federal response entities and, in coordination with relevant Member Agencies, regional, State, local, and tribal governmental response entities in a timely manner;

(iii) provide any report on NBIC assessments to Member Agencies and, in coordination with relevant Member Agencies, any affected regional, State, local, or tribal government, and any private sector entity considered appropriate that may enhance the mission of such Member Agencies, governments, or entities or the ability of the Nation to respond to biological events of national concern; and

(iv) share NBIC incident or situational awareness reports, and other relevant information, consistent with the information sharing environment established under section 485 of this title and any policies, guidelines, procedures, instructions, or standards established under that section.

(B) Consultation

The Directing Officer of the NBIC shall implement the activities described in subparagraph (A) consistent with the policies, guidelines, procedures, instructions, or standards established under section 485 of this title and in consultation with the Director of National Intelligence, the Under Secretary for

Intelligence and Analysis, and other offices or agencies of the Federal Government, as appropriate.

(e) Responsibilities of the NBIC member agencies

(1)¹ In general

Each Member Agency shall—

(A) use its best efforts to integrate biosurveillance information into the NBIC, with the goal of promoting information sharing between Federal, State, local, and tribal governments to detect biological events of national concern;

(B) provide timely information to assist the NBIC in maintaining biological situational awareness for accurate detection and response purposes;

(C) enable the NBIC to receive and use biosurveillance information from member agencies to carry out its requirements under subsection (c);

(D) connect the biosurveillance data systems of that Member Agency to the NBIC data system under mutually agreed protocols that are consistent with subsection (c)(5);

(E) participate in the formation of strategy and policy for the operation of the NBIC and its information sharing;

(F) provide personnel to the NBIC under an interagency personnel agreement and consider the qualifications of such personnel necessary to provide human, animal, and environmental data analysis and interpretation support to the NBIC; and

(G) retain responsibility for the surveillance and intelligence systems of that department or agency, if applicable.

(f) Administrative authorities

(1) Hiring of experts

The Directing Officer of the NBIC shall hire individuals with the necessary expertise to develop and operate the NBIC.

(2) Detail of personnel

Upon the request of the Directing Officer of the NBIC, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Department to assist the NBIC in carrying out this section.

(g) NBIC interagency working group

The Directing Officer of the NBIC shall—

(1) establish an interagency working group to facilitate interagency cooperation and to advise the Directing Officer of the NBIC regarding recommendations to enhance the biosurveillance capabilities of the Department; and

(2) invite Member Agencies to serve on that working group.

(h) Relationship to other departments and agencies

The authority of the Directing Officer of the NBIC under this section shall not affect any authority or responsibility of any other depart-

¹ So in original. No par. (2) has been enacted.

ment or agency of the Federal Government with respect to biosurveillance activities under any program administered by that department or agency.

(i) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this section.

(j) Definitions

In this section:

(1) The terms “biological agent” and “toxin” have the meanings given those terms in section 178 of title 18.

(2) The term “biological event of national concern” means—

(A) an act of terrorism involving a biological agent or toxin; or

(B) a naturally occurring outbreak of an infectious disease that may result in a national epidemic.

(3) The term “homeland security information” has the meaning given that term in section 482 of this title.

(4) The term “Member Agency” means any Federal department or agency that, at the discretion of the head of that department or agency, has entered a memorandum of understanding regarding participation in the NBIC.

(5) The term “Privacy Officer” means the Privacy Officer appointed under section 142 of this title.

(Pub. L. 107–296, title III, §316, as added Pub. L. 110–53, title XI, §1101(a), Aug. 3, 2007, 121 Stat. 375; amended Pub. L. 115–387, §2(f)(2), Dec. 21, 2018, 132 Stat. 5168.)

AMENDMENTS

2018—Subsec. (a). Pub. L. 115–387 substituted “Secretary, acting through the Assistant Secretary for the Countering Weapons of Mass Destruction Office, shall” for “Secretary shall”.

DEADLINE FOR IMPLEMENTATION

Pub. L. 110–53, title XI, §1101(c), Aug. 3, 2007, 121 Stat. 378, provided that: “The National Biosurveillance Integration Center under section 316 of the Homeland Security Act [of 2002, 6 U.S.C. 195b], as added by subsection (a), shall be fully operational by not later than September 30, 2008.”

§ 195c. Promoting antiterrorism through international cooperation program

(a) Definitions

In this section:

(1) Director

The term “Director” means the Director selected under subsection (b)(2).

(2) International cooperative activity

The term “international cooperative activity” includes—

(A) coordinated research projects, joint research projects, or joint ventures;

(B) joint studies or technical demonstrations;

(C) coordinated field exercises, scientific seminars, conferences, symposia, and workshops;

(D) training of scientists and engineers;

(E) visits and exchanges of scientists, engineers, or other appropriate personnel;

(F) exchanges or sharing of scientific and technological information; and

(G) joint use of laboratory facilities and equipment.

(b) Science and Technology Homeland Security International Cooperative Programs Office

(1) Establishment

The Under Secretary shall establish the Science and Technology Homeland Security International Cooperative Programs Office.

(2) Director

The Office shall be headed by a Director, who—

(A) shall be selected, in consultation with the Assistant Secretary for International Affairs, by and shall report to the Under Secretary; and

(B) may be an officer of the Department serving in another position.

(3) Responsibilities

(A) Development of mechanisms

The Director shall be responsible for developing, in coordination with the Department of State and, as appropriate, the Department of Defense, the Department of Energy, and other Federal agencies, understandings and agreements to allow and to support international cooperative activity in support of homeland security.

(B) Priorities

The Director shall be responsible for developing, in coordination with the Office of International Affairs and other Federal agencies, strategic priorities for international cooperative activity for the Department in support of homeland security.

(C) Activities

The Director shall facilitate the planning, development, and implementation of international cooperative activity to address the strategic priorities developed under subparagraph (B) through mechanisms the Under Secretary considers appropriate, including grants, cooperative agreements, or contracts to or with foreign public or private entities, governmental organizations, businesses (including small businesses and socially and economically disadvantaged small businesses (as those terms are defined in sections 632 and 637 of title 15, respectively)), federally funded research and development centers, and universities.

(D) Identification of partners

The Director shall facilitate the matching of United States entities engaged in homeland security research with non-United States entities engaged in homeland security research so that they may partner in homeland security research activities.

(4) Coordination

The Director shall ensure that the activities under this subsection are coordinated with the Office of International Affairs and the Department of State and, as appropriate, the Department of Defense, the Department of Energy, and other relevant Federal agencies or inter-