

“(b) DUTIES.—The official designated pursuant to subsection (a) shall—

“(1) identify technology items and equipment developed or being developed by Department of Defense components that have the potential to enhance public safety and improve homeland security;

“(2) cooperate with appropriate Federal Government officials outside the Department of Defense to evaluate whether such technology items and equipment would be useful to first responders;

“(3) facilitate the timely transfer, through identification of appropriate private sector manufacturers, of appropriate technology items and equipment to Federal, State, and local first responders, in coordination with appropriate Federal Government officials outside the Department of Defense;

“(4) identify and eliminate redundant and unnecessary research efforts within the Department of Defense with respect to technologies to be deployed to first responders;

“(5) expedite the advancement of high priority Department of Defense projects from research through implementation of initial manufacturing; and

“(6) participate in outreach programs established by appropriate Federal Government officials outside the Department of Defense to communicate with first responders and to facilitate awareness of available technology items and equipment to support responses to crises.

“(c) SUPPORT AGREEMENT.—The official designated pursuant to subsection (a) shall enter into an appropriate agreement with a nongovernment entity for such entity to assist the official designated under subsection (a) in carrying out that official’s duties under this section. Any such agreement shall be entered into using competitive procedures in compliance with applicable requirements of law and regulation.

“(d) REPORT.—Not later than 180 days after the date of the enactment of this Act [Dec. 2, 2002], the Secretary of Defense shall submit to the congressional defense committees [Committees on Armed Services and Appropriations] a report on the actions taken to carry out this section. The report shall include the following:

“(1) Identification of the senior official designated pursuant to subsection (a).

“(2) A summary of the actions taken or planned to be taken to implement subsection (b), including a schedule for planned actions.

“(3) An initial list of technology items and equipment identified pursuant to subsection (b)(1), together with a summary of any program schedule for the development, deployment, or transfer of such items and equipment.

“(4) A description of any agreement entered into pursuant to subsection (c).”

#### § 2314. Chemical, biological, radiological, nuclear, and high-yield explosives response team

##### (a) Department of Defense rapid response team

The Secretary of Defense shall develop and maintain at least one domestic terrorism rapid response team composed of members of the Armed Forces and employees of the Department of Defense who are capable of aiding Federal, State, and local officials in the detection, neutralization, containment, dismantlement, and disposal of weapons of mass destruction containing chemical, biological, radiological, nuclear, and high-yield explosives.

##### (b) Addition to Federal response plans

The Secretary of Homeland Security shall incorporate into the National Response Plan prepared pursuant to section 502(6)<sup>1</sup> of the Home-

land Security Act of 2002 (6 U.S.C. 312(6)), other existing Federal emergency response plans, and programs prepared under section 5196(b) of title 42 guidance on the use and deployment of the rapid response teams established under this section to respond to emergencies involving weapons of mass destruction. The Secretary of Homeland Security shall carry out this subsection in coordination with the Secretary of Defense and the heads of other Federal agencies involved with the emergency response plans.

(Pub. L. 104–201, div. A, title XIV, §1414, Sept. 23, 1996, 110 Stat. 2720; Pub. L. 109–163, div. A, title X, § 1033, Jan. 6, 2006, 119 Stat. 3429.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 502(6) of the Homeland Security Act of 2002, referred to in subsec. (b), probably should be a reference to section 504(a)(6) of that Act, which is classified to section 314(a)(6) of Title 6, Domestic Security. Section 502 of the Act was renumbered section 504 and par. (6) of that section was redesignated subsec. (a)(6) by Pub. L. 109–295, title VI, § 611(8), (12)(B), Oct. 4, 2006, 120 Stat. 1395, 1398.

##### AMENDMENTS

2006—Pub. L. 109–163, § 1033(1), substituted “Chemical, biological, radiological, nuclear, and high-yield explosives response team” for “Chemical-biological emergency response team” in section catchline.

Subsec. (a). Pub. L. 109–163, § 1033(2), substituted “radiological, nuclear, and high-yield explosives” for “or related materials”.

Subsec. (b). Pub. L. 109–163, § 1033(3), in heading, substituted “plans” for “plan” and, in text, substituted “The Secretary of Homeland Security shall incorporate into the National Response Plan prepared pursuant to section 312(6) of title 6, other existing Federal emergency response plans, and” for “Not later than December 31, 1997, the Director of the Federal Emergency Management Agency shall develop and incorporate into existing Federal emergency response plans and” in first sentence and “Secretary of Homeland Security” for “Director” and “coordination” for “consultation” in second sentence.

#### § 2315. Testing of preparedness for emergencies involving nuclear, radiological, chemical, and biological weapons

##### (a) Emergencies involving nuclear, radiological, chemical, or biological weapons

(1) The Secretary of Homeland Security shall develop and carry out a program for testing and improving the responses of Federal, State, and local agencies to emergencies involving nuclear, radiological, biological, and chemical weapons and related materials.

(2) The program shall include exercises to be carried out in accordance with sections 112(c) and 238(c)(1) of title 6.

(3) In developing and carrying out the program, the Secretary shall coordinate with the Secretary of Defense, the Director of the Federal Bureau of Investigation, the Secretary of Energy, and the heads of any other Federal, State, and local government agencies that have an expertise or responsibilities relevant to emergencies described in paragraph (1).

##### (b) Annual revisions of programs

The Secretary of Homeland Security shall revise the program developed under subsection (a)

<sup>1</sup> See References in Text note below.