

(Pub. L. 107–296, title V, §514, as added Pub. L. 109–295, title VI, §611(13), Oct. 4, 2006, 120 Stat. 1409; amended Pub. L. 115–278, §2(g)(4)(B), Nov. 16, 2018, 132 Stat. 4178.)

Editorial Notes

AMENDMENTS

2018—Subsecs. (b), (c). Pub. L. 115–278 redesignated subsec. (c) as (b) and struck out former subsec. (b). Prior to amendment, text of subsec. (b) read as follows: “There is in the Department an Assistant Secretary for Cybersecurity and Communications.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Mar. 31, 2007, see section 614(b)(3) of Pub. L. 109–295, set out as a note under section 701 of this title.

§ 321d. National Operations Center

(a) Definition

In this section, the term “situational awareness” means information gathered from a variety of sources that, when communicated to emergency managers, decision makers, and other appropriate officials, can form the basis for incident management decisionmaking and steady-state activity.

(b) Establishment

The National Operations Center is the principal operations center for the Department and shall—

(1) provide situational awareness and a common operating picture for the entire Federal Government, and for State, local, tribal, and territorial governments, the private sector, and international partners as appropriate, for events, threats, and incidents involving a natural disaster, act of terrorism, or other man-made disaster;

(2) ensure that critical terrorism and disaster-related information reaches government decision-makers; and

(3) enter into agreements with other Federal operations centers and other homeland security partners, as appropriate, to facilitate the sharing of information.

(c) State and local emergency responder representation

(1) Establishment of positions

The Secretary shall establish a position, on a rotating basis, for a representative of State and local emergency responders at the National Operations Center established under subsection (b) to ensure the effective sharing of information between the Federal Government and State and local emergency response services.

(2) Management

The Secretary shall manage the position established pursuant to paragraph (1) in accordance with such rules, regulations, and practices as govern other similar rotating positions at the National Operations Center.

(Pub. L. 107–296, title V, §515, as added Pub. L. 109–295, title VI, §611(13), Oct. 4, 2006, 120 Stat.

1409; amended Pub. L. 110–376, §8, Oct. 8, 2008, 122 Stat. 4060; Pub. L. 114–328, div. A, title XIX, §1909, Dec. 23, 2016, 130 Stat. 2681.)

Editorial Notes

AMENDMENTS

2016—Subsec. (a). Pub. L. 114–328, §1909(1), substituted “emergency managers, decision makers, and other appropriate officials” for “emergency managers and decision makers” and inserted “and steady-state activity” before period at end.

Subsec. (b)(1). Pub. L. 114–328, §1909(2)(A), substituted “tribal, and territorial governments, the private sector, and international partners” for “and tribal governments” and “for events, threats, and incidents involving” for “in the event of” and struck out “and” at end.

Subsec. (b)(2). Pub. L. 114–328, §1909(2)(B), substituted “; and” for period at end.

Subsec. (b)(3). Pub. L. 114–328, §1909(2)(C), added par. (3).

Subsec. (c). Pub. L. 114–328, §1909(4)(A), substituted “emergency responder” for “fire service” in heading.

Subsec. (c)(1). Pub. L. 114–328, §1909(4)(B), added par. (1) and struck out former par. (1). Prior to amendment, text read as follows: “The Secretary shall, in consultation with the Administrator of the United States Fire Administration, establish a fire service position at the National Operations Center established under subsection (b) to ensure the effective sharing of information between the Federal Government and State and local fire services.”

Subsec. (c)(2), (3). Pub. L. 114–328, §1909(4)(C), (D), redesignated par. (3) as (2) and struck out former par. (2). Prior to amendment, text of par. (2) read as follows: “The Secretary shall designate, on a rotating basis, a State or local fire service official for the position described in paragraph (1).”

2008—Subsec. (c). Pub. L. 110–376 added subsec. (c).

§ 321e. Repealed. Pub. L. 115–387, §2(c)(1), Dec. 21, 2018, 132 Stat. 5166

Section, Pub. L. 107–296, title V, §516, as added Pub. L. 109–295, title VI, §611(13), Oct. 4, 2006, 120 Stat. 1409; amended Pub. L. 112–166, §2(f)(4), Aug. 10, 2012, 126 Stat. 1285, related to establishment, qualifications, and responsibilities of Chief Medical Officer. See section 597 of this title.

§ 321f. Nuclear incident response

(a) In general

At the direction of the Secretary (in connection with an actual or threatened terrorist attack, major disaster, or other emergency in the United States), the Nuclear Incident Response Team shall operate as an organizational unit of the Department. While so operating, the Nuclear Incident Response Team shall be subject to the direction, authority, and control of the Secretary.

(b) Rule of construction

Nothing in this subchapter shall be construed to limit the ordinary responsibility of the Secretary of Energy and the Administrator of the Environmental Protection Agency for organizing, training, equipping, and utilizing their respective entities in the Nuclear Incident Response Team, or (subject to the provisions of this subchapter) from exercising direction, authority, and control over them when they are not operating as a unit of the Department.

(Pub. L. 107–296, title V, §517, formerly §504, Nov. 25, 2002, 116 Stat. 2213; renumbered §517, Pub. L.