

and funding required for its maintenance, including funding for personnel, leasing of office space, supplies, equipment, technology, training, and travel expenses necessary for the Center to carry out its functions.

(g) Report

(1) Initial report

Not later than 180 days after December 17, 2004, the President shall transmit to Congress a report regarding the implementation of this section, including a description of the staffing and resource needs of the Center.

(2) Follow-up report

Not later than 180 days after August 3, 2007, the President shall transmit to Congress a report regarding the operation of the Center and the activities carried out by the Center, including a description of—

(A) the roles and responsibilities of each agency or department that is participating in the Center;

(B) the mechanisms used to share information among each such agency or department;

(C) the personnel provided to the Center by each such agency or department;

(D) the type of information and reports being disseminated by the Center;

(E) any efforts by the Center to create a centralized Federal Government database to store information related to unlawful travel of foreign nationals, including a description of any such database and of the manner in which information utilized in such a database would be collected, stored, and shared;

(F) how each agency and department shall utilize its resources to ensure that the Center uses intelligence to focus and drive its efforts;

(G) efforts to consolidate networked systems for the Center;

(H) the mechanisms for the sharing of homeland security information from the Center to the Office of Intelligence and Analysis, including how such sharing shall be consistent with section 485(b) of title 6;

(I) the ability of participating personnel in the Center to freely access necessary databases and share information regarding issues related to human smuggling, trafficking in persons, and terrorist travel;

(J) how the assignment of personnel to the Center is incorporated into the civil service career path of such personnel; and

(K) cooperation and coordination efforts, including any memorandums of understanding, among participating agencies and departments regarding issues related to human smuggling, trafficking in persons, and terrorist travel.

(h) Relationship to the NCTC

As part of its mission to combat terrorist travel, the Center shall work to support the efforts of the National Counterterrorism Center.

(i) Coordination with the Office of Intelligence and Analysis

The Office of Intelligence and Analysis, in coordination with the Center, shall submit to relevant State, local, and tribal law enforcement

agencies periodic reports regarding terrorist threats related to human smuggling, human trafficking, and terrorist travel.

(Pub. L. 108–458, title VII, § 7202, Dec. 17, 2004, 118 Stat. 3813; Pub. L. 110–53, title VII, § 721(a)–(c), Aug. 3, 2007, 121 Stat. 346–348.)

Editorial Notes

REFERENCES IN TEXT

The Foreign Service Act of 1980, referred to in subsec. (e)(3)(B), is Pub. L. 96–465, Oct. 17, 1980, 94 Stat. 2071, which is classified principally to chapter 52 (§ 3901 et seq.) of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 3901 of Title 22 and Tables.

CODIFICATION

Section was enacted as part of the Intelligence Reform and Terrorism Prevention Act of 2004, and also as part of the 9/11 Commission Implementation Act of 2004, and not as part of the Enhanced Border Security and Visa Entry Reform Act of 2002 which comprises this chapter.

AMENDMENTS

2007—Subsec. (c)(1). Pub. L. 110–53, § 721(a)(1), substituted “integrate and disseminate intelligence and information related to” for “address”.

Subsecs. (d) to (f). Pub. L. 110–53, § 721(a)(3), added subsecs. (d) to (f). Former subsecs. (d) and (e) redesignated (g) and (h), respectively.

Subsec. (g). Pub. L. 110–53, § 721(b), reenacted heading without change and amended text of subsec. (g) generally. Prior to amendment, text read as follows: “Not later than 180 days after December 17, 2004, the President shall transmit to Congress a report regarding the implementation of this section, including a description of the staffing and resource needs of the Center.”

Pub. L. 110–53, § 721(a)(2), redesignated subsec. (d) as (g).

Subsec. (h). Pub. L. 110–53, § 721(a)(2), redesignated subsec. (e) as (h).

Subsec. (i). Pub. L. 110–53, § 721(c), added subsec. (i).

Executive Documents

DELEGATION OF FUNCTIONS

For assignment of functions of President under subsec. (g) of this section, see section 1 of Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 48633, set out as a note under section 301 of Title 3, The President.

§ 1778. Vulnerability and threat assessment

(a) Study

The Under Secretary of Homeland Security for Border and Transportation Security, in consultation with the Under Secretary of Homeland Security for Science and Technology and the Under Secretary of Homeland Security for Information Analysis and Infrastructure Protection, shall study the technology, equipment, and personnel needed to address security vulnerabilities within the United States for each field office of the Bureau of Customs and Border Protection that has responsibility for any portion of the United States borders with Canada and Mexico. The Under Secretary shall conduct follow-up studies at least once every 5 years.

(b) Report to Congress

The Under Secretary shall submit a report to Congress on the Under Secretary’s findings and

conclusions from each study conducted under subsection (a) together with legislative recommendations, as appropriate, for addressing any security vulnerabilities found by the study.

(c) Authorization of appropriations

There are authorized to be appropriated to the Department of Homeland Security Directorate of Border and Transportation Security such sums as may be necessary for fiscal years 2006 through 2011 to carry out any such recommendations from the first study conducted under subsection (a).

(Pub. L. 109-13, div. B, title III, §301, May 11, 2005, 119 Stat. 316.)

Editorial Notes

CODIFICATION

Section was enacted as part of the REAL ID Act of 2005, and also as part of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005, and not as part of the Enhanced Border Security and Visa Entry Reform Act of 2002 which comprises this chapter.