

(i) Within 90 days of completing the actions directed in subsection (c)(ii) of this section, the Secretary of Homeland Security, in coordination with the Secretaries of Defense and Energy and in consultation with the heads of other appropriate agencies and with the private sector as appropriate, shall develop a plan to mitigate the effects of EMPs on the vulnerable priority critical infrastructure systems, networks, and assets identified under subsection (a)(ii) of this section. The plan shall align with and build on actions identified in reports required by Executive Order 13800 of May 11, 2017 (Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure) [6 U.S.C. 1500 note prec.]. The Secretary of Homeland Security shall implement those elements of the plan that are consistent with Department of Homeland Security authorities and resources, and report to the APNSA regarding any additional authorities and resources needed to complete its implementation. The Secretary of Homeland Security, in coordination with the Secretaries of Defense and Energy, shall update the plan as necessary based on results from the actions directed in subsections (b) and (c) of this section.

(ii) Within 180 days of the completion of the actions identified in subsection (c)(i) of this section, the Secretary of Defense, in consultation with the Secretaries of Homeland Security and Energy, shall conduct a pilot test to evaluate engineering approaches used to harden a strategic military installation, including infrastructure that is critical to supporting that installation, against the effects of EMPs.

(iii) Within 180 days of completing the pilot test described in subsection (d)(ii) of this section, the Secretary of Defense shall report to the President, through the APNSA, regarding the cost and effectiveness of the evaluated approaches.

(e) Improving response to EMPs.

(i) Within 180 days of the date of this order, the Secretary of Homeland Security, through the Administrator of the Federal Emergency Management Agency, in coordination with the heads of appropriate SSAs, shall review and update Federal response plans, programs, and procedures to account for the effects of EMPs.

(ii) Within 180 days of the completion of actions directed by subsection (e)(i) of this section, agencies that support National Essential Functions shall update operational plans documenting their procedures and responsibilities to prepare for, protect against, and mitigate the effects of EMPs.

(iii) Within 180 days of identifying vulnerable priority critical infrastructure systems, networks, and assets as directed by subsection (a)(ii) of this section, the Secretary of Homeland Security, in consultation with the Secretaries of Defense and Commerce, and the Chairman of the Federal Communications Commission, shall provide the Deputy Assistant to the President for Homeland Security and Counterterrorism and the Director of OSTP with an assessment of the effects of EMPs on critical communications infrastructure, and recommend changes to operational plans to enhance national response and recovery efforts after an EMP.

SEC. 7. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP.

[Reference to a Sector Specific Agency (including any permutations or conjugations thereof) deemed to be a

reference to the Sector Risk Management Agency of the relevant critical infrastructure sector and have the meaning given such term in section 650 of this title, see section 652a(c)(3) of this title, enacted Jan. 1, 2021.]

§ 195g. Countering Unmanned Aircraft Systems Coordinator

(a) Coordinator

(1) In general

The Secretary shall designate an individual in a Senior Executive Service position (as defined in section 3132 of title 5) of the Department within the Office of Strategy, Policy, and Plans as the Countering Unmanned Aircraft Systems Coordinator (in this section referred to as the “Coordinator”) and provide appropriate staff to carry out the responsibilities of the Coordinator.

(2) Responsibilities

The Coordinator shall—

(A) oversee and coordinate with relevant Department offices and components, including the Office of Civil Rights and Civil Liberties and the Privacy Office, on the development of guidance and regulations to counter threats associated with unmanned aircraft systems (in this section referred to as “UAS”) as described in section 124n of this title;

(B) promote research and development of counter UAS technologies in coordination within the Science and Technology Directorate;

(C) coordinate with the relevant components and offices of the Department, including the Office of Intelligence and Analysis, to ensure the sharing of information, guidance, and intelligence relating to countering UAS threats, counter UAS threat assessments, and counter UAS technology, including the retention of UAS and counter UAS incidents within the Department;

(D) serve as the Department liaison, in coordination with relevant components and offices of the Department, to the Department of Defense, Federal, State, local, and Tribal law enforcement entities, and the private sector regarding the activities of the Department relating to countering UAS;

(E) maintain the information required under section 124n(g)(3) of this title; and

(F) carry out other related counter UAS authorities and activities under section 124n of this title, as directed by the Secretary.

(b) Coordination with applicable Federal laws

The Coordinator shall, in addition to other assigned duties, coordinate with relevant Department components and offices to ensure testing, evaluation, or deployment of a system used to identify, assess, or defeat a UAS is carried out in accordance with applicable Federal laws.

(c) Coordination with private sector

The Coordinator shall, among other assigned duties, working with the Office of Partnership and Engagement and other relevant Department offices and components, or other Federal agencies, as appropriate, serve as the principal Department official responsible for sharing to the

private sector information regarding counter UAS technology, particularly information regarding instances in which counter UAS technology may impact lawful private sector services or systems.

(Pub. L. 107-296, title III, §321, as added Pub. L. 116-260, div. U, title VII, §701(b)(1), Dec. 27, 2020, 134 Stat. 2295.)

§ 195h. National Urban Security Technology Laboratory

(a) In general

The Secretary, acting through the Under Secretary for Science and Technology, shall designate the laboratory described in subsection (b) as an additional laboratory pursuant to the authority under section 188(c)(2) of this title. Such laboratory shall be used to test and evaluate emerging technologies and conduct research and development to assist emergency response providers in preparing for, and protecting against, threats of terrorism.

(b) Laboratory described

The laboratory described in this subsection is the laboratory—

- (1) known, as of December 27, 2021, as the National Urban Security Technology Laboratory; and
- (2) transferred to the Department pursuant to section 183(1)(E) of this title.

(c) Laboratory activities

The National Urban Security Technology Laboratory shall—

- (1) conduct tests, evaluations, and assessments of current and emerging technologies, including, as appropriate, the cybersecurity of such technologies that can connect to the internet, for emergency response providers;
- (2) act as a technical advisor to emergency response providers; and
- (3) carry out other such activities as the Secretary determines appropriate.

(d) Rule of construction

Nothing in this section may be construed as affecting in any manner the authorities or responsibilities of the Countering Weapons of Mass Destruction Office of the Department.

(Pub. L. 107-296, title III, §322, as added Pub. L. 117-81, div. F, title LXIV, §6406(a), Dec. 27, 2021, 135 Stat. 2402.)

§ 195i. Chemical Security Analysis Center

(a) In general

The Secretary, acting through the Under Secretary for Science and Technology, shall designate the laboratory described in subsection (b) as an additional laboratory pursuant to the authority under section 188(c)(2) of this title, which shall be used to conduct studies, analyses, and research to assess and address domestic chemical security events.

(b) Laboratory described

The laboratory described in this subsection is the laboratory known, as of December 23, 2022, as the Chemical Security Analysis Center.

(c) Laboratory activities

Pursuant to the authority under section 182(4) of this title, the Chemical Security Analysis Center shall—

(1) identify and develop approaches and mitigation strategies to domestic chemical security threats, including the development of comprehensive, research-based definable goals relating to such approaches and mitigation strategies;

(2) provide an enduring science-based chemical threat and hazard analysis capability;

(3) provide expertise regarding risk and consequence modeling, chemical sensing and detection, analytical chemistry, acute chemical toxicology, synthetic chemistry and reaction characterization, and nontraditional chemical agents and emerging chemical threats;

(4) staff and operate a technical assistance program that provides operational support and subject matter expertise, design and execute laboratory and field tests, and provide a comprehensive knowledge repository of chemical threat information that is continuously updated with data from scientific, intelligence, operational, and private sector sources;

(5) consult, as appropriate, with the Countering Weapons of Mass Destruction Office of the Department to mitigate, prepare, and respond to threats, hazards, and risks associated with domestic chemical security events; and

(6) carry out such other activities authorized under this section as the Secretary determines appropriate.

(d) Special rule

Nothing in this section amends, alters, or affects—

(1) the responsibilities of the Countering Weapons of Mass Destruction Office of the Department; or

(2) the activities or requirements authorized to other entities within the Federal Government, including the activities and requirements of the Environmental Protection Agency under section 7412(r) of title 42, the Toxic Substances Control Act (15 U.S.C. 2601 et seq.), and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (commonly referred to as “Superfund”; 42 U.S.C. 9601 et seq.).

(Pub. L. 107-296, title III, §323, as added Pub. L. 117-263, div. G, title LXXI, §7106(a), Dec. 23, 2022, 136 Stat. 3624.)

Editorial Notes

REFERENCES IN TEXT

The Toxic Substances Control Act, referred to in subsec. (d)(2), is Pub. L. 94-469, Oct. 11, 1976, 90 Stat. 2003, which is classified generally to chapter 53 (§2601 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 2601 of Title 15 and Tables.

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, referred to in subsec. (d)(2), is Pub. L. 96-510, Dec. 11, 1980, 94 Stat. 2767, which is classified principally to chapter 103 (§9601 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 9601 of Title 42 and Tables.