

maintain within the National Counterterrorism Center a Directorate of Strategic Operational Planning which shall provide strategic operational plans for counterterrorism operations conducted by the United States Government.

(2) Strategic operational planning shall include the mission, objectives to be achieved, tasks to be performed, interagency coordination of operational activities, and the assignment of roles and responsibilities.

(3) The Director of the National Counterterrorism Center shall monitor the implementation of strategic operational plans, and shall obtain information from each element of the intelligence community, and from each other department, agency, or element of the United States Government relevant for monitoring the progress of such entity in implementing such plans.

(July 26, 1947, ch. 343, title I, § 119, as added Pub. L. 108-458, title I, § 1021, Dec. 17, 2004, 118 Stat. 3672; amended Pub. L. 111-259, title VIII, § 804(5), Oct. 7, 2010, 124 Stat. 2747.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 404o of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2010—Subsec. (c)(2)(B). Pub. L. 111-259 substituted “subsection (i)” for “subsection (h)”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective not later than six months after Dec. 17, 2004, except as otherwise expressly provided, see section 1097(a) of Pub. L. 108-458, set out in an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of this title.

STRATEGY FOR COUNTERTERRORIST TRAVEL INTELLIGENCE

Pub. L. 108-458, title VII, § 7201(b), Dec. 17, 2004, 118 Stat. 3809, directed the Director of the National Counterterrorism Center, not later than 1 year after Dec. 17, 2004, to submit to Congress unclassified and classified versions of a strategy, to be developed in coordination with all relevant Federal agencies, for combining terrorist travel intelligence, operations, and law enforcement into a cohesive effort to intercept terrorists, find terrorist travel facilitators, and constrain terrorist mobility domestically and internationally.

Executive Documents

EXECUTIVE ORDER NO. 13354

Ex. Ord. No. 13354, Aug. 27, 2004, 69 F.R. 53589, which established a National Counterterrorism Center, was revoked by Ex. Ord. No. 12333, § 3.6, Dec. 4, 1981, 46 F.R. 59954, as amended by Ex. Ord. No. 13470, § 4(j), July 30, 2008, 73 F.R. 45341, set out as a note under section 3001 of this title.

§ 3057. National Counterproliferation and Biosecurity Center

(a) Establishment

(1) The President shall establish a National Counterproliferation and Biosecurity Center, taking into account all appropriate government tools to—

(A) prevent and halt the proliferation of weapons of mass destruction, their delivery systems, and related materials and technologies; and

(B) lead integration and mission management of all intelligence activities pertaining to biosecurity and foreign biological threats.

(2) The head of the National Counterproliferation and Biosecurity Center shall be the Director of the National Counterproliferation and Biosecurity Center, who shall be appointed by the Director of National Intelligence.

(3) The National Counterproliferation and Biosecurity Center shall be located within the Office of the Director of National Intelligence.

(4) The Director of the National Counterproliferation and Biosecurity Center shall serve as the principal coordinator for the intelligence community, and as the principal advisor to the Director of National Intelligence, with respect to counterproliferation, biosecurity, and foreign biological threats.

(b) Missions and objectives

(1) Counterproliferation

In establishing the National Counterproliferation and Biosecurity Center, the President shall address the following missions and objectives to prevent and halt the proliferation of weapons of mass destruction, their delivery systems, and related materials and technologies:

(A) Establishing a primary organization within the United States Government for integrating all intelligence possessed or acquired by the United States pertaining to proliferation.

(B) Ensuring that appropriate agencies have full access to and receive all-source intelligence support needed to execute their counterproliferation plans or activities, and perform independent, alternative analyses.

(C) Coordinating the establishment of a central repository on known and suspected proliferation activities, including the goals, strategies, capabilities, networks, and any individuals, groups, or entities engaged in proliferation.

(D) Overseeing the dissemination of proliferation information, including proliferation threats and analyses, to the President, to the appropriate departments and agencies, and to the appropriate committees of Congress.

(E) Conducting and coordinating net assessments and warnings about the proliferation of weapons of mass destruction, their delivery systems, and related materials and technologies.

(F) Coordinating counterproliferation plans and activities of the various departments and agencies of the United States Government to prevent and halt the proliferation of weapons of mass destruction, their delivery systems, and related materials and technologies.

(G) Coordinating and advancing strategic operational counterproliferation planning for the United States Government to prevent and halt the proliferation of weapons of

mass destruction, their delivery systems, and related materials and technologies.

(2) Biosecurity

In establishing the National Counterproliferation and Biosecurity Center, the President shall address the following missions and objectives to ensure that the Center serves as the lead for the intelligence community for the integration, mission management, and coordination of intelligence activities pertaining to biosecurity and foreign biological threats, regardless of origin:

(A) Ensuring that the elements of the intelligence community provide timely and effective warnings to the President and the Director of National Intelligence regarding emerging foreign biological threats, including diseases with pandemic potential.

(B) Overseeing and coordinating the collection of intelligence on biosecurity and foreign biological threats in support of the intelligence needs of the Federal departments and agencies responsible for public health, including by conveying collection priorities to elements of the intelligence community.

(C) Overseeing and coordinating the analysis of intelligence on biosecurity and foreign biological threats in support of the intelligence needs of Federal departments and agencies responsible for public health, including by providing analytic priorities to elements of the intelligence community and by coordinating net assessments.

(D) Coordinating intelligence support to the Federal departments and agencies responsible for public health on matters relating to biosecurity and foreign biological threats, including by ensuring that intelligence pertaining to biosecurity and foreign biological threats is disseminated among appropriately cleared personnel of such departments and agencies.

(E) Coordinating with the Federal departments and agencies responsible for public health to encourage information sharing with the intelligence community.

(F) Identifying gaps in the capabilities of the intelligence community regarding biosecurity and countering foreign biological threats and providing to the Director of National Intelligence recommended solutions for such gaps, including by encouraging research and development of new capabilities and authorities to counter foreign biological threats.

(G) Enhancing coordination between elements of the intelligence community and private sector entities on information relevant to biosecurity, biotechnology, and foreign biological threats, and coordinating such information with relevant Federal departments and agencies, as applicable.

(c) National security waiver

The President may waive the requirements of this section, and any parts thereof, if the President determines that such requirements do not materially improve the ability of the United States Government to prevent and halt the proliferation of weapons of mass destruction, their delivery systems, and related materials and

technologies. Such waiver shall be made in writing to Congress and shall include a description of how the missions and objectives in subsection (b) are being met.

(d) Report to Congress

(1) Not later than nine months after the implementation of this chapter, the President shall submit to Congress, in classified form if necessary, the findings and recommendations of the President's Commission on Weapons of Mass Destruction established by Executive Order in February 2004, together with the views of the President regarding the establishment of a National Counterproliferation and Biosecurity Center.

(2) If the President decides not to exercise the waiver authority granted by subsection (c), the President shall submit to Congress from time to time updates and plans regarding the establishment of a National Counterproliferation and Biosecurity Center.

(e) Sense of Congress

It is the sense of Congress that a central feature of counterproliferation activities, consistent with the President's Proliferation Security Initiative, should include the physical interdiction, by air, sea, or land, of weapons of mass destruction, their delivery systems, and related materials and technologies, and enhanced law enforcement activities to identify and disrupt proliferation networks, activities, organizations, and persons.

(July 26, 1947, ch. 343, title I, §119A, as added Pub. L. 108-458, title I, §1022, Dec. 17, 2004, 118 Stat. 3675; amended Pub. L. 111-259, title IV, §407(a), Oct. 7, 2010, 124 Stat. 2721; Pub. L. 117-103, div. X, title IV, §401(a)-(d), Mar. 15, 2022, 136 Stat. 973, 974; Pub. L. 118-159, div. F, title LXV, §6502, Dec. 23, 2024, 138 Stat. 2494.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (d)(1), was in the original "this Act", meaning act July 26, 1947, ch. 343, 61 Stat. 495, known as the National Security Act of 1947, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

The Executive Order in February 2004 establishing the President's Commission on Weapons of Mass Destruction, referred to in subsec. (d)(1), is Ex. Ord. No. 13328, Feb. 6, 2004, 69 F.R. 6901, which was revoked by Ex. Ord. No. 13385, §3(a), Sept. 29, 2005, 70 F.R. 57990, and was formerly set out as a note under section 2301 of this title.

CODIFICATION

Section was formerly classified to section 4040-1 of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2024—Subsec. (a)(4). Pub. L. 118-159, §6502(1), substituted "counterproliferation, biosecurity, and" for "biosecurity and".

Subsec. (b)(1)(A). Pub. L. 118-159, §6502(2)(A)(i), struck out "analyzing and" before "integrating all intelligence".

Subsec. (b)(1)(C). Pub. L. 118-159, §6502(2)(A)(ii), substituted "Coordinating the establishment of" for "Establishing".

Subsec. (b)(1)(D). Pub. L. 118-159, §6502(2)(A)(iii), substituted "Overseeing the dissemination of" for "Disseminating".

Subsec. (b)(1)(E). Pub. L. 118-159, § 6502(2)(A)(iv), inserted “and coordinating” after “Conducting”.

Subsec. (b)(1)(G). Pub. L. 118-159, § 6502(2)(A)(v), substituted “Coordinating and advancing” for “Conducting”.

Subsec. (b)(2)(B). Pub. L. 118-159, § 6502(2)(B)(i), struck out “and analysis” after “coordinating the collection”.

Subsec. (b)(2)(C). Pub. L. 118-159, § 6502(2)(B)(iii), added subpar. (C). Former subpar. (C) redesignated (D).

Subsec. (b)(2)(D). Pub. L. 118-159, § 6502(2)(B)(ii), (iv), redesignated subpar. (C) as (D) and inserted “on matters relating to biosecurity and foreign biological threats” after “public health”. Former subpar. (D) redesignated (E).

Subsec. (b)(2)(E). Pub. L. 118-159, § 6502(2)(B)(ii), redesignated subpar. (D) as (E). Former subpar. (E) redesignated (F).

Subsec. (b)(2)(F). Pub. L. 118-159, § 6502(2)(B)(v), which directed insertion of “and authorities” after “capabilities”, was executed by making the insertion after “capabilities” the second place appearing, to reflect the probable intent of Congress.

Pub. L. 118-159, § 6502(2)(B)(ii), redesignated subpar. (E) as (F).

Subsec. (b)(2)(G). Pub. L. 118-159, § 6502(2)(B)(vi), added subpar. (G).

2022—Pub. L. 117-103, § 401(a), (d), substituted “Counterproliferation and Biosecurity” for “Counter Proliferation” in section catchline and “National Counterproliferation and Biosecurity Center” for “National Counter Proliferation Center” and “counterproliferation” for “counter proliferation” wherever appearing in text.

Subsec. (a)(1). Pub. L. 117-103, § 401(b)(1), inserted dash after “government tools to” and subpar. (A) designation before “prevent” and added subpar. (B).

Subsec. (a)(4). Pub. L. 117-103, § 401(b)(2), added par. (4).

Subsec. (b). Pub. L. 117-103, § 401(c), designated introductory provisions as par. (1) and inserted heading, redesignated former pars. (1) to (7) as subpars. (A) to (G), respectively, of par. (1) and realigned margins, and added par. (2).

2010—Subsec. (a). Pub. L. 111-259 designated existing provisions as par. (1), substituted “The” for “Not later than 18 months after December 17, 2004, the”, and added pars. (2) and (3).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

For Determination by President that section take effect on Apr. 21, 2005, see Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 23925, set out as a note under section 3001 of this title.

Section effective not later than six months after Dec. 17, 2004, except as otherwise expressly provided, see section 1097(a) of Pub. L. 108-458, set out in an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of this title.

REFERENCE TO NATIONAL COUNTER PROLIFERATION CENTER

Pub. L. 117-103, div. X, title IV, § 401(e), Mar. 15, 2022, 136 Stat. 975, provided that: “Any reference in any law, regulation, guidance, instruction, or other document of the United States Government to the National Counter Proliferation Center shall be deemed to refer to the National Counterproliferation and Biosecurity Center.”

Executive Documents

DELEGATION OF FUNCTIONS

Reporting functions of President under this section assigned to the Director of National Intelligence by section 3 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.

§ 3058. National Intelligence Centers

(a) Authority to establish

The Director of National Intelligence may establish one or more national intelligence centers to address intelligence priorities, including, but not limited to, regional issues.

(b) Resources of directors of centers

(1) The Director of National Intelligence shall ensure that the head of each national intelligence center under subsection (a) has appropriate authority, direction, and control of such center, and of the personnel assigned to such center, to carry out the assigned mission of such center.

(2) The Director of National Intelligence shall ensure that each national intelligence center has appropriate personnel to accomplish effectively the mission of such center.

(c) Information sharing

The Director of National Intelligence shall, to the extent appropriate and practicable, ensure that each national intelligence center under subsection (a) and the other elements of the intelligence community share information in order to facilitate the mission of such center.

(d) Mission of centers

Pursuant to the direction of the Director of National Intelligence, each national intelligence center under subsection (a) may, in the area of intelligence responsibility assigned to such center—

(1) have primary responsibility for providing all-source analysis of intelligence based upon intelligence gathered both domestically and abroad;

(2) have primary responsibility for identifying and proposing to the Director of National Intelligence intelligence collection and analysis and production requirements; and

(3) perform such other duties as the Director of National Intelligence shall specify.

(e) Review and modification of centers

The Director of National Intelligence shall determine on a regular basis whether—

(1) the area of intelligence responsibility assigned to each national intelligence center under subsection (a) continues to meet appropriate intelligence priorities; and

(2) the staffing and management of such center remains appropriate for the accomplishment of the mission of such center.

(f) Termination

The Director of National Intelligence may terminate any national intelligence center under subsection (a).

(g) Separate budget account

The Director of National Intelligence shall, as appropriate, include in the National Intelligence Program budget a separate line item for each national intelligence center under subsection (a).

(July 26, 1947, ch. 343, title I, § 119B, as added Pub. L. 108-458, title I, § 1023, Dec. 17, 2004, 118 Stat. 3676.)