

(c) Report on implementation

Not later than 1 year after November 25, 2002, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the implementation of this subchapter. The report shall—

- (1) provide an accounting of the amounts and sources of funding available to the Office to carry out its mission under existing authorizations and appropriations, and set forth the future funding needs of the Office; and
- (2) include such other information and recommendations as the Attorney General considers appropriate.

(Pub. L. 107-296, title II, §234, Nov. 25, 2002, 116 Stat. 2161; Pub. L. 108-7, div. L, §103(2), Feb. 20, 2003, 117 Stat. 529.)

Editorial Notes

REFERENCES IN TEXT

Section 605 of Public Law 107-77, referred to in subsec. (b), is section 605 of Pub. L. 107-77, title VI, Nov. 28, 2001, 115 Stat. 798, which is not classified to the Code.

This subchapter, referred to in subsec. (c), was in the original “this title”, meaning title II of Pub. L. 107-296, Nov. 25, 2002, 116 Stat. 2145, which enacted this subchapter, amended sections 1030, 2511, 2512, 2520, 2701 to 2703, and 3125 of Title 18, Crimes and Criminal Procedure, sections 10102 and 10122 of Title 34, Crime Control and Law Enforcement, and section 401a of Title 50, War and National Defense, and enacted provisions set out as a note under section 101 of this title and listed in a Provisions for Review, Promulgation, or Amendment of Federal Sentencing Guidelines Relating to Specific Offenses table set out under section 994 of Title 28, Judiciary and Judicial Procedure. For complete classification of title II to the Code, see Tables.

AMENDMENTS

2003—Subsec. (b). Pub. L. 108-7 inserted before period at end “: *Provided*, That any such transfer shall be carried out in accordance with section 605 of Public Law 107-77”.

§ 165. National Law Enforcement and Corrections Technology Centers**(a) In general**

The Director of the Office shall operate and support National Law Enforcement and Corrections Technology Centers (hereinafter in this section referred to as “Centers”) and, to the extent necessary, establish new centers through a merit-based, competitive process.

(b) Purpose of Centers

The purpose of the Centers shall be to—

- (1) support research and development of law enforcement technology;
- (2) support the transfer and implementation of technology;
- (3) assist in the development and dissemination of guidelines and technological standards; and
- (4) provide technology assistance, information, and support for law enforcement, corrections, and criminal justice purposes.

(c) Annual meeting

Each year, the Director shall convene a meeting of the Centers in order to foster collaboration and communication between Center participants.

(d) Report

Not later than 12 months after November 25, 2002, the Director shall transmit to the Congress a report assessing the effectiveness of the existing system of Centers and identify the number of Centers necessary to meet the technology needs of Federal, State, and local law enforcement in the United States.

(Pub. L. 107-296, title II, §235, Nov. 25, 2002, 116 Stat. 2162.)

SUBCHAPTER III—SCIENCE AND TECHNOLOGY IN SUPPORT OF HOMELAND SECURITY**§ 181. Under Secretary for Science and Technology**

There shall be in the Department a Directorate of Science and Technology headed by an Under Secretary for Science and Technology.

(Pub. L. 107-296, title III, §301, Nov. 25, 2002, 116 Stat. 2163.)

§ 182. Responsibilities and authorities of the Under Secretary for Science and Technology

The Secretary, acting through the Under Secretary for Science and Technology, shall have the responsibility for—

- (1) advising the Secretary regarding research and development efforts and priorities in support of the Department’s missions;

- (2) developing, in consultation with other appropriate executive agencies, a national policy and strategic plan for, identifying priorities, goals, objectives and policies for, and coordinating the Federal Government’s civilian efforts to identify and develop countermeasures to chemical, biological, and other emerging terrorist threats, including the development of comprehensive, research-based definable goals for such efforts and development of annual measurable objectives and specific targets to accomplish and evaluate the goals for such efforts;

- (3) supporting the Under Secretary for Intelligence and Analysis and the Director of the Cybersecurity and Infrastructure Security Agency, by assessing and testing homeland security vulnerabilities and possible threats;

- (4) conducting basic and applied research, development, demonstration, testing, and evaluation activities that are relevant to any or all elements of the Department, through both intramural and extramural programs, except that such responsibility does not extend to human health-related research and development activities;

- (5) establishing priorities for, directing, funding, and conducting national research, development, test and evaluation, and procurement of technology and systems for—

(A) preventing the importation of chemical, biological, and related weapons and material; and

(B) detecting, preventing, protecting against, and responding to terrorist attacks;

- (6) establishing a system for transferring homeland security developments or technologies to Federal, State, local government, and private sector entities;

(7) entering into work agreements, joint sponsorships, contracts, or any other agreements with the Department of Energy regarding the use of the national laboratories or sites and support of the science and technology base at those facilities;

(8) collaborating with the Secretary of Agriculture and the Attorney General as provided in section 8401 of title 7;

(9) collaborating with the Secretary of Health and Human Services and the Attorney General in determining any new biological agents and toxins that shall be listed as “select agents” in Appendix A of part 72 of title 42, Code of Federal Regulations, pursuant to section 262a of title 42;

(10) supporting United States leadership in science and technology;

(11) establishing and administering the primary research and development activities of the Department, including the long-term research and development needs and capabilities for all elements of the Department;

(12) coordinating and integrating all research, development, demonstration, testing, and evaluation activities of the Department;

(13) coordinating with other appropriate executive agencies in developing and carrying out the science and technology agenda of the Department to reduce duplication and identify unmet needs;

(14) developing and overseeing the administration of guidelines for merit review of research and development projects throughout the Department, and for the dissemination of research conducted or sponsored by the Department; and

(15) carrying out, in coordination with the Drug Enforcement Administration, research, development, testing, evaluation, and cost-benefit analyses to improve the safety, effectiveness, and efficiency of equipment and the effectiveness and efficiency of reference libraries for use by Federal, State, local, Tribal, and territorial law enforcement agencies for the accurate detection of drugs, such as fentanyl and xylazine, including—

(A) portable equipment that can detect and identify drugs with minimal or no handling of the sample;

(B) equipment that can separate complex mixtures containing low concentrations of drugs and high concentrations of cutting agents into their component parts to enable signature extraction for field identification and detection; and

(C) technologies that use machine learning or artificial intelligence (as defined in section 9401 of title 15) and other techniques to predict whether the substances in a sample are controlled substance analogues or other new psychoactive substances not yet included in available reference libraries.

(Pub. L. 107–296, title III, §302, Nov. 25, 2002, 116 Stat. 2163; Pub. L. 109–347, title V, §501(b)(2), Oct. 13, 2006, 120 Stat. 1935; Pub. L. 110–53, title V, §531(b)(1)(C), Aug. 3, 2007, 121 Stat. 334; Pub. L. 115–278, §2(g)(3)(A), Nov. 16, 2018, 132 Stat. 4178; Pub. L. 118–186, §2, Dec. 23, 2024, 138 Stat. 2636.)

Editorial Notes

AMENDMENTS

2024—Par. (15). Pub. L. 118–186 added par. (15).

2018—Par. (2). Pub. L. 115–278, §2(g)(3)(A)(i), substituted “biological,” for “biological,”.

Par. (3). Pub. L. 115–278, §2(g)(3)(A)(ii), substituted “Director of the Cybersecurity and Infrastructure Security Agency” for “Assistant Secretary for Infrastructure Protection”.

Par. (5)(A). Pub. L. 115–278, §2(g)(3)(A)(i), substituted “biological,” for “biological,”.

2007—Par. (3). Pub. L. 110–53 substituted “Under Secretary for Intelligence and Analysis and the Assistant Secretary for Infrastructure Protection” for “Under Secretary for Information Analysis and Infrastructure Protection”.

2006—Pars. (2), (5)(A). Pub. L. 109–347 struck out “radiological, nuclear” after “biological,”.

Statutory Notes and Related Subsidiaries

RULE OF CONSTRUCTION

Pub. L. 118–186, §4, Dec. 23, 2024, 138 Stat. 2637, provided that: “Nothing in this Act [amending this section and enacting provisions set out as a note below] may be construed to limit the authority of agencies currently managing, overseeing, or otherwise involved in drug equipment and reference libraries.”

REQUIREMENTS

Pub. L. 118–186, §3, Dec. 23, 2024, 138 Stat. 2637, provided that: “In carrying out section 302(15) of the Homeland Security Act of 2002 [6 U.S.C. 182(15)], as added by section 2, the Under Secretary for Science and Technology shall—

“(1) follow the recommendations, guidelines, and best practices described in the Artificial Intelligence Risk Management Framework (NIST AI 100–1) or any successor document published by the National Institute of Standards and Technology; and

“(2) establish the Directorate of Science and Technology’s research, development, testing, evaluation, and cost-benefit analysis priorities under such section 302(15) based on the latest available information, including specific drugs identified as threats in—

“(A) the latest Homeland Threat Assessment published by the Department of Homeland Security;

“(B) the latest State and Territory Report on Enduring and Emerging Threats published by the Drug Enforcement Administration; or

“(C) any successor documents.”

§ 183. Functions transferred

In accordance with subchapter XII, there shall be transferred to the Secretary the functions, personnel, assets, and liabilities of the following entities:

(1) The following programs and activities of the Department of Energy, including the functions of the Secretary of Energy relating thereto (but not including programs and activities relating to the strategic nuclear defense posture of the United States):

(A) The chemical and biological national security and supporting programs and activities of the nonproliferation and verification research and development program.

(B) The nuclear smuggling programs and activities within the proliferation detection program of the nonproliferation and verification research and development program. The programs and activities described in this subparagraph may be designated by the President either for transfer to the De-