

(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.

SUBCHAPTER IV—BORDER, MARITIME, AND TRANSPORTATION SECURITY

**Editorial Notes**

CODIFICATION

Pub. L. 114-125, title VIII, §802(g)(1)(B)(i), Feb. 24, 2016, 130 Stat. 211, substituted “BORDER, MARITIME, AND TRANSPORTATION SECURITY” for “DIRECTORATE OF BORDER AND TRANSPORTATION SECURITY” in subchapter heading.

PART A—BORDER, MARITIME, AND TRANSPORTATION SECURITY RESPONSIBILITIES AND FUNCTIONS

**Editorial Notes**

CODIFICATION

Pub. L. 114-125, title VIII, §802(g)(1)(B)(ii)(I), Feb. 24, 2016, 130 Stat. 211, substituted “Border, Maritime, and Transportation Security Responsibilities and Functions” for “Under Secretary for Border and Transportation Security” in part heading.

**§ 201. Repealed. Pub. L. 114-125, title VIII, § 802(g)(2), Feb. 24, 2016, 130 Stat. 212**

Section, Pub. L. 107-296, title IV, §401, Nov. 25, 2002, 116 Stat. 2177, established the Directorate of Border and Transportation Security headed by an Under Secretary for Border and Transportation Security.

**§ 202. Border, maritime, and transportation responsibilities**

The Secretary shall be responsible for the following:

(1) Preventing the entry of terrorists and the instruments of terrorism into the United States.

(2) Securing the borders, territorial waters, ports, terminals, waterways, and air, land, and

sea transportation systems of the United States, including managing and coordinating those functions transferred to the Department at ports of entry.

(3) Carrying out the immigration enforcement functions vested by statute in, or performed by, the Commissioner of Immigration and Naturalization (or any officer, employee, or component of the Immigration and Naturalization Service) immediately before the date on which the transfer of functions specified under section 251 of this title takes effect.

(4) Establishing and administering rules, in accordance with section 236 of this title, governing the granting of visas or other forms of permission, including parole, to enter the United States to individuals who are not a citizen or an alien lawfully admitted for permanent residence in the United States.

(5) Establishing national immigration enforcement policies and priorities.

(6) Except as provided in part C of this subchapter, administering the customs laws of the United States.

(7) Conducting the inspection and related administrative functions of the Department of Agriculture transferred to the Secretary of Homeland Security under section 231 of this title.

(8) In carrying out the foregoing responsibilities, ensuring the speedy, orderly, and efficient flow of lawful traffic and commerce.

(Pub. L. 107-296, title IV, §402, Nov. 25, 2002, 116 Stat. 2177; Pub. L. 114-125, title VIII, §802(g)(1)(B)(ii)(II), Feb. 24, 2016, 130 Stat. 211.)

#### Editorial Notes

##### REFERENCES IN TEXT

Part C of this subchapter, referred to in par. (6), was in the original “subtitle C”, meaning subtitle C (§ 421 et seq.) of title IV of Pub. L. 107-296, Nov. 25, 2002, 116 Stat. 2182, which enacted part C (§ 231 et seq.) of this subchapter and amended sections 2279e and 2279f of Title 7, Agriculture, and sections 115, 44901, and 47106 of Title 49, Transportation. For complete classification of subtitle C to the Code, see Tables.

The customs laws of the United States, referred to in par. (6), are classified generally to Title 19, Customs Duties.

##### AMENDMENTS

2016—Pub. L. 114-125 substituted “Border, maritime, and transportation responsibilities” for “Responsibilities” in section catchline and struck out “, acting through the Under Secretary for Border and Transportation Security,” after “The Secretary” in introductory provisions.

### § 203. Functions transferred

In accordance with subchapter XII (relating to transition provisions), there shall be transferred to the Secretary the functions, personnel, assets, and liabilities of—

(1) the United States Customs Service of the Department of the Treasury, including the functions of the Secretary of the Treasury relating thereto;

(2) the Transportation Security Administration of the Department of Transportation, including the functions of the Secretary of Transportation, and of the Under Secretary of Transportation for Security, relating thereto;

(3) the Federal Protective Service of the General Services Administration, including the functions of the Administrator of General Services relating thereto;

(4) the Federal Law Enforcement Training Center of the Department of the Treasury; and

(5) the Office for Domestic Preparedness of the Office of Justice Programs, including the functions of the Attorney General relating thereto.

(Pub. L. 107-296, title IV, §403, Nov. 25, 2002, 116 Stat. 2178.)

### § 204. Surface Transportation Security Advisory Committee

#### (a) Establishment

The Administrator of the Transportation Security Administration (referred to in this section as “Administrator”) shall establish within the Transportation Security Administration the Surface Transportation Security Advisory Committee (referred to in this section as the “Advisory Committee”).

#### (b) Duties

##### (1) In general

The Advisory Committee may advise, consult with, report to, and make recommendations to the Administrator on surface transportation security matters, including the development, refinement, and implementation of policies, programs, initiatives, rulemakings, and security directives pertaining to surface transportation security.

##### (2) Risk-based security

The Advisory Committee shall consider risk-based security approaches in the performance of its duties.

#### (c) Membership

##### (1) Composition

The Advisory Committee shall be composed of—

(A) voting members appointed by the Administrator under paragraph (2); and

(B) nonvoting members, serving in an advisory capacity, who shall be designated by—

(i) the Transportation Security Administration;

(ii) the Department of Transportation;

(iii) the Coast Guard; and

(iv) such other Federal department or agency as the Administrator considers appropriate.

##### (2) Appointment

The Administrator shall appoint voting members from among stakeholders representing each mode of surface transportation, such as passenger rail, freight rail, mass transit, pipelines, highways, over-the-road bus, school bus industry, and trucking, including representatives from—

(A) associations representing such modes of surface transportation;

(B) labor organizations representing such modes of surface transportation;

(C) groups representing the users of such modes of surface transportation, including asset manufacturers, as appropriate;