

with the Director of the National Counterterrorism Center and consistent with the strategy developed under section 7201,¹ shall establish a program to oversee the implementation of the Secretary's responsibilities with respect to terrorist travel.

(b) Head of the program

The Secretary of Homeland Security shall designate an official of the Department of Homeland Security to be responsible for carrying out the program. Such official shall be—

- (1) the Assistant Secretary for Policy of the Department of Homeland Security; or
- (2) an official appointed by the Secretary who reports directly to the Secretary.

(c) Duties

The official designated under subsection (b) shall assist the Secretary of Homeland Security in improving the Department's ability to prevent terrorists from entering the United States or remaining in the United States undetected by—

- (1) developing relevant strategies and policies;
- (2) reviewing the effectiveness of existing programs and recommending improvements, if necessary;
- (3) making recommendations on budget requests and on the allocation of funding and personnel;
- (4) ensuring effective coordination, with respect to policies, programs, planning, operations, and dissemination of intelligence and information related to terrorist travel—

(A) among appropriate subdivisions of the Department of Homeland Security, as determined by the Secretary and including—

- (i) United States Customs and Border Protection;
- (ii) United States Immigration and Customs Enforcement;
- (iii) United States Citizenship and Immigration Services;
- (iv) the Transportation Security Administration; and
- (v) the United States Coast Guard; and

(B) between the Department of Homeland Security and other appropriate Federal agencies; and

- (5) serving as the Secretary's primary point of contact with the National Counterterrorism Center for implementing initiatives related to terrorist travel and ensuring that the recommendations of the Center related to terrorist travel are carried out by the Department.

(d) Report

Not later than 180 days after August 3, 2007, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the implementation of this section.

(Pub. L. 108–458, title VII, §7215, Dec. 17, 2004, 118 Stat. 3832; Pub. L. 110–53, title VII, §722, Aug. 3, 2007, 121 Stat. 348.)

¹ See References in Text note below.

REFERENCES IN TEXT

Section 7201, referred to in subsec. (a), is section 7201 of Pub. L. 108–458, title VII, Dec. 17, 2004, 118 Stat. 3808, which enacted section 1776 of Title 8, Aliens and Nationality, and provisions set out as notes under section 1776 of Title 8 and sections 403–1 and 404o of Title 50, War and National Defense.

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 Homeland Security Act of 2002 which comprises this chapter.

AMENDMENTS

2007—Pub. L. 110–53 reenacted section catchline without change and amended text generally, substituting provisions relating to establishment of a program to oversee the implementation of the Secretary's responsibilities with respect to terrorist travel not later than 90 days after Aug. 3, 2007, and relating to the head of the program, such official's duties, and report on implementation for provisions relating to establishment of a program to oversee the implementation of the Department's responsibilities with respect to terrorist travel.

§ 124. Homeland Security Advisory System

(a) Requirement

The Secretary shall administer the Homeland Security Advisory System in accordance with this section to provide advisories or warnings regarding the threat or risk that acts of terrorism will be committed on the homeland to Federal, State, local, and tribal government authorities and to the people of the United States, as appropriate. The Secretary shall exercise primary responsibility for providing such advisories or warnings.

(b) Required elements

In administering the Homeland Security Advisory System, the Secretary shall—

- (1) establish criteria for the issuance and revocation of such advisories or warnings;
- (2) develop a methodology, relying on the criteria established under paragraph (1), for the issuance and revocation of such advisories or warnings;
- (3) provide, in each such advisory or warning, specific information and advice regarding appropriate protective measures and countermeasures that may be taken in response to the threat or risk, at the maximum level of detail practicable to enable individuals, government entities, emergency response providers, and the private sector to act appropriately;
- (4) whenever possible, limit the scope of each such advisory or warning to a specific region, locality, or economic sector believed to be under threat or at risk; and
- (5) not, in issuing any advisory or warning, use color designations as the exclusive means of specifying homeland security threat conditions that are the subject of the advisory or warning.

(Pub. L. 107–296, title II, §203, as added Pub. L. 110–53, title V, §501(a)(1), Aug. 3, 2007, 121 Stat. 306.)

§ 124a. Homeland security information sharing

(a) Information sharing

Consistent with section 485 of this title, the Secretary, acting through the Under Secretary