

rate of pay payable to the Executive Secretary of the National Security Council.

(Pub. L. 107-296, title IX, §905, Nov. 25, 2002, 116 Stat. 2259.)

§ 496. Relation to the National Security Council

The President may convene joint meetings of the Homeland Security Council and the National Security Council with participation by members of either Council or as the President may otherwise direct.

(Pub. L. 107-296, title IX, §906, Nov. 25, 2002, 116 Stat. 2259.)

SUBCHAPTER X—CONSTRUCTION

§ 511. Information security responsibilities of certain agencies

(1) National security responsibilities

(A) Nothing in this chapter (including any amendment made by this chapter) shall supersede any authority of the Secretary of Defense, the Director of Central Intelligence, or other agency head, as authorized by law and as directed by the President, with regard to the operation, control, or management of national security systems, as defined by section 3532(3)¹ of title 44.

(B) Omitted

(2) Atomic Energy Act of 1954

Nothing in this chapter shall supersede any requirement made by or under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.). Restricted Data or Formerly Restricted Data shall be handled, protected, classified, downgraded, and declassified in conformity with the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).

(Pub. L. 107-296, title X, §1001(c), Nov. 25, 2002, 116 Stat. 2267.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 107-296, Nov. 25, 2002, 116 Stat. 2135, known as the Homeland Security Act of 2002, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

The Atomic Energy Act of 1954, referred to in par. (2), is act Aug. 1, 1946, ch. 724, as added by act Aug. 30, 1954, ch. 1073, §1, 68 Stat. 921, and amended, which is classified generally to chapter 23 (§2011 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 2011 of Title 42 and Tables.

CODIFICATION

Section is comprised of section 1001(c) of Pub. L. 107-296. Par. (1)(B) of section 1001(c) of Pub. L. 107-296 amended section 2224 of Title 10, Armed Forces.

SHORT TITLE

For short title of title X of Pub. L. 107-296, which enacted this subchapter, as the “Federal Information Security Management Act of 2002”, see section 1001(a) of Pub. L. 107-296, set out as a note under section 101 of this title.

§ 512. Construction

Nothing in this chapter, or the amendments made by this chapter, affects the authority of

the National Institute of Standards and Technology or the Department of Commerce relating to the development and promulgation of standards or guidelines under paragraphs (1) and (2) of section 278g-3(a) of title 15.

(Pub. L. 107-296, title X, §1006, Nov. 25, 2002, 116 Stat. 2273.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 107-296, Nov. 25, 2002, 116 Stat. 2135, known as the Homeland Security Act of 2002, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

§ 513. Federal air marshal program

(1) Sense of Congress

It is the sense of Congress that the Federal air marshal program is critical to aviation security.

(2) Limitation on statutory construction

Nothing in this chapter, including any amendment made by this chapter, shall be construed as preventing the Under Secretary of Transportation for Security from implementing and training Federal air marshals.

(Pub. L. 107-296, title XIV, §1402(c), Nov. 25, 2002, 116 Stat. 2305.)

REFERENCES IN TEXT

This chapter, referred to in par. (2), was in the original “this Act”, meaning Pub. L. 107-296, Nov. 25, 2002, 116 Stat. 2135, known as the Homeland Security Act of 2002, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

SUBCHAPTER XI—DEPARTMENT OF JUSTICE DIVISIONS

PART A—EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

§ 521. Legal status of EOIR

(a)¹ Existence of EOIR

There is in the Department of Justice the Executive Office for Immigration Review, which shall be subject to the direction and regulation of the Attorney General under section 1103(g) of title 8.

(Pub. L. 107-296, title XI, §1101, Nov. 25, 2002, 116 Stat. 2273.)

EFFECTIVE DATE

Pub. L. 107-296, title XI, §1104, as added by Pub. L. 108-7, div. L, §105(a)(3), Feb. 20, 2003, 117 Stat. 531, provided that: “The provisions of this subtitle [subtitle A (§§1101-1104) of title XI of Pub. L. 107-296, enacting this part and amending section 1103 of Title 8, Immigration and Nationality] shall take effect on the date of the transfer of functions from the Commissioner of Immigration and Naturalization to officials of the Department of Homeland Security [functions transferred Mar. 1, 2003]”.

§ 522. Statutory construction

Nothing in this chapter, any amendment made by this chapter, or in section 1103 of title 8, shall be construed to limit judicial deference to regu-

¹ So in original. Probably should be section “3532(b)(2)”.

¹ So in original. No subsec. (b) has been enacted.