

(g) Operation as a service in the Navy

None of the conditions and restrictions in this section shall apply when the Coast Guard operates as a service in the Navy under section 3¹ of title 14.

(Pub. L. 107-296, title VIII, § 888, Nov. 25, 2002, 116 Stat. 2249; Pub. L. 113-284, § 2(b), Dec. 18, 2014, 128 Stat. 3089; Pub. L. 115-282, title VIII, § 801, Dec. 4, 2018, 132 Stat. 4299.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (c), 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 Short Title note set out under section 101 of this title and Tables.

Section 3 of title 14, referred to in subsec. (g), was redesignated section 103 of title 14 by Pub. L. 115-282, title I, § 103(b), Dec. 4, 2018, 132 Stat. 4195, and references to section 3 of title 14 deemed to refer to such redesignated section, see section 123(b)(1) of Pub. L. 115-282, set out as a References to Sections of Title 14 as Redesignated by Pub. L. 115-282 note preceding section 101 of Title 14, Coast Guard.

AMENDMENTS

2018—Subsec. (h). Pub. L. 115-282 struck out subsec. (h). Text read as follows: “Not later than 90 days after November 25, 2002, the Secretary, in consultation with the Commandant of the Coast Guard, shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives that—

“(1) analyzes the feasibility of accelerating the rate of procurement in the Coast Guard’s Integrated Deep-water System from 20 years to 10 years;

“(2) includes an estimate of additional resources required;

“(3) describes the resulting increased capabilities;

“(4) outlines any increases in the Coast Guard’s homeland security readiness;

“(5) describes any increases in operational efficiencies; and

“(6) provides a revised asset phase-in time line.”

2014—Subsecs. (f) to (i). Pub. L. 113-284 redesignated subsecs. (g) to (i) as (f) to (h), respectively, and struck out former subsec. (f) which related to annual review.

§ 469. Fees for credentialing and background investigations in transportation**(a) Fees**

For fiscal year 2004 and thereafter, the Secretary of Homeland Security shall charge reasonable fees for providing credentialing and background investigations in the field of transportation: *Provided*, That the establishment and collection of fees shall be subject to the following requirements:

(1) such fees, in the aggregate, shall not exceed the costs incurred by the Department of Homeland Security associated with providing the credential or performing the background record checks;

(2) the Secretary shall charge fees in amounts that are reasonably related to the costs of providing services in connection with

the activity or item for which the fee is charged;

(3) a fee may not be collected except to the extent such fee will be expended to pay for the costs of conducting or obtaining a criminal history record check and a review of available law enforcement databases and commercial databases and records of other governmental and international agencies; reviewing and adjudicating requests for waiver and appeals of agency decisions with respect to providing the credential, performing the background record check, and denying requests for waiver and appeals; and any other costs related to providing the credential or performing the background record check; and

(4) any fee collected shall be available for expenditure only to pay the costs incurred in providing services in connection with the activity or item for which the fee is charged and shall remain available until expended.

(b) Recurrent training of aliens in operation of aircraft**(1) Process for reviewing threat assessments**

Notwithstanding section 44939(e) of title 49, the Secretary shall establish a process to ensure that an alien (as defined in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3)) applying for recurrent training in the operation of any aircraft is properly identified and has not, since the time of any prior threat assessment conducted pursuant to section 44939(a) of such title, become a risk to aviation or national security.

(2) Interruption of training

If the Secretary determines, in carrying out the process established under paragraph (1), that an alien is a present risk to aviation or national security, the Secretary shall immediately notify the person providing the training of the determination and that person shall not provide the training or if such training has commenced that person shall immediately terminate the training.

(3) Fees

The Secretary may charge reasonable fees under subsection (a) for providing credentialing and background investigations for aliens in connection with the process for recurrent training established under paragraph (1). Such fees shall be promulgated by notice in the Federal Register.

(Pub. L. 108-90, title V, § 520, Oct. 1, 2003, 117 Stat. 1156; Pub. L. 110-329, div. D, title V, § 543, Sept. 30, 2008, 122 Stat. 3689.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Department of Homeland Security Appropriations Act, 2004, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

AMENDMENTS

2008—Pub. L. 110-329 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

¹ See References in Text note below.

§ 469a. Collection of fees from non-Federal participants in meetings

For fiscal year 2010 and thereafter, the Secretary of Homeland Security may collect fees from any non-Federal participant in a conference, seminar, exhibition, symposium, or similar meeting conducted by the Department of Homeland Security in advance of the conference, either directly or by contract, and those fees shall be credited to the appropriation or account from which the costs of the conference, seminar, exhibition, symposium, or similar meeting are paid and shall be available to pay the costs of the Department of Homeland Security with respect to the conference or to reimburse the Department for costs incurred with respect to the conference: *Provided*, That in the event the total amount of fees collected with respect to a conference exceeds the actual costs of the Department of Homeland Security with respect to the conference, the amount of such excess shall be deposited into the Treasury as miscellaneous receipts: *Provided further*, That the Secretary shall provide a report to the Committees on Appropriations of the Senate and the House of Representatives not later than January 5, 2011, providing the level of collections and a summary by agency of the purposes and levels of expenditures for the prior fiscal year.¹

(Pub. L. 111–83, title V, §554, Oct. 28, 2009, 123 Stat. 2179; Pub. L. 114–113, div. F, title V, §510(c), Dec. 18, 2015, 129 Stat. 2514.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Department of Homeland Security Appropriations Act, 2010, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

AMENDMENTS

2015—Pub. L. 114–113 struck out “and shall report annually thereafter” before period at end.

§ 470. Disclosures regarding homeland security grants

(a) Definitions

In this section:

(1) Homeland security grant

The term “homeland security grant” means any grant made or administered by the Department, including—

- (A) the State Homeland Security Grant Program;
- (B) the Urban Area Security Initiative Grant Program;
- (C) the Law Enforcement Terrorism Prevention Program;
- (D) the Citizen Corps; and
- (E) the Metropolitan Medical Response System.

(2) Local government

The term “local government” has the meaning given the term in section 101 of this title.

(b) Required disclosures

Each State or local government that receives a homeland security grant shall, not later than

12 months after the later of October 13, 2006, and the date of receipt of such grant, and every 12 months thereafter until all funds provided under such grant are expended, submit a report to the Secretary that contains a list of all expenditures made by such State or local government using funds from such grant.

(Pub. L. 109–347, title VII, §702, Oct. 13, 2006, 120 Stat. 1943.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Security and Accountability For Every Port Act of 2006, also known as the SAFE Port Act, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of “Department” and “Secretary” as used in this section, see section 901 of this title.

§ 471. Annual ammunition report

(a) The Secretary of Homeland Security shall submit to Congress, 180 days after January 17, 2014, and annually thereafter beginning with the submission of the President’s budget proposal for fiscal year 2016 pursuant to section 1105(a) of title 31, a comprehensive report on the purchase and usage of ammunition, subdivided by ammunition type. The report shall include—

(1) the quantity of ammunition in inventory at the end of the preceding calendar year, and the amount of ammunition expended and purchased, subdivided by ammunition type, during the year for each relevant component or agency in the Department of Homeland Security;

(2) a description of how such quantity, usage, and purchase aligns to each component or agency’s mission requirements for certification, qualification, training, and operations; and

(3) details on all contracting practices applied by the Department of Homeland Security, including comparative details regarding other contracting options with respect to cost and availability.

(b) The reports required by subsection (a) shall be submitted in an appropriate format in order to ensure the safety of law enforcement personnel.

(Pub. L. 113–76, div. F, title V, §569, Jan. 17, 2014, 128 Stat. 286.)

Editorial Notes

CODIFICATION

Section was enacted as part of the appropriation act cited in the credit of this section, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

§ 472. Annual weaponry report

(a) The Secretary of Homeland Security shall submit to the Congress, not later than 180 days after March 4, 2015, and annually thereafter, beginning at the time the President’s budget pro-

¹ So in original.