

ment under this chapter, immediately before the effective date of this chapter shall continue to apply following that transfer if the statutory requirement refers to the agency by name.

(Pub. L. 107–296, title XV, § 1512, Nov. 25, 2002, 116 Stat. 2310.)

#### 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 Short Title note set out under section 101 of this title and Tables.

The effective date of this chapter, referred to in subsecs. (d), (e)(1), and (f), is 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107–296, set out as an Effective Date note under section 101 of this title.

### § 552a. Savings provision of certain transfers made under the Homeland Security Act of 2002

The transfer of functions under subtitle B of title XI of the Homeland Security Act of 2002 (Public Law 107–296) [6 U.S.C. 531 et seq.] shall not affect any pending or completed administrative actions, including orders, determinations, rules, regulations, personnel actions, permits, agreements, grants, contracts, certificates, licenses, or registrations, in effect on the date immediately prior to the date of such transfer, or any proceeding, unless and until amended, modified, superseded, terminated, set aside, or revoked. Pending civil actions shall not be affected by such transfer of functions.

(Pub. L. 108–7, div. L, § 106, Feb. 20, 2003, 117 Stat. 531.)

#### REFERENCES IN TEXT

The Homeland Security Act of 2002, referred to in text, is Pub. L. 107–296, Nov. 25, 2002, 116 Stat. 2135, as amended, which is classified principally to this chapter. Subtitle B of title XI of the Act is classified principally to part B (§ 531 et seq.) of subchapter XI of 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.

#### CODIFICATION

Section was enacted as part of the Homeland Security Act Amendments of 2003 and also as part of the Consolidated Appropriations Resolution, 2003, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

### § 553. Terminations

Except as otherwise provided in this chapter, whenever all the functions vested by law in any agency have been transferred pursuant to this chapter, each position and office the incumbent of which was authorized to receive compensation at the rates prescribed for an office or position at level II, III, IV, or V, of the Executive Schedule, shall terminate.

(Pub. L. 107–296, title XV, § 1513, Nov. 25, 2002, 116 Stat. 2311.)

#### 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 Short Title note set out under section 101 of this title and Tables.

Levels II, III, IV, and V, of the Executive Schedule, referred to in text, are set out in sections 5313, 5314, 5315, and 5316, respectively, of Title 5, Government Organization and Employees.

### § 554. National identification system not authorized

Nothing in this chapter shall be construed to authorize the development of a national identification system or card.

(Pub. L. 107–296, title XV, § 1514, Nov. 25, 2002, 116 Stat. 2311.)

#### 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 Short Title note set out under section 101 of this title and Tables.

### § 555. Continuity of Inspector General oversight

Notwithstanding the transfer of an agency to the Department pursuant to this chapter, the Inspector General that exercised oversight of such agency prior to such transfer shall continue to exercise oversight of such agency during the period of time, if any, between the transfer of such agency to the Department pursuant to this chapter and the appointment of the Inspector General of the Department of Homeland Security in accordance with section 113(b) of this title.

(Pub. L. 107–296, title XV, § 1515, Nov. 25, 2002, 116 Stat. 2311.)

#### 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 Short Title note set out under section 101 of this title and Tables.

### § 556. Incidental transfers

The Director of the Office of Management and Budget, in consultation with the Secretary, is authorized and directed to make such additional incidental dispositions of personnel, assets, and liabilities held, used, arising from, available, or to be made available, in connection with the functions transferred by this chapter, as the Director may determine necessary to accomplish the purposes of this chapter.

(Pub. L. 107–296, title XV, § 1516, Nov. 25, 2002, 116 Stat. 2311.)

#### 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 Short Title note set out under section 101 of this title and Tables.

**§ 557. Reference**

With respect to any function transferred by or under this chapter (including under a reorganization plan that becomes effective under section 542 of this title) and exercised on or after the effective date of this chapter, reference in any other Federal law to any department, commission, or agency or any officer or office the functions of which are so transferred shall be deemed to refer to the Secretary, other official, or component of the Department to which such function is so transferred.

(Pub. L. 107–296, title XV, § 1517, Nov. 25, 2002, 116 Stat. 2311.)

## 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 Short Title note set out under section 101 of this title and Tables.

The effective date of this chapter, referred to in text, is 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107–296, set out as an Effective Date note under section 101 of this title.

## SUBCHAPTER XII—TRANSPORTATION SECURITY

## PART A—GENERAL PROVISIONS

**§ 561. Definitions**

In this subchapter:

**(1) Administration**

The term “Administration” means the Transportation Security Administration.

**(2) Administrator**

The term “Administrator” means the Administrator of the Transportation Security Administration.

**(3) Plan**

The term “Plan” means the strategic 5-year technology investment plan developed by the Administrator under section 563 of this title.

**(4) Security-related technology**

The term “security-related technology” means any technology that assists the Administration in the prevention of, or defense against, threats to United States transportation systems, including threats to people, property, and information.

(Pub. L. 107–296, title XVI, § 1601, as added Pub. L. 113–245, § 3(a), Dec. 18, 2014, 128 Stat. 2871.)

## PRIOR PROVISIONS

A prior section 1601 of Pub. L. 107–296, title XVI, Nov. 25, 2002, 116 Stat. 2312, amended sections 114 and 40119 of Title 49, Transportation, see section 3(c) of Pub. L. 113–245, set out as a note below.

## FINDINGS

Pub. L. 113–245, § 2, Dec. 18, 2014, 128 Stat. 2871, provided that: “Congress finds the following:

“(1) The Transportation Security Administration has not consistently implemented Department of Homeland Security policies and Government best practices for acquisition and procurement.

“(2) The Transportation Security Administration has only recently developed a multiyear technology investment plan, and has underutilized innovation opportunities within the private sector, including from small businesses.

“(3) The Transportation Security Administration has faced challenges in meeting key performance requirements for several major acquisitions and procurements, resulting in reduced security effectiveness and wasted expenditures.”

## PRIOR AMENDMENTS NOT AFFECTED

Pub. L. 113–245, § 3(c), Dec. 18, 2014, 128 Stat. 2877, provided that: “Nothing in this section [enacting this subchapter] may be construed to affect any amendment made by title XVI of the Homeland Security Act of 2002 [title XVI of Pub. L. 107–296, amending sections 114, 40119, 44935 and 46301 of Title 49, Transportation] as in effect before the date of enactment of this Act [Dec. 18, 2014].”

## PART B—TRANSPORTATION SECURITY ADMINISTRATION ACQUISITION IMPROVEMENTS

**§ 563. 5-year technology investment plan****(a) In general**

The Administrator shall—

(1) not later than 180 days after December 18, 2014, develop and submit to Congress a strategic 5-year technology investment plan, that may include a classified addendum to report sensitive transportation security risks, technology vulnerabilities, or other sensitive security information; and

(2) to the extent possible, publish the Plan in an unclassified format in the public domain.

**(b) Consultation**

The Administrator shall develop the Plan in consultation with—

(1) the Under Secretary for Management;

(2) the Under Secretary for Science and Technology;

(3) the Chief Information Officer; and

(4) the aviation industry stakeholder advisory committee established by the Administrator.

**(c) Approval**

The Administrator may not publish the Plan under subsection (a)(2) until it has been approved by the Secretary.

**(d) Contents of Plan**

The Plan shall include—

(1) an analysis of transportation security risks and the associated capability gaps that would be best addressed by security-related technology, including consideration of the most recent quadrennial homeland security review under section 347 of this title;

(2) a set of security-related technology acquisition needs that—

(A) is prioritized based on risk and associated capability gaps identified under paragraph (1); and

(B) includes planned technology programs and projects with defined objectives, goals, timelines, and measures;

(3) an analysis of current and forecast trends in domestic and international passenger travel;

(4) an identification of currently deployed security-related technologies that are at or near the end of their lifecycles;