

§ 453. Use of appropriated funds**(a) Disposal of property****(1) Strict compliance**

If specifically authorized to dispose of real property in this chapter or any other Act, the Secretary shall exercise this authority in strict compliance with subchapter IV of chapter 5 of title 40.

(2) Deposit of proceeds

The Secretary shall deposit the proceeds of any exercise of property disposal authority into the miscellaneous receipts of the Treasury in accordance with section 3302(b) of title 31.

(b) Gifts

Except as authorized by section 2601 of title 10, by section 93¹ of title 14, or by section 321n or 464 of this title, gifts or donations of services or property of or for the Department may not be accepted, used, or disposed of unless specifically permitted in advance in an appropriations Act and only under the conditions and for the purposes specified in such appropriations Act.

(c) Budget request

Under section 1105 of title 31, the President shall submit to Congress a detailed budget request for the Department for fiscal year 2004, and for each subsequent fiscal year.

(Pub. L. 107-296, title VIII, § 873, Nov. 25, 2002, 116 Stat. 2243; Pub. L. 108-7, div. L, § 103(3), Feb. 20, 2003, 117 Stat. 529; Pub. L. 111-245, § 2(a)(2), Sept. 30, 2010, 124 Stat. 2621.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(1), was in the original a reference to 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 93 of title 14, referred to in subsec. (b), was redesignated section 504 of title 14 by Pub. L. 115-282, title I, § 105(b), Dec. 4, 2018, 132 Stat. 4200, and references to section 93 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.

CODIFICATION

In subsec. (a)(1), “subchapter IV of chapter 5 of title 40” substituted for “section 204 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 485)” on authority of Pub. L. 107-217, § 5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

AMENDMENTS

2010—Subsec. (b). Pub. L. 111-245 substituted “title 10, by section 93 of title 14, or by section 321n or 464 of this title, gifts or donations” for “title 10 and by section 93 of title 14, gifts or donations”.

2003—Subsec. (b). Pub. L. 108-7 substituted “Except as authorized by section 2601 of title 10 and by section 93 of title 14, gifts” for “Gifts”.

¹ See References in Text note below.

§ 453a. Additional uses of appropriated funds

In fiscal year 2004 and thereafter, unless otherwise provided, funds may be used for purchase of uniforms without regard to the general purchase price limitation for the current fiscal year; purchase of insurance for official motor vehicles operated in foreign countries; entering into contracts with the Department of State to furnish health and medical services to employees and their dependents serving in foreign countries; services authorized by section 3109 of title 5; and the hire and purchase of motor vehicles, as authorized by section 1343 of title 31: *Provided*, That purchase for police-type use of passenger vehicles may be made without regard to the general purchase price limitation for the current fiscal year.

(Pub. L. 108-90, title V, § 505, Oct. 1, 2003, 117 Stat. 1153.)

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.

§ 453b. Requirement to buy certain items related to national security interests from American sources; exceptions**(a) Requirement**

Except as provided in subsections (c) through (g), funds appropriated or otherwise available to the Department of Homeland Security may not be used for the procurement of an item described in subsection (b) if the item is not grown, reprocessed, reused, or produced in the United States.

(b) Covered items

An item referred to in subsection (a) is any of the following, if the item is directly related to the national security interests of the United States:

(1)¹ An article or item of—

(A) clothing and the materials and components thereof, other than sensors, electronics, or other items added to, and not normally associated with, clothing (and the materials and components thereof);

(B) tents, tarpaulins, covers, textile belts, bags, protective equipment (including but not limited to body armor), sleep systems, load carrying equipment (including but not limited to fieldpacks), textile marine equipment, parachutes, or bandages;

(C) cotton and other natural fiber products, woven silk or woven silk blends, spun silk yarn for cartridge cloth, synthetic fabric or coated synthetic fabric (including all textile fibers and yarns that are for use in such fabrics), canvas products, or wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles); or

(D) any item of individual equipment manufactured from or containing such fibers, yarns, fabrics, or materials.

¹ So in original. No par. (2) has been enacted.