

(1) Procurements by vessels in foreign waters.

(2) Emergency procurements.

**(f) Exception for small purchases**

Subsection (a) does not apply to purchases for amounts not greater than the simplified acquisition threshold referred to in section 3205 of title 10.

**(g) Applicability to contracts and subcontracts for procurement of commercial products**

This section is applicable to contracts and subcontracts for the procurement of commercial products notwithstanding section 1906 of title 41, with the exception of commercial products listed under subsections (b)(1)(C) and (b)(1)(D) above. For the purposes of this section, “commercial product” shall be as defined in section 103 of title 41.

**(h) Geographic coverage**

In this section, the term “United States” includes the possessions of the United States.

**(i) Notification required within 7 days after contract award if certain exceptions applied**

In the case of any contract for the procurement of an item described in subsection (b)(1), if the Secretary of Homeland Security applies an exception set forth in subsection (c) with respect to that contract, the Secretary shall, not later than 7 days after the award of the contract, post a notification that the exception has been applied on the Internet site maintained by the General Services Administration known as FedBizOps.gov (or any successor site).

**(j) Training during fiscal year 2009**

**(1) In general**

The Secretary of Homeland Security shall ensure that each member of the acquisition workforce in the Department of Homeland Security who participates personally and substantially in the acquisition of textiles on a regular basis receives training during fiscal year 2009 on the requirements of this section and the regulations implementing this section.

**(2) Inclusion of information in new training programs**

The Secretary shall ensure that any training program for the acquisition workforce developed or implemented after February 17, 2009, includes comprehensive information on the requirements described in paragraph (1).

**(k) Consistency with international agreements**

This section shall be applied in a manner consistent with United States obligations under international agreements.

**(l) Effective date**

This section applies with respect to contracts entered into by the Department of Homeland Security 180 days after February 17, 2009.

(Pub. L. 111–5, div. A, title VI, § 604, Feb. 17, 2009, 123 Stat. 165; Pub. L. 115–232, div. A, title VIII, § 836(g)(1), Aug. 13, 2018, 132 Stat. 1872; Pub. L. 117–81, div. A, title XVII, § 1702(c)(5), Dec. 27, 2021, 135 Stat. 2156.)

**Editorial Notes**

**CODIFICATION**

Section was enacted as part of the American Recovery and Reinvestment Act of 2009, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

**AMENDMENTS**

2021—Subsec. (f). Pub. L. 117–81 substituted “section 3205” for “section 2304(g)”.

2018—Subsec. (g). Pub. L. 115–232 substituted “commercial products” for “commercial items” in heading and, in text, substituted “procurement of commercial products notwithstanding section 1906 of title 41, with the exception of commercial products listed” for “procurement of commercial items not withstanding section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430), with the exception of commercial items listed” and “‘commercial product’ shall be as defined in section 103 of title 41.” for “‘commercial’ shall be as defined in the Federal Acquisition Regulation—Part 2.”

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2018 AMENDMENT; SAVINGS PROVISION**

Pub. L. 115–232, div. A, title VIII, § 836(h), Aug. 13, 2018, 132 Stat. 1874, provided that: “The amendments made by subsections (a) through (g) [see Tables for classification] shall take effect on January 1, 2020. Any provision of law that on the day before such effective date is on a list of provisions of law included in the Federal Acquisition Regulation pursuant to section 1907 of title 41, United States Code, shall be deemed as of that effective date to be on a list of provisions of law included in the Federal Acquisition Regulation pursuant to section 1906 of such title.”

**§ 453c. Disposition of equines unfit for service**

None of the funds made available in this or any other Act for fiscal year 2012 and thereafter may be used to destroy or put out to pasture any horse or other equine belonging to any component or agency of the Department of Homeland Security that has become unfit for service, unless the trainer or handler is first given the option to take possession of the equine through an adoption program that has safeguards against slaughter and inhumane treatment.

(Pub. L. 112–74, div. D, title V, § 526, Dec. 23, 2011, 125 Stat. 974.)

**Editorial Notes**

**REFERENCES IN TEXT**

This Act, referred to in text, means div. D of Pub. L. 112–74, Dec. 23, 2011, 125 Stat. 943, known as the Department of Homeland Security Appropriations Act, 2012. For complete classification of this Act to the Code, see Tables.

**CODIFICATION**

Section was enacted as part of the Department of Homeland Security Appropriations Act, 2012, and also as part of the Consolidated Appropriations Act, 2012, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

**§ 454. Future Years Homeland Security Program**

**(a) In general**

Each budget request submitted to Congress for the Department under section 1105 of title 31 shall, at or about the same time, be accom-