

[Reference to a Sector Specific Agency (including any permutations or conjugations thereof) deemed to be a reference to the Sector Risk Management Agency of the relevant critical infrastructure sector and have the meaning give such term in section 651(5) of this title, see section 652a(c)(3) of this title, enacted Jan. 1, 2021.]

§ 195g. Countering Unmanned Aircraft Systems Coordinator

(a) Coordinator

(1) In general

The Secretary shall designate an individual in a Senior Executive Service position (as defined in section 3132 of title 5) of the Department within the Office of Strategy, Policy, and Plans as the Countering Unmanned Aircraft Systems Coordinator (in this section referred to as the “Coordinator”) and provide appropriate staff to carry out the responsibilities of the Coordinator.

(2) Responsibilities

The Coordinator shall—

(A) oversee and coordinate with relevant Department offices and components, including the Office of Civil Rights and Civil Liberties and the Privacy Office, on the development of guidance and regulations to counter threats associated with unmanned aircraft systems (in this section referred to as “UAS”) as described in section 124n of this title;

(B) promote research and development of counter UAS technologies in coordination within the Science and Technology Directorate;

(C) coordinate with the relevant components and offices of the Department, including the Office of Intelligence and Analysis, to ensure the sharing of information, guidance, and intelligence relating to countering UAS threats, counter UAS threat assessments, and counter UAS technology, including the retention of UAS and counter UAS incidents within the Department;

(D) serve as the Department liaison, in coordination with relevant components and offices of the Department, to the Department of Defense, Federal, State, local, and Tribal law enforcement entities, and the private sector regarding the activities of the Department relating to countering UAS;

(E) maintain the information required under section 124n(g)(3) of this title; and

(F) carry out other related counter UAS authorities and activities under section 124n of this title, as directed by the Secretary.

(b) Coordination with applicable Federal laws

The Coordinator shall, in addition to other assigned duties, coordinate with relevant Department components and offices to ensure testing, evaluation, or deployment of a system used to identify, assess, or defeat a UAS is carried out in accordance with applicable Federal laws.

(c) Coordination with private sector

The Coordinator shall, among other assigned duties, working with the Office of Partnership and Engagement and other relevant Department offices and components, or other Federal agencies, as appropriate, serve as the principal De-

partment official responsible for sharing to the private sector information regarding counter UAS technology, particularly information regarding instances in which counter UAS technology may impact lawful private sector services or systems.

(Pub. L. 107-296, title III, § 321, as added Pub. L. 116-260, div. U, title VII, § 701(b)(1), Dec. 27, 2020, 134 Stat. 2295.)

SUBCHAPTER IV—BORDER, MARITIME, AND TRANSPORTATION SECURITY

Editorial Notes

CODIFICATION

Pub. L. 114-125, title VIII, § 802(g)(1)(B)(i), Feb. 24, 2016, 130 Stat. 211, substituted “BORDER, MARITIME, AND TRANSPORTATION SECURITY” for “DIRECTORATE OF BORDER AND TRANSPORTATION SECURITY” in subchapter heading.

PART A—BORDER, MARITIME, AND TRANSPORTATION SECURITY RESPONSIBILITIES AND FUNCTIONS

Editorial Notes

CODIFICATION

Pub. L. 114-125, title VIII, § 802(g)(1)(B)(ii)(I), Feb. 24, 2016, 130 Stat. 211, substituted “Border, Maritime, and Transportation Security Responsibilities and Functions” for “Under Secretary for Border and Transportation Security” in part heading.

§ 201. Repealed. Pub. L. 114-125, title VIII, § 802(g)(2), Feb. 24, 2016, 130 Stat. 212

Section, Pub. L. 107-296, title IV, § 401, Nov. 25, 2002, 116 Stat. 2177, established the Directorate of Border and Transportation Security headed by an Under Secretary for Border and Transportation Security.

§ 202. Border, maritime, and transportation responsibilities

The Secretary shall be responsible for the following:

(1) Preventing the entry of terrorists and the instruments of terrorism into the United States.

(2) Securing the borders, territorial waters, ports, terminals, waterways, and air, land, and sea transportation systems of the United States, including managing and coordinating those functions transferred to the Department at ports of entry.

(3) Carrying out the immigration enforcement functions vested by statute in, or performed by, the Commissioner of Immigration and Naturalization (or any officer, employee, or component of the Immigration and Naturalization Service) immediately before the date on which the transfer of functions specified under section 251 of this title takes effect.

(4) Establishing and administering rules, in accordance with section 236 of this title, governing the granting of visas or other forms of permission, including parole, to enter the United States to individuals who are not a citizen or an alien lawfully admitted for permanent residence in the United States.

(5) Establishing national immigration enforcement policies and priorities.

(6) Except as provided in part C of this subchapter, administering the customs laws of the United States.

(7) Conducting the inspection and related administrative functions of the Department of Agriculture transferred to the Secretary of Homeland Security under section 231 of this title.

(8) In carrying out the foregoing responsibilities, ensuring the speedy, orderly, and efficient flow of lawful traffic and commerce.

(Pub. L. 107-296, title IV, §402, Nov. 25, 2002, 116 Stat. 2177; Pub. L. 114-125, title VIII, §802(g)(1)(B)(ii)(II), Feb. 24, 2016, 130 Stat. 211.)

Editorial Notes

REFERENCES IN TEXT

Part C of this subchapter, referred to in par. (6), was in the original “subtitle C”, meaning subtitle C (§ 421 et seq.) of title IV of Pub. L. 107-296, Nov. 25, 2002, 116 Stat. 2182, which enacted part C (§231 et seq.) of this subchapter and amended sections 2279e and 2279f of Title 7, Agriculture, and sections 115, 44901, and 47106 of Title 49, Transportation. For complete classification of subtitle C to the Code, see Tables.

The customs laws of the United States, referred to in par. (6), are classified generally to Title 19, Customs Duties.

AMENDMENTS

2016—Pub. L. 114-125 substituted “Border, maritime, and transportation responsibilities” for “Responsibilities” in section catchline and struck out “, acting through the Under Secretary for Border and Transportation Security,” after “The Secretary” in introductory provisions.

§ 203. Functions transferred

In accordance with subchapter XII (relating to transition provisions), there shall be transferred to the Secretary the functions, personnel, assets, and liabilities of—

(1) the United States Customs Service of the Department of the Treasury, including the functions of the Secretary of the Treasury relating thereto;

(2) the Transportation Security Administration of the Department of Transportation, including the functions of the Secretary of Transportation, and of the Under Secretary of Transportation for Security, relating thereto;

(3) the Federal Protective Service of the General Services Administration, including the functions of the Administrator of General Services relating thereto;

(4) the Federal Law Enforcement Training Center of the Department of the Treasury; and

(5) the Office for Domestic Preparedness of the Office of Justice Programs, including the functions of the Attorney General relating thereto.

(Pub. L. 107-296, title IV, §403, Nov. 25, 2002, 116 Stat. 2178.)

§ 204. Surface Transportation Security Advisory Committee

(a) Establishment

The Administrator of the Transportation Security Administration (referred to in this section as “Administrator”) shall establish within

the Transportation Security Administration the Surface Transportation Security Advisory Committee (referred to in this section as the “Advisory Committee”).

(b) Duties

(1) In general

The Advisory Committee may advise, consult with, report to, and make recommendations to the Administrator on surface transportation security matters, including the development, refinement, and implementation of policies, programs, initiatives, rulemakings, and security directives pertaining to surface transportation security.

(2) Risk-based security

The Advisory Committee shall consider risk-based security approaches in the performance of its duties.

(c) Membership

(1) Composition

The Advisory Committee shall be composed of—

(A) voting members appointed by the Administrator under paragraph (2); and

(B) nonvoting members, serving in an advisory capacity, who shall be designated by—

(i) the Transportation Security Administration;

(ii) the Department of Transportation;

(iii) the Coast Guard; and

(iv) such other Federal department or agency as the Administrator considers appropriate.

(2) Appointment

The Administrator shall appoint voting members from among stakeholders representing each mode of surface transportation, such as passenger rail, freight rail, mass transit, pipelines, highways, over-the-road bus, school bus industry, and trucking, including representatives from—

(A) associations representing such modes of surface transportation;

(B) labor organizations representing such modes of surface transportation;

(C) groups representing the users of such modes of surface transportation, including asset manufacturers, as appropriate;

(D) relevant law enforcement, first responders, and security experts; and

(E) such other groups as the Administrator considers appropriate.

(3) Chairperson

The Advisory Committee shall select a chairperson from among its voting members.

(4) Term of office

(A) Terms

(i) In general

The term of each voting member of the Advisory Committee shall be 2 years, but a voting member may continue to serve until the Administrator appoints a successor.

(ii) Reappointment

A voting member of the Advisory Committee may be reappointed.