completed, an identification of any issues that have arisen due to the completed transfers.

(C) An identification of any issues that may arise due to any future transfer of functions.

(2) Report on management

Not later than 4 years after the date on which the transfer of functions specified under section 251 of this title takes effect, the Comptroller General of the United States shall submit to the Committees on Appropriations and on the Judiciary of the House of Representatives and the Senate a report, following a study, containing the following:

(A) Determinations of whether the transfer of functions from the Immigration and Naturalization Service to the Bureau of Citizenship and Immigration Services and the Bureau of Border Security have improved, with respect to each function transferred, the following:

(i) Operations.

(ii) Management, including accountability and communication.

(iii) Financial administration.

(iv) Recordkeeping, including information management and technology.

(B) A statement of the reasons for the determinations under subparagraph (A).

(C) Any recommendations for further improvements to the Bureau of Citizenship and Immigration Services and the Bureau of Border Security.

(3) Report on fees

Not later than 1 year after November 25, 2002, the Comptroller General of the United States shall submit to the Committees on the Judiciary of the House of Representatives and of the Senate a report examining whether the Bureau of Citizenship and Immigration Services is likely to derive sufficient funds from fees to carry out its functions in the absence of appropriated funds.

(Pub. L. 107–296, title IV, § 477, Nov. 25, 2002, 116 Stat. 2209.)

REFERENCES IN TEXT

The effective date of this chapter, referred to in subsecs. (a), (b), and (c)(1), 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.

This chapter, referred to in subsec. (c)(1), 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 Immigration and Nationality Act, referred to in subsec. (c)(2)(F), is act June 27, 1952, ch. 477, 66 Stat. 163, as amended, which is classified principally to chapter 12 (§ 1101 et seq.) of Title 8, Aliens and Nationality. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

Parts D and E of this subchapter, referred to in subsec. (d)(1)(A), (B), was in the original ''subtitles D and E'', meaning subtitles D (§§ 441–446) and E (§§ 451–462) of title IV of Pub. L. 107–296, Nov. 25, 2002, 116 Stat. 2192, 2195, which enacted parts D and E of this subchapter, amended sections 1356 and 1573 of Title 8, Aliens and Nationality, and enacted provisions set out as a note under section 271 of this title. For complete classification of subtitles D and E to the Code, see Tables.

CHANGE OF NAME

Bureau of Border Security, referred to in text, changed to Bureau of Immigration and Customs Enforcement by Reorganization Plan Modification for the Department of Homeland Security, eff. Mar. 1, 2003, H. Doc. No. 108–32, 108th Congress, 1st Session, set out as a note under section 542 of this title.

§ 298. Immigration functions

(a) Annual report

(1) In general

One year after November 25, 2002, and each year thereafter, the Secretary shall submit a report to the President, to the Committees on the Judiciary and Government Reform of the House of Representatives, and to the Committees on the Judiciary and Government Affairs of the Senate, on the impact the transfers made by this part has had on immigration functions.

(2) Matter included

The report shall address the following with respect to the period covered by the report:

(A) The aggregate number of all immigration applications and petitions received, and processed, by the Department.

(B) Region-by-region statistics on the aggregate number of immigration applications and petitions filed by an alien (or filed on behalf of an alien) and denied, disaggregated by category of denial and application or petition type.

(C) The quantity of backlogged immigration applications and petitions that have been processed, the aggregate number awaiting processing, and a detailed plan for eliminating the backlog.

(D) The average processing period for immigration applications and petitions, disaggregated by application or petition type.

(E) The number and types of immigration-related grievances filed with any official of the Department of Justice, and if those grievances were resolved.

(F) Plans to address grievances and improve immigration services.

(G) Whether immigration-related fees were used consistent with legal requirements regarding such use.

(H) Whether immigration-related questions conveyed by customers to the Department (whether conveyed in person, by telephone, or by means of the Internet) were answered effectively and efficiently.

(b) Sense of Congress regarding immigration services

It is the sense of Congress that—

(1) the quality and efficiency of immigration services rendered by the Federal Government should be improved after the transfers made by this part take effect; and

(2) the Secretary should undertake efforts to guarantee that concerns regarding the quality and efficiency of immigration services are addressed after such effective date.

(Pub. L. 107–296, title IV, § 478, Nov. 25, 2002, 116 Stat. 2211.)

CHANGE OF NAME

Committee on Government Reform of House of Representatives changed to Committee on Oversight and Government Reform of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

SUBCHAPTER V—NATIONAL EMERGENCY MANAGEMENT

AMENDMENTS

2006—Pub. L. 109–295, title VI, § 611(1), Oct. 4, 2006, 120 Stat. 1395, substituted ''NATIONAL EMERGENCY MANAGEMENT'' for ''EMERGENCY PREPAREDNESS AND RESPONSE'' in subchapter heading.

§ 311. Definitions

In this subchapter—

(1) the term ''Administrator'' means the Administrator of the Agency;

(2) the term ''Agency'' means the Federal Emergency Management Agency;

(3) the term ''catastrophic incident'' means any natural disaster, act of terrorism, or other man-made disaster that results in extraordinary levels of casualties or damage or disruption severely affecting the population (including mass evacuations), infrastructure, environment, economy, national morale, or government functions in an area;

(4) the terms ''credentialed'' and ''credentialing'' mean having provided, or providing, respectively, documentation that identifies personnel and authenticates and verifies the qualifications of such personnel by ensuring that such personnel possess a minimum common level of training, experience, physical and medical fitness, and capability appropriate for a particular position in accordance with standards created under section 320 of this title;

(5) the term ''Federal coordinating officer'' means a Federal coordinating officer as described in section 5143 of title 42;

(6) the term ''interoperable'' has the meaning given the term ''interoperable communications'' under section 194(g)(1) of this title;

(7) the term ''National Incident Management System'' means a system to enable effective, efficient, and collaborative incident management;

(8) the term ''National Response Plan'' means the National Response Plan or any successor plan prepared under section 314(a)(6)[1] of this title;

(9) the term ''Regional Administrator'' means a Regional Administrator appointed under section 317 of this title;

(10) the term ''Regional Office'' means a Regional Office established under section 317 of this title;

(11) the term ''resources'' means personnel and major items of equipment, supplies, and facilities available or potentially available for responding to a natural disaster, act of terrorism, or other man-made disaster;

(12) the term ''surge capacity'' means the ability to rapidly and substantially increase the provision of search and rescue capabilities, food, water, medicine, shelter and housing, medical care, evacuation capacity, staffing (including disaster assistance employees), and other resources necessary to save lives and protect property during a catastrophic incident;

(13) the term ''tribal government'' means the government of any entity described in section 101(11)(B) of this title; and

(14) the terms ''typed'' and ''typing'' mean having evaluated, or evaluating, respectively, a resource in accordance with standards created under section 320 of this title.

(Pub. L. 107–296, title V, § 501, as added Pub. L. 109–295, title VI, § 611(10), Oct. 4, 2006, 120 Stat. 1395; amended Pub. L. 110–53, title IV, § 401(a), title V, § 502(c)(1), Aug. 3, 2007, 121 Stat. 301, 311.)

REFERENCES IN TEXT

Section 314(a)(6) of this title, referred to in par. (8), was in the original ''section 502(a)(6)'' and was translated as meaning section 502 of Pub. L. 107–296 prior to its redesignation as section 504 by Pub. L. 109–295, § 611(8), and not section 506 which was redesignated section 502 by Pub. L. 109–295, § 611(9), and is classified to section 312 of this title, to reflect the probable intent of Congress.

PRIOR PROVISIONS

A prior section 311, Pub. L. 107–296, title V, § 501, Nov. 25, 2002, 116 Stat. 2212, provided for an Under Secretary for Emergency Preparedness and Response, prior to repeal by Pub. L. 109–295, title VI, § 611(2), Oct. 4, 2006, 120 Stat. 1395.

AMENDMENTS

2007—Pars. (4) to (12). Pub. L. 110–53, § 401(a)(1)–(4), added pars. (4) and (11) and redesignated former pars. (4) to (10) as (5) to (10) and (12), respectively. Former par. (11) redesignated (13).

Par. (13). Pub. L. 110–53, § 502(c)(1), substituted ''101(11)(B)'' for ''101(10)(B)''.

Pub. L. 110–53, § 401(a)(1), redesignated par. (11) as (13).

Par. (14). Pub. L. 110–53, § 401(a)(5)–(7), added par. (14).

CHANGE OF NAME

Any reference to the Administrator of the Federal Emergency Management Agency in title VI of Pub. L. 109–295 or an amendment by title VI to be considered to refer and apply to the Director of the Federal Emergency Management Agency until Mar. 31, 2007, see section 612(f)(2) of Pub. L. 109–295, set out as a note under section 313 of this title.

INTERIM ACTIONS

Pub. L. 109–295, title VI, § 612(f)(1), Oct. 4, 2006, 120 Stat. 1411, provided that: ''During the period beginning on the date of enactment of this Act [Oct. 4, 2006] and ending on March 31, 2007, the Secretary [of Homeland Security], the Under Secretary for Preparedness, and the Director of the Federal Emergency Management Agency shall take such actions as are necessary to provide for the orderly implementation of any amendment under this subtitle [subtitle A (§§ 611–614) of title VI of Pub. L. 109–295, see Tables for classification] that takes effect on March 31, 2007.''

§ 312. Definition

In this subchapter, the term ''Nuclear Incident Response Team'' means a resource that includes—

[1] See References in Text note below.