

(ii) The nomination process and selection criteria for members of the Council shall be established by the Steering Committee. Based on those criteria, agency heads may select and present to the Steering Committee their nominee or nominees to represent them on the Council. The Steering Committee shall consider all of the nominees and decide by consensus which of the nominees shall participate on the Council. Each member agency on the Steering Committee, with the exception of the Office of the Director of National Intelligence, may have at least one representative on the Council.

(c) *Steering Committee.* There is also established a Steering Committee, chaired by the Chair of the Council, to provide guidance to the Council and perform other functions as set forth in this order. The Steering Committee shall include a representative at the Deputy agency head level, or that representative's designee, from the following agencies:

- (i) Department of State;
- (ii) Department of the Treasury;
- (iii) Department of Defense;
- (iv) Department of Justice;
- (v) Department of the Interior;
- (vi) Department of Agriculture;
- (vii) Department of Commerce;
- (viii) Department of Labor;
- (ix) Department of Health and Human Services;
- (x) Department of Housing and Urban Development;
- (xi) Department of Transportation;
- (xii) Department of Energy;
- (xiii) Department of Education;
- (xiv) Department of Veterans Affairs;
- (xv) Department of Homeland Security;
- (xvi) Office of the Director of National Intelligence;
- (xvii) Environmental Protection Agency;
- (xviii) Small Business Administration; and
- (xix) Federal Bureau of Investigation.

At the invitation of the Chair, representatives of agencies not listed in subsection (c) of this section or other executive branch entities may attend and participate in Steering Committee meetings as appropriate.

(d) *Administration.* The Chair or a designee shall convene meetings of the Council and Steering Committee, determine their agendas, and coordinate their work. The Council may establish subgroups consisting exclusively of Council members or their designees, as appropriate.

SEC. 3. *Mission and Function of the Council and Steering Committee.* (a) The Council shall, consistent with guidance from the Steering Committee:

(i) advise the Chair and Steering Committee members on priorities, challenges, and opportunities for local partnerships to support homeland security priorities, as well as regularly report to the Steering Committee on the Council's efforts;

(ii) promote homeland security priorities and opportunities for collaboration between Federal Government field offices and State, local, tribal, and territorial stakeholders;

(iii) advise and confer with State, local, tribal, and territorial stakeholders and agencies interested in expanding or building local homeland security partnerships;

(iv) raise awareness of local partnership best practices that can support homeland security priorities;

(v) as appropriate, conduct outreach to representatives of the private sector, nongovernmental organizations, foundations, community-based organizations, and State, local, tribal, and territorial government and law enforcement entities with relevant expertise for local homeland security partnerships, and collaborate with other Federal Government bodies; and

(vi) convene an annual meeting to exchange key findings, progress, and best practices.

(b) The Steering Committee shall:

(i) determine the scope of issue areas the Council will address and its operating protocols, in consultation with the Office of Management and Budget;

(ii) establish the nomination process and selection criteria for members of the Council as set forth in section 2(b)(ii) of this order;

(iii) provide guidance to the Council on the activities set forth in subsection (a) of this section; and

(iv) within 1 year of the selection of the Council members, and annually thereafter, provide a report on the work of the Council to the President through the Chair.

SEC. 4. *General Provisions.* (a) The heads of agencies participating in the Steering Committee shall assist and provide information to the Council, consistent with applicable law, as may be necessary to implement this order. Each agency shall bear its own expense for participating in the Council.

(b) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department, agency, or the head thereof;

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals; or

(iii) the functions of the Overseas Security Advisory Council.

(c) This order shall be implemented consistent with applicable law and appropriate protections for privacy and civil liberties, and subject to the availability of appropriations.

(d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA.

#### PART B—INSPECTOR GENERAL

#### § 371. Repealed. Pub. L. 108-7, div. L, § 104(c)(1), Feb. 20, 2003, 117 Stat. 531

Section, Pub. L. 107-296, title VIII, § 811, Nov. 25, 2002, 116 Stat. 2221, related to authority of Secretary of Homeland Security with respect to Inspector General.

#### PART C—UNITED STATES SECRET SERVICE

#### § 381. Functions transferred

In accordance with subchapter XII of this chapter, there shall be transferred to the Secretary the functions, personnel, assets, and obligations of the United States Secret Service, which shall be maintained as a distinct entity within the Department, including the functions of the Secretary of the Treasury relating thereto.

(Pub. L. 107-296, title VIII, § 821, Nov. 25, 2002, 116 Stat. 2224.)

#### PART D—ACQUISITIONS

#### § 391. Research and development projects

##### (a) Authority

Until September 30, 2013, and subject to subsection (d), the Secretary may carry out a pilot program under which the Secretary may exercise the following authorities:

##### (1) In general

When the Secretary carries out basic, applied, and advanced research and development projects, including the expenditure of funds for such projects, the Secretary may exercise the same authority (subject to the same limitations and conditions) with respect to such research and projects as the Secretary of Defense may exercise under section 2371 of title 10 (except for subsections (b) and (f)), after making a determination that the use of a con-