

SUBCHAPTER VIII—COORDINATION WITH NON-FEDERAL ENTITIES; INSPECTOR GENERAL; UNITED STATES SECRET SERVICE; COAST GUARD; GENERAL PROVISIONS

PART A—COORDINATION WITH NON-FEDERAL ENTITIES

§ 361. Office for State and Local Government Coordination

(a) Establishment

There is established within the Office of the Secretary the Office for State and Local Government Coordination, to oversee and coordinate departmental programs for and relationships with State and local governments.

(b) Responsibilities

The Office established under subsection (a) of this section shall—

- (1) coordinate the activities of the Department relating to State and local government;
- (2) assess, and advocate for, the resources needed by State and local government to implement the national strategy for combating terrorism;
- (3) provide State and local government with regular information, research, and technical support to assist local efforts at securing the homeland; and
- (4) develop a process for receiving meaningful input from State and local government to assist the development of the national strategy for combating terrorism and other homeland security activities.

(Pub. L. 107–296, title VIII, § 801, Nov. 25, 2002, 116 Stat. 2220.)

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 Repealed.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, 2009<sup>1</sup> 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 contract, grant, or cooperative agreement for such project is not feasible or appropriate. The annual report required under subsection (b) of this section, as applied to the Secretary by this paragraph, shall be submitted to the President of the Senate and the Speaker of the House of Representatives.

(2) Prototype projects

The Secretary may, under the authority of paragraph (1), carry out prototype projects in accordance with the requirements and conditions provided for carrying out prototype projects under section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160). In applying the authorities of that section 845, subsection (c) of that section shall apply with respect to prototype projects under this paragraph, and the Secretary shall perform the functions of the Secretary of Defense under subsection (d) thereof.

(b) Report

Not later than 2 years after the effective date of this chapter, and annually thereafter, the Comptroller General shall report to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate on—

- (1) whether use of the authorities described in subsection (a) of this section attracts non-traditional Government contractors and results in the acquisition of needed technologies; and
- (2) if such authorities were to be made permanent, whether additional safeguards are needed with respect to the use of such authorities.

(c) Procurement of temporary and intermittent services

The Secretary may—

- (1) procure the temporary or intermittent services of experts or consultants (or organizations thereof) in accordance with section 3109(b) of title 5; and
- (2) whenever necessary due to an urgent homeland security need, procure temporary (not to exceed 1 year) or intermittent personal services, including the services of experts or consultants (or organizations thereof), without regard to the pay limitations of such section 3109.

(d) Additional requirements

(1) In general

The authority of the Secretary under this section shall terminate September 30, 2009, unless before that date the Secretary—

<sup>1</sup> So in original. Probably should be followed by a comma.