

**Executive Documents****EX. ORD. NO. 13311. HOMELAND SECURITY INFORMATION SHARING**

Ex. Ord. No. 13311, July 29, 2003, 68 F.R. 45149, as amended by Ex. Ord. No. 13388, §8(a), Oct. 25, 2005, 70 F.R. 62025, provided:

By the authority vested in me by the Constitution and the laws of the United States, including sections 892 and 893 of the Homeland Security Act of 2002 (the “Act”) (6 U.S.C. 482 and 483) and section 301 of title 3, United States Code, it is hereby ordered as follows:

**SECTION 1. Assignment of Functions.** (a) The functions of the President under section 892 of the Act are assigned to the Secretary of Homeland Security (the “Secretary”), except the functions of the President under subsections 892(a)(2) and 892(b)(7).

(b) Subject to section 2(b) of this order, the function of the President under section 893 of the Act is assigned to the Secretary.

(c) Procedures issued by the Secretary in the performance of the function of the President under section 892(a)(1) of the Act shall apply to all agencies of the Federal Government. Such procedures shall specify that the President may make, or may authorize another officer of the United States to make, exceptions to the procedures.

(d) The function of the President under section 892(b)(7) of the Act is delegated to the Attorney General and the Director of National Intelligence, to be exercised jointly.

(e) In performing the functions assigned to the Secretary by subsection (a) of this section, the Secretary shall coordinate with the Secretary of State, the Secretary of Defense, the Attorney General, the Secretary of Energy, the Director of the Office of Management and Budget, the Director of National Intelligence, the Archivist of the United States, and as the Secretary deems appropriate, other officers of the United States.

(f) A determination, under the procedures issued by the Secretary in the performance of the function of the President under section 892(a)(1) of the Act, as to whether, or to what extent, an individual who falls within the category of “State and local personnel” as defined in sections 892(f)(3) and (f)(4) of the Act shall have access to information classified pursuant to [former] Executive Order 12958 of April 17, 1995, as amended, is a discretionary determination and shall be conclusive and not subject to review or appeal.

**SEC. 2. Rules of Construction.** Nothing in this order shall be construed to impair or otherwise affect:

(a) the authority of the Director of National Intelligence under section 102A(i)(1) of the National Security Act of 1947, as amended (50 U.S.C. 403-3(c)(7) [sic]) [50 U.S.C. 3024(i)(1)], to protect intelligence sources and methods from unauthorized disclosure;

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

(c) the provisions of Executive Orders 12958 of April 17, 1995 [former 50 U.S.C. 435 note], as amended, and 12968 of August 2, 1995 [50 U.S.C. 3161 note], as amended.

**SEC. 3. General Provision.** This order is intended only to improve the internal management of the Federal Government and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, against the United States, its departments, agencies, or other entities, its officers or employees, or any other person.

GEORGE W. BUSH.

**§ 483. Report****(a) Report required**

Not later than 12 months after November 25, 2002, the President shall submit to the congressional committees specified in subsection (b) a report on the implementation of section 482 of this title. The report shall include any rec-

ommendations for additional measures or appropriation requests, beyond the requirements of section 482 of this title, to increase the effectiveness of sharing of information between and among Federal, State, and local entities.

**(b) Specified congressional committees**

The congressional committees referred to in subsection (a) are the following committees:

(1) The Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives.

(2) The Select Committee on Intelligence and the Committee on the Judiciary of the Senate.

(Pub. L. 107-296, title VIII, §893, Nov. 25, 2002, 116 Stat. 2255.)

**Executive Documents****DELEGATION OF FUNCTIONS**

For assignment of function of President under this section, subject to certain limitations, to Secretary of Homeland Security, see Ex. Ord. No. 13311, §1(b), July 29, 2003, 68 F.R. 45149, set out as a note under section 482 of this title.

**§ 484. Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary to carry out section 482 of this title.

(Pub. L. 107-296, title VIII, §894, Nov. 25, 2002, 116 Stat. 2256.)

**§ 484a. Reciprocal information sharing**

Acting in accordance with a bilateral or multilateral arrangement, the Secretary, in the Secretary’s discretion and on the basis of reciprocity, may provide information from the National Sex Offender Registry relating to a conviction for a sex offense against a minor (as such terms are defined in section 20911 of title 34) to a foreign government upon the request of the foreign government, and may receive comparable information from the foreign government.

(Pub. L. 107-296, title VIII, §895, as added Pub. L. 117-347, title III, §323(a)(1)(B), Jan. 5, 2023, 136 Stat. 6207.)

**Editorial Notes****PRIOR PROVISIONS**

A prior section 895 of Pub. L. 107-296 amended Rule 6 of the Federal Rules of Criminal Procedure, set out in the Appendix to Title 18, Crimes and Criminal Procedure, prior to repeal by Pub. L. 117-347, title III, §323(a)(1)(A), Jan. 5, 2023, 136 Stat. 6206.

**§ 485. Information sharing****(a) Definitions**

In this section:

**(1) Homeland security information**

The term ‘homeland security information’ has the meaning given that term in section 482(f) of this title.

**(2) Information Sharing Council**

The term ‘Information Sharing Council’ means the Information Systems Council estab-