

1998—Subsec. (a)(2)(A), (B). Pub. L. 105-305, §4(a), amended subpars. (A) and (B) generally. Prior to amendment, subpars. read as follows:

“(A) provide for the establishment of policies for management and access to the Network;

“(B) provide for oversight of the operation and evolution of the Network;”.

Subsec. (b). Pub. L. 105-305, §4(b), struck out “High-performance computing” before “advisory committee” in heading.

1995—Subsec. (a)(4)(D) to (F). Pub. L. 104-66 struck out “and” at end of subpar. (D), added subpar. (E), and redesignated former subpar. (E) as (F).

#### TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided for by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

#### DELEGATION OF FUNCTIONS

President’s Council of Advisors on Science and Technology to serve as the advisory committee identified in section 5511(b) and former section 5513(b) of this title and to be known as the President’s Innovation and Technology Advisory Committee when so serving, see section 2(a)(iii) of Ex. Ord. No. 13539, set out as a note under section 6601 of Title 42, The Public Health and Welfare.

#### EX. ORD. NO. 13035. PRESIDENT’S INFORMATION TECHNOLOGY ADVISORY COMMITTEE

Ex. Ord. No. 13035, Feb. 11, 1997, 62 F.R. 7131, as amended by Ex. Ord. No. 13092, July 24, 1998, 63 F.R. 40167; Ex. Ord. No. 13113, Feb. 10, 1999, 64 F.R. 7489; Ex. Ord. No. 13200, Feb. 11, 2001, 66 F.R. 10183; Ex. Ord. No. 13215, May 31, 2001, 66 F.R. 30285; Ex. Ord. No. 13305, May 28, 2003, 68 F.R. 32323, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the High-Performance Computing Act of 1991 (Public Law 102-194) (“Act”) [15 U.S.C. 5501 et seq.], as amended by the Next Generation Internet Research Act of 1998 (Public Law 105-305) (“Research Act”) [see Short Title of 1998 Amendment note set out under section 5501 of this title], and in order to establish an advisory committee on high-performance computing and communications, Information Technology [sic], and the Next Generation Internet, it is hereby ordered as follows:

**SECTION 1. Establishment.** There is established the “President’s Information Technology Advisory Committee” (“Committee”). The Committee shall consist of not more than 30 nonfederal members appointed by the President, including representatives of the research, education, and library communities, network providers, and representatives from critical industries. Members appointed prior to June 1, 2001, shall serve until December 1, 2001, unless reappointed by the President. Members appointed or reappointed on or after June 1, 2001, shall serve for no more than 2 years from the date of their appointment, unless their period of service is extended by the President. The President shall designate two co-chairs from among the members of the Committee. A co-chair may serve for a term of 2 years or until the end of his or her service as a member of the Committee, whichever is the shorter period.

**SEC. 2. Functions.** (a) The Committee shall provide the National Science and Technology Council (NSTC), through the Director of the Office of Science and Technology Policy (“Director”), with advice and informa-

tion on high-performance computing and communications, information technology, and the Next Generation Internet. The Committee shall provide an independent assessment of:

(1) progress made in implementing the High-Performance Computing and Communications (HPCC) Program;

(2) progress in designing and implementing the Next Generation Internet initiative;

(3) the need to revise the HPCC Program;

(4) balance among components of the HPCC Program;

(5) whether the research and development undertaken pursuant to the HPCC Program is helping to maintain United States leadership in advanced computing and communications technologies and their applications; and

(6) other issues as specified by the Director.

(b) The Committee shall carry out its responsibilities under the Research Act in the manner described in the Research Act.

**SEC. 3. Administration.** To the extent permitted by law and subject to the availability of appropriations, the Department of Defense shall provide the financial and administrative support for the Committee. Further, the Director of the National Coordination Office for Computing Information, and Communications (“Director of the NCO”) shall provide such coordination and technical assistance to the Committee as the co-chairs of the Committee may request.

(a) The heads of executive agencies shall, to the extent permitted by law, provide to the Committee such information as it may require for the purpose of carrying out its functions.

(b) The co-chairs may, from time to time, invite experts to submit information to the Committee and may form subcommittees or working groups within the Committee to review specific issues.

(c) Members of the Committee shall serve without compensation but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701-5707).

**SEC. 4. General.** (a) Notwithstanding any other Executive order, the functions of the President under the Federal Advisory Committee Act, as amended [5 U.S.C. App.], except that of reporting to the Congress, that are applicable to the Committee shall be performed by the Director of the NCO in accordance with guidelines that have been issued by the Administrator of General Services.

(b) The Committee shall terminate June 1, 2005, unless extended by the President prior to such date.

### § 5512. Grand Challenges in areas of national importance

#### (a) In general

The Program shall encourage the participating agencies to support foundational, large-scale, long-term, interdisciplinary, and inter-agency information technology research and development activities in networking and information technology directed toward agency mission areas that have the potential for significant contributions to national economic competitiveness and for other significant societal benefits. Such activities, ranging from basic research to the demonstration of technical solutions, shall be designed to advance the development of fundamental discoveries. The advisory committee established under section 5511(b) of this title shall make recommendations to the Program for candidate research and development areas for support under this section.

#### (b) Characteristics

##### (1) In general

Research and development activities under this section shall—

(A) include projects selected on the basis of applications for support through a competitive, merit-based process;

(B) to the extent practicable, involve collaborations among researchers in institutions of higher education and industry, and may involve nonprofit research institutions and Federal laboratories, as appropriate;

(C) to the extent practicable, leverage Federal investments through collaboration with related State and private sector initiatives; and

(D) include a plan for fostering the transfer of research discoveries and the results of technology demonstration activities, including from institutions of higher education and Federal laboratories, to industry for commercial development.

## (2) Cost-sharing

In selecting applications for support, the agencies may give special consideration to projects that include cost sharing from non-Federal sources.

(Pub. L. 102-194, title I, §102, as added Pub. L. 114-329, title I, §105(i), Jan. 6, 2017, 130 Stat. 2982.)

### PRIOR PROVISIONS

A prior section 5512, Pub. L. 102-194, title I, §102, Dec. 9, 1991, 105 Stat. 1598, related to the National Research and Education Network, prior to repeal by Pub. L. 114-329, title I, §105(g), Jan. 6, 2017, 130 Stat. 2982.

## § 5513. Repealed. Pub. L. 114-329, title I, § 105(h), Jan. 6, 2017, 130 Stat. 2982

Section, Pub. L. 102-194, title I, §103, as added Pub. L. 105-305, §5, Oct. 28, 1998, 112 Stat. 2921; amended Pub. L. 106-65, div. A, title X, §1067(20), Oct. 5, 1999, 113 Stat. 775, related to the Next Generation Internet program.

### SUBCHAPTER II—AGENCY ACTIVITIES

## § 5521. National Science Foundation activities

As part of the Program described in subchapter I—

(1) the National Science Foundation shall provide high-end computing and networking infrastructure support for all science and engineering disciplines, and support basic research and human resource development in all aspects of networking and information technology; and

(2) the National Science Foundation shall use its existing programs, in collaboration with other agencies, as appropriate, to improve the teaching and learning of networking and information technology at all levels of education and to increase participation in networking and information technology fields, including by individuals identified in sections 1885a and 1885b of title 42.

(Pub. L. 102-194, title II, §201, Dec. 9, 1991, 105 Stat. 1599; Pub. L. 114-329, title I, §105(j), Jan. 6, 2017, 130 Stat. 2983.)

### AMENDMENTS

2017—Pub. L. 114-329, §105(j)(1)(A), (2), struck out subsec. (a) designation and heading “General responsibilities” and struck out subsec. (b) which authorized appropriations for fiscal years 1992 to 1996.

Par. (1). Pub. L. 114-329, §105(j)(1)(B), inserted “high-end” after “National Science Foundation shall provide” and substituted “networking and information technology; and” for “high-performance computing and advanced high-speed computer networking.”

Par. (2). Pub. L. 114-329, §105(j)(1)(C), (D), added par. (2) and struck out former par. (2) which read as follows: “to the extent that colleges, universities, and libraries cannot connect to the Network with the assistance of the private sector, the National Science Foundation shall have primary responsibility for assisting colleges, universities, and libraries to connect to the Network;”.

Pars. (3), (4). Pub. L. 114-329, §105(j)(1)(C), struck out pars. (3) and (4) which read as follows:

“(3) the National Science Foundation shall serve as the primary source of information on access to and use of the Network; and

“(4) the National Science Foundation shall upgrade the National Science Foundation funded network, assist regional networks to upgrade their capabilities, and provide other Federal departments and agencies the opportunity to connect to the National Science Foundation funded network.”

## § 5522. National Aeronautics and Space Administration activities

As part of the Program described in subchapter I, the National Aeronautics and Space Administration shall conduct basic and applied research in networking and information technology, particularly in the field of computational science, with emphasis on aerospace sciences, earth and space sciences, and remote exploration and experimentation.

(Pub. L. 102-194, title II, §202, Dec. 9, 1991, 105 Stat. 1600; Pub. L. 114-329, title I, §105(k), Jan. 6, 2017, 130 Stat. 2983.)

### AMENDMENTS

2017—Pub. L. 114-329 struck out subsec. (a) designation and heading “General responsibilities”, substituted “networking and information technology” for “high-performance computing”, and struck out subsec. (b) which authorized appropriations for fiscal years 1992 to 1996.

## § 5523. Department of Energy activities

As part of the Program described in subchapter I, the Secretary of Energy shall—

(1) conduct and support basic and applied research in networking and information technology to support fundamental research in science and engineering disciplines related to energy applications; and

(2) provide computing and networking infrastructure support, including—

(A) the provision of high-end computing systems that are among the most advanced in the world in terms of performance in solving scientific and engineering problems; and

(B) support for advanced software and applications development for science and engineering disciplines related to energy applications.

(Pub. L. 102-194, title II, §203, Dec. 9, 1991, 105 Stat. 1600; Pub. L. 104-66, title I, §1052(j), Dec. 21, 1995, 109 Stat. 719; Pub. L. 109-58, title IX, §976(b), Aug. 8, 2005, 119 Stat. 903; Pub. L. 114-329, title I, §105(l), Jan. 6, 2017, 130 Stat. 2984.)

### AMENDMENTS

2017—Pub. L. 114-329, §105(l)(1), (4), struck out subsec. (a) designation and heading “General responsibilities”