

FIRST MEETING OF SEMICONDUCTOR TECHNOLOGY  
COUNCIL

Pub. L. 103-160, div. A, title II, §263(f), Nov. 30, 1993, 107 Stat. 1610, provided that: "The first meeting of the Semiconductor Technology Council shall be held not later than 45 days after the date of the enactment of this Act [Nov. 30, 1993]."

REFERENCES TO TERMINATED COUNCIL

Pub. L. 103-160, div. A, title II, §263(g), Nov. 30, 1993, 107 Stat. 1610, provided that: "A reference in any provision of law to the Advisory Council on Federal Participation in Sematech shall be deemed to refer to the Semiconductor Technology Council established by section 273 of the National Defense Authorization Act for Fiscal Years 1988 and 1989 [15 U.S.C. 4603], as amended by subsection (b)."

**§ 4603a. Study and report by Semiconductor Technology Council**

**(a) Study and report**

Not later than February 1, 1989, and annually thereafter for each fiscal year in which appropriated funds are expended for Sematech the Semiconductor Technology Council established under section 4603(a) of this title shall conduct a study and submit a report to the Governmental Affairs Committee and the Armed Services Committee of the Senate and to appropriate committees of the House of Representatives concerning Federal participation in Sematech. The study and report shall be conducted under the direction of the Under Secretary of Commerce for Technology.

**(b) Council recommendations and report**

The Council shall include in the report submitted under subsection (a) the following:

(1) identification of potential sources of Federal funding from department and agency budgets for Sematech and recommendations concerning methods and terms of Federal financial participation in Sematech, including grants, loans, loan guarantees, and contributions in kind. The feasibility of methods of Federal recoupment shall also be considered;

(2) definition and assessment of continued Federal participation in Sematech including, but not limited to, issues of technology research and development, civilian and defense industrial base objectives and initiatives, and commercialization. The report shall include a summary of the most recent plans, milestones, and cost estimates for Sematech, including any changes and alterations, and shall comment on Sematech's accomplishments and shortfalls in the preceding fiscal year;

(3) coordination of inter-agency participation, including all matters pertaining to Federal funding and decisionmaking, and other issues regarding Federal participation in Sematech; and

(4) any other issues and questions the Council deems appropriate shall be considered.

(Pub. L. 100-418, title V, §5422, Aug. 23, 1988, 102 Stat. 1468; Pub. L. 102-245, title I, §103(e), Feb. 14, 1992, 106 Stat. 9; Pub. L. 103-160, div. A, title II, §263(g), Nov. 30, 1993, 107 Stat. 1610.)

**Editorial Notes**

CODIFICATION

Section was enacted as part of the Omnibus Trade and Competitiveness Act of 1988, and not as part of part

F of title II of division A of Pub. L. 100-180 which comprises this subchapter.

AMENDMENTS

1993—Pub. L. 103-160 substituted "Semiconductor Technology Council" for "Advisory Council on Federal Participation in Sematech" in section catchline and subsec. (a).

1992—Subsec. (a). Pub. L. 102-245 substituted "Technology" for "Economic Affairs".

**Statutory Notes and Related Subsidiaries**

CHANGE OF NAME

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.

**§ 4604. Repealed. Pub. L. 104-66, title I, § 1031(a)(2), Dec. 21, 1995, 109 Stat. 714**

Section, Pub. L. 100-180, div. A, title II, §274, Dec. 4, 1987, 101 Stat. 1071, directed Comptroller General to review annual reports submitted by auditor on Sematech funding and transmit comments to Congress.

**§ 4605. Export of semiconductor manufacturing**

Any export of materials, equipment, and technology developed by Sematech in whole or in part with financial assistance provided under section 4602(a) of this title shall be subject to the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.)<sup>1</sup> and shall not be subject to the Arms Export Control Act [22 U.S.C. 2751 et seq.].

(Pub. L. 100-180, div. A, title II, §275, Dec. 4, 1987, 101 Stat. 1071.)

**Editorial Notes**

REFERENCES IN TEXT

The Export Administration Act of 1979, referred to in text, is Pub. L. 96-72, Sept. 29, 1979, 93 Stat. 503, which was classified principally to section 2401 et seq. of the former Appendix to Title 50, War and National Defense, prior to editorial reclassification and renumbering as chapter 56 (§4601 et seq.) of Title 50, and was repealed by Pub. L. 115-232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232, except for sections 11A, 11B, and 11C thereof (50 U.S.C. 4611, 4612, 4613).

The Arms Export Control Act, referred to in text, is Pub. L. 90-629, Oct. 22, 1968, 82 Stat. 1320, as amended, which is classified principally to chapter 39 (§2751 et seq.) of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 2751 of Title 22 and Tables.

**§ 4606. Protection of information**

**(a) Freedom of Information Act**

Section 552 of title 5 shall not apply to information obtained by the Federal Government on a confidential basis under section 4602(b)(5) of this title.

**(b) Intellectual property**

Notwithstanding any other provision of law, intellectual property, trade secrets, and technical data owned and developed by Sematech or any of the participants in Sematech may not be disclosed by any officer or employee of the De-

<sup>1</sup> See References in Text note below.