CHARTER
of the
SUBCOMMITTEE ON NETWORKING AND INFORMATION TECHNOLOGY
RESEARCH AND DEVELOPMENT
COMMITTEE ON TECHNOLOGY
NATIONAL SCIENCE AND TECHNOLOGY COUNCIL

A. Official Designation

The Subcommittee on Networking and Information Technology Research and Development (NITRD Subcommittee) is hereby re-established by action of the National Science and Technology Council (NSTC) Committee on Technology (CoT).[1]

B. Purpose and Scope

The purpose of the NITRD Subcommittee is to provide the framework for Federal agencies to coordinate their networking and information technology (IT) research and development (R&D)[2] efforts (i.e., the NITRD Program). The NITRD Subcommittee will also implement relevant provisions of the High-Performance Computing (HPC) Act of 1991 (P.L. 102-194), as amended.[†] The scope of activities of the NITRD Subcommittee includes:

1. Responding to recommendations by appropriate Federal advisory bodies on behalf of the NITRD Program.
2. Coordinating the planning, budgeting, implementation, and review of the NITRD Program.
3. Interacting with agencies to identify networking and information technology research and development needs.
4. Maintaining appropriate interaction with the Congress, the Office of Management and Budget (OMB), academia, and industry on behalf of the NITRD Program.

C. Functions

The functions of NITRD Subcommittee include:

1. Coordinating NITRD Program planning and budget activities with OSTP and OMB.

[1] The NSTC/CoT/NITRD was originally chartered on December 10, 1991. The most recent charter was signed August 5, 2010.

[2] For purposes of this document, R&D includes fundamental and applied research, technology development and engineering, demonstrations, and education and training; "agencies" refers to Federal agencies, departments, directorates, foundations, institutes, and offices.

2. Coordinating agency responses to recommendations by the President's Council of Advisors on Science and Technology (PCAST) and other appropriate Federal advisory bodies.
3. Coordinating with other NSTC groups on issues of mutual interest.
4. Holding NITRD Subcommittee meetings at least three times per year, including planning meetings, budget and technical reviews.
5. In coordination with OSTP and as permitted by law, interacting with Congress and preparing information pursuant to statute on behalf of the NITRD Program.
6. Maintaining and overseeing the NITRD Subcommittee sub-entities [i.e., Interagency Working Groups (IWGs), Coordinating Groups (CGs), Senior Steering Groups (SSGs), Community of Practice (CoPs), and Subgroups].[3]
7. Preparing coordinated short-, mid-, and long-range strategic plans for the NITRD Program.
8. Producing the annual Supplements to the President's Budget and other documents as appropriate.

D. Membership

The following NSTC departments and agencies are represented on the NITRD Subcommittee:

Department of Commerce;
Department of Defense;
Department of Energy;
Department of Health and Human Services;
Department of Homeland Security;
Environmental Protection Agency;
Intelligence Community;
National Archives and Records Administration (ex officio);
National Aeronautics and Space Administration; and
National Science Foundation.

The following organizations in the Executive Office of the President shall also be represented on the NITRD Subcommittee:

Office of Management and Budget, and

Office of Science and Technology Policy.

Cooperating departments and agencies shall include other such Executive organizations, departments, and agencies as the Co-chairs may, from time to time, designate.[4]

E. Private-Sector Interface

The NITRD Subcommittee may work with PCAST to secure appropriate external stakeholder advice and will recommend to the CoT and/or the OSTP Director the nature of any additional

[3] The current NITRD working groups are listed in the Annex.

[4] Changes to membership may occur without requiring amendment of this charter and will be tracked in its Annex.

private-sector advice[5] needed to accomplish its mission. Specifically, Title I, Sec. 101(b) of the High Performance Computing Act of 1991 (P.L. 102-194) charges the PCAST with providing an independent assessment of the NITRD Program. The NITRD Subcommittee may also interact with and receive *ad hoc* advice from various private-sector groups as consistent with the Federal Advisory Committee Act.

F. **Termination Date**

Unless renewed by the Co-chair of the CoT prior to its expiration, the NITRD Subcommittee shall be subject to termination no later than December 31, 2017.

G. **Determination**

I hereby determine that the formation of the Subcommittee on Networking and Information Technology Research and Development is in the public interest in connection with the performance of duties imposed on the Executive Branch by law, and that such duties can best be performed through the advice and counsel of such a group.

Approved:

12/9/2016

_____ _____

Thomas Kalil — Date
Chair, Committee on Technology, and
Deputy Director for Technology and Innovation
Office of Science and Technology Policy
Executive Office of the President

[5] The Federal Advisory Committee Act, 5 U.S.C. App., as amended, does not explicitly define "private sector", but the phrase is generally understood to include individuals or entities outside the Federal government such as, but not limited to, the following: non-Federal sources, academia, State, local or tribal governments, individual citizens, the public, non-governmental organizations, industry associations, and international bodies.

ANNEX

Structure of the NITRD Subcommittee[6]

The NITRD Subcommittee will be structured as follows:

1. Each member agency shall designate a representative and one or more alternates on the Subcommittee.
2. The Director of the NITRD National Coordination Office (NCO) shall serve as one of the two Co-chairs of the NITRD Subcommittee. The second Co-chair shall be designated by the OSTP's CoT Co-chair from among the NITRD Member agencies.
3. The NITRD Co-chairs shall designate Co-chairs of the NITRD sub-entities and these Co-chairs shall participate in the NITRD Subcommittee meetings.

NITRD Sub-entities

A. Interagency Working Groups (IWGs), Coordinating Groups (CGs), and Community of Practice (CoP)

A.1. Cyber Security and Information Assurance (CSIA) Interagency Working Group

A.2. High Confidence Software and Systems (HCSS) Coordinating Group

A.3. High End Computing (HEC) Interagency Working Group

A.4. Human-Computer Interaction and Information Management (HCI&IM) Coordinating Group

A.5. Large Scale Networking (LSN) Coordinating Group

A.6. Social, Economic, and Workforce Implications of IT and IT Workforce Development (SEW) Coordinating Group

A.7. Software Design and Productivity (SDP) Coordinating Group

A.8. Faster Administration of Science and Technology Education and Research (FASTER) Community of Practice

B. Senior Steering Groups (SSGs)

B.1. Big Data (BD) Senior Steering Group

B.2. Cybersecurity and Information Assurance R&D (CSIA) Senior Steering Group

B.3. Health Information Technology R&D (HITRD) Senior Steering Group

B.4. Wireless Spectrum R&D (WSRD) Senior Steering Group

C. Subgroup

C.1. HITRD's Health Information Technology Innovation and Development Environments (HITIDE) Subgroup

[6] The NITRD National Coordination Office (NCO) shall provide administrative, technical, financial, and operational IT support of the NITRD Program. The NCO will be staffed by Government detailees, contract employees, and through the Intergovernmental Personnel Act (IPA) Mobility Program. The NITRD NCO operations shall be funded by NITRD member agencies.

Membership of the NITRD Subcommittee

The following Federal agencies have membership in the NITRD Subcommittee.

1. *Within the Department of Commerce:*
   - 1.1. National Institute of Standards and Technology
   - 1.2. National Oceanic and Atmospheric Administration
2. *Within the Department of Defense:*
   - 2.1. Defense Advanced Research Projects Agency
   - 2.2. National Security Agency
   - 2.3. Office of the Secretary of Defense
     - 2.3.1. Air Force
     - 2.3.2. Army
     - 2.3.3. Navy
3. *Within the Department of Energy:*
   - 3.1. National Nuclear Security Administration
   - 3.2. Office of Electricity Delivery and Energy Reliability
   - 3.3. Office of Science
4. *Within the Department of Health and Human Services:*
   - 4.1. Agency for Healthcare Research and Quality
   - 4.2. National Institutes of Health
   - 4.3. Office of the National Coordinator for Health IT
5. Department of Homeland Security
6. Environmental Protection Agency
7. National Archives and Records Administration (ex officio)
8. National Aeronautics and Space Administration
9. National Reconnaissance Office
10. *Within the National Science Foundation:*
    - 10.1. Computer and Information Science and Engineering Directorate
    - 10.2. Office of Cyber Infrastructure

† Excerpts of The High-Performance Computing Act of 1991 (P.L. 102-194) as amended by the Next Generation Internet Research Act of 1998 (P.L. 105-305) and the America COMPETES Act of 2007 (P.L 110-69):

TITLE I– HIGH-PERFORMANCE COMPUTING RESEARCH AND DEVELOPMENT

SEC. 101. NATIONAL HIGH-PERFORMANCE COMPUTING PROGRAM

(a) NATIONAL HIGH-PERFORMANCE COMPUTING PROGRAM– (1) The President shall implement a National High-Performance Computing Program, which shall–

(A) provide for long-term basic and applied research on high-performance computing, including networking;

(B) provide for research and development on, and demonstration of, technologies to advance the capacity and capabilities of high-performance computing and networking systems, and related software;

(C) provide for sustained access by the research community throughout the United States to high-performance computing and networking systems that are among the most advanced in the world in terms of performance in solving scientific and engineering problems, including provision for technical support for users of such systems;

(D) provide for widely dispersed efforts to increase software availability, productivity, capability, security, portability, and reliability;

(E) provide for high-performance networks, including experimental testbed networks, to enable research and development on, and demonstration of, advanced applications enabled by such networks;

(F) provide for computational science and engineering research on mathematical modeling and algorithms for applications in all fields of science and engineering;

(G) provide for the technical support of, and research and development on, high-performance computing systems and software required to address Grand Challenges;

(H) provide for educating and training additional undergraduate and graduate students in software engineering, computer science, computer and network security, applied mathematics, library and information science, and computational science; and

(I) provide for improving the security of computing and networking systems, including Federal systems, including providing for research required to establish security standards and practices for these systems.

(2) The Director shall–

(A) establish the goals and priorities for Federal high-performance computing research, development, networking, and other activities;

(B) establish Program Component Areas that implement the goals established under subparagraph (A), and identify the Grand Challenges that the Program should address;

(C) provide for interagency coordination of Federal high-performance computing research, development, networking, and other activities undertaken pursuant to the Program;

(D) submit to the Congress an annual report, along with the President's annual budget request, describing the implementation of the Program;

(E) develop and maintain a research, development, and deployment roadmap covering all States and regions for the provision of high-performance computing and networking systems under paragraph (1)(C); and

(F) consult with academic, State, industry, and other appropriate groups conducting research on and using high-performance computing.

(3) The annual report submitted under paragraph (2)(D) shall–

(A) provide a detailed description of the Program Component Areas, including a description of any changes in the definition of or activities under the Program Component Areas from the preceding report, and the reasons for such changes, and a description of Grand Challenges addressed under the Program;

(B) set forth the relevant programs and activities, for the fiscal year with respect to which the budget submission applies, of each Federal agency and department, including–

(i) the Department of Agriculture;
(ii) the Department of Commerce;
(iii) the Department of Defense;
(iv) the Department of Education;
(v) the Department of Energy;
(vi) the Department of Health and Human Services;
(vii) the Department of the Interior;
(viii) the Environmental Protection Agency;
(ix) the National Aeronautics and Space Administration;
(x) the National Science Foundation; and
(xi) such other agencies and departments as the President or the Director considers appropriate;

(C) describe the levels of Federal funding for the fiscal year during which such report is submitted, and the levels proposed for the fiscal year with respect to which the budget submission applies, for each Program Component Area;

(D) describe the levels of Federal funding for each agency and department participating in the Program, and for each Program Component Area, for the fiscal year during which such report is submitted, and the levels proposed for the fiscal year with respect to which the budget submission applies; and

(E) include an analysis of the progress made toward achieving the goals and priorities established for the Program and the extent to which the Program incorporates the recommendations of the advisory committee established under subsection (b).

(b) Advisory Committee- (1) The President shall establish an advisory committee on high-performance computing, consisting of geographically dispersed non-Federal members, including representatives of the research, education, and library communities, network and related software providers, and industry representatives in the Program Component Areas, who are specially qualified to provide the Director with advice and information on high-performance computing. The recommendations of the advisory committee shall be considered in reviewing and revising the Program. The advisory committee shall provide the Director with an independent assessment of--

(A) progress made in implementing the Program;

(B) the need to revise the Program;

(C) the balance between the components of the Program, including funding levels for the Program Component Areas;

(D) whether the research and development undertaken pursuant to the Program is helping to maintain United States leadership in high-performance computing, networking technology, and related software; and

(E) other issues identified by the Director.

(2) In addition to the duties outlined in paragraph (1), the advisory committee shall conduct periodic evaluations of the funding, management, coordination, implementation, and activities of the Program. The advisory committee shall report not less frequently than once every 2 fiscal years to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on its findings and recommendations. The first report shall be due within 1 year after the date of enactment of the America COMPETES Act.

(3) Section 14 of the Federal Advisory Committee Act shall not apply to the advisory committee established under this subsection.

(c) OFFICE OF MANAGEMENT AND BUDGET– (1) Each Federal agency and department participating in the Program shall, as part of its annual request for appropriations to the Office of Management and Budget, submit a report to the Office of Management and Budget which–

(A) identifies each element of its high-performance computing activities which contributes directly to the Program Component Areas or benefits from the Program; and

(B) states the portion of its request for appropriations that is allocated to each such element.

(2) The Office of Management and Budget shall review each such report in light of the goals, priorities, and agency and departmental responsibilities set forth in the annual report submitted under subsection (a)(2)(D), and shall include, in the President's annual budget estimate, a statement of the portion of each appropriate agency's or department's annual budget estimate relating to its activities undertaken pursuant to the Program.

SEC. 208. FOSTERING UNITED STATES COMPETITIVENESS IN HIGH-PERFORMANCE COMPUTING AND RELATED ACTIVITIES.

(a) FINDINGS– The Congress finds the following:

(1) High-performance computing and associated technologies are critical to the United States economy.

(2) While the United States has led the development of high-performance computing, United States industry is facing increasing global competition.

(3) Despite existing international agreements on fair competition and nondiscrimination in government procurements, there is increasing concern that such agreements are not being honored, that more aggressive enforcement of such agreements is needed, and that additional steps may be required to ensure fair global competition, particularly in high-technology fields such as high-performance computing and associated technologies.

(4) It is appropriate for Federal agencies and departments to use the funds authorized for the Program in a manner which most effectively fosters the maintenance and development of United States leadership in high-performance computers and associated technologies in and for the benefit of the United States.

(5) It is appropriate for Federal agencies and departments to use the funds authorized for the Program in a manner, consistent with the Trade Agreements Act of 1979 (19 U.S.C. 2501 et seq.), which most effectively fosters reciprocal competitive procurement treatment by foreign governments for United States high-performance computing and associated technology products and suppliers.

(b) Annual Report–

(1) REPORT– The Director shall submit an annual report to Congress that identifies–

(A) any grant, contract, cooperative agreement, or cooperative research and development agreement (as defined under section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1)) made or entered into by any Federal agency or department for research and development under the Program with–

(i) any company other than a company that is either incorporated or located in the United States, and that has majority ownership by individuals who are citizens of the United States; or
(ii) any educational institution or nonprofit institution located outside the United States; and

(B) any procurement exceeding $1,000,000 by any Federal agency or department under the Program for–

(i) unmanufactured articles, materials, or supplies mined or produced outside the United States; or
(ii) manufactured articles, materials, or supplies other than those manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States, under the meaning of title III of the Act of March 3, 1933 (41 U.S.C. 10a-10d; popularly known as the Buy American Act) as amended by the Buy American Act of 1988.

(2) CONSOLIDATION OF REPORTS- The report required by this subsection may be included with the report required by section 101(a)(3)(A).

(c) Review of Supercomputer Agreement–

(1) REPORT– The Under Secretary for Technology Administration of the Department of Commerce (in this subsection referred to as the 'Under Secretary') shall conduct a 12 of 12 comprehensive study of the revised „Procedures to Introduce Supercomputers‟ and the accompanying exchange of letters between the United States and Japan dated June 15, 1990 (commonly referred to as the 'Supercomputer Agreement') to determine whether the goals and objectives of such Agreement have been met and to analyze the effects of such Agreement on United States and Japanese supercomputer manufacturers. Within 180 days after the date of enactment of this Act, the Under Secretary shall submit a report to Congress containing the results of such study.

(2) CONSULTATION– In conducting the comprehensive study under this subsection, the Under Secretary shall consult with appropriate Federal agencies and departments and with United States manufacturers of supercomputers and other appropriate private sector entities.

(d) APPLICATION OF BUY AMERICAN ACT– This Act does not affect the applicability of title III of the Act of March 3, 1933 (41 U.S.C. 10a-10d; popularly known as the Buy American Act), as amended by the Buy American Act of 1988, to procurements by Federal agencies and departments undertaken as a part of the Program. Speaker of the House of Representatives. Vice President of the United States and President of the Senate.