

**U.S. DEPARTMENT OF COMMERCE
EMERGING TECHNOLOGY TECHNICAL ADVISORY COMMITTEE
CHARTER**

1. Committee's Official Designation (Title). Emerging Technology Technical Advisory Committee (ETTAC).

2. Authority. The Emerging Technology and Research Advisory Committee (ETRAC) is hereby renewed and renamed as the Emerging Technology Technical Advisory Committee (ETTAC) pursuant to authorities provided by law, including the Export Administration Act of 1979¹, as amended (50 U.S.C. §§ 4601-4623) (the Act), the International Emergency Economic Powers Act (50 U.S.C. §§ 1701-1706 (2012)), and the Federal Advisory Committee Act, as amended (5 U.S.C. App.) (FACA).

This is a renewal charter for the ETRAC, which was originally established on May 16, 2008. In December 2007, the Bureau of Industry and Security (BIS) received a request for the establishment of a Technical Advisory Committee under Section 5 of the Act in the form of the Deemed Export Advisory Committee's final report. The ETRAC has continued to advise the Department of Commerce (the Department) under renewed charters since that time. The Charter is hereby renewed consistent with the Act and in accordance with the provisions of FACA.

3. Objectives and Scope of Activities. The committee's primary focus is the identification of emerging technologies with potential dual-use applications as early as possible in their developmental stages both within the United States and abroad. In its work the committee will be forward leaning—focusing both on the current state of such technologies and projecting their likely effects five to ten years in the future on national security, the U.S. defense industrial base, and the overall health and competitiveness of the U.S. economy. The committee will also provide assessments and information on emerging technologies, potential so-called “chokepoint technologies” and trends in technologies of particular interest to BIS, based on periodic guidance given by the Under Secretary for Export Administration, or which may be suggested by interagency members. The committee will also advise BIS regarding the potential impact of Export Administration Regulations (EAR) on research activities, technical and policy issues relating to controls under the EAR, revisions of the Control List, including proposed revisions of multilateral controls in which the United States participates, the issuance of regulations and any other matters relating to actions designed to carry out the policy set forth in Section 3(2)(A) of the Act. In doing so, the ETTAC may, in coordination with the BIS Designated Federal Officer, work with other BIS technical advisory committees specializing in a particular industry sector, i.e. transportation, information systems, sensors and imaging, materials, or materials processing.

¹ From August 21, 1994 through November 12, 2000, the Act was in lapse. During that period the President, through Executive Order 12924, which had been extended by successive Presidential Notices, the last of which was August 3, 2000, (3 C.F.R., 2000 Comp. 397 (2001)), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701-1706 (2012)) (“IEEPA”). On November 13, 2000 the Act was reauthorized and it remained in effect through August 20, 2001. Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222, of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of the August 15, 2017 (82 Fed. Reg. 39005 (published on Aug. 16, 2017)), has continued the Regulations in effect under IEEPA.

4. Description of Duties. The committee functions solely as an advisory body in accordance with the provisions of the FACA and Section 5(h) of the Act. Operations of the ETTAC will be overseen by the Assistant Secretary for Export Administration. The Committee will provide advice to the Department with respect to matters listed above in Section 3. The committee will submit semi-annual reports for approval by the Assistant Secretary for Export Administration in consultation with the Under Secretary of Commerce for Export Administration. The reports will provide an assessment of key emerging dual-use technologies and a forward looking projection of potential uses of such technology as well as the leading U.S. and foreign companies, research and development labs, universities, as well as other government departments and agencies working on such technologies. The Chairperson will submit an annual report and an annual plan to the Department. The report will include a summary of the efforts of the ETTAC during the year and any recommendations agreed on by the ETTAC.

5. Agency or Official to Whom the Committee Reports. The committee reports to the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce.

6. Support. The Office of Technology Evaluation, Bureau of Industry and Security, provides administrative support for the committee.

7. Estimated Annual Operating Costs and Staff Years. The estimated annual operating cost of the Committee is \$37,993, which includes an estimated 0.3 person-year of staff support. Committee members will not be compensated for their services; nor will they be reimbursed for travel, subsistence, and other expenses incurred by them in connection with their duties as members of the Committee.

8. Designated Federal Officer (DFO). The Assistant Secretary for Export Administration, in consultation, with the Under Secretary of Commerce for Export Administration, will designate a full-time or permanent part-time employee of BIS to serve as the DFO for the committee in accordance with agency procedures. The DFO will approve or call all of the committee and subcommittee meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meetings when the DFO determines adjournment to be in the public interest, and chair committee meetings when directed to do so by the Assistant Secretary for Export Administration.

9. Estimated Number and Frequency of Meetings. The committee meets quarterly at the call of the Chairperson, unless the Chairperson determines, in consultation with other members of the committee, that such a meeting is not necessary to achieve the purposes of the Act. Meetings and work of the Committee shall be consistent with the provisions of Section 5 of the Act as well as the provisions of FACA.

10. Duration. Continuing.

11. Termination. This charter will terminate two years from the date of its filing with the appropriate U.S. Senate and House of Representatives oversight committees unless terminated or renewed by proper authority.

12. Membership and Designation. The committee consists of members from academia, industry, federal laboratories, and pertinent U.S. Government departments and agencies who are appointed by the Secretary of Commerce. All members serve at the pleasure of the Secretary. The committee members of the ETTAC shall include representatives of the U.S. technology and research community who are engaged in developing and producing cutting edge technology in areas key to maintaining a U.S. forward leaning presence in the world economy. Membership shall not exceed 40 members. As a general rule, members must be highly ranked, accomplished and recognized leaders, engineers, and scientists working in their disciplines as researchers or program-level managers. The length of a member's term shall be two years. A member may be reappointed for additional terms except that industry members shall not serve on the committee for more than four consecutive years. To help ensure committee membership represents a range and balance of views, the Department will periodically solicit nominations for membership through various means, such as a Federal Register Notice, the BIS website, and/or outreach to industry associations, as well as academic, research, and development institutions.

The committee shall elect a chairperson as required by Section 5(h)(4) of the Act. The Secretary of Commerce and/or the Under Secretary of Commerce for Export Administration may recommend candidates for Chairperson for the committee's non-exclusive consideration. It is desired that the Chairperson serve only a two-year term. However, the Chairperson may be re-elected as Chairperson, subject to continuation of the ETTAC.

Non-federal members serve in a representative capacity and not as special government employees. Federal members serve as regular government employees.

All members must be able to qualify for a Secret security clearance or a security clearance at a level sufficient to perform their work on the committee.

13. Subcommittees. The Assistant Secretary for Export Administration, in consultation with the Under Secretary for Export Administration, may establish such subcommittees from among committee members as may be necessary, subject to the provisions of FACA, the FACA implementing regulations and applicable Department of Commerce guidance. Any subcommittees established must report back to the parent committee, and must not provide advice and work products directly to the agency. Subcommittee members must be approved by the Assistant Secretary for Export Administration.

14. Recordkeeping. The records of the committee, formally or informally, shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.


 Deputy Assistant Secretary, Performing the Delegated
 Duties of the CFO/ASA

6/25/18
 Filing Date

