

15 USC 278g-4: Information Security and Privacy Advisory Board

Text contains those laws in effect on March 20, 2016

From Title 15-COMMERCE AND TRADE

CHAPTER 7-NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

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§278g–4. Information Security and Privacy Advisory Board**(a) Establishment and composition**

There is hereby established a ¹ Information Security and Privacy Advisory Board within the Department of Commerce. The Secretary of Commerce shall appoint the chairman of the Board. The Board shall be composed of twelve additional members appointed by the Secretary of Commerce as follows:

(1) four members from outside the Federal Government who are eminent in the information technology industry, at least one of whom is representative of small or medium sized companies in such industries;

(2) four members from outside the Federal Government who are eminent in the fields of information technology, or related disciplines, but who are not employed by or representative of a producer of information technology; and

(3) four members from the Federal Government who have information system management experience, including experience in information security and privacy, at least one of whom shall be from the National Security Agency.

(b) Duties

The duties of the Board shall be-

(1) to identify emerging managerial, technical, administrative, and physical safeguard issues relative to information security and privacy;

(2) to advise the Institute, the Secretary of Homeland Security, and the Director of the Office of Management and Budget on information security and privacy issues pertaining to Federal Government information systems, including through review of proposed standards and guidelines developed under section 278g–3 of this title; and

(3) to report annually its findings to the Secretary of Commerce, the Secretary of Homeland Security, the Director of the Office of Management and Budget, the Director of the National Security Agency, and the appropriate committees of the Congress.

(c) Term of office

The term of office of each member of the Board shall be four years, except that-

(1) of the initial members, three shall be appointed for terms of one year, three shall be appointed for terms of two years, three shall be appointed for terms of three years, and three shall be appointed for terms of four years; and

(2) any member appointed to fill a vacancy in the Board shall serve for the remainder of the term for which his predecessor was appointed.

(d) Quorum

The Board shall not act in the absence of a quorum, which shall consist of seven members.

(e) Allowance for travel expenses

Members of the Board, other than full-time employees of the Federal Government, while attending meetings of such committees or while otherwise performing duties at the request of the Board Chairman while away from their homes or a regular place of business, may be allowed travel expenses in accordance with subchapter I of chapter 57 of title 5.

(f) Meetings

The Board shall hold meetings at such locations and at such time and place as determined by a majority of the Board.

(g) Staff services and utilization of Federal personnel

To provide the staff services necessary to assist the Board in carrying out its functions, the Board may utilize personnel from the Institute or any other agency of the Federal Government with the consent of the head of the agency.

(h) Definitions

As used in this section, the terms "information system" and "information technology" have the meanings given in section 278g-3 of this title.

(Mar. 3, 1901, ch. 872, §21, as added Pub. L. 100-235, §3(2), Jan. 8, 1988, 101 Stat. 1727 ; amended Pub. L. 100-418, title V, §5115(a)(1), Aug. 23, 1988, 102 Stat. 1433 ; Pub. L. 107-296, title X, §1004, Nov. 25, 2002, 116 Stat. 2271 ; Pub. L. 107-347, title III, §304, Dec. 17, 2002, 116 Stat. 2959 ; Pub. L. 113-283, §2(f)(2), Dec. 18, 2014, 128 Stat. 3087 .)

AMENDMENTS

2014-Subsec. (b)(2). Pub. L. 113-283, §2(f)(2)(A), inserted ", the Secretary of Homeland Security," after "the Institute".

Subsec. (b)(3). Pub. L. 113-283, §2(f)(2)(B), inserted "the Secretary of Homeland Security," after "the Secretary of Commerce,".

2002-Subsec. (a). Pub. L. 107-296, §1004(1), and Pub. L. 107-347, §304(1), amended subsec. (a) identically, substituting "Information Security and Privacy Advisory Board" for "Computer System Security and Privacy Advisory Board" in introductory provisions.

Subsec. (a)(1). Pub. L. 107-296, §1004(2), and Pub. L. 107-347, §304(2), amended par. (1) identically, substituting "information technology" for "computer or telecommunications".

Subsec. (a)(2). Pub. L. 107-296, §1004(3), and Pub. L. 107-347, §304(3), amended par. (2) identically, substituting "information technology" for "computer or telecommunications technology" and for "computer or telecommunications equipment".

Subsec. (a)(3). Pub. L. 107-296, §1004(4), and Pub. L. 107-347, §304(4), amended par. (3) identically, substituting "information system" for "computer systems" and "information security" for "computer systems security".

Subsec. (b)(1). Pub. L. 107-296, §1004(5), and Pub. L. 107-347, §304(5), amended par. (1) identically, substituting "information security" for "computer systems security".

Subsec. (b)(2). Pub. L. 107-347, §304(6), added par. (2) and struck out former par. (2) which read as follows: "to advise the Institute and the Secretary of Commerce on security and privacy issues pertaining to Federal computer systems; and".

Pub. L. 107-296, §1004(6), added par. (2) and struck out former par. (2), as added by Pub. L. 107-347, which read as follows: "to advise the Institute, the Secretary of Commerce, and the Director of the Office of Management and Budget on information security and privacy issues pertaining to Federal Government information systems, including through review of proposed standards and guidelines developed under section 278g-3 of this title; and".

Subsec. (b)(3). Pub. L. 107-296, §1004(7), and Pub. L. 107-347, §304(7), amended par. (3) identically, inserting "annually" after "report".

Subsecs. (f), (g). Pub. L. 107-296, §1004(8), (9), and Pub. L. 107-347, §304(8), (9), amended section identically, adding subsec. (f) and redesignating former subsec. (f) as (g). Former subsec. (g) redesignated (h).

Subsec. (h). Pub. L. 107-296, §1004(10), and Pub. L. 107-347, §304(10), amended section identically, adding subsec. (h) and striking out former subsec. (h) which read as follows: "As used in this section, the terms 'computer system' and 'Federal computer system' have the meanings given in section 278g-3 of this title."

Pub. L. 107-296, §1004(9), and Pub. L. 107-347, §304(9), amended section identically, redesignating subsec. (g) as (h).

1988-Subsec. (b)(2). Pub. L. 100-418, which directed that this chapter be amended by substituting "Institute" for "National Bureau of Standards", "Bureau", or "bureau", wherever appearing, was executed to par. (2) by substituting "Institute" for "Bureau of Standards", to reflect the probable intent of Congress.

Subsec. (f). Pub. L. 100-418 substituted "Institute" for "National Bureau of Standards".

EFFECTIVE DATE OF 2002 AMENDMENTS

Amendment by Pub. L. 107–347 effective Dec. 17, 2002, see section 402(b) of Pub. L. 107–347, set out as a note under section 3504 of Title 44, Public Printing and Documents.

Amendment by Pub. L. 107–296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107–296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

TERMINATION OF ADVISORY BOARDS

Advisory boards in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by the Congress, its duration is otherwise provided by law. See sections 3(2) and 14 of [Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770 , 776](#), set out in the Appendix to Title 5, Government Organization and Employees.

¹ *So in original. Probably should be "an".*