



CHARTER

of the

SUBCOMMITTEE ON PRIVACY AND INTERNET POLICY (P²I) COMMITTEE ON TECHNOLOGY NATIONAL SCIENCE AND TECHNOLOGY COUNCIL

A. Official Designation

The Subcommittee on Privacy and Internet Policy (P²I) is hereby established by action of the National Science and Technology Council (NSTC) Committee on Technology (CoT).

B. Purpose and Scope

In our digital age, a thriving and dynamic economy requires strong and sensible protection of individuals' information privacy as part of a broad framework for Internet policymaking that promotes innovation domestically and globally. The purpose of the Subcommittee on Privacy and Internet Policy is to develop strategic direction on information privacy policy that can guide legislative, regulatory and international policy consensus. The public policy direction developed by the Subcommittee will be closely synchronized with privacy practices in federal Departments and Agencies, resulting in a broad, visible, forward-looking commitment to a common set of Internet policy principles across government. Those core principles include facilitating transparency, promoting competition, empowering individuals to make informed and intelligent choices, strengthening multi-stakeholder governance models and building trust in online environments. An affirmative articulation of such principles will also bolster U.S. efforts in trade and other economic fora by strengthening the development of the Internet as a platform for global trade and investment, particularly in areas where the United States has strong commercial comparative advantages such as the supply of network services and the delivery of content and applications.

Recognizing the global nature of the digital economy and society, the Subcommittee will monitor and address global privacy policy challenges and pursue coordinated U.S. government action around the globe. The goal will be to promote both a flexible and robust privacy and innovation policies domestically, along with a favorable environment for cross-border information flows and open, competitive marketplaces for online goods and services through increased dialogue and cooperation with our key trading partners.

The Subcommittee will focus on commercial privacy policy issues and coordination of policies and best practices with the leaders of existing privacy initiatives including health (e.g., electronic health records), energy (e.g., the smart grid), and education (e.g., electronic student data). Although the Subcommittee will focus on commercial data privacy policy, the Subcommittee will consult with other interagency groups and pertinent government officials, as necessary, to ensure that law enforcement and national security interests are considered.

C. Functions

Drawing on experience and expertise across the federal government, the Subcommittee will produce an analysis of the existing landscape of privacy policy applicable to commercial actors, and develop advice and recommendations to the Administration on the actions and positions it can take in furtherance of privacy and Internet innovation. The Subcommittee's main efforts will be devoted to 3 main deliverables:

- Administration White Paper on Information Privacy in the Internet Age
 - The Subcommittee will build on the prior work of the Commercial Data Privacy Interagency Coordinating Committee and the ongoing activity of the Department of Commerce's Internet Policy Task Force, as well as the privacy initiatives and reports of the Federal Trade Commission's Bureau of Consumer Protection;
 - The Subcommittee will address the cross-border privacy challenges presented by the emerging cloud computing environment, and examine the role of governments in ensuring that national regimes do not unduly impede the innovation and efficiency gains derived from leveraging a globalized network;
 - The Subcommittee will examine research opportunities and directions for the development of new privacy protecting tools.
- Internet Policy Principles
 - The Subcommittee will consider, based on its privacy work, general principles defining an Internet policy framework, applicable both to domestic and global policy arenas. These principles will reflect the perspectives and work of executive branch officials already focused on Internet policy issues, ranging from cybersecurity to intellectual property enforcement. When drafting its principles, the Subcommittee will consult with these officials as well as Executive Branch members of the newly formed "Executive Sponsor Committee," to ensure coordination with other White House Internet policy efforts.
- Statements of Administration Policy
 - The Subcommittee will be the initial venue for coordinating Statements of Administration Policy on privacy and Internet policy. On matters for which there already exist EOP offices such as intellectual property enforcement and cybersecurity, the Subcommittee will coordinate with those offices.

The Subcommittee will develop strategies for advancing these privacy and Internet policy principles and will be the focal point for interagency coordination implementation efforts, such as the CIO Council Privacy Committee. The Subcommittee will consider and encourage developing best practices in information architecture, data management, and overall privacy policy frameworks.

D. Membership

The following federal Departments and Agencies are represented on the CoT Subcommittee on Information Privacy:

- Department of Commerce (Co-Chair)
- Department of Education
- Department of Energy
- Department of Health and Human Services
- Department of Homeland Security
- Department of Justice (Co-Chair)
- Department of State
- Department of Transportation
- Department of the Treasury
- Small Business Administration
- Other departments and agencies designated by the Co-chairs.

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

- Domestic Policy Council
- National Economic Council
- National Security Council and National Security Staff
- Office of Management and Budget
- Office of Science and Technology Policy
- United State Trade Representative

The Federal Trade Commission and the Federal Communications Commission shall be invited to participate on the CoT Subcommittee on Privacy and Internet Policy in an advisory capacity as the independent agencies responsible for consumer protection and data privacy.

E. Public Engagement

The Subcommittee, working together with federal Departments and Agencies, will conduct at least one public workshop per year, soliciting public input and reporting on current efforts. The Subcommittee may interact with and receive ad hoc advice from various private-sector, academic, and non-profit groups as consistent with the Federal Advisory Committee Act (FACA).

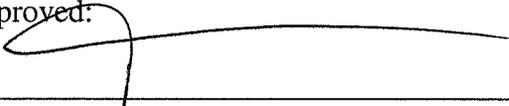
F. Termination Date

Unless renewed by the Co-chairs of the Committee on Technology prior to its expiration, the Subcommittee on Privacy and Internet Policy of the Committee on Technology shall have a two year term, effective August 27, 2010.

G. Determination

We hereby determine that the formation of the Subcommittee on Privacy and Internet Policy 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:



Aneesh Chopra
U.S. Chief Technology Officer and
Co-Chair of the NSTC's Committee on Technology

10/22/10
Date



Vivek Kundra
Federal Chief Information Officer and Co-Chair of the
NSTC's Committee on Technology

10/22/10
Date



Philip J. Weiser
Senior Advisor to the National Economic Council Director and
Co-Chair of the NSTC's Committee on Technology

10/25/10
Date