2019 Current Fiscal Year Report: Government-Industry Advisory Panel

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1. Department or Agency	2. Fiscal Year
Department of Defense	2019

3. Committee or Subcommittee	3b. GSA Committee No.
Government-Industry Advisory Panel	2561

4. Is this New During Fiscal Year?	5. Current Charter	6. Expected Renewal Date	7. Expected Term Date
No	03/06/2018	03/06/2020	03/04/2019

8a. Was Terminated During FiscalYear?	8b. Specific Termination Authority	8c. Actual Term Date
Yes	CMO memo to USD(A&S)	03/04/2019

9. Agency Recommendation for Next FiscalYear	10a. Legislation Req to Terminate?	10b. Legislation Pending?
Terminate	No	Not Applicable

11. Establishment Authority Agency Authority

12. Specific Establishment Authority	13. Effective Date	14. Commitee Type	14c. Presidential?
Section 813(b)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92)	11/26/2015	Continuing	No

15. Description of Committee National Policy Issue Advisory Board

16a. Total Number of Reports 1

16b. Report Date	Report Title
11/13/2018	Government-Industry Advisory Panel on Technical Data Rights Final Report

Number of Committee Reports Listed: 1

17a. Open 0 **17b. Closed** 0 **17c. Partially Closed** 0 **Other Activities** 0 **17d. Total** 0

Meetings and Dates

No Meetings

	Current FY	Next FY
18a(1). Personnel Pmts to Non-Federal Members	$0.00	$0.00
18a(2). Personnel Pmts to Federal Members	$0.00	$0.00
18a(3). Personnel Pmts to Federal Staff	$23,000.00	$0.00
18a(4). Personnel Pmts to Non-Member Consultants	$0.00	$0.00
18b(1). Travel and Per Diem to Non-Federal Members	$0.00	$0.00
18b(2). Travel and Per Diem to Federal Members	$0.00	$0.00
18b(3). Travel and Per Diem to Federal Staff	$0.00	$0.00
18b(4). Travel and Per Diem to Non-member Consultants	$0.00	$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	$0.00	$0.00
18d. Total	$23,000.00	$0.00
19. Federal Staff Support Years (FTE)	0.20	0.00

20a. How does the Committee accomplish its purpose?

The Panel, pursuant to section 813(b)(1) of the FY 2016 NDAA, shall provide to the Secretary of Defense and the Deputy Secretary of Defense, through the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)), a review of 10 U.S.C. §§ 2320 and

2321, regarding rights in technical data and the validation of proprietary data restrictions and the regulations implementing such sections, for the purpose of ensuring that such statutory and regulatory requirements are best structured to serve the interests of the taxpayers and the national defense.

20b. How does the Committee balance its membership?

The Panel shall be composed of no more than 20 members. Pursuant to section 813(b)(2) of the FY 2016 NDAA, Panel members selected from the Federal government will be knowledgeable about technical data issues and appropriately represent the three military departments, as well as the legal, acquisition, logistics, and research and development communities in the Department of Defense; and Panel members selected from the private sector will include independent experts and individuals appropriately representative of the diversity of interested parties, including large and small businesses, traditional and nontraditional government contractors, prime contractors and subcontractors, suppliers of hardware and software, and institutions of higher education.

20c. How frequent and relevant are the Committee Meetings?

The Committee will meet at a minimum of once per year.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

The Secretary of Defense, pursuant to section 813(b)(1) of the National Defense Authorization Act for Fiscal Year 2016 (FY 2016 NDAA) (Public Law 114-92) and in accordance with the provisions of the Federal Advisory Committee Act

(FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(a), established this non-discretionary Panel.

20e. Why is it necessary to close and/or partially closed committee meetings?

Meetings are not closed to the public unless the Department of Defense determines that items on the planned agenda meet the closed meeting provisions of 5 U.S.C.§552b(c). Pursuant to DoD Policy, closed meetings can only be authorized by the DoD Sponsor, the Under Secretary of Defense for Acquisition, Technology, and Logistics, and in consultation with the Office of General Counsel for the Department of Defense.

21. Remarks

This discretionary advisory committee, the Government-Industry Advisory Panel was terminated by the Department of Defense (DoD) prior to the signing of Executive Order (EO) 13875, “Evaluating and Improving the Utility of Federal Advisory Committees”, dated June 14, 2019. Notwithstanding, the DoD in accordance with EO 13875 and OMB guidance included this discretionary advisory committee as part of DoD’s 1/3 reduction in discretionary advisory committees which was directed by EO 13875.

Designated Federal Officer

David J. Wollman DFO

Narrative Description

In FY-19 the Panel submitted 30 recommendations to the Department before terminating. Purpose: Reviewing sections 2320 and 2321 of title 10, United States Code, regarding rights in technical data and the validation of proprietary data restrictions and

the regulations implementing such sections, for the purpose of ensuring that such statutory and regulatory requirements are best structured to serve the interests of the taxpayers and the national defense.Scope of the Review:(A) Ensuring DoD does not pay more than once for the same work.(B) Ensuring DoD contractors are appropriately rewarded for their innovation and invention.(C) Providing for cost-effective reprocurement, sustainment, modification, and upgrades to DoD systems.(D) Encouraging the private sector to invest in new products, technologies, and processes relevant to the missions of DoD.(E) Ensuring that the DoD has appropriate access to innovative products, technologies, and processes developed by the private sector for commercial use.

What are the most significant program outcomes associated with this committee?

	Checked if Applies
Improvements to health or safety	☐
Trust in government	☑
Major policy changes	☑
Advance in scientific research	☐
Effective grant making	☐
Improved service delivery	☑
Increased customer satisfaction	☑
Implementation of laws or regulatory requirements	☑
Other	☐

Outcome Comments

Not Applicable

What are the cost savings associated with this committee?

	Checked if Applies
None	☐
Unable to Determine	☑
Under $100,000	☐
$100,000 - $500,000	☐

$500,001 - $1,000,000 ☐
$1,000,001 - $5,000,000 ☐
$5,000,001 - $10,000,000 ☐
Over $10,000,000 ☐
Cost Savings Other ☐

Cost Savings Comments
Cost savings are difficult to determine based on the broad purpose and scope of the panel effecting law and regulation.

What is the approximate Number of recommendations produced by this committee for the life of the committee?
30

Number of Recommendations Comments
The panel's final report with recommendations was submitted to USD(A&S) Nov. 12, 2019.

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?
0%

% of Recommendations Fully Implemented Comments
Not Applicable

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?
0%

% of Recommendations Partially Implemented Comments
Not Applicable

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?
Yes ☑ No ☐ Not Applicable ☐

Agency Feedback Comments
Agency will provide feedback on panel's report NLT 60 days after submission of the report when it is due to Congress.

What other actions has the agency taken as a result of the committee's advice or recommendation?

	Checked if Applies
Reorganized Priorities	☐
Reallocated resources	☐
Issued new regulation	☐
Proposed legislation	☐
Approved grants or other payments	☐
Other	☐

Action Comments

No actions recommended yet, so difficult to determine if outcomes will result in final changes to laws or regulations.

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

Not Applicable

How is access provided to the information for the Committee's documentation?

	Checked if Applies
Contact DFO	✓
Online Agency Web Site	☐
Online Committee Web Site	☐
Online GSA FACA Web Site	✓
Publications	☐
Other	☐

Access Comments

Not Applicable