

proposing standards and guidelines needed to assure the cost-effective security and privacy of Federal agency information and information systems.

(Pub. L. 102-194, title II, §204, Dec. 9, 1991, 105 Stat. 1601; Pub. L. 114-329, title I, §105(m), Jan. 6, 2017, 130 Stat. 2984.)

#### Editorial Notes

##### AMENDMENTS

2017—Subsec. (a)(1)(A). Pub. L. 114-329, §105(m)(1)(A), substituted “networking and information technology systems and capabilities” for “high-performance computing systems and networks”.

Subsec. (a)(1)(B). Pub. L. 114-329, §105(m)(1)(B), substituted “interoperability and usability of networking and information technology systems” for “interoperability of high-performance computing systems in networks and for common user interfaces to systems”.

Subsec. (a)(1)(C). Pub. L. 114-329, §105(m)(1)(C), substituted “networking and information technology” for “high-performance computing”.

Subsec. (b). Pub. L. 114-329, §105(m)(2), in heading, substituted “Networking and information technology” for “High-performance computing and network” and, in text, substituted “The National Institute” for “Pursuant to the Computer Security Act of 1987 (Public Law 100-235; 101 Stat. 1724), the National Institute” and “Federal agency information and information systems” for “sensitive information in Federal computer systems”.

Subsecs. (c), (d). Pub. L. 114-329, §105(m)(3), struck out subsecs. (c) and (d) which required a study of the impact of Federal procurement regulations and authorized appropriations for fiscal years 1992 to 1996.

#### § 5525. Repealed. Pub. L. 114-329, title I, § 105(n), Jan. 6, 2017, 130 Stat. 2984

Section, Pub. L. 102-194, title II, §205, Dec. 9, 1991, 105 Stat. 1602, described Environmental Protection Agency activities and authorized appropriations for fiscal years 1992 to 1996.

#### § 5526. Repealed. Pub. L. 114-329, title I, § 105(o), Jan. 6, 2017, 130 Stat. 2984

Section, Pub. L. 102-194, title II, §206, Dec. 9, 1991, 105 Stat. 1602, described the role of the Department of Education and authorized appropriations for fiscal years 1992 to 1996.

#### § 5527. Miscellaneous provisions

##### (a) Nonapplicability

Except to the extent the appropriate Federal agency or department head determines, the provisions of this chapter shall not apply to—

- (1) programs or activities regarding computer systems that process classified information; or
- (2) computer systems the function, operation, or use of which are those delineated in section 3552(b)(6)(A)(i) of title 44.

##### (b) Acquisition of prototype and early production models

In accordance with Federal contracting law, Federal agencies and departments participating in the Program may acquire prototype or early production models of new networking and information technology systems and subsystems to stimulate hardware and software development. Items of computing equipment acquired under this subsection shall be considered research

computers for purposes of applicable acquisition regulations.

(Pub. L. 102-194, title II, §207, Dec. 9, 1991, 105 Stat. 1602; Pub. L. 114-329, title I, §105(p), Jan. 6, 2017, 130 Stat. 2984.)

#### Editorial Notes

##### AMENDMENTS

2017—Subsec. (a)(2). Pub. L. 114-329, §105(p)(1), substituted “section 3552(b)(6)(A)(i) of title 44” for “paragraphs (1) through (5) of section 2315(a) of title 10”.

Subsec. (b). Pub. L. 114-329, §105(p)(2), substituted “networking and information technology” for “high-performance computing”.

#### § 5528. Repealed. Pub. L. 114-329, title I, § 105(q), Jan. 6, 2017, 130 Stat. 2984

Section, Pub. L. 102-194, title II, §208, Dec. 9, 1991, 105 Stat. 1603; Pub. L. 110-69, title III, §3002(c)(6), Aug. 9, 2007, 121 Stat. 587, related to findings and annual reports for fostering United States competitiveness in high-performance computing and related activities.

#### SUBCHAPTER III—DEPARTMENT OF ENERGY HIGH-END COMPUTING REVITALIZATION

#### § 5541. Definitions

In this subchapter:

##### (1) Department

The term “Department” means the Department of Energy.

##### (2) Exascale computing

The term “exascale computing” means computing through the use of a computing machine that performs near or above 10 to the 18th power operations per second.

##### (3) High-end computing system

The term “high-end computing system” means a computing system with performance that substantially exceeds that of systems that are commonly available for advanced scientific and engineering applications.

##### (4) Leadership System

The term “Leadership System” means a high-end computing system that is among the most advanced in the world in terms of performance in solving scientific and engineering problems.

##### (5) Institution of higher education

The term “institution of higher education” has the meaning given the term in section 1001(a) of title 20.

##### (6) Secretary

The term “Secretary” means the Secretary of Energy.

(Pub. L. 108-423, §2, Nov. 30, 2004, 118 Stat. 2400; Pub. L. 115-246, title III, §304(b)(2), formerly §304(a)(2), Sept. 28, 2018, 132 Stat. 3145, renumbered §304(b)(2), Pub. L. 117-167, div. B, title I, §10104(a)(1), Aug. 9, 2022, 136 Stat. 1433.)

#### Editorial Notes

##### REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this Act”, meaning Pub. L. 108-423, Nov. 30, 2004,