AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 5781
OFFERED BY MR. _________.

Page 34, line 3, redesignate section 9 as section 10.

Page 34, after line 2, insert the following:

1 SEC. 9. CIVIL APPLICATIONS COMMITTEE AND THE NA-
2 TIONAL CIVIL APPLICATIONS PROGRAM.
3 Chapter 600 of title 51, United States Code, is
4 amended by inserting after section 60148 the following:
5 “SEC. 60149. CIVIL APPLICATIONS COMMITTEE AND THE
6 NATIONAL CIVIL APPLICATIONS PROGRAM.
7 “(a) IN GENERAL.—The Secretary shall maintain the
8 Civil Applications Committee (CAC) to facilitate the ap-
9 propriate uses of overhead remote sensing technologies
10 and data collected by military and intelligence overhead
11 capabilities, including commercial, and provided to CAC
12 member organizations through the US Geological Survey
13 National Civil Applications Program.
14 “(b) GOALS AND PRINCIPLES.—
15 “(1) Lawfully and efficiently use the tech-
16 nologies and data in support of Civil Applications
Committee member organizations’ mission responsibilities.

“(2) Protect Constitutional rights, civil liberties, and privacy of U.S. persons in accordance with applicable laws.

“(3) Ensure the efficient use of military and intelligence overhead capabilities in support of civil applications pursuant to 31 USC Section 1535.

“(4) Protect intelligence sources and methods pursuant to applicable laws.

“(c) RESPONSIBILITIES AND FUNCTIONS.—

“(1) CIVIL APPLICATIONS COMMITTEE.—The Civil Applications Committee, acting through the US Geological Survey National Civil Applications Program, shall do the following:

“(A) Assist in ensuring the effective applications of data collected by overhead capabilities to support the appropriate worldwide production, analysis, and research programs of CAC member organizations.

“(B) Support all statutory missions of member organizations and facilitate uses of such data and technologies, where feasible and appropriate to derive information for civil applications, including but not limited to:
(i) Mapping, charting, and geodesy.

(ii) Hazard, disaster, and public health assessments.

(iii) Environmental monitoring.

(iv) Scientific research, such as investigations to improve knowledge of the Earth system.

(v) Land use, water use, and natural resource management.

(vi) Law enforcement, regulatory, and homeland security missions of member organizations.

(vii) Deriving information needed to support national policies and objectives.

(C) Comply with applicable laws and regulations protecting personal rights, personal privacy, and civil liberties.

(D) Oversee Civil Applications Committee member organizations’ requests for the collection of remotely sensed data to ensure the protection of Constitutional and other legal rights of U.S. persons and to ensure that such requests and the use of such data are consistent with the authorities and responsibilities of such
organizations are in accordance with authorized programs.

“(E) Adhere to guidelines established by the Director of National Intelligence (DNI) for the protection of intelligence sources and methods and other security requirements.

“(F) Communicate appropriate activities of the Civil Applications Committee and prepare an annual report of activities, plans, and recommendations to be delivered to the appropriate Committees of Congress.

“(G) Create, implement and maintain Standard Operating Procedures related to the Civil Applications Committee’s responsibilities and functions.

“(H) Carry out additional responsibilities as assigned.

“(I) Receive, evaluate, and consolidate requirements for overhead remotely sensed data from Civil Applications Committee member organizations and transmit them to the appropriate intelligence community of military organization for collection.

“(J) Transmit requests by Civil Applications Committee member organizations for ac-
cess to previously collected overhead remotely sensed data.

“(K) Supply information to Civil Applications Committee member organizations so that they may knowledgeably formulate requests for overhead remotely sensed data.

“(L) Act as the primary interface between Civil Applications Committee member organizations and intelligence collectors, recognizing that neither the Director of National Intelligence not the intelligence community will be involved in determining Civil Applications Committee member organizations’ needs but will ensure that collection is in accordance with the President’s intelligence priorities.

“(M) Represent Civil Applications Committee member organizations in defense and intelligence for activities that relate to requirements, capabilities, research needs, and applications of current and future systems.

“(N) Make arrangements for defense and intelligence agencies to provide technical and analytic support, where necessary and appropriate, to the activities for the Civil Applications Committee and its members.
“(O) Promulgate Federal civil uses, applications, research, observations, and data products to the intelligence community and Department of Defense.

“(P) Facilitate access to intelligence community training on behalf of Civil Applications Committee member organizations.

“(Q) Provide a forum for Civil Applications Committee member organizations to discuss issues of common concern.

“(R) Make data available to other Federal civil organizations, state, local, and tribal governments and the scientific community as appropriate.

“(2) DNI.—The Director of National Intelligence and the intelligence community shall do the following:

“(A) Serve as a liaison to Civil Applications Committee member organizations for overhead remotely sensed data and technology.

“(B) Assist in obtaining overhead remotely sensed data requested by the Civil Applications Committee.

“(C) Address issues concerning the use of overhead remotely sensed data.
“(D) Facilitate the acquisition of security clearances for Civil Applications Committee member organizations’ personnel, as necessary.

“(E) Serve as an intermediary for Civil Applications Committee member organizations’ questions concerning classification controls. Security guidance will be provided to the Civil Applications Committee and its members as to which specific aspects of requesting, collecting and using overhead remotely sensed data require national security classification controls and which aspects can be handled at the unclassified level.

“(F) Respond in a timely manner to overhead remotely sensed data needs communicated by Civil Applications Committee member organizations, informing them how the needs will be met or why they will not be met pursuant to applicable laws, regulations, and policies.

“(d) MEMBERSHIP AND ORGANIZATION.—

“(1) MEMBERSHIP.—

“(A) PRINCIPAL MEMBERS.—The principal members are:

“(i) The Department of the Interior.

“(ii) The Department of Agriculture.
“(iii) The Department of Commerce.

“(iv) The Department of Health and Human Services.

“(v) The Department of Transportation.

“(vi) The U.S. Army Corps of Engineers.

“(vii) The U.S. Coast Guard.

“(viii) The Environmental Protection Agency.


“(x) The National Science Foundation.

“(xi) The National Aeronautics and Space Administration.

“(xii) The Tennessee Valley Authority.

“(B) ASSOCIATE MEMBERS.—

“(i) The Department of State.

“(ii) The Department of Energy.


“(iv) The National Reconnaissance Office.
“(v) The Defense Intelligence Agency.

“(vi) The National Geospatial-Intelligence Agency.

“(C) EX OFFICIO MEMBERS.—

“(i) White House Office of Science and Technology Policy.

“(ii) The Office of Director of National Intelligence.

“(iii) The National Geospatial Intelligence Committee.

“(2) ORGANIZATION.—

“(A) The National Civil Applications Program of the U.S. Geological Survey, acting on behalf of the Secretary of the Interior, will provide support, including facilities and administration, required to conduct the activities and operations of the Civil Applications Committee and its Secretariat.

“(B) The Civil Applications Committee Chair will be the U.S. Geological Survey Director, who may be delegated to the U.S. Geological Survey Deputy Director, and the Vice Chair will be a non-DOI senior executive chosen by the Chair from among the Civil Applications Committee member organizations.
“(C) The Civil Applications Committee shall be composed of Principal Members (Federal civil organizations), Associate Members (intelligence community and Department of Defense organizations), and Ex Officio Members. Principal Members shall have full privileges. In general, Associate and Ex Officio Members will not have voting privileges unless the committee is voting on issues involving their equities. IC and DoD organizations may be considered Principal Members if they are represented by a component that primarily has a Federal civil mission. Membership may be extended or modified at the discretion of the Civil Applications Committee.

“(D) An Executive Steering Group will oversee Civil Applications Committee functions and provide policy guidance. The Secretary of the Interior will appoint the Chair of the Executive Steering Group. Executive Steering Group representatives will be senior executives from all Civil Applications Committee member organizations listed in Appendix 3 and must be able to represent, speak for, and make decisions on behalf of their entire organizations. All Executive
Steering Group members will have full voting privileges.

“(E) An Executive Steering Group will oversee Civil Applications Committee functions and provide policy guidance. The Secretary of the Interior will appoint the Chair of the Executive Steering Group. Executive Steering Group representatives will be senior executives from all Civil Applications Committee member organizations and must be able to represent, speak for, and make decisions on behalf of their entire organizations. All Executive Steering Group members will have full voting privileges.

“(F) The Civil Applications Committee will establish, as necessary, ad hoc and permanent working groups, in which all members have voting privileges.”.