

**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

1 Committee member organizations' mission respon-
2 sibilities.

3 “(2) Protect Constitutional rights, civil lib-
4 erties, and privacy of U.S. persons in accordance
5 with applicable laws.

6 “(3) Ensure the efficient use of military and in-
7 telligence overhead capabilities in support of civil ap-
8 plications pursuant to 31 USC Section 1535.

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

11 “(c) RESPONSIBILITIES AND FUNCTIONS.—

12 “(1) CIVIL APPLICATIONS COMMITTEE.—The
13 Civil Applications Committee, acting through the US
14 Geological Survey National Civil Applications Pro-
15 gram, shall do the following:

16 “(A) Assist in ensuring the effective appli-
17 cations of data collected by overhead capabili-
18 ties to support the appropriate worldwide pro-
19 duction, analysis, and research programs of
20 CAC member organizations.

21 “(B) Support all statutory missions of
22 member organizations and facilitate uses of
23 such data and technologies, where feasible and
24 appropriate to derive information for civil appli-
25 cations, including but not limited to:

1 “(i) Mapping, charting, and geodesy.

2 “(ii) Hazard, disaster, and public
3 health assessments.

4 “(iii) Environmental monitoring.

5 “(iv) Scientific research, such as in-
6 vestigations to improve knowledge of the
7 Earth system.

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

10 “(vi) Law enforcement, regulatory,
11 and homeland security missions of member
12 organizations.

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

15 “(C) Comply with applicable laws and reg-
16 ulations protecting personal rights, personal
17 privacy, and civil liberties.

18 “(D) Oversee Civil Applications Committee
19 member organizations’ requests for the collec-
20 tion of remotely sensed data to ensure the pro-
21 tection of Constitutional and other legal rights
22 of U.S. persons and to ensure that such re-
23 quests and the use of such data are consistent
24 with the authorities and responsibilities of such

1 organizations are in accordance with authorized
2 programs.

3 “(E) Adhere to guidelines established by
4 the Director of National Intelligence (DNI) for
5 the protection of intelligence sources and meth-
6 ods and other security requirements.

7 “(F) Communicate appropriate activities of
8 the Civil Applications Committee and prepare
9 an annual report of activities, plans, and rec-
10 ommendations to be delivered to the appro-
11 priate Committees of Congress.

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

16 “(H) Carry out additional responsibilities
17 as assigned.

18 “(I) Receive, evaluate, and consolidate re-
19 quirements for overhead remotely sensed data
20 from Civil Applications Committee member or-
21 ganizations and transmit them to the appro-
22 priate intelligence community of military orga-
23 nization for collection.

24 “(J) Transmit requests by Civil Applica-
25 tions Committee member organizations for ac-

1 cess to previously collected overhead remotely
2 sensed data.

3 “(K) Supply information to Civil Applica-
4 tions Committee member organizations so that
5 they may knowledgeably formulate requests for
6 overhead remotely sensed data.

7 “(L) Act as the primary interface between
8 Civil Applications Committee member organiza-
9 tions and intelligence collectors, recognizing
10 that neither the Director of National Intel-
11 ligence nor the intelligence community will be
12 involved in determining Civil Applications Com-
13 mittee member organizations’ needs but will en-
14 sure that collection is in accordance with the
15 President’s intelligence priorities.

16 “(M) Represent Civil Applications Com-
17 mittee member organizations in defense and in-
18 telligence for a and activities that relate to re-
19 quirements, capabilities, research needs, and
20 applications of current and future systems.

21 “(N) Make arrangements for defense and
22 intelligence agencies to provide technical and
23 analytic support, where necessary and appro-
24 priate, to the activities for the Civil Applica-
25 tions Committee and its members.

1 “(O) Promulgate Federal civil uses, appli-
2 cations, research, observations, and data prod-
3 ucts to the intelligence community and Depart-
4 ment of Defense.

5 “(P) Facilitate access to intelligence com-
6 munity training on behalf of Civil Applications
7 Committee member organizations.

8 “(Q) Provide a forum for Civil Applica-
9 tions Committee member organizations to dis-
10 cuss issues of common concern.

11 “(R) Make data available to other Federal
12 civil organizations, state, local, and tribal gov-
13 ernments and the scientific community as ap-
14 propriate.

15 “(2) DNI.—The Director of National Intel-
16 ligence and the intelligence community shall do the
17 following:

18 “(A) Serve as a liaison to Civil Applica-
19 tions Committee member organizations for over-
20 head remotely sensed data and technology.

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

24 “(C) Address issues concerning the use of
25 overhead remotely sensed data.

1 “(D) Facilitate the acquisition of security
2 clearances for Civil Applications Committee
3 member organizations’ personnel, as necessary.

4 “(E) Serve as an intermediary for Civil
5 Applications Committee member organizations’
6 questions concerning classification controls. Se-
7 curity guidance will be provided to the Civil Ap-
8 plications Committee and its members as to
9 which specific aspects of requesting, collecting
10 and using overhead remotely sensed data re-
11 quire national security classification controls
12 and which aspects can be handled at the unclas-
13 sified level.

14 “(F) Respond in a timely manner to over-
15 head remotely sensed data needs communicated
16 by Civil Applications Committee member orga-
17 nizations, informing them how the needs will be
18 met or why they will not be met pursuant to ap-
19 plicable laws, regulations, and policies.

20 “(d) MEMBERSHIP AND ORGANIZATION.—

21 “(1) MEMBERSHIP.—

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

24 “(i) The Department of the Interior.

25 “(ii) The Department of Agriculture.

1 “(iii) The Department of Commerce.

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

4 “(v) The Department of Transpor-
5 tation.

6 “(vi) The U.S. Army Corps of Engi-
7 neers.

8 “(vii) The U. S. Coast Guard.

9 “(viii) The Environmental Protection
10 Agency.

11 “(ix) The Federal Emergency Man-
12 agement Agency.

13 “(x) The National Science Founda-
14 tion.

15 “(xi) The National Aeronautics and
16 Space Administration.

17 “(xii) The Tennessee Valley Author-
18 ity.

19 “(B) ASSOCIATE MEMBERS.—

20 “(i) The Department of State.

21 “(ii) The Department of Energy.

22 “(iii) The Department of Homeland
23 Security.

24 “(iv) The National Reconnaissance
25 Office.

1 “(v) The Defense Intelligence Agency.

2 “(vi) The National Geospatial-
3 Intelligence Agency.

4 “(C) EX OFFICIO MEMBERS.—

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

7 “(ii) The Office of Director of Na-
8 tional Intelligence.

9 “(iii) The National Geospatial Intel-
10 ligence Committee.

11 “(2) ORGANIZATION.—

12 “(A) The National Civil Applications Pro-
13 gram of the U.S. Geological Survey, acting on
14 behalf of the Secretary of the Interior, will pro-
15 vide support, including facilities and adminis-
16 tration, required to conduct the activities and
17 operations of the Civil Applications Committee
18 and its Secretariat.

19 “(B) The Civil Applications Committee
20 Chair will be the U.S. Geological Survey Direc-
21 tor, who may be delegated to the U.S. Geologi-
22 cal Survey Deputy Director, and the Vice Chair
23 will be a non-DOI senior executive chosen by
24 the Chair from among the Civil Applications
25 Committee member organizations.

1 “(C) The Civil Applications Committee
2 shall be composed of Principal Members (Fed-
3 eral civil organizations), Associate Members (in-
4 telligence community and Department of De-
5 fense organizations), and Ex Officio Members.
6 Principal Members shall have full privileges. In
7 general, Associate and Ex Officio Members will
8 not have voting privileges unless the committee
9 is voting on issues involving their equities. IC
10 and DoD organizations may be considered Prin-
11 cipal Members if they are represented by a
12 component that primarily has a Federal civil
13 mission. Membership may be extended or modi-
14 fied at the discretion of the Civil Applications
15 Committee.

16 “(D) An Executive Steering Group will
17 oversee Civil Applications Committee functions
18 and provide policy guidance. The Secretary of
19 the Interior will appoint the Chair of the Exec-
20 utive Steering Group. Executive Steering Group
21 representatives will be senior executives from all
22 Civil Applications Committee member organiza-
23 tions listed in Appendix 3 and must be able to
24 represent, speak for, and make decisions on be-
25 half of their entire organizations. All Executive

1 Steering Group members will have full voting
2 privileges.

3 “(E) An Executive Steering Group will
4 oversee Civil Applications Committee functions
5 and provide policy guidance. The Secretary of
6 the Interior will appoint the Chair of the Exec-
7 utive Steering Group. Executive Steering Group
8 representatives will be senior executives from all
9 Civil Applications Committee member organiza-
10 tions and must be able to represent, speak for,
11 and make decisions on behalf of their entire or-
12 ganizations. All Executive Steering Group mem-
13 bers will have full voting privileges.

14 “(F) The Civil Applications Committee will
15 establish, as necessary, ad hoc and permanent
16 working groups, in which all members have vot-
17 ing privileges.”.

