

quirements under subparagraphs (A), (B), (C), and (D) of section 2805(b)(3) of this title; and

(ii) a determination of whether, for each of subparagraphs (A), (B), (C), and (D) of section 2805(b)(3) of this title, each lead covered agency meets expectations, has made progress toward expectations, or fails to meet expectations;

(B) a summary and evaluation of the achievements of each covered agency, based on the annual report submitted by the covered agency under section 2808(b)(1) of this title, which shall include a determination of whether the covered agency meets expectations, has made progress toward expectations, or fails to meet expectations for each of paragraphs (1) through (13) of section 2808(a) of this title;

(C) a collection of periodic technical publications, management articles, and reports related to the National Spatial Data Infrastructure; and

(D) a membership directory for the Committee, including identifying members of any subcommittee or working group of the Committee;

(11)(A) make available to and request comments from the Advisory Committee regarding the summaries and evaluations required under subparagraphs (A) and (B) of paragraph (10);

(B) if requested by the Advisory Committee, respond to any comments by the Advisory Committee; and

(C) not less than once every 2 years, submit to Congress a report that includes the summaries and evaluations required under subparagraphs (A) and (B) of paragraph (10), the comments of the Advisory Committee, and the responses of the Committee to the comments;

(12)(A) make available to and request comments from covered agencies regarding the summaries and evaluations required under subparagraphs (A) and (B) of paragraph (10); and

(B) not less than once every 2 years, submit to Congress a report that includes the comments of the covered agencies and the responses of the Committee to the comments; and

(13) support and promote the infrastructure of networks, systems, services, and standards that provide a digital representation of the Earth to users for many applications.

(d) Staff support

The Committee shall establish an Office of the Secretariat within the Department of the Interior to provide administrative support, strategic planning, funding, and technical support to the Committee.

(Pub. L. 115-254, div. B, title VII, §753, Oct. 5, 2018, 132 Stat. 3415.)

§ 2803. National Geospatial Advisory Committee

(a) Establishment

The Secretary of the Interior shall establish within the Department of the Interior the National Geospatial Advisory Committee to pro-

vide advice and recommendations to the Chairperson of the Committee.

(b) Membership

(1) Composition

The Advisory Committee shall be composed of not more than 30 members, at least one of which will be from the National Geospatial-Intelligence Agency, who shall—

(A) be appointed by the Chairperson of the Committee;

(B) be selected—

(i) to generally achieve a balanced representation of the viewpoints of various interested parties involved in national geospatial activities and the development of the National Spatial Data Infrastructure; and

(ii) with consideration of a geographic balance of residence of the members; and

(C) be selected from among groups involved in the geospatial community, including—

- (i) States;
- (ii) local governments;
- (iii) regional governments;
- (iv) tribal governments;
- (v) private sector entities;
- (vi) geospatial information user industries;
- (vii) professional associations;
- (viii) scholarly associations;
- (ix) nonprofit organizations;
- (x) academia;
- (xi) licensed geospatial data acquisition professionals; and
- (xii) the Federal Government.

(2) Chairperson

The Chairperson of the Committee shall appoint the Chairperson of the Advisory Committee.

(3) Period of appointment; vacancies

(A) In general

Members shall be appointed for a term of 3 years, with the term of $\frac{1}{3}$ of the members expiring each year.

(B) Vacancies

Any vacancy in the Advisory Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) Limit on terms

Except for the member from the National Geospatial-Intelligence Agency, an individual—

(A) may not be appointed to more than 2 consecutive terms as a member of the Advisory Committee; and

(B) after serving for 2 consecutive terms, is eligible to be appointed as a member of the Advisory Committee on and after the date that is 2 years after the end of the second consecutive term of the individual as a member of the Advisory Committee.

(5) Ethical requirements

A member of the Advisory Committee may not participate in any specific-party matter

(including a lease, license, permit, contract, claim, agreement, or related litigation) with the Department of the Interior in which the member has a direct financial interest.

(6) Incumbents

(A) In general

An individual serving on the day before October 5, 2018, as a member of the National Geospatial Advisory Committee established by the Secretary of the Interior may serve as a member of the Advisory Committee until the end of the term of the individual under the appointment.

(B) Limit on terms

Any period of service as a member of the National Geospatial Advisory Committee established by the Secretary of the Interior shall be considered a period of service as a member of the Advisory Committee for purposes of paragraph (4).

(c) Subcommittees

A subcommittee of the Advisory Committee—

- (1) may be formed for the purposes of compiling information or conducting research;

- (2) shall be composed of members appointed by the Chairperson of the Advisory Committee;

- (3) shall act under the direction of the Chairperson of the Advisory Committee and the officer or employee designated under section 10(e) of the Federal Advisory Committee Act (5 U.S.C. App.)¹ with respect to the Advisory Committee;

- (4) shall report the recommendations of the subcommittee to the Advisory Committee for consideration; and

- (5) shall meet as necessary to accomplish the objectives of the subcommittee, subject to the approval of the Chairperson of the Advisory Committee and the availability of resources.

(d) Meetings

(1) In general

The Advisory Committee shall meet at the call of the Chairperson, not less than 1 time each year and not more than 4 times each year.

(2) Quorum

A majority of the members of the Advisory Committee shall constitute a quorum, but a lesser number of members may hold meetings or hearings.

(e) Duties of the Advisory Committee

The Advisory Committee shall—

- (1) provide advice and recommendations relating to—

- (A) the management of Federal and national geospatial programs;

- (B) the development of the National Spatial Data Infrastructure; and

- (C) implementation of this chapter;

- (2) review and comment on geospatial policy and management issues; and

- (3) ensure the views of representatives of non-Federal interested parties involved in na-

tional geospatial activities are conveyed to the Committee.

(f) Powers of the Advisory Committee

(1) Meetings

The Advisory Committee may hold meetings (which shall be open to the public) and sit and act at such times and places as the Advisory Committee considers advisable to carry out this chapter.

(2) Information from covered agencies

(A) In general

The Advisory Committee, with the concurrence of the Chairperson of the Committee, may secure directly from any covered agency such information as the Advisory Committee considers necessary to carry out this chapter. Upon request of the Chairperson of the Advisory Committee, the head of such agency shall furnish such information to the Advisory Committee.

(B) Noncooperation

The Advisory Committee shall include in the comments of the Advisory Committee submitted under section 2802(c)(11) of this title a discussion of any failure by a covered agency to furnish information in response to a request under subparagraph (A) of this paragraph.

(3) Postal services

The Advisory Committee may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(g) Advisory Committee personnel matters

(1) No compensation of members

(A) Non-Federal employees

A member of the Advisory Committee who is not an officer or employee of the Federal Government shall serve without compensation.

(B) Federal employees

A member of the Advisory Committee who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(2) Travel expenses

The members of the Advisory Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5 while away from their homes or regular places of business in the performance of services for the Advisory Committee.

(3) Detail of Government employees

Any Federal Government employee may be detailed to the Committee to support the Advisory Committee without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(4) Staff support

The Office of the Secretariat established by the Committee under section 2802(d) of this

¹ See References in Text note below.

title shall provide administrative support to the Advisory Committee.

(h) Applicability of FACA

(1) In general

Except as provided in paragraph (2), the Federal Advisory Committee Act (5 U.S.C. App.)¹ shall apply to the Advisory Committee.

(2) No termination

Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.)¹ shall not apply to the Advisory Committee.

(i) Termination

(1) In general

Except as provided in paragraph (2), the Advisory Committee shall terminate 10 years after October 5, 2018.

(2) Continuation

The Advisory Committee may be continued for successive 10-year periods by action taken by the Secretary of the Interior to renew the Advisory Committee before the date on which the Advisory Committee would otherwise terminate.

(Pub. L. 115-254, div. B, title VII, §754, Oct. 5, 2018, 132 Stat. 3418.)

Editorial Notes

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsecs. (c)(3) and (h), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, which was set out in the Appendix to Title 5, Government Organization and Employees, and was substantially repealed and restated in chapter 10 (§1001 et seq.) of Title 5 by Pub. L. 117-286, §§3(a), 7, Dec. 27, 2022, 136 Stat. 4197, 4361. Sections 10 and 14 of the Act were repealed and restated as sections 1009 and 1013, respectively, of Title 5. For disposition of sections of the Act into chapter 10 of Title 5, see Disposition Table preceding section 101 of Title 5.

§ 2804. National spatial data infrastructure

(a) In general

The National Spatial Data Infrastructure shall ensure that geospatial data from multiple sources (including the covered agencies, State, local, and tribal governments, the private sector, and institutions of higher education) is available and easily integrated to enhance the understanding of the physical and cultural world.

(b) Goals

The goals of the National Spatial Data Infrastructure are to—

(1) ensure—

(A) that geospatial data are reviewed prior to disclosure to ensure—

(i) compliance with section 552a of title 5 (commonly known as the “Privacy Act of 1974”); and

(ii) that personally identifiable information is not disclosed, which shall include an assessment of re-identification risk when determining what data constitute personally identifiable information;

(B) that geospatial data are designed to enhance the accuracy of statistical informa-

tion, both in raw form and in derived information products;

(C) free and open access for the public to geospatial data, information, and interpretive products, in accordance with Office of Management and Budget Circular A-130, or any successor thereto;

(D) the protection of proprietary interests related to licensed information and data; and

(E) the interoperability and sharing capabilities of Federal information systems and data to enable the drawing of resources from covered agencies and partners of covered agencies; and

(2) support and advance the establishment of a Global Spatial Data Infrastructure, consistent with national security, national defense, national intelligence, and international trade requirements, including ensuring that covered agencies develop international geospatial data in accordance with international voluntary consensus standards, as defined in Office of Management and Budget Circular A-119, or any successor thereto.

(c) Strategic plan

The Committee shall prepare and maintain a strategic plan for the development and implementation of the National Spatial Data Infrastructure in a manner consistent with national security, national defense, and emergency preparedness program policies regarding data accessibility.

(d) Advisory role

The Committee shall advise Federal and non-Federal users of geospatial data on their responsibilities relating to implementation of the National Spatial Data Infrastructure.

(Pub. L. 115-254, div. B, title VII, §755, Oct. 5, 2018, 132 Stat. 3420.)

§ 2805. National Geospatial Data Asset data themes

(a) In general

The Committee shall designate as National Geospatial Data Asset data themes the primary topics and subjects for which the coordinated development, maintenance, and dissemination of geospatial data will benefit the Federal Government and the interests of the people of the United States, which shall—

(1) be representations of conceptual topics describing digital spatial information for the Nation; and

(2) contain associated datasets (with attribute records and coordinates)—

(A) that are documented, verifiable, and officially designated to meet recognized standards;

(B) that may be used in common; and

(C) from which other datasets may be derived.

(b) Lead covered agencies

(1) In general

For each National Geospatial Data Asset data theme, the Committee shall designate one or more covered agencies as the lead cov-