

(10) participate in determining, when applicable, whether declassified data can contribute to and become a part of the National Spatial Data Infrastructure;

(11) search all sources, including the GeoPlatform, to determine if existing Federal, State, local, or private geospatial data meets the needs of the covered agency before expending funds for geospatial data collection;

(12) to the maximum extent practicable, ensure that a person receiving Federal funds for geospatial data collection provides high-quality data; and

(13) appoint a contact to coordinate with the lead covered agencies for collection, acquisition, maintenance, and dissemination of the National Geospatial Data Asset data themes used by the covered agency.

**(b) Reporting**

**(1) In general**

Each covered agency shall submit to the Committee an annual report regarding the achievements of the covered agency in preparing and implementing the strategy described in subsection (a)(1) and complying with the other requirements under subsection (a).

**(2) Budget submission**

Each covered agency shall—

(A) include geospatial data in preparing the budget submission of the covered agency to the President under sections 1105(a) and 1108 of title 31;

(B) maintain an inventory of all geospatial data assets in accordance with OMB Circular A-130, or any successor thereto; and

(C) prepare an annual report to Congress identifying Federal-wide geospatial data assets, as defined in OMB Circular A-16, as set forth in OMB memo M-11-03, Issuance of OMB Circular A-16 Supplemental Guidance (November 10, 2010), or any successor thereto.

**(3) Disclosure**

Each covered agency shall disclose each contract, cooperative agreement, grant, or other transaction that deals with geospatial data, which may include posting information relating to the contract, cooperative agreement, grant, or other transaction on [www.USAspending.gov](http://www.USAspending.gov) and [www.itdashboard.gov](http://www.itdashboard.gov), or any successors thereto.

**(4) OMB review**

In reviewing the annual budget justifications submitted by covered agencies, the Office of Management and Budget shall take into consideration the summary and evaluations required under subparagraphs (A) and (B) of section 2802(c)(10) of this title, comments, and replies to comments as required under paragraphs (11) and (12) of section 2802(c) of this title, in its annual evaluation of the budget justification of each covered agency.

**(5) Reporting**

The Office of Management and Budget shall include a discussion of the summaries and

evaluation of the progress in establishing the National Spatial Data Infrastructure in each E-Government status report submitted under section 3606 of title 44.

**(c) Audits**

Not less than once every 2 years, the inspector general of a covered agency (or senior ethics official of the covered agency for a covered agency without an inspector general) shall submit to Congress an audit of the collection, production, acquisition, maintenance, distribution, use, and preservation of geospatial data by the covered agency, which shall include a review of—

(1) the compliance of the covered agency with the standards for geospatial data, including metadata for geospatial data, established under section 2806 of this title;

(2) the compliance of the covered agency with the requirements under subsection (a); and

(3) the compliance of the covered agency on the limitation on the use of Federal funds under section 2809 of this title.

(Pub. L. 115-254, div. B, title VII, §759, Oct. 5, 2018, 132 Stat. 3425.)

**§ 2809. Limitation on use of Federal funds**

**(a) Definition**

In this section, the term “implementation date” means the date that is 5 years after the date on which standards for each National Geospatial Data Asset data theme are established under section 2806 of this title.

**(b) Limitation**

Except as provided otherwise in this section, on and after the implementation date, a covered agency may not use Federal funds for the collection, production, acquisition, maintenance, or dissemination of geospatial data that does not comply with the applicable standards established under section 2806 of this title, as determined by the Committee.

**(c) Exception for existing geospatial data**

On and after the implementation date, a covered agency may use Federal funds to maintain and disseminate geospatial data that does not comply with the applicable standards established under section 2806 of this title if the geospatial data was collected, produced, or acquired by the covered agency before the implementation date.

**(d) Waiver**

**(1) In general**

The Chairperson of the Committee may grant a waiver of the limitation under subsection (b), upon a request from a covered agency submitted in accordance with paragraph (2).

**(2) Requirements**

A request for a waiver under paragraph (1) shall—

(A) be submitted not later than 30 days before the implementation date;

(B) provide a detailed explanation of the reasons for seeking a waiver;

(C) provide a detailed plan to achieve compliance with the applicable standards established under section 2806 of this title; and

(D) provide the date by which the covered agency shall achieve compliance with the applicable standards established under section 2806 of this title.

**(e) Best efforts to comply during transition**

During the period beginning on the date on which standards for a National Geospatial Data Asset data theme are established under section 2806 of this title and ending on the implementation date, each covered agency, to the maximum extent practicable, shall collect, produce, acquire, maintain, and disseminate geospatial data within the National Geospatial Data Asset data theme in accordance with the standards.

(Pub. L. 115-254, div. B, title VII, §759A, Oct. 5, 2018, 132 Stat. 3427.)

**§ 2810. Savings provision**

Nothing in this chapter shall repeal, amend, or supersede any existing law unless specifically provided in this chapter.

(Pub. L. 115-254, div. B, title VII, §759B, Oct. 5, 2018, 132 Stat. 3427.)

**§ 2811. Private sector**

The Committee and each covered agency may, to the maximum extent practical, rely upon and use the private sector in the United States for the provision of geospatial data and services.

(Pub. L. 115-254, div. B, title VII, §759C, Oct. 5, 2018, 132 Stat. 3427.)

**CHAPTER 47—RECLAMATION TITLE TRANSFER**

<p>Sec. 2901. 2902. 2903. 2904. 2905. 2906. 2907.</p>	<p>Purpose. Definitions. Authorization of transfers of title to eligible facilities. Eligibility criteria. Liability. Benefits. Compliance with other laws.</p>
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**§ 2901. Purpose**

The purpose of this chapter is to facilitate the transfer of title to Reclamation project facilities to qualifying entities on the completion of repayment of capital costs.

(Pub. L. 116-9, title VIII, §8001, Mar. 12, 2019, 133 Stat. 804.)

**§ 2902. Definitions**

In this chapter:

**(1) Conveyed property**

The term “conveyed property” means an eligible facility that has been conveyed to a qualifying entity under section 2903 of this title.

**(2) Eligible facility**

The term “eligible facility” means a facility that meets the criteria for potential transfer established under section 2904(a) of this title.

**(3) Facility**

**(A) In general**

The term “facility” includes a dam or appurtenant works, canal, lateral, ditch, gate,

control structure, pumping station, other infrastructure, recreational facility, building, distribution and drainage works, and associated land or interest in land or water.

**(B) Exclusions**

The term “facility” does not include a Reclamation project facility, or a portion of a Reclamation project facility—

- (i) that is a reserved works as of March 12, 2019;
- (ii) that generates hydropower marketed by a Federal power marketing administration; or
- (iii) that is managed for recreation under a lease, permit, license, or other management agreement that does contribute to capital repayment.

**(4) Project use power**

The term “project use power” means the electrical capacity, energy, and associated ancillary service components required to provide the minimum electrical service needed to operate or maintain Reclamation project facilities in accordance with the authorization for the Reclamation project.

**(5) Qualifying entity**

The term “qualifying entity” means an agency of a State or political subdivision of a State, a joint action or powers agency, a water users association, or an Indian Tribe or Tribal utility authority that—

- (A) as of the date of conveyance under this chapter, is the current operator of the eligible facility pursuant to a contract with Reclamation; and
- (B) as determined by the Secretary, has the capacity to continue to manage the eligible facility for the same purposes for which the property has been managed under the reclamation laws.

**(6) Reclamation**

The term “Reclamation” means the Bureau of Reclamation.

**(7) Reclamation project**

The term “Reclamation project” means—

- (A) any reclamation or irrigation project, including incidental features of the project—
  - (i) that is authorized by the reclamation laws;
  - (ii) that is constructed by the United States pursuant to the reclamation laws; or
  - (iii) in connection with which there is a repayment or water service contract executed by the United States pursuant to the reclamation laws; or
- (B) any project constructed by the Secretary for the reclamation of land.

**(8) Reserved works**

The term “reserved works” means any building, structure, facility, or equipment—

- (A) that is owned by the Bureau; and
- (B) for which operations and maintenance are performed, regardless of the source of funding—
  - (i) by an employee of the Bureau; or
  - (ii) through a contract entered into by the Commissioner.