Suspend the Rules and Pass the Bill, H.R. 8810, With an Amendment (The amendment strikes all after the enacting clause and inserts a new text)

116TH CONGRESS H.R. 8810

AN ACT

To establish a national program to identify and reduce losses from landslide hazards, to establish a national 3D Elevation Program, and for other purposes.

1	Be it enacted by the Senate and House of Representa-
2	$tives\ of\ the\ United\ States\ of\ America\ in\ Congress\ assembled,$
3	SECTION 1. SHORT TITLE.
4	This Act may be cited as the "National Landslide
5	Preparedness Act''.
6	SEC. 2. DEFINITIONS.
7	In this Act:
8	(1) 3D.—The term "3D" means 3-dimensional.
9	(2) 3D ELEVATION DATA.—
10	(A) IN GENERAL.—The term "3D ele-
11	vation data" means 3D, high-resolution data
12	obtained using LiDAR, IfSAR, or other meth-
13	ods over the United States (including terri-
14	tories).

1	(B) Inclusions.—The term "3D elevation
2	data" includes terrestrial and bathymetric ele-
3	vation data.
4	(3) 3D ELEVATION PROGRAM.—The term "3D
5	Elevation Program" means the 3D Elevation Pro-
6	gram established under section 5(a).
7	(4) If SAR.—The term "If SAR" means
8	interferometric synthetic aperture radar.
9	(5) Indian tribe.—The term "Indian tribe"
10	has the meaning given the term in section 4 of the
11	Indian Self-Determination and Education Assistance
12	Act (25 U.S.C. 5304).
13	(6) Lahar.—The term "lahar" means a large
14	debris flow of mostly volcanic material that is—
15	(A) often fast-moving; and
16	(B) a hazard in watersheds downstream of
17	volcanie peaks.
18	(7) LiDAR.—The term "LiDAR" means light
19	detection and ranging.
20	(8) Secretary.—The term "Secretary" means
21	the Secretary of the Interior, acting through the Di-
22	rector of the United States Geological Survey.
23	(9) State.—The term "State" means—
24	(A) a State; and
25	(B) the District of Columbia.

1	(10) State office.—The term "State office"
2	means any unit of State government that handles
3	the identification, mapping, assessment, and re-
4	search of landslide hazards or responding to land-
5	slide events, including—
6	(A) a State geological survey office;
7	(B) a State department of emergency re-
8	sponse; and
9	(C) a State department of transportation.
10	(11) Territory.—The term "territory"
11	means—
12	(A) the Commonwealth of Puerto Rico;
13	(B) Guam;
14	(C) American Samoa;
15	(D) the Commonwealth of the Northern
16	Mariana Islands;
17	(E) the Federated States of Micronesia;
18	(F) the Republic of the Marshall Islands;
19	(G) the Republic of Palau; and
20	(H) the United States Virgin Islands.
21	SEC. 3. NATIONAL LANDSLIDE HAZARDS REDUCTION PRO-
22	GRAM.
23	(a) Establishment.—The Secretary shall establish
24	a program, to be known as the "National Landslide Haz-

1	ards Reduction Program" (referred to in this section as
2	the "program")—
3	(1) to identify and understand landslide haz-
4	ards and risks;
5	(2) to reduce losses from landslides;
6	(3) to protect communities at risk of landslide
7	hazards; and
8	(4) to help improve communication and emer-
9	gency preparedness, including by coordinating with
10	communities and entities responsible for infrastruc-
11	ture that are at risk of landslide hazards.
12	(b) Description of Program.—
13	(1) Program activities.—The Secretary, in
14	coordination with the Interagency Coordinating
15	Committee on Landslide Hazards established by
16	subsection $(c)(1)$ (referred to in this section as the
17	"Committee") and in coordination with existing ac-
18	tivities of the United States Geological Survey and
19	other Federal agencies, shall—
20	(A) identify, map, assess, and research
21	landslide hazards;
22	(B) respond to landslide events; and
23	(C) in coordination with State offices,
24	units of local government, territories, and In-
25	dian tribes—

1	(i) establish working groups with
2	State offices, units of local government,
3	territories, and Indian tribes to identify re-
4	gional and local priorities for researching,
5	identifying, mapping, and assessing land-
6	slide hazards; and
7	(ii) develop and implement landslide
8	hazard guidelines for—
9	(I) geologists;
10	(II) geological and geotechnical
11	engineers;
12	(III) emergency management
13	personnel; and
14	(IV) land use and other decision-
15	makers.
16	(2) National Strategy.—Not later than 1
17	year after the date of enactment of this Act, and
18	every 5 years thereafter, the Secretary, in coordina-
19	tion with the Committee, shall develop and publish
20	a national strategy for landslide hazards, risk reduc-
21	tion, and response in the United States (including
22	territories), which shall include—
23	(A) goals and priorities for the program;
24	(B) priorities for data acquisition, re-
25	search, communications, and risk management

1	on landslides and landslide hazards across rel-
2	evant Federal agencies; and
3	(C) a detailed interagency plan, which shall
4	take into consideration national disaster pre-
5	paredness, response, and recovery frameworks,
6	to carry out the national strategy, including de-
7	tails about the programs, projects, and budgets
8	that will be used to implement the national
9	strategy.
10	(3) National Landslide Hazards data-
11	BASE.—In carrying out the program, the Secretary,
12	in coordination with State offices, units of local gov-
13	ernment, territories, and Indian tribes, shall develop
14	and maintain a publicly accessible national landslide
15	hazard and risk inventory database to compile,
16	maintain, standardize, and evaluate data regard-
17	ing—
18	(A) landslide hazards and risks;
19	(B) the impact of landslides on—
20	(i) health and safety;
21	(ii) the economy and infrastructure;
22	and
23	(iii) the environment;
24	(C) landslide hazard stabilization; and
25	(D) reduction of losses from landslides.

1	(4) Landslide Hazard and risk prepared-
2	NESS FOR COMMUNITIES.—In carrying out the pro-
3	gram, the Secretary, in coordination with the Sec-
4	retary of the Army, the Secretary of Commerce, the
5	Secretary of Homeland Security, the Secretary of
6	Transportation, and the heads of other relevant Fed-
7	eral agencies, and in consultation with State offices,
8	units of local government, territories, and Indian
9	tribes, shall develop and disseminate—
10	(A) landslide planning and risk reduction
11	guidance, guidelines, maps, tools, and training
12	materials to help inform State, territorial, local,
13	and Tribal governments and decisionmakers
14	with respect to—
15	(i) the use and implementation of
16	landslide hazard assessments;
17	(ii) the applied use of the database
18	developed under paragraph (3);
19	(iii) reducing losses from landslides;
20	and
21	(iv) resources available for commu-
22	nities working to improve landslide hazard
23	preparedness; and
24	(B) landslide preparedness curricula and
25	training modules for—

1	(i) State, territorial, local, and Tribal
2	officials;
3	(ii) Federal, State, territorial, local,
4	and Tribal emergency managers; and
5	(iii) the National Guard.
6	(5) Debris flow early warning system.—
7	In carrying out the program, the Secretary, in co-
8	ordination with the Secretary of Commerce and the
9	Secretary of Homeland Security, shall expand the
10	early warning system for debris flow by—
11	(A) expanding the early warning system
12	for post-wildfire debris flow to include recently
13	burned areas across the western United States;
14	(B) developing procedures with State, ter-
15	ritorial, local, and Tribal governments to mon-
16	itor stormwater drainage in areas with high de-
17	bris flow risk; and
18	(C) identifying high-risk debris flow areas,
19	such as recently burned land and potential
20	lahar hazard areas.
21	(6) Emergency response activities.—In
22	carrying out the program, the Secretary, in coordi-
23	nation with the Secretary of Commerce, the Sec-
24	retary of Homeland Security, the heads of other rel-
25	evant Federal agencies. States offices, units of local

1	government, territories, and Indian tribes, shall es-
2	tablish and support emergency response procedures
3	for the rapid deployment of Federal scientists,
4	equipment, and services to areas impacted by a sig-
5	nificant landslide event—
6	(A) to support emergency response efforts
7	and improve the safety of emergency respond-
8	ers;
9	(B) to improve data collection; and
10	(C) to conduct research to advance the un-
11	derstanding of the causes, impacts, and reduc-
12	tion of landslide hazards and risks.
13	(c) Interagency Coordinating Committee on
14	Landslide Hazards.—
15	(1) IN GENERAL.—There is established a com-
16	mittee, to be known as the "Interagency Coordi-
17	nating Committee on Landslide Hazards".
18	(2) Membership.—The Committee shall be
19	composed of the following members (or their des-
20	ignees):
21	(A) The Secretary, who shall serve as
22	Chairperson of the Committee.
23	(B) The Secretary of Agriculture.
24	(C) The Secretary of the Army.
25	(D) The Secretary of Commerce.

1	(E) The Secretary of Homeland Security.
2	(F) The Secretary of Transportation.
3	(G) The Director of the National Science
4	Foundation.
5	(H) The Director of the Office of Science
6	and Technology Policy.
7	(I) The Director of the Office of Manage-
8	ment and Budget.
9	(3) Meetings.—The Committee shall meet at
10	the call of the Chairperson.
11	(4) Purpose and duties.—The Committee
12	shall—
13	(A) advise and oversee the program;
14	(B) facilitate communication and coordina-
1415	(B) facilitate communication and coordination across Federal agencies in the planning,
15	tion across Federal agencies in the planning,
15 16	tion across Federal agencies in the planning, management, budgeting, and execution of land-
15 16 17	tion across Federal agencies in the planning, management, budgeting, and execution of land- slide activities; and
15 16 17 18	tion across Federal agencies in the planning, management, budgeting, and execution of land- slide activities; and (C) support the development and execution
15 16 17 18 19	tion across Federal agencies in the planning, management, budgeting, and execution of land- slide activities; and (C) support the development and execution of the national strategy under subsection (b)(2),
15 16 17 18 19 20	tion across Federal agencies in the planning, management, budgeting, and execution of land-slide activities; and (C) support the development and execution of the national strategy under subsection (b)(2), including by—

1	(ii) articulating Federal agency roles,
2	responsibilities, and resources for carrying
3	out the national strategy; and
4	(iii) overseeing the implementation of
5	the national strategy.
6	(d) Advisory Committee.—
7	(1) In general.—The Secretary shall establish
8	an advisory committee, to be known as the "Advi-
9	sory Committee on Landslides" (referred to in this
10	subsection as the "Advisory Committee").
11	(2) Membership.—The Advisory Committee
12	shall be composed of not fewer than 11 members—
13	(A) of whom none may be an individual de-
14	scribed in any of subparagraphs (A) through
15	(F) of section 7342(a)(1) of title 5, United
16	States Code; and
17	(B) who shall be representatives of—
18	(i) States, including State geological
19	organizations;
20	(ii) territories, including territorial ge-
21	ological organizations;
22	(iii) Indian tribes, including Tribal ge-
23	ological organizations;

1	(iv) research institutions and institu-
2	tions of higher education that are quali-
3	fied—
4	(I) to provide advice regarding
5	landslide hazard and risk reduction;
6	and
7	(II) to represent related sci-
8	entific, architectural, engineering, and
9	planning disciplines;
10	(v) industry standards development
11	organizations; and
12	(vi) State, territorial, local, and Tribal
13	emergency management agencies.
14	(3) Recommendations.—
15	(A) IN GENERAL.—The Advisory Com-
16	mittee shall submit to the Committee rec-
17	ommendations for the implementation of the
18	program, including recommendations regard-
19	ing—
20	(i) landslide hazard and risk reduction
21	and planning;
22	(ii) tools for communities;
23	(iii) research; and
24	(iv) such other topics as the Advisory
25	Committee determines appropriate.

1	(B) Consideration.—The Secretary and
2	the agency heads described in subparagraphs
3	(B) through (I) of subsection (c)(2) shall take
4	into consideration any recommendation of the
5	Advisory Committee submitted under subpara-
6	graph (A).
7	(e) Grant Programs.—
8	(1) Cooperative Landslide Hazard Map-
9	PING AND ASSESSMENT PROGRAM.—
10	(A) In general.—Subject to appropria-
11	tions, the Secretary may—
12	(i) provide grants, on a competitive
13	basis, to State, territorial, local, and Tribal
14	governments to research, map, assess, and
15	collect data on landslide hazards within the
16	jurisdictions of those governments; and
17	(ii) accept and use funds received
18	from other Federal and non-Federal part-
19	ners to advance the purposes of the pro-
20	gram.
21	(B) Priority.—
22	(i) IN GENERAL.—The Secretary shall
23	consult annually with the Committee,
24	States, units of local government, terri-
25	tories, and Indian tribes to establish prior-

1	ities for the grant program under this
2	paragraph.
3	(ii) Funding prioritization.—In
4	providing grants under this paragraph, the
5	Secretary shall give priority to projects—
6	(I) that will achieve the greatest
7	landslide hazard and risk reduction;
8	(II) that reflect the goals and
9	priorities of the national strategy es-
10	tablished under subsection (b)(2)(A);
11	(III) not less than 50 percent of
12	the total cost of which is matched by
13	non-Federal sources; and
14	(IV) that include acquisition of
15	enhanced elevation data consistent
16	with the 3D Elevation Program.
17	(C) REQUIREMENT.—If the Secretary
18	elects to provide grants under subparagraph
19	(A)(i), the Secretary shall publish on a publicly
20	available website a description of—
21	(i) the grants; and
22	(ii) the findings made from those
23	grants.
24	(2) National Landslide Research
25	GRANTS.—

1	(A) In general.—To advance the goals
2	and priorities of the national strategy estab-
3	lished under subsection (b)(2)(A), subject to ap-
4	propriations, the Director of the National
5	Science Foundation (referred to in this para-
6	graph as the "Director") may provide grants to
7	eligible entities for landslide research, including
8	research on—
9	(i) the causes, mechanisms, triggers,
10	hydrology, and geology of landslides;
11	(ii) ways to reduce landslide hazards
12	and risks to minimize loss of life and prop-
13	erty, including landslide hazard and risk
14	communication, perception, decision-
15	making, tools, and technologies; and
16	(iii) other goals and priorities of the
17	national strategy established under sub-
18	section $(b)(2)(A)$.
19	(B) ELIGIBLE ENTITIES.—The Director
20	shall determine whether an entity is eligible to
21	receive a grant under this paragraph.
22	(C) Requirements.—In providing grants
23	under this paragraph, the Director shall—
24	(i) ensure that the grants are pro-
25	vided on a competitive basis;

1	(ii) consider grant applications sub-
2	mitted by eligible entities that have devel-
3	oped the application in partnership with 1
4	or more State geological surveys; and
5	(iii) publish on a publicly available
6	website a description of—
7	(I) the grants; and
8	(II) the findings made from those
9	grants.
10	(f) BIENNIAL REPORT.—Through calendar year
11	2030, the Secretary shall submit to Congress a biennial
12	report, including a description of, with respect to the 2-
13	calendar-year period preceding the date of the report—
14	(1) the goals and accomplishments of the Com-
15	mittee in carrying out the national strategy devel-
16	oped under subsection (b)(2);
17	(2) the results of the activities of the Com-
18	mittee under this section; and
19	(3) the extent to which any recommendations of
20	the Advisory Committee under subsection (d)(3)(A)
21	have been implemented.
22	(g) Significant Events.—Not later than 1 year
23	after a significant landslide event in the United States (in-
24	cluding territories) occurs, the Secretary shall publish on
25	a publicly available website—

1	(1) a description of the landslide event and the
2	implications of the event on communities, including
3	life and property;
4	(2) recommendations on how the identification
5	of the landslide risk could have been improved prior
6	to the event;
7	(3) a description of the effectiveness of any
8	warning and risk communication, including the dis-
9	semination of warnings by State, territorial, local,
10	and Tribal partners in the affected area;
11	(4) recommendations to improve risk identifica-
12	tion, reduction, and communication to landowners
13	and units of local government;
14	(5) recommendations to improve landslide haz-
15	ard preparedness and emergency response activities
16	under this section; and
17	(6) such other findings as the Secretary deter-
18	mines appropriate.
19	(h) Funding.—For each of fiscal years 2021
20	through 2024—
21	(1) there is authorized to be appropriated to the
22	United States Geological Survey, \$25,000,000 to
23	carry out this section;

1	(2) there is authorized to be appropriated to the
2	National Science Foundation, \$11,000,000 to carry
3	out this section; and
4	(3) there is authorized to be appropriated to the
5	National Oceanic and Atmospheric Administration,
6	\$1,000,000 to carry out this section.
7	(i) DERIVATION OF FUNDS.—Funds to carry out the
8	activities under this section shall be derived from amounts
9	authorized to be appropriated that are enacted after the
10	date of the enactment of this section.
11	SEC. 4. GROUND SUBSIDENCE.
12	As the Secretary determines to be appropriate and
13	subject to appropriations, the Secretary, through existing
14	programs, shall advance the identification, mapping, re-
15	search, and monitoring of subsidence and groundwater re-
16	source accounting, particularly in areas affected by
17	drought.
18	SEC. 5. 3D ELEVATION PROGRAM.
19	(a) Establishment of 3D Elevation Pro-
20	GRAM.—
21	(1) In general.—The Secretary shall establish
22	a program, to be known as the "3D Elevation Pro-
23	gram''—
24	(A) to provide 3D elevation data coverage
25	for the United States:

1	(B) to coordinate and facilitate the collec-
2	tion, dissemination, and use of 3D elevation
3	data among Federal departments and agencies
4	and non-Federal entities;
5	(C) to produce standard, publicly acces-
6	sible 3D elevation data products for the United
7	States; and
8	(D) to promote the collection, dissemina-
9	tion, and use of 3D elevation data among Fed-
10	eral, State, local, and Tribal governments, com-
11	munities, institutions of higher education, and
12	the private sector through—
13	(i) cooperative agreements;
14	(ii) the development and maintenance
15	of spatial data infrastructure to provide
16	quality control and deliver to the public 3D
17	elevation data products;
18	(iii) in coordination with the 3D Ele-
19	vation Federal Interagency Coordinating
20	Committee established under subsection
21	(b), States, and industry and standards
22	bodies, the development of standards and
23	guidelines for 3D elevation data acquisition
24	to increase accessibility to 3D elevation
25	data in a standard, easy-to-use format; and

1	(iv) the identification, assessment, and
2	adoption of emerging technologies to im-
3	prove the accuracy and efficiency of the
4	3D Elevation Program.
5	(2) Management.—
6	(A) In general.—The Secretary shall
7	manage the 3D Elevation Program—
8	(i) to ensure efficiency with respect to
9	related activities of the Department of the
10	Interior and other participating Federal
11	departments and agencies; and
12	(ii) to meet the needs of Department
13	of the Interior programs, stakeholders, and
14	the public.
15	(B) Other federal departments and
16	AGENCIES.—The head of each Federal depart-
17	ment and agency involved in the acquisition,
18	production, distribution, or application of 3D
19	elevation data shall—
20	(i) coordinate with the 3D Elevation
21	Federal Interagency Coordinating Com-
22	mittee established under subsection (b) to
23	acquire additional, enhanced 3D elevation
24	data;

1	(ii) submit to the Secretary a descrip-
2	tion of priority areas of interest for 3D ele-
3	vation data collection for use in providing
4	grants and cooperative agreements under
5	subsection (d);
6	(iii) implement policies and procedures
7	for data acquisition and sharing that are
8	consistent with standards and guidelines
9	developed under the 3D Elevation Pro-
10	gram;
11	(iv) participate in, and share the re-
12	sults and benefits of, the 3D Elevation
13	Program, in accordance with standards
14	and guidelines developed under the 3D
15	Elevation Program; and
16	(v) ensure that any 3D elevation data
17	acquired with Federal grant funding—
18	(I) meets 3D Elevation Program
19	standards; and
20	(II) is included in the national
21	holdings of those data.
22	(b) 3D Elevation Federal Interagency Co-
23	ORDINATING COMMITTEE.—
24	(1) Establishment.—The Secretary, in co-
25	ordination with the Secretary of Commerce and the

1	Secretary of Homeland Security, shall establish an
2	interagency coordinating committee, to be known as
3	the "3D Elevation Federal Interagency Coordinating
4	Committee" (referred to in this subsection as the
5	"Committee"), to better coordinate 3D elevation
6	data management across the Federal Government.
7	(2) Membership.—The Committee shall be
8	composed of the following members (or their des-
9	ignees):
10	(A) The Secretary, who shall serve as
11	Chairperson of the Committee.
12	(B) The Secretary of Agriculture.
13	(C) The Secretary of Commerce.
14	(D) The Secretary of Homeland Security.
15	(E) The Director of the National Science
16	Foundation.
17	(F) The Director of the Office of Science
18	and Technology Policy.
19	(G) The Director of the Office of Manage-
20	ment and Budget.
21	(H) The head of any other Federal depart-
22	ment or agency, at the request of the Secretary.
23	(3) COORDINATION.—The Committee shall co-
24	ordinate, as appropriate, with the existing activities
25	of—

1	(A) the 3D Elevation Program Executive
2	Forum;
3	(B) the Alaska Mapping Executive Com-
4	mittee;
5	(C) the 3D Elevation Working Group;
6	(D) the 3D National Elevation Sub-
7	committee; and
8	(E) State offices.
9	(4) Meetings.—The Committee shall meet at
10	the call of the Chairperson.
11	(5) Duties.—The Committee shall—
12	(A) oversee the planning, management,
13	and coordination of the 3D Elevation Program;
14	and
15	(B) develop, by not later than 1 year after
16	the date of enactment of this Act, and update
17	periodically thereafter—
18	(i) a strategic plan that establishes
19	goals and priorities for activities carried
20	out under the 3D Elevation Program; and
21	(ii) a detailed management plan to
22	implement the strategic plan.
23	(c) Subcommittee of National Geospatial Ad-
24	VISORY COMMITTEE.—
25	(1) Establishment.—

1	(A) IN GENERAL.—The Secretary shall es-
2	tablish, within the National Geospatial Advisory
3	Committee, a subcommittee (referred to in this
4	subsection as the "Subcommittee").
5	(B) Membership.—The Subcommittee
6	shall—
7	(i) consist of not fewer than 11 mem-
8	bers, of whom none may be a Federal offi-
9	cer or employee; and
10	(ii) include representatives of—
11	(I) research and academic insti-
12	tutions;
13	(II) industry standards develop-
14	ment organizations;
15	(III) units of State and local gov-
16	ernment; and
17	(IV) the private sector.
18	(2) Duties.—
19	(A) Assessment.—The Subcommittee
20	shall conduct an assessment of—
21	(i) trends and developments in—
22	(I) the collection, dissemination,
23	and use of 3D elevation data; and
24	(II) science and technology relat-
25	ing to 3D elevation data;

1	(ii) the effectiveness of the 3D Ele-
2	vation Program in carrying out the activi-
3	ties described in subsection (a)(1);
4	(iii) the need to revise or reorganize
5	the 3D Elevation Program; and
6	(iv) the management, coordination,
7	implementation, and activities of the 3D
8	Elevation Program.
9	(B) Report.—Not later than 1 year after
10	the date of enactment of this Act, and every 2
11	years thereafter, the Subcommittee shall submit
12	to the Secretary and the 3D Elevation Federal
13	Interagency Coordinating Committee estab-
14	lished under subsection (b) a report that in-
15	cludes—
16	(i) the findings of the assessment
17	under subparagraph (A); and
18	(ii) recommendations of the Sub-
19	committee based on those findings, if any.
20	(d) Grants and Cooperative Agreements.—
21	(1) In General.—The Secretary may make
22	grants and enter into cooperative agreements with
23	other Federal departments and agencies, units of
24	State, local, or Tribal government, institutions of
25	higher education, nonprofit research institutions, or

1	other organizations to facilitate the improvement of
2	nationwide coverage of 3D elevation data.
3	(2) Applications.—To be eligible to receive a
4	grant or enter into a cooperative agreement under
5	this subsection, an entity described in paragraph (1)
6	shall submit to the Secretary an application at such
7	time, in such manner, and containing such informa-
8	tion as the Secretary may require.
9	(3) Terms and conditions.—A grant or coop-
10	erative agreement under this subsection shall be sub-
11	ject to such terms and conditions as the Secretary
12	determines to be appropriate, including making data
13	publically available and interoperable with other
14	Federal datasets.
15	(e) Funding.—For each of fiscal years 2021 through
16	2024, there is authorized to be appropriated to the Sec-
17	retary \$40,000,000 to carry out this section.
18	(f) DERIVATION OF FUNDS.—Funds to carry out the
19	activities under this section shall be derived from amounts
20	authorized to be appropriated to the Secretary that are
21	enacted after the date of the enactment of this section.
	Passed the Senate July 30, 2020.
	Attest:
	Secretary.

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116TH CONGRESS H.R. 881

N ACT

To establish a national program to identify and reduce losses from landslide hazards, to establish a national 3D Elevation Program, and for other purposes.