

Suspend the Rules and Pass the Bill, S. 1069, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

116TH CONGRESS
1ST SESSION

S. 1069

To require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 2019

A BILL

To require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, 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 “Digital Coast Act”.

5 **SEC. 2. FINDINGS.**

6 Congress makes the following findings:

7 (1) The Digital Coast is a model approach for
8 effective Federal partnerships with State and local
9 government, nongovernmental organizations, and the
10 private sector.

11 (2) Access to current, accurate, uniform, and
12 standards-based geospatial information, tools, and
13 training to characterize the United States coastal re-
14 gion is critical for public safety and for the environ-
15 ment, infrastructure, and economy of the United
16 States.

17 (3) More than half of all people of the United
18 States (153,000,000) currently live on or near a
19 coast and an additional 12,000,000 are expected in
20 the next decade.

21 (4) Coastal counties in the United States aver-
22 age 300 persons per square mile, compared with the
23 national average of 98.

24 (5) On a typical day, more than 1,540 permits
25 for construction of single-family homes are issued in

1 coastal counties, combined with other commercial,
2 retail, and institutional construction to support this
3 population.

4 (6) Over half of the economic productivity of
5 the United States is located within coastal regions.

6 (7) Highly accurate, high-resolution remote
7 sensing and other geospatial data play an increas-
8 ingly important role in decision making and manage-
9 ment of the coastal zone and economy, including
10 for—

11 (A) flood and coastal storm surge pre-
12 diction;

13 (B) hazard risk and vulnerability assess-
14 ment;

15 (C) emergency response and recovery plan-
16 ning;

17 (D) community resilience to longer range
18 coastal change;

19 (E) local planning and permitting;

20 (F) habitat and ecosystem health assess-
21 ments; and

22 (G) landscape change detection.

23 **SEC. 3. DEFINITIONS.**

24 In this Act:

1 (1) COASTAL REGION.—The term “coastal re-
2 gion” means the area of United States waters ex-
3 tending inland from the shoreline to include coastal
4 watersheds and seaward to the territorial sea.

5 (2) COASTAL STATE.—The term “coastal
6 State” has the meaning given the term “coastal
7 state” in section 304 of the Coastal Zone Manage-
8 ment Act of 1972 (16 U.S.C. 1453).

9 (3) FEDERAL GEOGRAPHIC DATA COM-
10 MITTEE.—The term “Federal Geographic Data
11 Committee” means the interagency committee that
12 promotes the coordinated development, use, sharing,
13 and dissemination of geospatial data on a national
14 basis.

15 (4) REMOTE SENSING AND OTHER
16 GEOSPATIAL.—The term “remote sensing and other
17 geospatial” means collecting, storing, retrieving, or
18 disseminating graphical or digital data depicting
19 natural or manmade physical features, phenomena,
20 or boundaries of the Earth and any information re-
21 lated thereto, including surveys, maps, charts, sat-
22 ellite and airborne remote sensing data, images,
23 LiDAR, and services performed by professionals
24 such as surveyors, photogrammetrists, hydrog-

1 raphers, geodesists, cartographers, and other such
2 services.

3 (5) SECRETARY.—The term “Secretary” means
4 the Secretary of Commerce, acting through the Ad-
5 ministrator of the National Oceanic and Atmos-
6 pheric Administration.

7 **SEC. 4. ESTABLISHMENT OF THE DIGITAL COAST.**

8 (a) ESTABLISHMENT.—

9 (1) IN GENERAL.—The Secretary shall establish
10 a program for the provision of an enabling platform
11 that integrates geospatial data, decision-support
12 tools, training, and best practices to address coastal
13 management issues and needs. Under the program,
14 the Secretary shall strive to enhance resilient com-
15 munities, ecosystem values, and coastal economic
16 growth and development by helping communities ad-
17 dress their issues, needs, and challenges through
18 cost-effective and participatory solutions.

19 (2) DESIGNATION.—The program established
20 under paragraph (1) shall be known as the “Digital
21 Coast” (in this section referred to as the “pro-
22 gram”).

23 (b) PROGRAM REQUIREMENTS.—In carrying out the
24 program, the Secretary shall ensure that the program pro-

1 vides data integration, tool development, training, docu-
2 mentation, dissemination, and archive by—

3 (1) making data and resulting integrated prod-
4 ucts developed under this section readily accessible
5 via the Digital Coast internet website of the Na-
6 tional Oceanic and Atmospheric Administration, the
7 GeoPlatform.gov and data.gov internet websites, and
8 such other information distribution technologies as
9 the Secretary considers appropriate;

10 (2) developing decision-support tools that use
11 and display resulting integrated data and provide
12 training on use of such tools;

13 (3) documenting such data to Federal Geo-
14 graphic Data Committee standards; and

15 (4) archiving all raw data acquired under this
16 Act at the appropriate National Oceanic and Atmos-
17 pheric Administration data center or such other
18 Federal data center as the Secretary considers ap-
19 propriate.

20 (c) COORDINATION.—The Secretary shall coordinate
21 the activities carried out under the program to optimize
22 data collection, sharing, and integration, and to minimize
23 duplication by—

24 (1) consulting with coastal managers and deci-
25 sion makers concerning coastal issues, and sharing

1 information and best practices, as the Secretary con-
2 siders appropriate, with—

3 (A) coastal States;

4 (B) local governments; and

5 (C) representatives of academia, the pri-
6 vate sector, and nongovernmental organizations;

7 (2) consulting with other Federal agencies, in-
8 cluding interagency committees, on relevant Federal
9 activities, including activities carried out under the
10 Ocean and Coastal Mapping Integration Act (33
11 U.S.C. 3501 et seq.), the Coastal Zone Management
12 Act of 1972 (16 U.S.C. 1451 et seq.), the Integrated
13 Coastal and Ocean Observation System Act of 2009
14 (33 U.S.C. 3601 et seq.), and the Hydrographic
15 Services Improvement Act of 1998 (33 U.S.C. 892
16 et seq.);

17 (3) participating, pursuant to section 216 of the
18 E-Government Act of 2002 (Public Law 107-347;
19 44 U.S.C. 3501 note), in the establishment of such
20 standards and common protocols as the Secretary
21 considers necessary to assure the interoperability of
22 remote sensing and other geospatial data with all
23 users of such information within—

24 (A) the National Oceanic and Atmospheric
25 Administration;

1 (B) other Federal agencies;

2 (C) State and local government; and

3 (D) the private sector;

4 (4) coordinating with, seeking assistance and
5 cooperation of, and providing liaison to the Federal
6 Geographic Data Committee pursuant to Office of
7 Management and Budget Circular A-16 and Execu-
8 tive Order 12906 of April 11, 1994 (59 Fed. Reg.
9 17671), as amended by Executive Order 13286 of
10 February 28, 2003 (68 Fed. Reg. 10619); and

11 (5) developing and maintaining a best practices
12 document that sets out the best practices used by
13 the Secretary in carrying out the program and pro-
14 viding such document to the United States Geologi-
15 cal Survey, the Corps of Engineers, and other rel-
16 evant Federal agencies.

17 (d) FILLING NEEDS AND GAPS.—In carrying out the
18 program, the Secretary shall—

19 (1) maximize the use of remote sensing and
20 other geospatial data collection activities conducted
21 for other purposes and under other authorities;

22 (2) focus on filling data needs and gaps for
23 coastal management issues, including with respect to
24 areas that, as of the date of the enactment of this
25 Act, were underserved by coastal data and the areas

1 of the Arctic that are under the jurisdiction of the
2 United States;

3 (3) pursuant to the Ocean and Coastal Map-
4 ping Integration Act (33 U.S.C. 3501 et seq.), sup-
5 port continue improvement in existing efforts to co-
6 ordinate the acquisition and integration of key data
7 sets needed for coastal management and other pur-
8 poses, including—

9 (A) coastal elevation data;

10 (B) land use and land cover data;

11 (C) socioeconomic and human use data;

12 (D) critical infrastructure data;

13 (E) structures data;

14 (F) living resources and habitat data;

15 (G) cadastral data; and

16 (H) aerial imagery; and

17 (4) integrate the priority supporting data set
18 forth under paragraph (3) with other available data
19 for the benefit of the broadest measure of coastal re-
20 source management constituents and applications.

21 (e) FINANCIAL AGREEMENTS AND CONTRACTS.—

22 (1) IN GENERAL.—In carrying out the program,
23 the Secretary—

24 (A) may enter into financial agreements to
25 carry out the program, including—

1 (i) support to non-Federal entities
2 that participate in implementing the pro-
3 gram; and

4 (ii) grants, cooperative agreements,
5 interagency agreements, contracts, or any
6 other agreement on a reimbursable or non-
7 reimbursable basis, with other Federal,
8 tribal, State, and local governmental and
9 nongovernmental entities; and

10 (B) may, to the maximum extent prac-
11 ticable, enter into such contracts with private
12 sector entities for such products and services as
13 the Secretary determines may be necessary to
14 collect, process, and provide remote sensing and
15 other geospatial data and products for purposes
16 of the program.

17 (2) FEES.—

18 (A) ASSESSMENT AND COLLECTION.—The
19 Secretary may, to the extent provided in ad-
20 vance in appropriations Acts, assess and collect
21 fees for the conduct of any training, workshop,
22 or conference that advances the purposes of the
23 program.

24 (B) AMOUNTS.—The amount of a fee
25 under this paragraph may not exceed the sum

1 of costs incurred, or expected to be incurred, by
2 the Secretary as a direct result of the conduct
3 of the training, workshop, or conference, includ-
4 ing for subsistence expenses incidental to the
5 training, workshop, or conference, as applicable.

6 (C) USE OF FEES.—Amounts collected by
7 the Secretary in the form of fees under this
8 paragraph shall be available to the extent and
9 in such amounts as are provided in advance in
10 appropriations Acts for—

11 (i) the costs incurred for conducting
12 an activity described in subparagraph (A);

13 or

14 (ii) the expenses described in subpara-
15 graph (B).

16 (3) SURVEY AND MAPPING.—Contracts entered
17 into under paragraph (1)(B) shall be considered
18 “surveying and mapping” services as such term is
19 used in and as such contracts are awarded by the
20 Secretary in accordance with the selection proce-
21 dures in chapter 11 of title 40, United States Code.

22 (f) OCEAN ECONOMY.—The Secretary may establish
23 publically available tools that track ocean and Great Lakes
24 economy data for each coastal State.

1 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to the Secretary \$4,000,000
3 for each fiscal year 2021 through 2025 to carry out the
4 program.