

115TH CONGRESS
1ST SESSION

H. R. 1232

To amend title 44, United States Code, to require each Federal agency to maintain and preserve data assets of the agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2017

Ms. MCCOLLUM introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend title 44, United States Code, to require each Federal agency to maintain and preserve data assets of the agency, 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 “Save America’s Science
5 Act”.

6 **SEC. 2. MANAGEMENT AND PRESERVATION OF DATA AS-**
7 **SETS BY FEDERAL AGENCIES.**

8 Chapter 31 of title 44, United States Code, is amend-
9 ed by adding at the end the following new section:

1 **“§ 3108. Management and preservation of data assets**
2 **by Federal agencies**

3 “(a) IN GENERAL.—The head of each Federal agency
4 shall maintain each data asset of the agency, including
5 any data asset collected for the agency under a contract,
6 in accordance with the program established under section
7 3102.

8 “(b) SAFEGUARDS.—The head of each Federal agen-
9 cy shall establish safeguards against the removal or loss
10 of data assets and make any requirements and penalties
11 related to such removal or loss known to officials and em-
12 ployees of the agency.

13 “(c) UNLAWFUL REMOVAL OR DESTRUCTION OF
14 DATA ASSETS.—

15 “(1) FEDERAL AGENCY NOTIFICATION.—The
16 head of each Federal agency shall notify the Archi-
17 vist and Congress of any actual, impending, or
18 threatened unlawful removal, defacing, alteration,
19 corruption, deletion, erasure, or other destruction of
20 data assets in the custody of the agency, and, with
21 the assistance of the Archivist, shall initiate action
22 through the Attorney General for the recovery of
23 data assets the head of the Federal agency knows or
24 has reason to believe have been unlawfully removed
25 from that agency, or from another Federal agency

1 whose data assets have been transferred to the legal
2 custody of that Federal agency.

3 “(2) ARCHIVIST NOTIFICATION.—In any case in
4 which the head of a Federal agency does not initiate
5 an action for such recovery or other redress within
6 a reasonable period of time after being notified of
7 any such unlawful action described in paragraph (1),
8 or is participating in, or believed to be participating
9 in any such unlawful action, the Archivist shall re-
10 quest the Attorney General to initiate such an ac-
11 tion, and shall notify Congress when such a request
12 has been made.

13 “(d) PUBLIC AVAILABILITY OF DATA ASSETS.—

14 “(1) IN GENERAL.—Each data asset that has
15 been made available to the public by the head of a
16 Federal agency shall remain available to the public.

17 “(2) MACHINE-READABLE DATA ASSETS.—Each
18 data asset that has been made available to the public
19 in a machine-readable format by the head of a Fed-
20 eral agency shall remain available to the public in a
21 machine-readable format.

22 “(e) RULE OF CONSTRUCTION.—Nothing in this sec-
23 tion may be construed to exclude any type of record from
24 the requirements of this chapter.

25 “(f) DEFINITIONS.—In this section:

1 “(1) DATA.—The term ‘data’ means recorded
2 information, regardless of form or the media on
3 which the data is recorded.

4 “(2) DATA ASSET.—The term ‘data asset’
5 means a collection of data elements or data sets that
6 may be grouped together.

7 “(3) MACHINE-READABLE FORMAT.—The term
8 ‘machine-readable format’ means a format in which
9 information or data can be easily processed by a
10 computer without human intervention while ensuring
11 no semantic meaning is lost.”.

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