

117TH CONGRESS
2D SESSION

H. R. 7792

To provide for a national water data framework, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2022

Ms. STANSBURY (for herself, Ms. LEGER FERNANDEZ, Mr. OWENS, Mrs. LEE of Nevada, Mr. CARSON, Ms. TITUS, Mrs. CHERFILUS-McCORMICK, Mr. NEGUSE, Ms. TLAIB, Mr. GALLEGRO, Mr. O'HALLERAN, Ms. BLUNT ROCHESTER, Mr. BISHOP of Georgia, and Ms. HERRELL) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure, Agriculture, Energy and Commerce, Science, Space, and Technology, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for a national water data framework, 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 “Water Data Act”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

1 (1) ADVISORY COMMITTEE.—The term “Advi-
2 sory Committee” means the Advisory Committee on
3 Water Information established by section 5(a).

4 (2) COUNCIL.—The term “Council” means the
5 Water Data Council established under section 4(a).

6 (3) DATA STANDARDS.—The term “data stand-
7 ards” means standards relating to the manner in
8 which data are to be structured, populated, and en-
9 coded in machine-readable formats, and made inter-
10 operable for data exchange.

11 (4) DEPARTMENTS.—The term “Departments”
12 means each of the following:

13 (A) The Department of Agriculture.

14 (B) The Department of Commerce.

15 (C) The Department of Defense.

16 (D) The Department of Energy.

17 (E) The Department of Health and
18 Human Services.

19 (F) The Department of Homeland Secu-
20 rity.

21 (G) The Department of the Interior.

22 (H) The Environmental Protection Agency.

23 (I) The National Aeronautics and Space
24 Administration.

1 (5) INDIAN TRIBE.—The term “Indian Tribe”
2 has the meaning given the term in section 4 of the
3 Indian Self-Determination and Education Assistance
4 Act (25 U.S.C. 5304).

5 (6) NATIONAL WATER DATA FRAMEWORK.—
6 The term “National Water Data Framework” means
7 the national water data framework developed under
8 section 3.

9 (7) SECRETARY.—The term “Secretary” means
10 the Secretary of the Interior.

11 (8) WATER DATA.—The term “water data”
12 means measurements of basic properties relating to
13 the planning and management of water resources,
14 including streamflow, precipitation, groundwater,
15 soil moisture, snow, evaporation, water quality, and
16 water use in agriculture, industry, natural systems,
17 and municipal uses.

18 (9) WATER DATA GRANT PROGRAM.—The term
19 “Water Data Grant Program” means the water data
20 grant program established under section 6(a).

21 (10) WATER DATA INFRASTRUCTURE.—The
22 term “water data infrastructure” means an inte-
23 grated system of information technologies that in-
24 cludes common standards, formats, and tools to

1 make water data easy to find, access, and share on-
2 line.

3 **SEC. 3. NATIONAL WATER DATA FRAMEWORK.**

4 (a) IN GENERAL.—For the purpose of improving
5 water resources management and access across the United
6 States, including addressing drought, floods, and other
7 water management challenges, the heads of the Depart-
8 ments shall jointly develop and implement a national water
9 data framework for integrating, sharing, and using water
10 data.

11 (b) REQUIREMENTS.—In developing and imple-
12 menting the National Water Data Framework, the De-
13 partments shall—

14 (1) identify and prioritize key water data need-
15 ed to support water resources management and
16 planning, including—

17 (A) water data sets, types, and associated
18 metadata; and

19 (B) water data infrastructure, tech-
20 nologies, and tools;

21 (2) develop and adopt common national water
22 data standards for collecting, sharing, and inte-
23 grating water data, infrastructure, technologies, and
24 tools in consultation with States, Indian Tribes, local
25 governments, and relevant bodies;

1 (3) ensure that Federal water data are made
2 findable, accessible, interoperable, and reusable in
3 accordance with the standards developed and adopt-
4 ed pursuant to this Act;

5 (4) integrate water data and tools through com-
6 mon approaches to data infrastructure, platforms,
7 models, and tool development;

8 (5) establish a common, national geospatial
9 index for publishing and linking water data from
10 Federal, State, Tribal, and other non-Federal
11 sources for online discovery;

12 (6) harmonize and align policies, programs, pro-
13 tocols, budgets, and funding programs relating to
14 water data to achieve the purposes of this Act to the
15 maximum extent practicable;

16 (7) participate in and coordinate water data ac-
17 tivities with the Council; and

18 (8) support the adoption of new technologies
19 and the development of tools for water data collec-
20 tion, sharing, and standardization by Federal, State,
21 Tribal, local, and other entities.

22 **SEC. 4. WATER DATA COUNCIL.**

23 (a) IN GENERAL.—The heads of the Departments
24 shall establish an interagency Council, to be known as the

1 “Water Data Council”, to support the development and
2 implementation of the National Water Data Framework.

3 (b) MEMBERSHIP.—

4 (1) DUTIES OF SECRETARY.—The Secretary
5 shall—

6 (A) serve as the Chair of the Council;

7 (B) in collaboration with the Office of
8 Science and Technology Policy, convene the
9 Council not less frequently than 4 times each
10 year; and

11 (C) provide staff support for the Council
12 through the United States Geological Survey.

13 (2) MEMBERS.—Council Members shall include
14 the heads of the following entities:

15 (A) The Departments.

16 (B) Bureaus and offices of the Depart-
17 ments that have a significant role or interest in
18 water data, including—

19 (i) the Corps of Engineers;

20 (ii) the Bureau of Indian Affairs;

21 (iii) the Bureau of Reclamation;

22 (iv) the Federal Emergency Manage-
23 ment Agency;

24 (v) the Federal Energy Regulatory
25 Commission;

1 (vi) the United States Fish and Wild-
2 life Service;

3 (vii) the Indian Health Service;

4 (viii) the Forest Service;

5 (ix) the National Laboratories;

6 (x) the Natural Resources Conserva-
7 tion Service;

8 (xi) the National Oceanic and Atmos-
9 pheric Administration;

10 (xii) the Rural Development program
11 of the Department of Agriculture; and

12 (xiii) the United States Geological
13 Survey.

14 (C) Offices of the Executive Office of the
15 President, including—

16 (i) the Council on Environmental
17 Quality;

18 (ii) the Office of Management and
19 Budget; and

20 (iii) the Office of Science and Tech-
21 nology Policy.

22 (D) Other Federal entities that the Chair
23 and a majority of the members of the Council
24 described in subparagraphs (A) through (C) de-
25 termine to be appropriate.

1 (c) DUTIES.—The Council shall—

2 (1) support the development and implementa-
3 tion of the National Water Data Framework; and

4 (2) facilitate communication and collaboration
5 among members of the Council—

6 (A) to establish, adopt, and implement
7 common national water data standards;

8 (B) to promote water data sharing and in-
9 tegration across Federal departments and agen-
10 cies, including—

11 (i) water data collection, documenta-
12 tion, maintenance, distribution, and preser-
13 vation strategies; and

14 (ii) development and use of water data
15 infrastructure, tools, and technologies to
16 support water management and planning;

17 (C) to align the policies, programs, proto-
18 cols, budgets, and funding programs relating to
19 water data of the members of the Council; and

20 (D) to promote partnerships across Fed-
21 eral entities and non-Federal entities—

22 (i) to advance innovation and solu-
23 tions in water data, technology, tools, plan-
24 ning, and management; and

1 (ii) to develop guidelines for data
2 sharing and protecting data privacy.

3 (d) WATER DATA COUNCIL REPORTS.—Not later
4 than 180 days after the date of enactment of this Act,
5 and annually thereafter, in conjunction with the annual
6 budget submission of the President to Congress under sec-
7 tion 1105(a) of title 31, United States Code, the Sec-
8 retary, acting on behalf of the Council, shall submit to
9 members of the Council and the appropriate committees
10 of Congress and make available publicly online a report
11 that describes—

12 (1) the National Water Data Framework;

13 (2) the actions undertaken by the Departments
14 to implement this Act pursuant to section 3;

15 (3) key water data sets, types, and infrastruc-
16 ture needed to support water management and plan-
17 ning;

18 (4) goals, targets, and actions to carry out the
19 National Water Data Framework in the subsequent
20 fiscal year;

21 (5) a summary and evaluation of the progress
22 of the Departments in achieving any prior goals, tar-
23 gets, and actions to carry out the National Water
24 Data Framework;

1 (6) actions needed to align policies, programs,
2 and budgetary resources to carry out the National
3 Water Data Framework in the subsequent fiscal
4 year;

5 (7) grants and assistance provided to State,
6 Tribal, and local entities toward the development
7 and adoption of new technologies and tools;

8 (8) opportunities to develop and incentivize the
9 deployment of promising next-generation tech-
10 nologies, including new water data technologies and
11 tools, in partnership with the private sector and oth-
12 ers to accomplish the purposes of this Act; and

13 (9) metrics for achieving the National Water
14 Data Framework.

15 **SEC. 5. ADVISORY COMMITTEE ON WATER INFORMATION.**

16 (a) ESTABLISHMENT.—There is established within
17 the Department of the Interior an advisory committee, to
18 be known as the “Advisory Committee on Water Informa-
19 tion”, to advise the Secretary, Departments, and Council
20 on the development and implementation of the National
21 Water Data Framework.

22 (b) MEMBERSHIP.—

23 (1) COMPOSITION.—The Advisory Committee
24 shall be composed of members, to be appointed by
25 the Secretary in a manner that provides for—

1 (A) balanced representation among various
2 entities involved in water-related activities; and

3 (B) consideration for a geographic balance
4 of individuals representing localities across the
5 United States.

6 (2) SELECTION.—Members of the Advisory
7 Committee shall be selected by the Secretary from
8 among entities involved in water-related activities,
9 including—

10 (A) States;

11 (B) Indian Tribes;

12 (C) local governments;

13 (D) Federal entities;

14 (E) water agencies, utilities, conservation
15 districts, irrigation districts, acequias, and
16 other water user associations;

17 (F) organizations that facilitate collabora-
18 tion across States and multi-state instrumental-
19 ities;

20 (G) educational institutions;

21 (H) professional organizations;

22 (I) water data and technology-related ex-
23 perts, professionals, and industries;

24 (J) private sector entities; and

25 (K) nonprofit organizations.

1 (3) TERM.—Members of the Advisory Com-
2 mittee shall be appointed by the Secretary for a
3 term not to exceed 4 years.

4 (c) CHAIR.—The Secretary shall serve as the Chair
5 of the Advisory Committee.

6 (d) STAFF SUPPORT.—The United States Geological
7 Survey shall provide support services for the Advisory
8 Committee.

9 (e) MEETINGS.—The Advisory Committee shall meet
10 at the call of the Chair, but not less frequently than 4
11 times each year.

12 (f) DUTIES.—The duties of the Advisory Committee
13 are to advise the Secretary, Departments, and Council
14 on—

15 (1) the development and implementation of the
16 National Water Data Framework;

17 (2) efforts to operate a cost-effective national
18 network of water data collection and analysis that
19 meets the priority water information needs of the
20 Federal Government and, to the extent practicable
21 using available resources, the needs of the non-Fed-
22 eral community that are tied to national interests;

23 (3) efforts to develop uniform standards, guide-
24 lines, and procedures for the collection, analysis,
25 management, and dissemination of water informa-

1 tion to improve quality, consistency, and accessibility
2 nationwide; and

3 (4) the effectiveness of existing water informa-
4 tion programs and recommended modifications need-
5 ed to respond to changes in legislation, technology,
6 and other conditions.

7 (g) APPLICABILITY OF FACCA.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), the Federal Advisory Committee Act (5
10 U.S.C. App.) shall apply to the Advisory Committee.

11 (2) NO TERMINATION.—Section 14(a)(2) of the
12 Federal Advisory Committee Act (5 U.S.C. App.)
13 shall not apply to the Advisory Committee.

14 **SEC. 6. WATER DATA GRANT PROGRAM.**

15 (a) IN GENERAL.—The Secretary shall establish a
16 water data grant program under which the Secretary shall
17 award grants—

18 (1) to support non-Federal entities in making
19 water data sets findable, accessible, interoperable,
20 and reusable in accordance with the water data
21 standards established under this Act;

22 (2) to advance the development of water data
23 infrastructure, tools, and technologies to facilitate
24 the sharing and use of water data;

1 (3) to support programs and projects that fa-
2 cilitate water data sharing and use in water re-
3 sources management and the implementation of the
4 National Water Data Framework; and

5 (4) to provide a prize for accelerating innova-
6 tion and developing next-generation water data tools
7 and technologies.

8 (b) COORDINATION WITH THE COUNCIL.—The Sec-
9 retary shall consult and coordinate with the Council in cre-
10 ating and implementing the Water Data Grant Program
11 to ensure that—

12 (1) the Water Data Grant Program is aligned
13 with and carries out the purposes of this Act; and

14 (2) grants and programs are harmonized across
15 the Departments and members of the Council to
16 achieve the purposes of this Act.

17 (c) ELIGIBLE ENTITIES.—An entity eligible for a
18 grant under the Water Data Grant Program—

19 (1) shall demonstrate significant needs or capa-
20 bilities for advancing water data sharing and tools
21 with a significant public benefit; and

22 (2) may include—

23 (A) a State, multistate instrumentality, In-
24 dian Tribe, or other unit of local government;

1 (B) a water agency, utility, conservation
2 district, irrigation district, acequia, mutual do-
3 mestic association, or other entity organized
4 pursuant to Federal, Tribal, or local laws for
5 the purpose of water-related activities;

6 (C) an educational institution or nonprofit
7 organization; and

8 (D) in the case of carrying out activities
9 described in subsection (a)(4)—

10 (i) an individual who is a citizen or
11 legal resident of the United States; or

12 (ii) an entity that is incorporated and
13 maintains the primary place of business of
14 the entity in the United States.

15 (d) REQUIREMENTS.—

16 (1) DATA SHARING AND STANDARDS.—Any
17 project funded through the Water Data Grant Pro-
18 gram shall be implemented in accordance with the
19 water data standards established under section 3.

20 (2) USE OF EXISTING WATER DATA INFRA-
21 STRUCTURE.—The recipient of a grant shall, to the
22 extent practicable, leverage existing water data and
23 water data infrastructure.

24 (e) REPORT.—Not later than 1 year after the date
25 of enactment of this Act, and annually thereafter, in con-

1 junction with the annual budget submission of the Presi-
2 dent to Congress under section 1105(a) of title 31, United
3 States Code, the Secretary shall submit to Congress a re-
4 port that describes the implementation of the Water Data
5 Grant Program, including—

6 (1) a description of the use and deployment of
7 amounts made available under the Water Data
8 Grant Program;

9 (2) an accounting of all grants awarded under
10 the Water Data Grant Program, including a descrip-
11 tion of—

12 (A) each grant recipient; and

13 (B) each project funded under the Water
14 Data Grant Program;

15 (3) an assessment of the success of the Water
16 Data Grant Program in advancing the purposes of
17 this Act; and

18 (4) a plan for the subsequent fiscal year to
19 achieve the purposes of this Act.

20 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be appropriated to the Secretary to carry
22 out the Water Data Grant Program \$25,000,000 for each
23 of fiscal years 2023 through 2027, to remain available
24 until expended.

1 (g) ADMINISTRATIVE COSTS.—Of the funds author-
2 ized to be appropriated under subsection (f), not more
3 than 3 percent may be used by the Secretary for adminis-
4 trative costs.

5 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated to the Sec-
7 retary to carry out sections 3 through 5 \$15,000,000 for
8 each of fiscal years 2023 through 2027, to remain avail-
9 able until expended.

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