

110TH CONGRESS
2D SESSION

H. R. 7144

To provide for a national biological data center, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2008

Mr. DUNCAN introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To provide for a national biological data center, 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. NATIONAL BIOLOGICAL DATA CENTER.**

4 (a) IN GENERAL.—The Secretary of the Interior, act-
5 ing through the United States Geological Survey, shall—

6 (1) establish a national biological data center
7 (in this Act referred to as the “center”) to collect
8 nonhuman biological data and make such data avail-
9 able for public use; and

10 (2) seek to enter into a contract with a small
11 business for the purpose of managing the center.

1 (b) CONTRACT TERM.—The contract under sub-
2 section (a) shall have a term of 10 years.

3 (c) ENTITY SELECTION.—

4 (1) COMPETITIVE PROCEDURES.—The Sec-
5 retary shall use competitive procedures (as defined
6 in section 4(5) of the Office of Federal Procurement
7 Policy Act (41 U.S.C. 403(5))) to enter into the con-
8 tract under subsection (a).

9 (2) QUALIFICATION REQUIREMENTS.—To qual-
10 ify to participate in the competitive procedures
11 under paragraph (1), a small business shall have—

12 (A) no more than 500 employees;

13 (B) demonstrated expertise in—

14 (i) managing scientific and technical
15 information;

16 (ii) implementing scientific informa-
17 tion projects;

18 (iii) presenting scientific data in an
19 objective manner; and

20 (iv) managing interagency collabora-
21 tions related to scientific and technical in-
22 formation;

23 (C) demonstrated involvement with bio-
24 diversity information programs and the Na-
25 tional Biological Information Infrastructure of

1 the United States Geological Survey (through
2 partnership or other form of collaboration); and

3 (D) a demonstrated ability and willingness
4 to partner with a research university and a na-
5 tional laboratory with expertise in biodiversity
6 and computational sciences.

7 (d) LEADERSHIP.—The head of the center shall be
8 appointed by the Secretary, in consultation with the pro-
9 gram director of the National Biological Information In-
10 frastructure.

11 (e) DUTIES OF THE NATIONAL BIOLOGICAL DATA
12 CENTER.—The duties of the center shall be determined
13 by the Secretary and shall include, at a minimum, the fol-
14 lowing activities:

15 (1) Collect nonhuman biological data from Fed-
16 eral, public, private, and nonprofit entities, includ-
17 ing—

18 (A) the National Biological Information
19 Infrastructure; and

20 (B) institutions and organizations that
21 partner with the National Biological Informa-
22 tion Infrastructure.

23 (2) Develop partnerships with public and pri-
24 vate entities that are nationally recognized for com-
25 putational capabilities and computer capacity to

1 allow the center to efficiently develop a digital net-
2 work for the storage and retrieval of data collected
3 under paragraph (1).

4 (3) Develop partnerships with academic and sci-
5 entific institutions in the United States to increase
6 the quantity of data—

7 (A) collected under paragraph (1); and

8 (B) made available for public use under
9 paragraph (4).

10 (4) Subject to Federal statutes and regulations
11 relating to the disclosure of information collected
12 under paragraph (1), including statutes and regula-
13 tions related to intellectual property and section 552
14 of title 5, United States Code, make available for
15 use by Federal, State, and local governments and
16 members of the public any federally funded data col-
17 lected under paragraph (1).

18 (5) Make the data described in paragraph (4)
19 available—

20 (A) through a single electronic search
21 function; or

22 (B) in any case in which such data is not
23 electronically maintained, at a one location.

24 (6) Organize and manage data collected under
25 paragraph (1) in a manner that—

1 (A) enables efficient and effective use of
2 the data by the public;

3 (B) presents the data in an objective man-
4 ner; and

5 (C) is consistent with efforts made by the
6 National Biological Information Infrastructure
7 to organize and manage nonhuman biological
8 data for public use.

9 (7) Prepare compilations that combine data
10 from multiple data sets to improve the ease of use
11 of such data sets by Federal, State, and local gov-
12 ernments and by members of the public.

13 (8) Conduct public awareness activities that
14 promote the use of the data made available under
15 paragraph (4) for purposes of encouraging—

16 (A) economic development;

17 (B) the development of public policy (in-
18 cluding policy relating to land use, economic de-
19 velopment, conservation, and preservation);

20 (C) scientific research; and

21 (D) science, technology, engineering, and
22 mathematics education.

23 (9) Hold an annual conference on nonhuman
24 biological data collection for experts from Federal,
25 State, and local governments and public and private

1 entities for the purpose of providing advice to the
2 head of the center related to improving the perform-
3 ance of the center.

4 (10) Collect fees from State and local govern-
5 ments and members of the public for the use of—

6 (A) compilations prepared under para-
7 graph (7); and

8 (B) other products produced by the center,
9 except that the center may not collect a fee
10 solely for accessing data collected by the center
11 from another source.

12 (f) DUTIES OF OTHER ENTITIES.—

13 (1) IN GENERAL.—Subject to Federal statutes
14 and regulations relating to the disclosure of informa-
15 tion collected under subsection (d)(1), including stat-
16 utes and regulations related to intellectual property
17 and section 552 of title 5, United States Code, any
18 entity that collects or stores federally funded data on
19 or after the end of the one-year period beginning on
20 the date of enactment of this Act shall submit or
21 make available such data to the center, in a form
22 and manner described in standards published by the
23 center, unless such data has been submitted to the
24 National Biological Information Infrastructure.

1 (2) NATIONAL BIOLOGICAL INFORMATION IN-
2 FRASTRUCTURE.—Subject to Federal statutes and
3 regulations relating to the disclosure of information
4 collected under subsection (d)(1), including statutes
5 and regulations related to intellectual property and
6 section 552 of title 5, United States Code, the Na-
7 tional Biological Information Infrastructure shall
8 submit or make available to the center, in a form
9 and manner described in standards published by the
10 center, all federally funded data that it stores or re-
11 ceives.

12 (g) AVAILABILITY OF FEES.—Subject to appropria-
13 tion, fees collected under subsection (d)(10) shall remain
14 available for use by the center for activities under sub-
15 section (d).

16 (h) REPORTS.—

17 (1) ANNUAL REPORT TO SECRETARY.—Not
18 later than January 1 of each year following the date
19 of enactment of this Act, the head of the center shall
20 submit to the Secretary of the Interior an annual re-
21 port containing—

22 (A) information on the activities of the
23 center during the preceding fiscal year and the
24 plans of the center for activities in the current
25 fiscal year; and

1 (B) such additional information as the Sec-
2 retary may require.

3 (2) ANNUAL REPORT TO CONGRESS.—Not later
4 than April 1 of each year following the date of en-
5 actment of this Act, the Secretary of the Interior
6 shall submit to Congress an annual report on—

7 (A) information on the activities of the
8 center during the preceding fiscal year and the
9 plans of the center for activities in the current
10 fiscal year; and

11 (B) the administration of the contract en-
12 tered into under subsection (a).

13 (i) FEDERALLY FUNDED DATA DEFINED.—For pur-
14 poses of this Act, the term “federally-funded data” means
15 nonhuman biological data that is collected, maintained, or
16 stored, in whole or in part, through the use of Federal
17 funds.

18 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated to carry out this section
20 \$8,000,000 per fiscal year. Amounts appropriated under
21 this subsection shall remain available until expended.

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