the Secretary and the Landsat Program Management of such conditions.

(2) INTERNATIONAL AID.—Appropriate United States Government agencies are authorized and encouraged to provide remote sensing data, technology, and training to developing nations as a component of programs of international aid.

(3) REPORTING DISCRIMINATORY DISTRIBUTION.—The Secretary of State shall promptly report to the Secretary and Landsat Program Management any instances outside the United States of discriminatory distribution of Landsat data.

(c) STATUS REPORT.—The Landsat Program Management shall, as often as necessary, provide to Congress complete and updated information about the status of ongoing operations of the Landsat system, including timely notification of decisions made with respect to the Landsat system in order to meet national security concerns and international obligations and policies of the United States Government.

(d) REIMBURSEMENTS.—If, as a result of technical modifications imposed on a licensee under subchapter III on the basis of national security concerns, the Secretary, in consultation with the Secretary of Defense or with other Federal agencies, determines that additional costs will be incurred by the licensee, or that past development costs (including the cost of capital) will not be recovered by the licensee, the Secretary may require the agency or agencies requesting such technical modifications to reimburse the licensee for such additional or development costs, but not for anticipated profits. Reimbursements may cover costs associated with required changes in system performance, but not costs ordinarily associated with doing business abroad.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3421.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
60147	15 U.S.C. 5657.	Pub. L. 102–555, title V, § 507, Oct. 28, 1992, 106 Stat. 4178.

§ 60148. Enforcement

(a) IN GENERAL.—In order to ensure that unenhanced data from the Landsat system received solely for noncommercial purposes are not used for any commercial purpose, the Secretary (in collaboration with private sector entities responsible for the marketing and distribution of unenhanced data generated by the Landsat system) shall develop and implement a system for enforcing this prohibition, in the event that unenhanced data from the Landsat system are made available for noncommercial purposes at a different price than such data are made available for other purposes.

(b) AUTHORITY OF SECRETARY.—Subject to subsection (d), the Secretary may impose any of the enforcement mechanisms described in subsection (c) against a person that—

(1) receives unenhanced data from the Landsat system under this chapter solely for noncommercial purposes (and at a different price than the price at which such data are made available for other purposes); and

(2) uses such data for other than noncommercial purposes.

(c) ENFORCEMENT MECHANISMS.—Enforcement mechanisms referred to in subsection (b) may include civil penalties of not more than $10,000 (per day per violation), denial of further unenhanced data purchasing privileges, and any other penalties or restrictions the Secretary considers necessary to ensure, to the greatest extent practicable, that unenhanced data provided for noncommercial purposes are not used to unfairly compete in the commercial market against private sector entities not eligible for data at the cost of fulfilling user requests.

(d) PROCEDURES AND REGULATIONS.—The Secretary shall issue any regulations necessary to carry out this section and shall establish standards and procedures governing the imposition of enforcement mechanisms under subsection (b). The standards and procedures shall include a procedure for potentially aggrieved parties to file formal protests with the Secretary alleging instances where such unenhanced data have been, or are being, used for commercial purposes in violation of the terms of receipt of such data. The Secretary shall promptly act to investigate any such protest, and shall report annually to Congress on instances of such violations.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3421.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
60148	15 U.S.C. 5658.	Pub. L. 102–555, title V, § 508, Oct. 28, 1992, 106 Stat. 4179.

In subsection (d), in the second sentence, the words ''have been, or are being'' are substituted for ''has been, or is being'' to correct an error in the law.

SUBCHAPTER VI—PROHIBITION OF COMMERCIALIZATION OF WEATHER SATELLITES

§ 60161. Prohibition

Neither the President nor any other official of the Government shall make any effort to lease, sell, or transfer to the private sector, or commercialize, any portion of the weather satellite systems operated by the Department of Commerce or any successor agency.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3422.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
60161	15 U.S.C. 5671.	Pub. L. 102–555, title VI, § 601, Oct. 28, 1992, 106 Stat. 4179.

§ 60162. Future considerations

Regardless of any change in circumstances subsequent to October 28, 1992, even if such change makes it appear to be in the national interest to commercialize weather satellites, neither the President nor any official shall take any action prohibited by section 60161 of this title unless this subchapter has first been repealed.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3422.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60162	15 U.S.C. 5672.	Pub. L. 102–555, title VI, § 602, Oct. 28, 1992, 106 Stat. 4180.

The date ''October 28, 1992'' is substituted for ''the enactment of this Act'' to reflect the date of enactment of the Land Remote Sensing Policy Act of 1992 (Public Law 102–555, 106 Stat. 4163).

CHAPTER 603—REMOTE SENSING

Sec.
60301. Definitions.
60302. General responsibilities.
60303. Pilot projects to encourage public sector applications.
60304. Program evaluation.
60305. Data availability.
60306. Education.

§ 60301. Definitions

In this chapter:

(1) GEOSPATIAL INFORMATION.—The term ''geospatial information'' means knowledge of the nature and distribution of physical and cultural features on the landscape based on analysis of data from airborne or spaceborne platforms or other types and sources of data.

(2) HIGH RESOLUTION.—The term ''high resolution'' means resolution better than five meters.

(3) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3423.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60301	42 U.S.C. 16671.	Pub. L. 109–155, title III, § 311, Dec. 30, 2005, 119 Stat. 2920.

§ 60302. General responsibilities

The Administrator shall—

(1) develop a sustained relationship with the United States commercial remote sensing industry and, consistent with applicable policies and law, to the maximum practicable, rely on their services; and

(2) in conjunction with United States industry and universities, research, develop, and demonstrate prototype Earth science applications to enhance Federal, State, local, and tribal governments' use of government and commercial remote sensing data, technologies, and other sources of geospatial information for improved decision support to address their needs.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3423.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60302	42 U.S.C. 16672.	Pub. L. 109–155, title III, § 312, Dec. 30, 2005, 119 Stat. 2920.

§ 60303. Pilot projects to encourage public sector applications

(a) IN GENERAL.—The Administrator shall establish a program of grants for competitively awarded pilot projects to explore the integrated use of sources of remote sensing and other geospatial information to address State, local, regional, and tribal agency needs.

(b) PREFERRED PROJECTS.—In awarding grants under this section, the Administrator shall give preference to projects that—

(1) make use of commercial data sets, including high resolution commercial satellite imagery and derived satellite data products, existing public data sets where commercial data sets are not available or applicable, or the fusion of such data sets;

(2) integrate multiple sources of geospatial information, such as geographic information system data, satellite-provided positioning data, and remotely sensed data, in innovative ways;

(3) include funds or in-kind contributions from non-Federal sources;

(4) involve the participation of commercial entities that process raw or lightly processed data, often merging that data with other geospatial information, to create data products that have significant value added to the original data; and

(5) taken together demonstrate as diverse a set of public sector applications as possible.

(c) OPPORTUNITIES.—In carrying out this section, the Administrator shall seek opportunities to assist—

(1) in the development of commercial applications potentially available from the remote sensing industry; and

(2) State, local, regional, and tribal agencies in applying remote sensing and other geospatial information technologies for growth management.

(d) DURATION.—Assistance for a pilot project under subsection (a) shall be provided for a period not to exceed 3 years.

(e) REPORT.—Each recipient of a grant under subsection (a) shall transmit a report to the Administrator on the results of the pilot project within 180 days of the completion of that project.

(f) WORKSHOP.—Each recipient of a grant under subsection (a) shall, not later than 180 days after the completion of the pilot project, conduct at least one workshop for potential users to disseminate the lessons learned from the pilot project as widely as feasible.

(g) REGULATIONS.—The Administrator shall issue regulations establishing application, selection, and implementation procedures for pilot projects, and guidelines for reports and workshops required by this section.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3423.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60303	42 U.S.C. 16673.	Pub. L. 109–155, title III, § 313, Dec. 30, 2005, 119 Stat. 2921.