

115TH CONGRESS
1ST SESSION

H. R. 3522

To improve the coordination and use of geospatial data.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2017

Mr. WESTERMAN (for himself and Mr. MOULTON) introduced the following bill; which was referred to the Committee on Science, Space, and Technology, and in addition to the Committee on Oversight and Government Reform, 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 improve the coordination and use of geospatial data.

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 “Geospatial Data Act
5 of 2017”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the term “Advisory Committee” means the
9 National Geospatial Advisory Committee described
10 in section 4(a);

1 (2) the term “Committee” means the Federal
2 Geographic Data Committee established under sec-
3 tion 3(a);

4 (3) the term “covered agency” means an agen-
5 cy, as defined in section 551 of title 5, United States
6 Code, that collects, produces, acquires, maintains,
7 distributes, uses, or preserves geospatial data on
8 paper or in electronic form to fulfill the mission of
9 the agency, either directly or through a relationship
10 with another organization, including a State, local
11 government, Indian tribe, institution of higher edu-
12 cation, business partner or contractor of the Federal
13 Government, and the public;

14 (4) the term “GeoPlatform” means the
15 GeoPlatform described in section 8(a);

16 (5) the term “geospatial data”—

17 (A) means information that is tied to a lo-
18 cation on the Earth, including by identifying
19 the geographic location and characteristics of
20 natural or constructed features and boundaries
21 on the Earth, and that is generally represented
22 by points, lines (for example a road), polygons
23 (for example a forest), or other complex geo-
24 graphic features or phenomena (for example a

1 forest fire, the spread of West Nile virus, or the
2 infestation of pine-bark beetles);

3 (B) may be derived from, among other
4 things, remote sensing, mapping, and surveying
5 technologies;

6 (C) includes—

7 (i) images and raster datasets, aerial
8 photographs, and other forms of geospatial
9 data or datasets in digitized or non-
10 digitized form, specifically—

11 (I) georeferenced data tran-
12 scribed into a Geographic Information
13 System or Land Information System
14 format by manual or electronic means,
15 and the maintenance of that data;

16 (II) tax parcel maps, zoning
17 maps, and other public data records
18 transcribed into Geographic Informa-
19 tion System or Land Information Sys-
20 tem formatted cadastres, and the
21 maintenance of those cadastres if the
22 data are not modified for other than
23 graphical purposes;

1 (III) data depicting the distribu-
2 tion of natural or cultural resources,
3 features, or phenomena;

4 (IV) data used by a Federal
5 agency (including contractors of a
6 Federal agency) in the preparation of
7 military maps, quadrangle topographic
8 maps, satellite imagery, or other maps
9 or images that do not define real
10 property boundaries;

11 (V) data used by a Federal agen-
12 cy (including contractors of a Federal
13 agency) in the preparation or tran-
14 scription of documents or databases
15 into a Geographical Information Sys-
16 tem or Land Information System for-
17 mat in the preparation or tran-
18 scription of Federal census or other
19 demographic data;

20 (VI) data used by a law enforce-
21 ment agency (including contractors of
22 a law enforcement agency) in the
23 preparation of documents or maps for
24 traffic accidents, crime scenes, or
25 similar purposes depicting physical

1 features or events, or generating or
2 using georeferenced data involving
3 crime statistics or criminal activities;

4 (VII) data used by a public safe-
5 ty official conducting, reporting on, or
6 testifying about or otherwise per-
7 forming duties regarding an official
8 investigation; and

9 (VIII) data used to create gen-
10 eral maps prepared for private firms
11 or government agencies for—

12 (aa) use as guides to motor-
13 ists, boaters, aviators, or pedes-
14 trians;

15 (bb) publication in a gazet-
16 teer or an atlas as an educational
17 tool or reference publication;

18 (cc) use in the curriculum of
19 any course of study;

20 (dd) use as an illustrative
21 guide to the geographic location
22 of any event, produced in any
23 electronic or print media; or

24 (ee) conversational or illus-
25 trative purposes, including use as

1 advertising material or user
2 guides;

3 (ii) data collected through the provi-
4 sion of services performed by professionals
5 such as surveyors, photogrammetrists, hy-
6 drographers, geodesists, or cartographers
7 in the creation, collection, or application
8 of—

9 (I) georeferenced graphical or
10 digital data to depict natural or man-
11 made physical features, phenomena,
12 or boundaries of the Earth and real
13 property thereon, when used to rep-
14 resent authoritative locations;

15 (II) geospatial intelligence; or

16 (III) geometric measurements
17 and related information pertaining to
18 the physical or legal features of the
19 Earth, improvements on the Earth,
20 the space above, on, or below the
21 Earth, when used to represent author-
22 itative locations; and

23 (iii) any information relating to data
24 described in clause (ii), including any such
25 data that comprises a survey, map, chart,

1 geographic information system, remotely
2 sensed image or data, or an aerial photo-
3 graph through—

4 (I) determining by measurement
5 the configuration or contour of the
6 Earth's surface or the position of
7 fixed objects thereon, when used to
8 represent authoritative locations;

9 (II) determining by performing
10 geodetic surveys the size and shape of
11 the Earth or the position of any point
12 on the Earth;

13 (III) locating, relocating, estab-
14 lishing, reestablishing, or retracing
15 property lines or boundaries of any
16 tract of land, road, right of way, or
17 easement;

18 (IV) making any survey for the
19 division, subdivision, or consolidation
20 of one or more tracts of land;

21 (V) locating or laying out align-
22 ments, positions, or elevations for the
23 construction of fixed works;

24 (VI) determining, by the use of
25 principles of surveying, the position

1 for any survey monument (boundary
2 or non-boundary) or reference point
3 or establishing or replacing any such
4 monument or reference point; or

5 (VII) creating, preparing, or
6 modifying electronic or computerized
7 or other data, relative to the perform-
8 ance of the activities described in this
9 clause or clause (ii); and

10 (D) does not include—

11 (i) geospatial data activities of an In-
12 dian tribe not carried out, in whole or in
13 part, using Federal funds, as determined
14 by the tribal government;

15 (ii) classified national security-related
16 geospatial data activities of the Depart-
17 ment of Defense, unless declassified under
18 Executive Order 12951, as determined by
19 the Secretary of Defense;

20 (iii) classified national security-related
21 geospatial data activities of the Depart-
22 ment of Energy, unless declassified under
23 Executive Order 12951, as determined by
24 the Secretary of Energy; or

1 (iv) intelligence geospatial data activi-
2 ties, as determined by the Director of Na-
3 tional Intelligence;

4 (6) the term “Indian tribe” has the meaning
5 given that term under section 4 of the Indian Self-
6 Determination and Education Assistance Act (25
7 U.S.C. 450b);

8 (7) the term “institution of higher education”
9 has the meaning given that term under section 102
10 of the Higher Education Act of 1965 (20 U.S.C.
11 1002);

12 (8) the term “lead covered agency” means a
13 lead covered agency for an NGDA data theme des-
14 ignated under section 6(b)(1);

15 (9) the term “local government” means any
16 city, county, township, town, borough, parish, vil-
17 lage, or other general purpose political subdivision of
18 a State;

19 (10) the term “metadata for geospatial data”
20 means information about geospatial data, including
21 the content, source, vintage, accuracy, condition,
22 projection, responsible party, contact phone number,
23 method of collection, and other characteristics or de-
24 scriptions of the geospatial data;

1 (11) the term “NGDA data theme” means the
2 National Geospatial Data Asset core geospatial
3 datasets (including electronic records and coordi-
4 nates) relating to a topic or subject designated
5 under section 6;

6 (12) the term “National Spatial Data Infra-
7 structure” means the technology, policies, criteria,
8 standards, and employees necessary to promote
9 geospatial data sharing throughout the Federal Gov-
10 ernment, State, tribal, and local governments, and
11 the private sector (including nonprofit organizations
12 and institutions of higher education); and

13 (13) the term “proven practices” means meth-
14 ods and activities that advance the use of geospatial
15 data for the benefit of society.

16 **SEC. 3. FEDERAL GEOGRAPHIC DATA COMMITTEE.**

17 (a) IN GENERAL.—There is established in the Office
18 of Management and Budget an interagency committee to
19 be known as the Federal Geographic Data Committee,
20 which shall act as the lead entity in the executive branch
21 for the development, implementation, and review of poli-
22 cies, practices, and standards relating to geospatial data.

23 (b) MEMBERSHIP.—

24 (1) CHAIRPERSON AND VICE CHAIRPERSON.—

25 The Director of the Office of Management and

1 Budget and the Secretary of the Interior shall serve
2 as Chairperson of the Committee and Vice Chair-
3 person of the Committee, respectively.

4 (2) OTHER MEMBERS.—The President shall ap-
5 point the other members of the Committee from
6 among the officers and employees of covered agen-
7 cies.

8 (c) DUTIES.—The Committee shall—

9 (1) lead the development and management of
10 and operational decisionmaking for the National
11 Spatial Data Infrastructure strategic plan and
12 geospatial data policy in accordance with section 5;

13 (2) designate NGDA data themes and oversee
14 the coordinated management of the NGDA data
15 themes in accordance with section 6;

16 (3) establish and maintain geospatial data
17 standards in accordance with section 7;

18 (4) periodically review and determine the extent
19 to which covered agencies comply with geospatial
20 data standards;

21 (5) ensure that the GeoPlatform operates in ac-
22 cordance with section 8;

23 (6) direct and facilitate national implementation
24 of the system of NGDA data themes;

1 (7) communicate with and foster communica-
2 tion among covered agencies and others entities and
3 individuals relating to geospatial data technology de-
4 velopment, transfer, and exchange in order to—

5 (A) identify and meet the needs of users of
6 geospatial data;

7 (B) promote cost-effective data collection,
8 documentation, maintenance, distribution, and
9 preservation strategies; and

10 (C) leverage Federal and non-Federal re-
11 sources;

12 (8) define roles and responsibilities and pro-
13 mote and guide cooperation and coordination among
14 agencies of the Federal Government, State, tribal,
15 and local governments, institutions of higher edu-
16 cation, and the private sector in the collection, pro-
17 duction, sharing, and use of geospatial information,
18 the implementation of the National Spatial Data In-
19 frastructure, and the identification of proven prac-
20 tices;

21 (9) coordinate with international organizations
22 having an interest in the National Spatial Data In-
23 frastructure or global spatial data infrastructures;

24 (10) make available online and update at least
25 annually—

1 (A) a summary of the status for each
2 NGDA data theme, based on the report sub-
3 mitted by the applicable lead covered agency
4 under section 6(b)(3)(E)(ii)(I), which shall in-
5 clude—

6 (i) an evaluation of the progress of
7 each lead covered agency in achieving the
8 requirements under subparagraphs (A),
9 (B), (C), and (D) of section 6(b)(3); and

10 (ii) a determination of whether, for
11 each of subparagraphs (A), (B), (C), and
12 (D) of section 6(b)(3), each lead covered
13 agency meets expectations, has made
14 progress toward expectations, or fails to
15 meet expectations;

16 (B) a summary and evaluation of the
17 achievements of each covered agency, based on
18 the annual report submitted by the covered
19 agency under section 9(b)(1), which shall in-
20 clude a determination of whether the covered
21 agency meets expectations, has made progress
22 toward expectations, or fails to meet expecta-
23 tions for each of paragraphs (1) through (14)
24 of section 9(a);

1 (C) a collection of periodic technical publi-
2 cations, management articles, and reports re-
3 lated to the National Spatial Data Infrastruc-
4 ture; and

5 (D) a membership directory for the Com-
6 mittee, including identifying members of any
7 subcommittee or working group of the Com-
8 mittee;

9 (11)(A) make available to and request com-
10 ments from the Advisory Committee regarding the
11 summaries and evaluations required under subpara-
12 graphs (A) and (B) of paragraph (10);

13 (B) if requested by the Advisory Committee, re-
14 spond to any comments by the Advisory Committee;
15 and

16 (C) not less than once every 2 years, submit to
17 Congress a report that includes the summaries and
18 evaluations required under subparagraphs (A) and
19 (B) of paragraph (10), the comments of the Advi-
20 sory Committee, and the responses of the Committee
21 to the comments;

22 (12)(A) make available to and request com-
23 ments from covered agencies regarding the sum-
24 maries and evaluations required under subpara-
25 graphs (A) and (B) of paragraph (10); and

1 (B) not less than once every 2 years, submit to
2 Congress a report that includes the comments of the
3 covered agencies and the responses of the Committee
4 to the comments; and

5 (13) support and promote the infrastructure of
6 networks, systems, services, and standards that pro-
7 vide a digital representation of the Earth to users
8 for many applications.

9 **SEC. 4. NATIONAL GEOSPATIAL ADVISORY COMMITTEE.**

10 (a) ESTABLISHMENT.—There is in the executive
11 branch the National Geospatial Advisory Committee to
12 provide advice and recommendations to the Chairperson
13 of the Committee.

14 (b) MEMBERSHIP.—

15 (1) COMPOSITION.—The Advisory Committee
16 shall be composed of 30 members who shall be—

17 (A) appointed by the Chairperson of the
18 Committee;

19 (B) selected—

20 (i) to generally achieve a balanced
21 representation of the viewpoints of various
22 interested parties involved in national
23 geospatial activities and the development of
24 the National Spatial Data Infrastructure;
25 and

1 (ii) with consideration of a geographic
2 balance of residence of the members; and

3 (C) selected from among groups involved
4 in the geospatial community, including—

5 (i) States;

6 (ii) local governments;

7 (iii) regional governments;

8 (iv) tribal governments;

9 (v) private sector entities;

10 (vi) geospatial information user indus-
11 tries;

12 (vii) professional associations;

13 (viii) scholarly associations;

14 (ix) nonprofit organizations;

15 (x) academia; and

16 (xi) the Federal Government.

17 (2) CHAIRPERSON.—The Chairperson of the
18 Committee shall appoint the Chairperson of the Ad-
19 visory Committee.

20 (3) PERIOD OF APPOINTMENT; VACANCIES.—

21 (A) IN GENERAL.—Members shall be ap-
22 pointed for a term of 3 years, with the term of
23 $\frac{1}{3}$ of the members expiring each year.

24 (B) VACANCIES.—Any vacancy in the Ad-
25 visory Committee shall not affect its powers,

1 but shall be filled in the same manner as the
2 original appointment.

3 (4) LIMIT ON TERMS.—An individual—

4 (A) may not be appointed to more than 2
5 consecutive terms as a member of the Advisory
6 Committee; and

7 (B) after serving for 2 consecutive terms,
8 is eligible to be appointed as a member of the
9 Advisory Committee on and after the date that
10 is 2 years after the end of the second consecu-
11 tive term of the individual as a member of the
12 Advisory Committee.

13 (5) ETHICAL REQUIREMENTS.—A member of
14 the Advisory Committee may not participate in any
15 specific-party matter (including a lease, license, per-
16 mit, contract, claim, agreement, or related litigation)
17 with the Department of the Interior in which the
18 member has a direct financial interest.

19 (6) INCUMBENTS.—

20 (A) IN GENERAL.—An individual serving
21 on the day before the date of enactment of this
22 Act as a member of the National Geospatial
23 Advisory Committee established by the Sec-
24 retary of the Interior may serve as a member

1 of the Advisory Committee until the end of the
2 term of the individual under the appointment.

3 (B) LIMIT ON TERMS.—Any period of serv-
4 ice as a member of the National Geospatial Ad-
5 visory Committee established by the Secretary
6 of the Interior shall be considered a period of
7 service as a member of the Advisory Committee
8 for purposes of paragraph (4).

9 (c) SUBCOMMITTEES.—A subcommittee of the Advi-
10 sory Committee—

11 (1) may be formed for the purposes of com-
12 piling information or conducting research;

13 (2) shall be composed of members appointed by
14 the Chairperson of the Advisory Committee;

15 (3) shall act only under the direction of the
16 Chairperson of the Advisory Committee;

17 (4) shall report the recommendations of the
18 subcommittee to the Advisory Committee for consid-
19 eration; and

20 (5) shall meet as necessary to accomplish the
21 objectives of the subcommittee, subject to the ap-
22 proval of the Chairperson of the Advisory Committee
23 and the availability of resources.

24 (d) MEETINGS.—

1 (1) IN GENERAL.—The Advisory Committee
2 shall meet at the call of the Chairman, not less than
3 1 time each year and not more than 4 times each
4 year.

5 (2) QUORUM.—A majority of the members of
6 the Advisory Committee shall constitute a quorum,
7 but a lesser number of members may hold hearings.

8 (e) DUTIES OF THE ADVISORY COMMITTEE.—The
9 Advisory Committee shall—

10 (1) provide advice and recommendations relat-
11 ing to—

12 (A) the management of Federal and na-
13 tional geospatial programs;

14 (B) the development of the National Spa-
15 tial Data Infrastructure; and

16 (C) implementation of this Act;

17 (2) review and comment on geospatial policy
18 and management issues; and

19 (3) ensure the views of representatives of non-
20 Federal interested parties involved in national
21 geospatial activities are conveyed to the Committee.

22 (f) POWERS OF THE ADVISORY COMMITTEE.—

23 (1) HEARINGS.—The Advisory Committee may
24 hold such hearings, sit and act at such times and
25 places, take such testimony, and receive such evi-

1 dence as the Advisory Committee considers advisable
2 to carry out this Act.

3 (2) INFORMATION FROM COVERED AGENCIES.—

4 (A) IN GENERAL.—The Advisory Com-
5 mittee may secure directly from any covered
6 agency such information as the Advisory Com-
7 mittee considers necessary to carry out this Act.
8 Upon request of the Chairperson of the Advi-
9 sory Committee, the head of such agency shall
10 furnish such information to the Advisory Com-
11 mittee.

12 (B) NONCOOPERATION.—The Advisory
13 Committee shall include in the comments of the
14 Advisory Committee submitted under section
15 3(c)(11) a discussion of any failure by a cov-
16 ered agency to furnish information in response
17 to a request under subparagraph (A) of this
18 paragraph.

19 (3) POSTAL SERVICES.—The Advisory Com-
20 mittee may use the United States mails in the same
21 manner and under the same conditions as other
22 agencies of the Federal Government.

23 (4) GIFTS.—The Advisory Committee—

24 (A) may accept, use, and dispose of gifts
25 or donations of services or property; and

1 (B) shall establish rules for the acceptance,
2 use, and disposition of gifts and donations that
3 avoid any conflict of interest or appearance of
4 a conflict of interest.

5 (g) ADVISORY COMMITTEE PERSONNEL MATTERS.—

6 (1) NO COMPENSATION OF MEMBERS.—

7 (A) NON-FEDERAL EMPLOYEES.—A mem-
8 ber of the Advisory Committee who is not an
9 officer or employee of the Federal Government
10 shall serve without compensation.

11 (B) FEDERAL EMPLOYEES.—A member of
12 the Advisory Committee who is an officer or
13 employee of the Federal Government shall serve
14 without compensation in addition to the com-
15 pensation received for the services of the mem-
16 ber as an officer or employee of the Federal
17 Government.

18 (2) TRAVEL EXPENSES.—The members of the
19 Advisory Committee shall be allowed travel expenses,
20 including per diem in lieu of subsistence, at rates
21 authorized for employees of agencies under sub-
22 chapter I of chapter 57 of title 5, United States
23 Code, while away from their homes or regular places
24 of business in the performance of services for the
25 Advisory Committee.

1 (3) **DETAIL OF GOVERNMENT EMPLOYEES.**—
2 Any Federal Government employee may be detailed
3 to the Advisory Committee without reimbursement,
4 and such detail shall be without interruption or loss
5 of civil service status or privilege.

6 (h) **APPLICABILITY OF FACA.**—

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

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

13 (i) **TERMINATION.**—

14 (1) **IN GENERAL.**—Except as provided in para-
15 graph (2), the Advisory Committee shall terminate
16 10 years after the date of enactment of this Act.

17 (2) **CONTINUATION.**—The Advisory Committee
18 may be continued for successive 10-year periods by
19 action taken by the Director of the Office of Man-
20 agement and Budget to renew the Advisory Com-
21 mittee before the date on which the Advisory Com-
22 mittee would otherwise terminate.

23 **SEC. 5. NATIONAL SPATIAL DATA INFRASTRUCTURE.**

24 (a) **IN GENERAL.**—The National Spatial Data Infra-
25 structure shall ensure that geospatial data from multiple

1 sources (including the Federal Government, State, local,
2 and tribal governments, the private sector, and institu-
3 tions of higher education) is available and easily inte-
4 grated to enhance the understanding of the physical and
5 cultural world.

6 (b) GOALS.—The goals of the National Spatial Data
7 Infrastructure are to—

8 (1) ensure—

9 (A) the privacy and security of the per-
10 sonal data of individuals and accuracy of statis-
11 tical information on individuals, both in raw
12 form and in derived information products;

13 (B) free access for the public to geospatial
14 data, information, and interpretive products, in
15 accordance with Office of Management and
16 Budget Circular A–130, or any successor there-
17 to;

18 (C) the protection of proprietary interests
19 related to licensed information and data; and

20 (D) the interoperability of Federal infor-
21 mation systems to enable the drawing of re-
22 sources from covered agencies and partners of
23 covered agencies; and

24 (2) support and advance the establishment of a
25 Global Spatial Data Infrastructure, consistent with

1 national security, national defense, national intel-
2 ligence, and international trade requirements, in-
3 cluding insuring that covered agencies develop inter-
4 national geospatial data in accordance with inter-
5 national voluntary consensus standards, as defined
6 in Office of Management and Budget Circular A-
7 119, or any successor thereto.

8 (c) STRATEGIC PLAN.—The Committee shall prepare
9 and maintain a strategic plan for the development and im-
10 plementation of the National Spatial Data Infrastructure
11 in a manner consistent with national security, national de-
12 fense, and emergency preparedness program policies re-
13 garding data accessibility.

14 (d) ADVISORY ROLE.—The Committee shall advise
15 Federal and non-Federal users of geospatial data on their
16 responsibilities relating to implementation of the National
17 Spatial Data Infrastructure.

18 **SEC. 6. NGDA DATA THEMES.**

19 (a) IN GENERAL.—The Committee shall designate as
20 NGDA data themes the primary topics and subjects for
21 which the coordinated development, maintenance, and dis-
22 semination of geospatial data will benefit the Federal Gov-
23 ernment and the interests of the people of the United
24 States, which shall—

1 (1) be representations of conceptual topics de-
2 describing digital spatial information for the Nation;
3 and

4 (2) contain associated datasets (with attribute
5 records and coordinates)—

6 (A) that are documented, verifiable, and
7 officially designated to meet recognized stand-
8 ards;

9 (B) that may be used in common; and

10 (C) from which other datasets may be de-
11 rived.

12 (b) LEAD COVERED AGENCIES.—

13 (1) IN GENERAL.—For each NGDA data
14 theme, the Committee shall designate one or more
15 covered agencies as the lead covered agencies for the
16 NGDA data theme.

17 (2) GENERAL RESPONSIBILITY.—The lead cov-
18 ered agencies for an NGDA data theme shall be re-
19 sponsible for ensuring the coordinated management
20 of the data, supporting resources (including tech-
21 nology and personnel), and related services and
22 products of the NGDA data theme.

23 (3) SPECIFIC RESPONSIBILITIES.—To assist in
24 fulfilling the responsibilities under paragraph (2)

1 with respect to an NGDA data theme, the lead covered agencies shall—

2
3 (A) provide leadership and facilitate the
4 development and implementation of geospatial
5 data standards for the NGDA data theme, with
6 a particular emphasis on a data content standard for the NGDA data theme, including by—

7
8 (i) assessing existing standards;

9 (ii) identifying anticipated or needed
10 data standards; and

11 (iii) developing a plan to originate and
12 implement needed standards with relevant
13 community and international practices—

14 (I) in accordance with Office of
15 Management and Budget Circular A-
16 119, or any successor thereto; and

17 (II) consistent with or as a part
18 of the plan described in subparagraph

19 (B);

20 (B) provide leadership and facilitate the
21 development and implementation of a plan for
22 nationwide population of the NGDA data
23 theme, which shall—

24 (i) include developing partnership programs with States, Indian tribes, institu-
25

1 tions of higher education, private sector
2 entities, other Federal agencies, and local
3 governments;

4 (ii) meet the needs of users of
5 geospatial data;

6 (iii) address human and financial re-
7 source needs;

8 (iv) identify needs relating to stand-
9 ards, metadata for geospatial data within
10 the NGDA data theme, and the
11 GeoPlatform; and

12 (v) expedite the development of nec-
13 essary NGDA data themes;

14 (C) establish goals that support the stra-
15 tegic plan for the National Spatial Data Infra-
16 structure prepared under section 5(c);

17 (D) as necessary, collect and analyze infor-
18 mation from users of geospatial data within the
19 NGDA data theme regarding the needs of the
20 users for geospatial data and incorporate the
21 needs of users in strategies relating to the
22 NGDA data theme; and

23 (E) as part of administering the NGDA
24 data theme—

1 (i) designate a point of contact within
2 the lead covered agency who shall be re-
3 sponsible for developing, maintaining, co-
4 ordination relating to, and disseminating
5 data using the GeoPlatform;

6 (ii) submit to the Committee—

7 (I) a performance report, at least
8 annually, that documents the activi-
9 ties relating to and implementation of
10 the NGDA data theme, including
11 progress in achieving the requirements
12 under subparagraphs (A), (B), (C),
13 and (D); and

14 (II) comments, as appropriate,
15 regarding the summary and evalua-
16 tion of the performance report pro-
17 vided by the Committee under section
18 3(c)(12);

19 (iii) publish maps or comparable
20 graphics online (in accordance with the
21 mapping conventions specified by the Com-
22 mittee) showing the extent and status of
23 the NGDA data themes for which the cov-
24 ered agency is a lead covered agency;

1 (iv) encourage individuals and entities
2 that are a source of geospatial data or
3 metadata for geospatial data for the
4 NGDA data theme to provide access to
5 such data through the GeoPlatform;

6 (v) coordinate with the GeoPlatform;

7 and

8 (vi) identify and publish proven prac-
9 tices for the use and application of
10 geospatial data of the lead covered agency.

11 **SEC. 7. GEOSPATIAL DATA STANDARDS.**

12 (a) IN GENERAL.—In accordance with section 216 of
13 the E-Government Act of 2002 (44 U.S.C. 3501 note),
14 the Committee shall establish standards for each NGDA
15 data theme, which—

16 (1) shall include—

17 (A) rules, conditions, guidelines, and char-
18 acteristics for the geospatial data within the
19 NGDA data theme and related processes, tech-
20 nology, and organization; and

21 (B) content standards for metadata for
22 geospatial data within the NGDA data theme;

23 (2) to the maximum extent practicable, shall be
24 consistent international standards and protocols; and

1 (3) the Committee shall periodically review and
2 update as necessary for the standards to remain cur-
3 rent, relevant, and effective.

4 (b) DEVELOPMENT OF STANDARDS.—The Committee
5 shall—

6 (1) develop and promulgate standards under
7 this section—

8 (A) in accordance with Office of Manage-
9 ment and Budget Circular A–119, or any suc-
10 cessor thereto; and

11 (B) after consultation with a broad range
12 of data users and providers;

13 (2) to the maximum extent possible, use na-
14 tional and international standards adopted by vol-
15 untary standards consensus bodies; and

16 (3) establish new standards only to the extent
17 standards described in paragraph (2) do not exist.

18 (c) EXCLUSION.—The Director of the Office of Man-
19 agement and Budget shall withhold from public disclosure
20 any information the disclosure of which reasonably could
21 be expected to cause damage to the national interest, secu-
22 rity, or defense of the United States, including informa-
23 tion relating to geospatial intelligence data activities, as
24 determined in consultation with the Director of National
25 Intelligence.

1 **SEC. 8. GEOPLATFORM.**

2 (a) IN GENERAL.—The Committee shall operate an
3 electronic service that provides access to geospatial data
4 and metadata for geospatial data, to be known as the
5 GeoPlatform.

6 (b) IMPLEMENTATION.—The GeoPlatform—

7 (1) shall—

8 (A) be available through the Internet and
9 other communications means;

10 (B) be accessible through a common inter-
11 face;

12 (C) include all geospatial data collected by
13 covered agencies, directly or indirectly; and

14 (D) include a set of programming instruc-
15 tions and standards providing an automated
16 means of accessing available geospatial data,
17 which—

18 (i) harmonize sources and data stand-
19 ards associated with geospatial data, in-
20 cluding metadata; and

21 (ii) to the maximum extent prac-
22 ticable, as determined by the Chairperson
23 of the Committee, shall be made publicly
24 available; and

1 (2) may include geospatial data from a source
2 other than a covered agency, if determined appro-
3 priate by the Committee.

4 **SEC. 9. COVERED AGENCY RESPONSIBILITIES.**

5 (a) IN GENERAL.—Each covered agency shall—

6 (1) prepare, maintain, publish, and implement a
7 strategy for advancing geographic information and
8 related geospatial data activities appropriate to the
9 mission of the covered agency, in support of the
10 strategic plan for the National Spatial Data Infra-
11 structure prepared under section 5(c);

12 (2) collect, maintain, disseminate, and preserve
13 geospatial data such that the resulting data, infor-
14 mation, or products can be readily shared with other
15 Federal agencies and non-Federal users;

16 (3) promote the integration of geospatial data
17 from all sources;

18 (4) ensure that data information products and
19 other records created in geospatial data activities are
20 included on agency record schedules that have been
21 approved by the National Archives and Records Ad-
22 ministration;

23 (5) allocate resources to fulfill the responsibil-
24 ities of effective geospatial data collection, produc-
25 tion, and stewardship with regard to related activi-

1 ties of the covered agency, and as necessary to sup-
2 port the activities of the Committee;

3 (6) use the geospatial data standards, including
4 the standards for metadata for geospatial data, and
5 other appropriate standards, including documenting
6 geospatial data with the relevant metadata and mak-
7 ing metadata available through the GeoPlatform;

8 (7) coordinate and work in partnership with
9 other Federal agencies, agencies of State, tribal, and
10 local governments, institutions of higher education,
11 and the private sector to efficiently and cost-effec-
12 tively collect, integrate, maintain, disseminate, and
13 preserve geospatial data, building upon existing non-
14 Federal geospatial data to the extent possible;

15 (8) use geospatial information to—

16 (A) make Federal geospatial information
17 and services more useful to the public;

18 (B) enhance operations;

19 (C) support decisionmaking; and

20 (D) enhance reporting to the public and to
21 Congress;

22 (9) protect personal privacy and maintain con-
23 fidentiality in accordance with Federal policy and
24 law;

1 (10) support emergency response activities re-
2 quiring geospatial data in accordance with the Rob-
3 ert T. Stafford Disaster Relief and Emergency As-
4 sistance Act (42 U.S.C. 5121 et seq.) and other gov-
5 erning law;

6 (11) participate in determining, when applica-
7 ble, whether data declassified pursuant to Executive
8 Order 12951 can contribute to and become a part
9 of the National Spatial Data Infrastructure;

10 (12) search all sources, including the
11 GeoPlatform, to determine if existing Federal, State,
12 local, or private geospatial data meets the needs of
13 the covered agency before expending funds for
14 geospatial data collection;

15 (13) to the maximum extent practicable, ensure
16 that a person receiving Federal funds for geospatial
17 data collection provides high-quality data; and

18 (14) appoint a contact to coordinate with the
19 lead covered agencies for collection, acquisition,
20 maintenance, and dissemination of the NGDA data
21 themes used by the covered agency.

22 (b) REPORTING.—

23 (1) IN GENERAL.—Each covered agency shall
24 submit to the Committee an annual report regarding
25 the achievements of the covered agency in preparing

1 and implementing the strategy described in sub-
2 section (a)(1) and complying with the other require-
3 ments under subsection (a).

4 (2) BUDGET SUBMISSION.—Each covered agen-
5 cy shall include geospatial data as a capital asset for
6 purposes of preparing the budget submission of the
7 President under section 1105(a) of title 31, United
8 States Code (including for purposes of the informa-
9 tion required under submissions under exhibits 53
10 and 300 of Office of Management and Budget Cir-
11 cular A–11, relating to planning, budgeting, acquisi-
12 tion, and management of major information tech-
13 nology capital investments, or any successor there-
14 to).

15 (3) DISCLOSURE.—Each covered agency shall
16 disclose each contract, cooperative agreement, grant,
17 or other transaction that deals with geospatial data,
18 which may include posting information relating to
19 the contract, cooperative agreement, grant, or other
20 transaction on www.USAspending.gov, or any suc-
21 cessor thereto.

22 (4) OMB REVIEW.—In reviewing the annual
23 budget justifications submitted by covered agencies,
24 the Office of Management and Budget shall take
25 into consideration the summary and evaluations re-

1 required under subparagraphs (A) and (B) of section
2 3(c)(10), comments, and replies to comments as re-
3 quired under paragraphs (11) and (12) of section
4 3(c), in its annual evaluation of the budget justifica-
5 tion of each covered agency.

6 (5) REPORTING.—The Office of Management
7 and Budget shall include a discussion of the sum-
8 maries and evaluation of the progress in establishing
9 the National Spatial Data Infrastructure in each E-
10 Government status report submitted under section
11 3606 of title 44, United States Code.

12 (c) AUDITS.—Not less than once every 2 years, the
13 Inspector General of a covered agency (or senior ethics
14 official of the covered agency for a covered agency without
15 an Inspector General) shall submit to Congress an audit
16 of the collection, production, acquisition, maintenance, dis-
17 tribution, use, and preservation of geospatial data by the
18 covered agency, which shall include a review of—

19 (1) the compliance of the covered agency with
20 the standards for geospatial data, including
21 metadata for geospatial data, established under sec-
22 tion 7;

23 (2) the compliance of the covered agency with
24 the requirements under subsection (a); and

1 (3) the compliance of the covered agency on the
2 limitation on the use of Federal funds under section
3 10.

4 **SEC. 10. LIMITATION ON USE OF FEDERAL FUNDS.**

5 On and after the date that is 4 years after the date
6 of enactment of this Act, Federal funds shall not be avail-
7 able for the collection, production, acquisition, mainte-
8 nance, or dissemination of geospatial data that does not
9 comply with applicable standards established under sec-
10 tion 7, as determined by the Committee.

11 **SEC. 11. USE OF THE PRIVATE SECTOR.**

12 (a) IN GENERAL.—The Committee and each covered
13 agency shall, to the maximum extent practical, rely upon
14 and use private individuals and entities in the United
15 States for the acquisition of commercially available sur-
16 veying and mapping and the provision of geospatial data
17 and services. The Federal Government shall not commence
18 or continue any surveying and mapping activity to provide,
19 duplicate, or compete with a commercial product or service
20 if the product or service is available on a more economical
21 basis from a commercial source.

22 (b) DEFINITION.—For purposes of selecting a firm
23 for a contract under chapter 11 of title 40, United States
24 Code, the term “surveying and mapping” shall mean the

1 geospatial data and services listed in clause (ii) or (iii)
2 of section 2(5)(C) of this Act.

3 (c) MODIFICATION OF FEDERAL ACQUISITION REGU-
4 LATION.—Part 36 of the Federal Acquisition Regulation
5 (48 C.F.R. 36.000 et seq.) shall be revised to specify that
6 the definition of the term “architectural and engineering
7 services” includes the geospatial data and services listed
8 in clause (ii) or (iii) of section 2(5)(C) of this Act, to which
9 the selection procedures of subpart 36.6 of such part 36
10 of the Federal Acquisition Regulation shall apply.

11 **SEC. 12. RELATIONSHIP TO STATE LAW.**

12 Nothing in this Act shall preempt the laws of any
13 State relating to the performance of services of a sur-
14 veying, mapping, or geospatial nature which, to any ex-
15 tent, are required to be performed or approved by a person
16 licensed, registered, or certified to provide such services
17 under such State law.

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