

114TH CONGRESS
2D SESSION

H. R. 6294

To improve the coordination and use of geospatial data.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2016

Mr. WESTERMAN (for himself, Mr. HILL, and Mr. CRAWFORD) 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 2016”.

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;

11 (ii) data collected through the provi-
12 sion of services performed by professionals
13 such as surveyors, photogrammetrists, hy-
14 drographers, geodesists, or cartographers
15 in the creation, collection, or application
16 of—

17 (I) georeferenced graphical or
18 digital data to depict natural or man-
19 made physical features, phenomena,
20 or boundaries of the Earth and real
21 property thereon;

22 (II) geospatial intelligence; or

23 (III) geometric measurements
24 and related information pertaining to
25 the physical or legal features of the

1 Earth, improvements on the Earth,
2 the space above, on, or below the
3 Earth; and

4 (iii) any information relating to data
5 described in clause (ii), including any such
6 data that comprises a survey, map, chart,
7 geographic information system, remotely
8 sensed image or data, or an aerial photo-
9 graph through—

10 (I) determining by measurement
11 the configuration or contour of the
12 Earth's surface or the position of
13 fixed objects thereon;

14 (II) determining by performing
15 geodetic surveys the size and shape of
16 the Earth or the position of any point
17 on the Earth;

18 (III) locating, relocating, estab-
19 lishing, reestablishing, or retracing
20 property lines or boundaries of any
21 tract of land, road, right of way, or
22 easement;

23 (IV) making any survey for the
24 division, subdivision, or consolidation
25 of 1 or more tracts of land;

1 (V) locating or laying out align-
2 ments, positions, or elevations for the
3 construction of fixed works;

4 (VI) determining, by the use of
5 principles of surveying, the position
6 for any survey monument (boundary
7 or non-boundary) or reference point
8 or establishing or replacing any such
9 monument or reference point; or

10 (VII) creating, preparing, or
11 modifying electronic or computerized
12 or other data, relative to the perform-
13 ance of the activities described in this
14 clause or clause (ii); and

15 (D) does not include—

16 (i) geospatial data activities of an In-
17 dian tribe not carried out, in whole or in
18 part, using Federal funds, as determined
19 by the tribal government;

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

1 (iii) classified national security-related
2 geospatial data activities of the Depart-
3 ment of Energy, unless declassified under
4 Executive Order 12951, as determined by
5 the Secretary of Energy; or

6 (iv) intelligence geospatial data activi-
7 ties, as determined by the Director of Na-
8 tional Intelligence;

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

13 (7) the term “institution of higher education”
14 has the meaning given that term under section 102
15 of the Higher Education Act of 1965 (20 U.S.C.
16 1002);

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

20 (9) the term “local government” means any
21 city, county, township, town, borough, parish, vil-
22 lage, or other general purpose political subdivision of
23 a State;

24 (10) the term “metadata for geospatial data”
25 means information about geospatial data, including

1 the content, source, vintage, accuracy, condition,
2 projection, responsible party, contact phone number,
3 method of collection, and other characteristics or de-
4 scriptions of the geospatial data;

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

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

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

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

21 (a) IN GENERAL.—There is established in the Office
22 of Management and Budget an interagency committee to
23 be known as the Federal Geographic Data Committee,
24 which shall act as the lead entity in the executive branch

1 for the development, implementation, and review of poli-
2 cies, practices, and standards relating to geospatial data.

3 (b) MEMBERSHIP.—

4 (1) CHAIRPERSON AND VICE CHAIRPERSON.—

5 The Director of the Office of Management and
6 Budget and the Secretary of the Interior shall serve
7 as Chairperson of the Committee and Vice Chair-
8 person of the Committee, respectively.

9 (2) OTHER MEMBERS.—The President shall ap-
10 point the other members of the Committee from
11 among the officers and employees of covered agen-
12 cies.

13 (c) DUTIES.—The Committee shall—

14 (1) lead the development and management of
15 and operational decisionmaking for the National
16 Spatial Data Infrastructure strategic plan and
17 geospatial data policy in accordance with section 5;

18 (2) designate NGDA data themes and oversee
19 the coordinated management of the NGDA data
20 themes in accordance with section 6;

21 (3) establish and maintain geospatial data
22 standards in accordance with section 7;

23 (4) periodically review and determine the extent
24 to which covered agencies comply with geospatial
25 data standards;

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

3 (6) direct and facilitate national implementation
4 of the system of NGDA data themes;

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

9 (A) identify and meet the needs of users of
10 geospatial data;

11 (B) promote cost-effective data collection,
12 documentation, maintenance, distribution, and
13 preservation strategies; and

14 (C) leverage Federal and non-Federal re-
15 sources;

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

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

4 (10) make available online and update at least
5 annually—

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

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

15 (ii) a determination of whether, for
16 each of subparagraphs (A), (B), (C), and
17 (D) of section 6(b)(3), each lead covered
18 agency meets expectations, has made
19 progress toward expectations, or fails to
20 meet expectations;

21 (B) a summary and evaluation of the
22 achievements of each covered agency, based on
23 the annual report submitted by the covered
24 agency under section 9(b)(1), which shall in-
25 clude a determination of whether the covered

1 agency meets expectations, has made progress
2 toward expectations, or fails to meet expecta-
3 tions for each of paragraphs (1) through (14)
4 of section 9(a);

5 (C) a collection of periodic technical publi-
6 cations, management articles, and reports re-
7 lated to the National Spatial Data Infrastruc-
8 ture; and

9 (D) a membership directory for the Com-
10 mittee, including identifying members of any
11 subcommittee or working group of the Com-
12 mittee;

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

17 (B) if requested by the Advisory Committee, re-
18 spond to any comments by the Advisory Committee;
19 and

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

1 (12)(A) make available to and request com-
2 ments from covered agencies regarding the sum-
3 maries and evaluations required under subpara-
4 graphs (A) and (B) of paragraph (10); and

5 (B) not less than once every 2 years, submit to
6 Congress a report that includes the comments of the
7 covered agencies and the responses of the Committee
8 to the comments; and

9 (13) support and promote the infrastructure of
10 networks, systems, services, and standards that pro-
11 vide a digital representation of the Earth to users
12 for many applications.

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

14 (a) ESTABLISHMENT.—There is established in the ex-
15 ecutive branch the National Geospatial Advisory Com-
16 mittee to provide advice and recommendations to the
17 Chairperson of the Committee.

18 (b) MEMBERSHIP.—

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

21 (A) appointed by the Chairperson of the
22 Committee;

23 (B) selected—

24 (i) to generally achieve a balanced
25 representation of the viewpoints of various

1 interested parties involved in national
2 geospatial activities and the development of
3 the National Spatial Data Infrastructure;
4 and

5 (ii) with consideration of a geographic
6 balance of residence of the members; and

7 (C) selected from among groups involved
8 in the geospatial community, including—

9 (i) States;

10 (ii) local governments;

11 (iii) regional governments;

12 (iv) tribal governments;

13 (v) private sector entities;

14 (vi) geospatial information user indus-
15 tries;

16 (vii) professional associations;

17 (viii) scholarly associations;

18 (ix) nonprofit organizations;

19 (x) academia; and

20 (xi) the Federal Government.

21 (2) CHAIRPERSON.—The Chairperson of the
22 Committee shall appoint the Chairperson of the Ad-
23 visory Committee.

24 (3) PERIOD OF APPOINTMENT; VACANCIES.—

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

4 (B) VACANCIES.—Any vacancy in the Ad-
5 visory Committee shall not affect its powers,
6 but shall be filled in the same manner as the
7 original appointment.

8 (4) LIMIT ON TERMS.—An individual—

9 (A) may not be appointed to more than 2
10 consecutive terms as a member of the Advisory
11 Committee; and

12 (B) after serving for 2 consecutive terms,
13 is eligible to be appointed as a member of the
14 Advisory Committee on and after the date that
15 is 2 years after the end of the second consecu-
16 tive term of the individual as a member of the
17 Advisory Committee.

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

24 (6) INCUMBENTS.—

1 (A) IN GENERAL.—An individual serving
2 on the day before the date of enactment of this
3 Act as a member of the National Geospatial
4 Advisory Committee established by the Sec-
5 retary of the Interior may serve as a member
6 of the Advisory Committee until the end of the
7 term of the individual under the appointment.

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

14 (c) SUBCOMMITTEES.—A subcommittee of the Advi-
15 sory Committee—

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

18 (2) shall be composed of members appointed by
19 the Chairperson of the Advisory Committee;

20 (3) shall act only under the direction of the
21 Chairperson of the Advisory Committee;

22 (4) shall report the recommendations of the
23 subcommittee to the Advisory Committee for consid-
24 eration; and

1 (5) shall meet as necessary to accomplish the
2 objectives of the subcommittee, subject to the ap-
3 proval of the Chairperson of the Advisory Committee
4 and the availability of resources.

5 (d) MEETINGS.—

6 (1) IN GENERAL.—The Advisory Committee
7 shall meet at the call of the Chairman, not less than
8 1 time each year and not more than 4 times each
9 year.

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

13 (e) DUTIES OF THE ADVISORY COMMITTEE.—The
14 Advisory Committee shall—

15 (1) provide advice and recommendations relat-
16 ing to—

17 (A) the management of Federal and na-
18 tional geospatial programs;

19 (B) the development of the National Spa-
20 tial Data Infrastructure; and

21 (C) implementation of this Act;

22 (2) review and comment on geospatial policy
23 and management issues; and

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

4 (f) POWERS OF THE ADVISORY COMMITTEE.—

5 (1) HEARINGS.—The Advisory Committee may
6 hold such hearings, sit and act at such times and
7 places, take such testimony, and receive such evi-
8 dence as the Advisory Committee considers advisable
9 to carry out this Act.

10 (2) INFORMATION FROM FEDERAL AGENCIES.—

11 (A) IN GENERAL.—The Advisory Com-
12 mittee may secure directly from any Federal
13 agency such information as the Advisory Com-
14 mittee considers necessary to carry out this Act.
15 Upon request of the Chairperson of the Advi-
16 sory Committee, the head of such agency shall
17 furnish such information to the Advisory Com-
18 mittee.

19 (B) NONCOOPERATION.—The Advisory
20 Committee shall include in the comments of the
21 Advisory Committee submitted under section
22 3(c)(11) a discussion of any failure by a Fed-
23 eral agency to furnish information in response
24 to a request under subparagraph (A) of this
25 paragraph.

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

5 (4) GIFTS.—The Advisory Committee—

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

8 (B) shall establish rules for the acceptance,
9 use, and disposition of gifts and donations that
10 avoid any conflict of interest or appearance of
11 a conflict of interest.

12 (g) ADVISORY COMMITTEE PERSONNEL MATTERS.—

13 (1) NO COMPENSATION OF MEMBERS.—

14 (A) NON-FEDERAL EMPLOYEES.—A mem-
15 ber of the Advisory Committee who is not an
16 officer or employee of the Federal Government
17 shall serve without compensation.

18 (B) FEDERAL EMPLOYEES.—A member of
19 the Advisory Committee who is an officer or
20 employee of the Federal Government shall serve
21 without compensation in addition to the com-
22 pensation received for the services of the mem-
23 ber as an officer or employee of the Federal
24 Government.

1 (2) TRAVEL EXPENSES.—The members of the
2 Advisory Committee shall be allowed travel expenses,
3 including per diem in lieu of subsistence, at rates
4 authorized for employees of agencies under sub-
5 chapter I of chapter 57 of title 5, United States
6 Code, while away from their homes or regular places
7 of business in the performance of services for the
8 Advisory Committee.

9 (3) DETAIL OF GOVERNMENT EMPLOYEES.—
10 Any Federal Government employee may be detailed
11 to the Advisory Committee without reimbursement,
12 and such detail shall be without interruption or loss
13 of civil service status or privilege.

14 (h) APPLICABILITY OF FACA.—

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

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

21 (i) TERMINATION.—

22 (1) IN GENERAL.—Except as provided in para-
23 graph (2), the Advisory Committee shall terminate
24 10 years after the date of enactment of this Act.

1 (2) CONTINUATION.—The Advisory Committee
2 may be continued for successive 10-year periods by
3 action taken by the Director of the Office of Man-
4 agement and Budget to renew the Advisory Com-
5 mittee before the date on which the Advisory Com-
6 mittee would otherwise terminate.

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

8 (a) IN GENERAL.—The National Spatial Data Infra-
9 structure shall ensure that geospatial data from multiple
10 sources (including the Federal Government, State, local,
11 and tribal governments, the private sector, and institu-
12 tions of higher education) is available and easily inte-
13 grated to enhance the understanding of the physical and
14 cultural world.

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

17 (1) ensure—

18 (A) the privacy and security of the per-
19 sonal data of individuals and accuracy of statis-
20 tical information on individuals, both in raw
21 form and in derived information products;

22 (B) free access for the public to geospatial
23 data, information, and interpretive products, in
24 accordance with Office of Management and

1 Budget Circular A–130, or any successor there-
2 to;

3 (C) the protection of proprietary interests
4 related to licensed information and data; and

5 (D) the interoperability of Federal infor-
6 mation systems to enable the drawing of re-
7 sources from covered agencies and partners of
8 covered agencies; and

9 (2) support and advance the establishment of a
10 Global Spatial Data Infrastructure, consistent with
11 national security, national defense, national intel-
12 ligence, and international trade requirements, in-
13 cluding insuring that covered agencies develop inter-
14 national geospatial data in accordance with inter-
15 national voluntary consensus standards, as defined
16 in Office of Management and Budget Circular A–
17 119, or any successor thereto.

18 (c) STRATEGIC PLAN.—The Committee shall prepare
19 and maintain a strategic plan for the development and im-
20 plementation of the National Spatial Data Infrastructure
21 in a manner consistent with national security, national de-
22 fense, and emergency preparedness program policies re-
23 garding data accessibility.

24 (d) ADVISORY ROLE.—The Committee shall advise
25 Federal and non-Federal users of geospatial data on their

1 responsibilities relating to implementation of the National
2 Spatial Data Infrastructure.

3 **SEC. 6. NGDA DATA THEMES.**

4 (a) IN GENERAL.—The Committee shall designate as
5 NGDA data themes the primary topics and subjects for
6 which the coordinated development, maintenance, and dis-
7 semination of geospatial data will benefit the Federal Gov-
8 ernment and the interests of the people of the United
9 States, which shall—

10 (1) be representations of conceptual topics de-
11 scribing digital spatial information for the Nation;
12 and

13 (2) contain associated datasets (with attribute
14 records and coordinates)—

15 (A) that are documented, verifiable, and
16 officially designated to meet recognized stand-
17 ards;

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

19 (C) from which other datasets may be de-
20 rived.

21 (b) LEAD COVERED AGENCIES.—

22 (1) IN GENERAL.—For each NGDA data
23 theme, the Committee shall designate 1 or more cov-
24 ered agencies as the lead covered agencies for the
25 NGDA data theme.

1 (2) GENERAL RESPONSIBILITY.—The lead cov-
2 ered agencies for an NGDA data theme shall be re-
3 sponsible for ensuring the coordinated management
4 of the data, supporting resources (including tech-
5 nology and personnel), and related services and
6 products of the NGDA data theme.

7 (3) SPECIFIC RESPONSIBILITIES.—To assist in
8 fulfilling the responsibilities under paragraph (2)
9 with respect to an NGDA data theme, the lead cov-
10 ered agencies shall—

11 (A) provide leadership and facilitate the
12 development and implementation of geospatial
13 data standards for the NGDA data theme, with
14 a particular emphasis on a data content stand-
15 ard for the NGDA data theme, including by—

16 (i) assessing existing standards;
17 (ii) identifying anticipated or needed
18 data standards; and

19 (iii) developing a plan to originate and
20 implement needed standards with relevant
21 community and international practices—

22 (I) in accordance with Office of
23 Management and Budget Circular A-
24 119, or any successor thereto; and

1 (II) consistent with or as a part
2 of the plan described in subparagraph
3 (B);

4 (B) provide leadership and facilitate the
5 development and implementation of a plan for
6 nationwide population of the NGDA data
7 theme, which shall—

8 (i) include developing partnership pro-
9 grams with States, Indian tribes, institu-
10 tions of higher education, private sector
11 entities, other Federal agencies, and local
12 governments;

13 (ii) meet the needs of users of
14 geospatial data;

15 (iii) address human and financial re-
16 source needs;

17 (iv) identify needs relating to stand-
18 ards, metadata for geospatial data within
19 the NGDA data theme, and the
20 GeoPlatform; and

21 (v) expedite the development of nec-
22 essary NGDA data themes;

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

1 (D) as necessary, collect and analyze infor-
2 mation from users of geospatial data within the
3 NGDA data theme regarding the needs of the
4 users for geospatial data and incorporate the
5 needs of users in strategies relating to the
6 NGDA data theme; and

7 (E) as part of administering the NGDA
8 data theme—

9 (i) designate a point of contact within
10 the lead covered agency who shall be re-
11 sponsible for developing, maintaining, co-
12 ordination relating to, and disseminating
13 data using the GeoPlatform;

14 (ii) submit to the Committee—

15 (I) a performance report, at least
16 annually, that documents the activi-
17 ties relating to and implementation of
18 the NGDA data theme, including
19 progress in achieving the requirements
20 under subparagraphs (A), (B), (C),
21 and (D); and

22 (II) comments, as appropriate,
23 regarding the summary and evalua-
24 tion of the performance report pro-

1 vided by the Committee under section
2 3(c)(12);

3 (iii) publish maps or comparable
4 graphics online (in accordance with the
5 mapping conventions specified by the Com-
6 mittee) showing the extent and status of
7 the NGDA data themes for which the cov-
8 ered agency is a lead covered agency;

9 (iv) encourage individuals and entities
10 that are a source of geospatial data or
11 metadata for geospatial data for the
12 NGDA data theme to provide access to
13 such data through the GeoPlatform;

14 (v) coordinate with the GeoPlatform;
15 and

16 (vi) identify and publish proven prac-
17 tices for the use and application of
18 geospatial data of the lead covered agency.

19 **SEC. 7. GEOSPATIAL DATA STANDARDS.**

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

24 (1) shall include—

1 (A) rules, conditions, guidelines, and char-
2 acteristics for the geospatial data within the
3 NGDA data theme and related processes, tech-
4 nology, and organization; and

5 (B) content standards for metadata for
6 geospatial data within the NGDA data theme;

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

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

12 (b) DEVELOPMENT OF STANDARDS.—The Committee
13 shall—

14 (1) develop and promulgate standards under
15 this section—

16 (A) in accordance with Office of Manage-
17 ment and Budget Circular A–119, or any suc-
18 cessor thereto; and

19 (B) after consultation with a broad range
20 of data users and providers;

21 (2) to the maximum extent possible, use na-
22 tional and international standards adopted by vol-
23 untary standards consensus bodies; and

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

1 (c) EXCLUSION.—The Director of the Office of Man-
2 agement and Budget shall withhold from public disclosure
3 any information the disclosure of which reasonably could
4 be expected to cause damage to the national interest, secu-
5 rity, or defense of the United States.

6 **SEC. 8. GEOPLATFORM.**

7 (a) IN GENERAL.—The Committee shall operate an
8 electronic service that provides access to geospatial data
9 and metadata for geospatial data, to be known as the
10 GeoPlatform.

11 (b) IMPLEMENTATION.—The GeoPlatform—

12 (1) shall—

13 (A) be available through the Internet and
14 other communications means;

15 (B) be accessible through a common inter-
16 face; and

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

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

22 **SEC. 9. COVERED AGENCY RESPONSIBILITIES.**

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

24 (1) prepare, maintain, publish, and implement a
25 strategy for advancing geographic information and

1 related geospatial data activities appropriate to the
2 mission of the covered agency, in support of the
3 strategic plan for the National Spatial Data Infra-
4 structure prepared under section 5(c);

5 (2) collect, maintain, disseminate, and preserve
6 geospatial data such that the resulting data, infor-
7 mation, or products can be readily shared with other
8 Federal agencies and non-Federal users;

9 (3) promote the integration of geospatial data
10 from all sources;

11 (4) ensure that data information products and
12 other records created in geospatial data activities are
13 included on agency record schedules that have been
14 approved by the National Archives and Records Ad-
15 ministration;

16 (5) allocate resources to fulfill the responsibil-
17 ities of effective geospatial data collection, produc-
18 tion, and stewardship with regard to related activi-
19 ties of the covered agency, and as necessary to sup-
20 port the activities of the Committee;

21 (6) use the geospatial data standards, including
22 the standards for metadata for geospatial data, and
23 other appropriate standards, including documenting
24 geospatial data with the relevant metadata and mak-
25 ing metadata available through the GeoPlatform;

1 (7) coordinate and work in partnership with
2 other Federal agencies, agencies of State, tribal, and
3 local governments, institutions of higher education,
4 and the private sector to efficiently and cost-effec-
5 tively collect, integrate, maintain, disseminate, and
6 preserve geospatial data, building upon existing non-
7 Federal geospatial data to the extent possible;

8 (8) use geospatial information to—

9 (A) make Federal geospatial information
10 and services more useful to the public;

11 (B) enhance operations;

12 (C) support decisionmaking; and

13 (D) enhance reporting to the public and to
14 Congress;

15 (9) protect personal privacy and maintain con-
16 fidentiality in accordance with Federal policy and
17 law;

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

23 (11) participate in determining, when applica-
24 ble, whether data declassified pursuant to Executive

1 Order 12951 can contribute to and become a part
2 of the National Spatial Data Infrastructure;

3 (12) search all sources, including the
4 GeoPlatform, to determine if existing Federal, State,
5 local, or private geospatial data meets the needs of
6 the covered agency before expending funds for
7 geospatial data collection;

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

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

15 (b) REPORTING.—

16 (1) IN GENERAL.—Each covered agency shall
17 submit to the Committee an annual report regarding
18 the achievements of the covered agency in preparing
19 and implementing the strategy described in sub-
20 section (a)(1) and complying with the other require-
21 ments under subsection (a).

22 (2) BUDGET SUBMISSION.—Each covered agen-
23 cy shall include geospatial data as a capital asset for
24 purposes of preparing the budget submission of the
25 President under section 1105(a) of title 31, United

1 States Code (including for purposes of the informa-
2 tion required under submissions under exhibits 53
3 and 300 of Office of Management and Budget Cir-
4 cular A-11, relating to planning, budgeting, acquisi-
5 tion, and management of major information tech-
6 nology capital investments, or any successor there-
7 to).

8 (3) DISCLOSURE.—Each covered agency shall
9 disclose each contract, cooperative agreement, grant,
10 or other transaction that deals with geospatial data,
11 which may include posting information relating to
12 the contract, cooperative agreement, grant, or other
13 transaction on www.USAspending.gov, or any suc-
14 cessor thereto.

15 (4) OMB REVIEW.—In reviewing the annual
16 budget justifications submitted by covered agencies,
17 the Office of Management and Budget shall take
18 into consideration the summary and evaluations re-
19 quired under subparagraphs (A) and (B) of section
20 3(c)(10), comments, and replies to comments as re-
21 quired under paragraphs (11) and (12) of section
22 3(c), in its annual evaluation of the budget justifica-
23 tion of each covered agency.

24 (5) REPORTING.—The Office of Management
25 and Budget shall include a discussion of the sum-

1 maries and evaluation of the progress in establishing
2 the National Spatial Data Infrastructure in each E-
3 Government status report submitted under section
4 3606 of title 44, United States Code.

5 (c) AUDITS.—Not less than once every 2 years, the
6 Inspector General or another senior ethics official of a cov-
7 ered agency shall submit to Congress an audit of the col-
8 lection, production, acquisition, maintenance, distribution,
9 use, and preservation of geospatial data by the covered
10 agency, which shall include a review of—

11 (1) the compliance of the covered agency with
12 the standards for geospatial data, including
13 metadata for geospatial data, established under sec-
14 tion 7;

15 (2) the compliance of the covered agency with
16 the requirements under subsection (a); and

17 (3) the compliance of the covered agency on the
18 limitation on the use of Federal funds under section
19 10.

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

21 On and after the date that is 4 years after the date
22 of enactment of this Act, Federal funds shall not be avail-
23 able for the collection, production, acquisition, mainte-
24 nance, or dissemination of geospatial data that does not

1 comply with applicable standards established under sec-
2 tion 7, as determined by the Committee.

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

4 (a) IN GENERAL.—The Committee and each covered
5 agency shall, to the maximum extent practical, rely upon
6 and use private individuals and entities in the United
7 States for the acquisition of commercially available sur-
8 veying and mapping and the provision of geospatial serv-
9 ices. The Federal Government shall not commence or con-
10 tinue any surveying and mapping activity to provide, du-
11 plicate, or compete with a commercial product or service
12 if the product or service is available on a more economical
13 basis from a commercial source.

14 (b) DEFINITION.—In this section, the term “sur-
15 veying and mapping” has the meaning given that term by
16 the General Services Administration for purposes of sec-
17 tion 1102 of title 40, United States Code.

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

19 Nothing in this Act shall preempt the laws of any
20 State relating to the performance of services of a sur-
21 veying, mapping, or geospatial nature which, to any ex-
22 tent, are required to be performed or approved by a person
23 licensed, registered, or certified to provide such services
24 under such State law.

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