

115TH CONGRESS
1ST SESSION

S. 1253

To improve the coordination and use of geospatial data.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2017

Mr. HATCH (for himself, Mr. WARNER, Mr. HELLER, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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;

14 (II) geospatial intelligence; or

15 (III) geometric measurements
16 and related information pertaining to
17 the physical or legal features of the
18 Earth, improvements on the Earth,
19 the space above, on, or below the
20 Earth; and

21 (iii) any information relating to data
22 described in clause (ii), including any such
23 data that comprises a survey, map, chart,
24 geographic information system, remotely

sensed image or data, or an aerial photograph through—

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

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

(III) locating, relocating, establishing, reestablishing, or retracing property lines or boundaries of any tract of land, road, right of way, or easement;

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

(V) locating or laying out alignments, positions, or elevations for the construction of fixed works;

(VI) determining, by the use of principles of surveying, the position for any survey monument (boundary or non-boundary) or reference point

1 or establishing or replacing any such
2 monument or reference point; or

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

8 (D) does not include geospatial data activi-
9 ties of an Indian tribe not carried out, in whole
10 or in part, using Federal funds, as determined
11 by the tribal government;

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

16 (7) the term “institution of higher education”
17 has the meaning given that term under section 102
18 of the Higher Education Act of 1965 (20 U.S.C.
19 1002);

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

23 (9) the term “local government” means any
24 city, county, township, town, borough, parish, vil-

1 lage, or other general purpose political subdivision of
2 a State;

3 (10) the term “metadata for geospatial data”
4 means information about geospatial data, including
5 the content, source, vintage, accuracy, condition,
6 projection, responsible party, contact phone number,
7 method of collection, and other characteristics or de-
8 scriptions of the geospatial data;

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

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

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

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

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

8 (b) MEMBERSHIP.—

9 (1) CHAIRPERSON AND VICE CHAIRPERSON.—
10 The Director of the Office of Management and
11 Budget and the Secretary of the Interior shall serve
12 as Chairperson of the Committee and Vice Chair-
13 person of the Committee, respectively.

14 (2) OTHER MEMBERS.—The President shall ap-
15 point the other members of the Committee from
16 among the officers and employees of covered agen-
17 cies.

18 (c) DUTIES.—The Committee shall—

19 (1) lead the development and management of
20 and operational decisionmaking for the National
21 Spatial Data Infrastructure strategic plan and
22 geospatial data policy in accordance with section 5;

23 (2) designate NGDA data themes and oversee
24 the coordinated management of the NGDA data
25 themes in accordance with section 6;

1 (3) establish and maintain geospatial data
2 standards in accordance with section 7;

3 (4) periodically review and determine the extent
4 to which covered agencies comply with geospatial
5 data standards;

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

8 (6) direct and facilitate national implementation
9 of the system of NGDA data themes;

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

14 (A) identify and meet the needs of users of
15 geospatial data;

16 (B) promote cost-effective data collection,
17 documentation, maintenance, distribution, and
18 preservation strategies; and

19 (C) leverage Federal and non-Federal re-
20 sources;

21 (8) define roles and responsibilities and pro-
22 mote and guide cooperation and coordination among
23 agencies of the Federal Government, State, tribal,
24 and local governments, institutions of higher edu-
25 cation, and the private sector in the collection, pro-

duction, sharing, and use of geospatial information,
the implementation of the National Spatial Data In-
frastructure, and the identification of proven prac-
tices;

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

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

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

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

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

1 (B) a summary and evaluation of the
2 achievements of each covered agency, based on
3 the annual report submitted by the covered
4 agency under section 9(b)(1), which shall in-
5 clude a determination of whether the covered
6 agency meets expectations, has made progress
7 toward expectations, or fails to meet expecta-
8 tions for each of paragraphs (1) through (14)
9 of section 9(a);

10 (C) a collection of periodic technical publi-
11 cations, management articles, and reports re-
12 lated to the National Spatial Data Infrastruc-
13 ture; and

14 (D) a membership directory for the Com-
15 mittee, including identifying members of any
16 subcommittee or working group of the Com-
17 mittee;

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

22 (B) if requested by the Advisory Committee, re-
23 spond to any comments by the Advisory Committee;
24 and

1 (C) not less than once every 2 years, submit to
 2 Congress a report that includes the summaries and
 3 evaluations required under subparagraphs (A) and
 4 (B) of paragraph (10), the comments of the Advi-
 5 sory Committee, and the responses of the Committee
 6 to the comments;

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

11 (B) not less than once every 2 years, submit to
 12 Congress a report that includes the comments of the
 13 covered agencies and the responses of the Committee
 14 to the comments; and

15 (13) support and promote the infrastructure of
 16 networks, systems, services, and standards that pro-
 17 vide a digital representation of the Earth to users
 18 for many applications.

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

20 (a) **ESTABLISHMENT.**—There is in the executive
 21 branch the National Geospatial Advisory Committee to
 22 provide advice and recommendations to the Chairperson
 23 of the Committee.

24 (b) **MEMBERSHIP.**—

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

3 (A) appointed by the Chairperson of the
4 Committee;

5 (B) selected—

6 (i) to generally achieve a balanced
7 representation of the viewpoints of various
8 interested parties involved in national
9 geospatial activities and the development of
10 the National Spatial Data Infrastructure;
11 and

12 (ii) with consideration of a geographic
13 balance of residence of the members; and

14 (C) selected from among groups involved
15 in the geospatial community, including—

16 (i) States;

17 (ii) local governments;

18 (iii) regional governments;

19 (iv) tribal governments;

20 (v) private sector entities;

21 (vi) geospatial information user indus-
22 tries;

23 (vii) professional associations;

24 (viii) scholarly associations;

25 (ix) nonprofit organizations;

1 (x) academia; and

2 (xi) the Federal Government.

3 (2) CHAIRPERSON.—The Chairperson of the
4 Committee shall appoint the Chairperson of the Ad-
5 visory Committee.

6 (3) PERIOD OF APPOINTMENT; VACANCIES.—

7 (A) IN GENERAL.—Members shall be ap-
8 pointed for a term of 3 years, with the term of
9 $\frac{1}{3}$ of the members expiring each year.

10 (B) VACANCIES.—Any vacancy in the Ad-
11 visory Committee shall not affect its powers,
12 but shall be filled in the same manner as the
13 original appointment.

14 (4) LIMIT ON TERMS.—An individual—

15 (A) may not be appointed to more than 2
16 consecutive terms as a member of the Advisory
17 Committee; and

18 (B) after serving for 2 consecutive terms,
19 is eligible to be appointed as a member of the
20 Advisory Committee on and after the date that
21 is 2 years after the end of the second consecu-
22 tive term of the individual as a member of the
23 Advisory Committee.

24 (5) ETHICAL REQUIREMENTS.—A member of
25 the Advisory Committee may not participate in any

specific-party matter (including a lease, license, permit, contract, claim, agreement, or related litigation) with the Department of the Interior in which the member has a direct financial interest.

(6) INCUMBENTS.—

(A) IN GENERAL.—An individual serving on the day before the date of enactment of this Act as a member of the National Geospatial Advisory Committee established by the Secretary of the Interior may serve as a member of the Advisory Committee until the end of the term of the individual under the appointment.

(B) LIMIT ON TERMS.—Any period of service as a member of the National Geospatial Advisory Committee established by the Secretary of the Interior shall be considered a period of service as a member of the Advisory Committee for purposes of paragraph (4).

(c) SUBCOMMITTEES.—A subcommittee of the Advisory Committee—

(1) may be formed for the purposes of compiling information or conducting research;

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

1 (3) shall act only under the direction of the
2 Chairperson of the Advisory Committee;

3 (4) shall report the recommendations of the
4 subcommittee to the Advisory Committee for consid-
5 eration; and

6 (5) shall meet as necessary to accomplish the
7 objectives of the subcommittee, subject to the ap-
8 proval of the Chairperson of the Advisory Committee
9 and the availability of resources.

10 (d) MEETINGS.—

11 (1) IN GENERAL.—The Advisory Committee
12 shall meet at the call of the Chairman, not less than
13 1 time each year and not more than 4 times each
14 year.

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

18 (e) DUTIES OF THE ADVISORY COMMITTEE.—The
19 Advisory Committee shall—

20 (1) provide advice and recommendations relat-
21 ing to—

22 (A) the management of Federal and na-
23 tional geospatial programs;

24 (B) the development of the National Spa-
25 tial Data Infrastructure; and

1 (C) implementation of this Act;

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

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

7 (f) POWERS OF THE ADVISORY COMMITTEE.—

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

13 (2) INFORMATION FROM COVERED AGENCIES.—

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

22 (B) NONCOOPERATION.—The Advisory
23 Committee shall include in the comments of the
24 Advisory Committee submitted under section
25 3(c)(11) a discussion of any failure by a cov-

1 ered agency to furnish information in response
2 to a request under subparagraph (A) of this
3 paragraph.

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

8 (4) GIFTS.—The Advisory Committee—

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

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

15 (g) ADVISORY COMMITTEE PERSONNEL MATTERS.—

16 (1) NO COMPENSATION OF MEMBERS.—

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

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

1 ber as an officer or employee of the Federal
2 Government.

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

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

16 (h) APPLICABILITY OF FACA.—

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

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

23 (i) TERMINATION.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), the Advisory Committee shall terminate
3 10 years after the date of enactment of this Act.

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

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

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

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

20 (1) ensure—

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

1 (B) free access for the public to geospatial
2 data, information, and interpretive products, in
3 accordance with Office of Management and
4 Budget Circular A–130, or any successor there-
5 to;

6 (C) the protection of proprietary interests
7 related to licensed information and data; and

8 (D) the interoperability of Federal infor-
9 mation systems to enable the drawing of re-
10 sources from covered agencies and partners of
11 covered agencies; and

12 (2) support and advance the establishment of a
13 Global Spatial Data Infrastructure, consistent with
14 national security, national defense, national intel-
15 ligence, and international trade requirements, in-
16 cluding insuring that covered agencies develop inter-
17 national geospatial data in accordance with inter-
18 national voluntary consensus standards, as defined
19 in Office of Management and Budget Circular A–
20 119, or any successor thereto.

21 (c) STRATEGIC PLAN.—The Committee shall prepare
22 and maintain a strategic plan for the development and im-
23 plementation of the National Spatial Data Infrastructure
24 in a manner consistent with national security, national de-

1 fense, and emergency preparedness program policies re-
 2 garding data accessibility.

3 (d) **ADVISORY ROLE.**—The Committee shall advise
 4 Federal and non-Federal users of geospatial data on their
 5 responsibilities relating to implementation of the National
 6 Spatial Data Infrastructure.

7 **SEC. 6. NGDA DATA THEMES.**

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

14 (1) be representations of conceptual topics de-
 15 scribing digital spatial information for the Nation;
 16 and

17 (2) contain associated datasets (with attribute
 18 records and coordinates)—

19 (A) that are documented, verifiable, and
 20 officially designated to meet recognized stand-
 21 ards;

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

23 (C) from which other datasets may be de-
 24 rived.

25 (b) **LEAD COVERED AGENCIES.**—

1 (1) IN GENERAL.—For each NGDA data
2 theme, the Committee shall designate one or more
3 covered agencies as the lead covered agencies for the
4 NGDA data theme.

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

11 (3) SPECIFIC RESPONSIBILITIES.—To assist in
12 fulfilling the responsibilities under paragraph (2)
13 with respect to an NGDA data theme, the lead cov-
14 ered agencies shall—

15 (A) provide leadership and facilitate the
16 development and implementation of geospatial
17 data standards for the NGDA data theme, with
18 a particular emphasis on a data content stand-
19 ard for the NGDA data theme, including by—

- 20 (i) assessing existing standards;
21 (ii) identifying anticipated or needed
22 data standards; and
23 (iii) developing a plan to originate and
24 implement needed standards with relevant
25 community and international practices—

1 (I) in accordance with Office of
2 Management and Budget Circular A–
3 119, or any successor thereto; and

4 (II) consistent with or as a part
5 of the plan described in subparagraph
6 (B);

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

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

16 (ii) meet the needs of users of
17 geospatial data;

18 (iii) address human and financial re-
19 source needs;

20 (iv) identify needs relating to stand-
21 ards, metadata for geospatial data within
22 the NGDA data theme, and the
23 GeoPlatform; and

24 (v) expedite the development of nec-
25 essary NGDA data themes;

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

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

10 (E) as part of administering the NGDA
11 data theme—

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

17 (ii) submit to the Committee—

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

1 (II) comments, as appropriate,
2 regarding the summary and evalua-
3 tion of the performance report pro-
4 vided by the Committee under section
5 3(c)(12);

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

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

17 (v) coordinate with the GeoPlatform;
18 and

19 (vi) identify and publish proven prac-
20 tices for the use and application of
21 geospatial data of the lead covered agency.

22 **SEC. 7. GEOSPATIAL DATA STANDARDS.**

23 (a) IN GENERAL.—In accordance with section 216 of
24 the E-Government Act of 2002 (44 U.S.C. 3501 note),

1 the Committee shall establish standards for each NGDA
2 data theme, which—

3 (1) shall include—

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

8 (B) content standards for metadata for
9 geospatial data within the NGDA data theme;

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

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

15 (b) DEVELOPMENT OF STANDARDS.—The Committee
16 shall—

17 (1) develop and promulgate standards under
18 this section—

19 (A) in accordance with Office of Manage-
20 ment and Budget Circular A–119, or any suc-
21 cessor thereto; and

22 (B) after consultation with a broad range
23 of data users and providers;

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

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

6 (c) **EXCLUSION.**—The Director of the Office of Man-
 7 agement and Budget shall withhold from public disclosure
 8 any information the disclosure of which reasonably could
 9 be expected to cause damage to the national interest, secu-
 10 rity, or defense of the United States, including informa-
 11 tion relating to geospatial intelligence data activities, as
 12 determined in consultation with the Director of National
 13 Intelligence.

14 **SEC. 8. GEOPLATFORM.**

15 (a) **IN GENERAL.**—The Committee shall operate an
 16 electronic service that provides access to geospatial data
 17 and metadata for geospatial data, to be known as the
 18 GeoPlatform.

19 (b) **IMPLEMENTATION.**—The GeoPlatform—

20 (1) shall—

21 (A) be available through the Internet and
 22 other communications means;

23 (B) be accessible through a common inter-
 24 face;

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

3 (D) include a set of programming instruc-
 4 tions and standards providing an automated
 5 means of accessing available geospatial data,
 6 which—

7 (i) harmonize sources and data stand-
 8 ards associated with geospatial data, in-
 9 cluding metadata; and

10 (ii) to the maximum extent prac-
 11 ticable, as determined by the Chairperson
 12 of the Committee, shall be made publicly
 13 available; and

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

17 **SEC. 9. COVERED AGENCY RESPONSIBILITIES.**

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

19 (1) prepare, maintain, publish, and implement a
 20 strategy for advancing geographic information and
 21 related geospatial data activities appropriate to the
 22 mission of the covered agency, in support of the
 23 strategic plan for the National Spatial Data Infra-
 24 structure prepared under section 5(c);

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

5 (3) promote the integration of geospatial data
6 from all sources;

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

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

17 (6) use the geospatial data standards, including
18 the standards for metadata for geospatial data, and
19 other appropriate standards, including documenting
20 geospatial data with the relevant metadata and mak-
21 ing metadata available through the GeoPlatform;

22 (7) coordinate and work in partnership with
23 other Federal agencies, agencies of State, tribal, and
24 local governments, institutions of higher education,
25 and the private sector to efficiently and cost-effec-

1 tively collect, integrate, maintain, disseminate, and
2 preserve geospatial data, building upon existing non-
3 Federal geospatial data to the extent possible;

4 (8) use geospatial information to—

5 (A) make Federal geospatial information
6 and services more useful to the public;

7 (B) enhance operations;

8 (C) support decisionmaking; and

9 (D) enhance reporting to the public and to
10 Congress;

11 (9) protect personal privacy and maintain con-
12 fidentiality in accordance with Federal policy and
13 law;

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

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

23 (12) search all sources, including the
24 GeoPlatform, to determine if existing Federal, State,
25 local, or private geospatial data meets the needs of

1 the covered agency before expending funds for
2 geospatial data collection;

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

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

10 (b) REPORTING.—

11 (1) IN GENERAL.—Each covered agency shall
12 submit to the Committee an annual report regarding
13 the achievements of the covered agency in preparing
14 and implementing the strategy described in sub-
15 section (a)(1) and complying with the other require-
16 ments under subsection (a).

17 (2) BUDGET SUBMISSION.—Each covered agen-
18 cy shall include geospatial data as a capital asset for
19 purposes of preparing the budget submission of the
20 President under section 1105(a) of title 31, United
21 States Code (including for purposes of the informa-
22 tion required under submissions under exhibits 53
23 and 300 of Office of Management and Budget Cir-
24 cular A–11, relating to planning, budgeting, acquisi-
25 tion, and management of major information tech-

1 nology capital investments, or any successor there-
2 to).

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

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

19 (5) REPORTING.—The Office of Management
20 and Budget shall include a discussion of the sum-
21 maries and evaluation of the progress in establishing
22 the National Spatial Data Infrastructure in each E-
23 Government status report submitted under section
24 3606 of title 44, United States Code.

1 (c) AUDITS.—Not less than once every 2 years, the
2 Inspector General of a covered agency (or senior ethics
3 official of the covered agency for a covered agency without
4 an Inspector General) shall submit to Congress an audit
5 of the collection, production, acquisition, maintenance, dis-
6 tribution, use, and preservation of geospatial data by the
7 covered agency, which shall include a review of—

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

12 (2) the compliance of the covered agency with
13 the requirements under subsection (a); and

14 (3) the compliance of the covered agency on the
15 limitation on the use of Federal funds under section
16 10.

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

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

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

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

12 (b) DEFINITION.—For purposes of selecting a firm
13 for a contract under chapter 11 of title 40, United States
14 Code, the term “surveying and mapping” shall have the
15 meaning given the term “geospatial data” in section 2 of
16 this Act.

17 (c) MODIFICATION OF FEDERAL ACQUISITION REGU-
18 LATION.—Part 36 of the Federal Acquisition Regulation
19 (48 C.F.R. 36.000 et seq.) shall be revised to specify that
20 the definition of the term “architectural and engineering
21 services” includes surveying and mapping services and the
22 acquisition of geospatial data, to which the selection proce-
23 dures of subpart 36.6 of such part 36 of the Federal Ac-
24 quisition Regulation shall apply.

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

2 Nothing in this Act shall preempt the laws of any
3 State relating to the performance of services of a sur-
4 veying, mapping, or geospatial nature which, to any ex-
5 tent, are required to be performed or approved by a person
6 licensed, registered, or certified to provide such services
7 under such State law.

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