

115TH CONGRESS
1ST SESSION

S. 2128

To improve the coordination and use of geospatial data.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2017

Mr. HATCH (for himself, Mr. WARNER, Mr. HELLER, Mr. WYDEN, Mr. BOOZMAN, and Ms. KLOBUCHAR) 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 (for example a well), lines (for exam-
23 ple a road), polygons (for example a forest), or
24 other complex geographic features or phe-
25 nomena (for example a forest fire, the spread of

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

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

6 (C) includes images and raster datasets,
7 aerial photographs, and other forms of
8 geospatial data or datasets in digitized or non-
9 digitized form; 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 decision making 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 other 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 Department
11 of the Interior the National Geospatial Advisory Com-
12 mittee to provide advice and recommendations to the
13 Chairperson 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 Chairperson, not less
3 than 1 time each year and not more than 4 times
4 each 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 meetings
8 or hearings.

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

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

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

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

17 (C) implementation of this Act;

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

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

23 (f) POWERS OF THE ADVISORY COMMITTEE.—

24 (1) HEARINGS.—The Advisory Committee may
25 hold such meetings or hearings, sit and act at such

1 times and places, take such testimony, and receive
2 such evidence as the Advisory Committee considers
3 advisable to carry out this Act.

4 (2) INFORMATION FROM COVERED AGENCIES.—

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

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

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

24 (4) GIFTS.—The Advisory Committee—

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

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

7 (g) ADVISORY COMMITTEE PERSONNEL MATTERS.—

8 (1) NO COMPENSATION OF MEMBERS.—

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

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

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

1 of business in the performance of services for the
2 Advisory Committee.

3 (3) DETAIL OF GOVERNMENT EMPLOYEES.—

4 Any Federal Government employee may be detailed
5 to the Advisory Committee without reimbursement,
6 and such detail shall be without interruption or loss
7 of civil service status or privilege.

8 (h) APPLICABILITY OF FACCA.—

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

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

15 (i) TERMINATION.—

16 (1) IN GENERAL.—Except as provided in para-
17 graph (2), the Advisory Committee shall terminate
18 10 years after the date of enactment of this Act.

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

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

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

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

11 (1) ensure—

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

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

21 (C) the protection of proprietary interests
22 related to licensed information and data; and

23 (D) the interoperability of Federal infor-
24 mation systems to enable the drawing of re-
25 sources from covered agencies and partners of
26 covered agencies; and

1 (2) support and advance the establishment of a
2 Global Spatial Data Infrastructure, consistent with
3 national security, national defense, national intel-
4 ligence, and international trade requirements, in-
5 cluding ensuring that covered agencies develop inter-
6 national geospatial data in accordance with inter-
7 national voluntary consensus standards, as defined
8 in Office of Management and Budget Circular A-
9 119, or any successor thereto.

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

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

20 **SEC. 6. NGDA DATA THEMES.**

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

1 ernment and the interests of the people of the United
2 States, which shall—

3 (1) be representations of conceptual topics de-
4 scribing digital spatial information for the Nation;
5 and

6 (2) contain associated datasets (with attribute
7 records and coordinates)—

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

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

12 (C) from which other datasets may be de-
13 rived.

14 (b) LEAD COVERED AGENCIES.—

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

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

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

5 (A) provide leadership and facilitate the
6 development and implementation of geospatial
7 data standards for the NGDA data theme, with
8 a particular emphasis on a data content stand-
9 ard for the NGDA data theme, including by—

10 (i) assessing existing standards;

11 (ii) identifying anticipated or needed
12 data standards; and

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

16 (I) in accordance with Office of
17 Management and Budget Circular A-
18 119, or any successor thereto; and

19 (II) consistent with or as a part
20 of the plan described in subparagraph
21 (B);

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

- 1 (i) include developing partnership pro-
2 grams with States, Indian tribes, institu-
3 tions of higher education, private sector
4 entities, other Federal agencies, and local
5 governments;
- 6 (ii) meet the needs of users of
7 geospatial data;
- 8 (iii) address human and financial re-
9 source needs;
- 10 (iv) identify needs relating to stand-
11 ards, metadata for geospatial data within
12 the NGDA data theme, and the
13 GeoPlatform; and
- 14 (v) expedite the development of nec-
15 essary NGDA data themes;
- 16 (C) establish goals that support the stra-
17 tegic plan for the National Spatial Data Infra-
18 structure prepared under section 5(c);
- 19 (D) as necessary, collect and analyze infor-
20 mation from users of geospatial data within the
21 NGDA data theme regarding the needs of the
22 users for geospatial data and incorporate the
23 needs of users in strategies relating to the
24 NGDA data theme; and

1 (E) as part of administering the NGDA
2 data theme—

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

8 (ii) submit to the Committee—

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

16 (II) comments, as appropriate,
17 regarding the summary and evalua-
18 tion of the performance report pro-
19 vided by the Committee under section
20 3(c)(12);

21 (iii) publish maps or comparable
22 graphics online (in accordance with the
23 mapping conventions specified by the Com-
24 mittee) showing the extent and status of

1 the NGDA data themes for which the cov-
2 ered agency is a lead covered agency;

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

8 (v) coordinate with the GeoPlatform;
9 and

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

13 **SEC. 7. GEOSPATIAL DATA STANDARDS.**

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

18 (1) shall include—

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

23 (B) content standards for metadata for
24 geospatial data within the NGDA data theme;

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

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

6 (b) DEVELOPMENT OF STANDARDS.—The Committee
7 shall—

8 (1) develop and promulgate standards under
9 this section—

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

13 (B) after consultation with a broad range
14 of data users and providers;

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

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

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

1 determined in consultation with the Director of National
2 Intelligence.

3 **SEC. 8. GEOPLATFORM.**

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

8 (b) IMPLEMENTATION.—The GeoPlatform—

9 (1) shall—

10 (A) be available through the internet and
11 other communications means;

12 (B) be accessible through a common inter-
13 face;

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

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

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

23 (ii) to the maximum extent prac-
24 ticable, as determined by the Chairperson

1 of the Committee, shall be made publicly
2 available;

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

6 (3) shall not include proprietary data acquired
7 under a license by the Federal Government.

8 (c) CLARIFICATION.—Although the GeoPlatform is
9 intended to include all National Geospatial Data Asset
10 and other Federal datasets, nothing in this Act shall be
11 construed to prevent a covered agency from also pre-
12 senting, providing, or disseminating data that is—

13 (1) specific to the functions of the covered
14 agency; or

15 (2) targeted to information consumers that di-
16 rectly interface with the services, portals, or other
17 mechanisms of the covered agency.

18 **SEC. 9. COVERED AGENCY RESPONSIBILITIES.**

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

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

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