

115TH CONGRESS  
1ST SESSION

# H. R. 4395

To improve the coordination and use of geospatial data.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2017

Mr. WESTERMAN (for himself and Mr. MOULTON) introduced the following bill; which was referred to the Committee on Science, Space, and Technology, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## 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

(iv) intelligence geospatial data activities, as determined by the Director of National 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);

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

(12) the term “National Spatial Data Infrastructure” means the technology, policies, criteria, standards, and employees necessary to promote geospatial data sharing throughout the Federal Government, State, tribal, and local governments, and the private sector (including nonprofit organizations and institutions of higher education); and

## 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.—

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—

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 publications, management articles, and reports related to the National Spatial Data Infrastructure; and
- 2                         (D) a membership directory for the Committee, including identifying members of any subcommittee or working group of the Committee;
- 3                         (11)(A) make available to and request comments from the Advisory Committee regarding the summaries and evaluations required under subparagraphs (A) and (B) of paragraph (10);
  - 4                         (B) if requested by the Advisory Committee, respond to any comments by the Advisory Committee; and
  - 5                         (C) not less than once every 2 years, submit to Congress a report that includes the summaries and evaluations required under subparagraphs (A) and (B) of paragraph (10), the comments of the Advisory Committee, and the responses of the Committee to the comments;
- 6                         (12)(A) make available to and request comments from covered agencies regarding the summaries and evaluations required under subparagraphs (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                         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(c)(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 FACA.—

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                             (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                         ties 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-effic-

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—

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

7 (B) enhance operations;

8 (C) support decision making; and

(D) enhance reporting to the public and to

10 Congress;

(12) search all sources, including the GeoPlatform, to determine if existing Federal, State, 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.

