

AMENDMENT TO H.R. 4

OFFERED BY MR. WESTERMAN OF ARKANSAS

Page 351, after line 11, insert the following:

1 **Subtitle F—Geospacial Data**

2 **SEC. 751. SHORT TITLE.**

3 This subtitle may be cited as the “Geospacial Data
4 Act of 2018”.

5 **SEC. 752. DEFINITIONS.**

6 In this subtitle—

7 (1) the term “Advisory Committee” means the
8 National Geospacial Advisory Committee described
9 in section 754(a);

10 (2) the term “Committee” means the Federal
11 Geographic Data Committee established under sec-
12 tion 753(a);

13 (3) the term “covered agency” means an agen-
14 cy, as defined in section 551 of title 5, United States
15 Code, that collects, produces, acquires, maintains,
16 distributes, uses, or preserves geospacial data on
17 paper or in electronic form to fulfill the mission of
18 the agency, either directly or through a relationship
19 with another organization, including a State, local
20 government, Indian tribe, institution of higher edu-

1 cation, business partner or contractor of the Federal
2 Government, and the public;

3 (4) the term “GeoPlatform” means the
4 GeoPlatform described in section 758(a);

5 (5) the term “geospatial data”—

6 (A) means information that is tied to a lo-
7 cation on the Earth, including by identifying
8 the geographic location and characteristics of
9 natural or constructed features and boundaries
10 on the Earth, and that is generally represented
11 by points (for example a well), lines (for exam-
12 ple a road), polygons (for example a forest), or
13 other complex geographic features or phe-
14 nomena (for example a forest fire, the spread of
15 West Nile virus, or the infestation of pine-bark
16 beetles);

17 (B) may be derived from, among other
18 things, remote sensing, mapping, and surveying
19 technologies;

20 (C) includes images and raster datasets,
21 aerial photographs, and other forms of
22 geospatial data or datasets in digitized or non-
23 digitized form; and

24 (D) does not include—

1 (i) geospatial data activities of an In-
2 dian tribe not carried out, in whole or in
3 part, using Federal funds, as determined
4 by the tribal government;

5 (ii) classified national security-related
6 geospatial data activities of the Depart-
7 ment of Defense, unless declassified under
8 Executive Order 12951, as determined by
9 the Secretary of Defense;

10 (iii) classified national security-related
11 geospatial data activities of the Depart-
12 ment of Energy, unless declassified under
13 Executive Order 12951, as determined by
14 the Secretary of Energy; or

15 (iv) intelligence geospatial data activi-
16 ties, as determined by the Director of Na-
17 tional Intelligence;

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

22 (7) the term “institution of higher education”
23 has the meaning given that term under section 102
24 of the Higher Education Act of 1965 (20 U.S.C.
25 1002);

1 (8) the term “lead covered agency” means a
2 lead covered agency for an NGDA data theme des-
3 ignated under section 756(b)(1);

4 (9) the term “local government” means any
5 city, county, township, town, borough, parish, vil-
6 lage, or other general purpose political subdivision of
7 a State;

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

14 (11) the term “NGDA data theme” means the
15 National Geospatial Data Asset core geospatial
16 datasets (including electronic records and coordi-
17 nates) relating to a topic or subject designated
18 under section 756;

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

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

4 **SEC. 753. FEDERAL GEOGRAPHIC DATA COMMITTEE.**

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

11 (b) **MEMBERSHIP.**—

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

17 (2) **OTHER MEMBERS.**—The President shall ap-
18 point the other members of the Committee from
19 among the officers and employees of covered agen-
20 cies.

21 (c) **DUTIES.**—The Committee shall—

22 (1) lead the development and management of
23 and operational decision-making for the National
24 Spatial Data Infrastructure strategic plan and

1 geospatial data policy in accordance with section
2 755;

3 (2) designate NGDA data themes and oversee
4 the coordinated management of the NGDA data
5 themes in accordance with section 6;

6 (3) establish and maintain geospatial data
7 standards in accordance with section 757;

8 (4) periodically review and determine the extent
9 to which covered agencies comply with geospatial
10 data standards;

11 (5) ensure that the GeoPlatform operates in ac-
12 cordance with section 758;

13 (6) direct and facilitate national implementation
14 of the system of NGDA data themes;

15 (7) communicate with and foster communica-
16 tion among covered agencies and other entities and
17 individuals relating to geospatial data technology de-
18 velopment, transfer, and exchange in order to—

19 (A) identify and meet the needs of users of
20 geospatial data;

21 (B) promote cost-effective data collection,
22 documentation, maintenance, distribution, and
23 preservation strategies; and

24 (C) leverage Federal and non-Federal re-
25 sources;

1 (8) define roles and responsibilities and pro-
2 mote and guide cooperation and coordination among
3 agencies of the Federal Government, State, tribal,
4 and local governments, institutions of higher edu-
5 cation, and the private sector in the collection, pro-
6 duction, sharing, and use of geospatial information,
7 the implementation of the National Spatial Data In-
8 frastructure, and the identification of proven prac-
9 tices;

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

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

15 (A) a summary of the status for each
16 NGDA data theme, based on the report sub-
17 mitted by the applicable lead covered agency
18 under section 756(b)(3)(E)(ii)(I), which shall
19 include—

20 (i) an evaluation of the progress of
21 each lead covered agency in achieving the
22 requirements under subparagraphs (A),
23 (B), (C), and (D) of section 756(b)(3); and

24 (ii) a determination of whether, for
25 each of subparagraphs (A), (B), (C), and

1 (D) of section 756(b)(3), each lead covered
2 agency meets expectations, has made
3 progress toward expectations, or fails to
4 meet expectations;

5 (B) a summary and evaluation of the
6 achievements of each covered agency, based on
7 the annual report submitted by the covered
8 agency under section 759(b)(1), which shall in-
9 clude a determination of whether the covered
10 agency meets expectations, has made progress
11 toward expectations, or fails to meet expecta-
12 tions for each of paragraphs (1) through (14)
13 of section 759(a);

14 (C) a collection of periodic technical publi-
15 cations, management articles, and reports re-
16 lated to the National Spatial Data Infrastruc-
17 ture; and

18 (D) a membership directory for the Com-
19 mittee, including identifying members of any
20 subcommittee or working group of the Com-
21 mittee;

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

1 (B) if requested by the Advisory Committee, re-
2 spond to any comments by the Advisory Committee;
3 and

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

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

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

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

22 **SEC. 754. NATIONAL GEOSPATIAL ADVISORY COMMITTEE.**

23 (a) ESTABLISHMENT.—There is in the Department
24 of the Interior the National Geospatial Advisory Com-

1 mittee to provide advice and recommendations to the
2 Chairperson of the Committee.

3 (b) MEMBERSHIP.—

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

6 (A) appointed by the Chairperson of the
7 Committee;

8 (B) selected—

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

15 (ii) with consideration of a geographic
16 balance of residence of the members; and

17 (C) selected from among groups involved
18 in the geospatial community, including—

19 (i) States;

20 (ii) local governments;

21 (iii) regional governments;

22 (iv) tribal governments;

23 (v) private sector entities;

24 (vi) geospatial information user indus-
25 tries;

- 1 (vii) professional associations;
- 2 (viii) scholarly associations;
- 3 (ix) nonprofit organizations;
- 4 (x) academia; and
- 5 (xi) the Federal Government.

6 (2) CHAIRPERSON.—The Chairperson of the
7 Committee shall appoint the Chairperson of the Ad-
8 visory Committee.

9 (3) PERIOD OF APPOINTMENT; VACANCIES.—

10 (A) IN GENERAL.—Members shall be ap-
11 pointed for a term of 3 years, with the term of
12 $\frac{1}{3}$ of the members expiring each year.

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

17 (4) LIMIT ON TERMS.—An individual—

18 (A) may not be appointed to more than 2
19 consecutive terms as a member of the Advisory
20 Committee; and

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

1 tive term of the individual as a member of the
2 Advisory Committee.

3 (5) ETHICAL REQUIREMENTS.—A member of
4 the Advisory Committee may not participate in any
5 specific-party matter (including a lease, license, per-
6 mit, contract, claim, agreement, or related litigation)
7 with the Department of the Interior in which the
8 member has a direct financial interest.

9 (6) INCUMBENTS.—

10 (A) IN GENERAL.—An individual serving
11 on the day before the date of enactment of this
12 Act as a member of the National Geospatial
13 Advisory Committee established by the Sec-
14 retary of the Interior may serve as a member
15 of the Advisory Committee until the end of the
16 term of the individual under the appointment.

17 (B) LIMIT ON TERMS.—Any period of serv-
18 ice as a member of the National Geospatial Ad-
19 visory Committee established by the Secretary
20 of the Interior shall be considered a period of
21 service as a member of the Advisory Committee
22 for purposes of paragraph (4).

23 (c) SUBCOMMITTEES.—A subcommittee of the Advi-
24 sory Committee—

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

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

5 (3) shall act only under the direction of the
6 Chairperson of the Advisory Committee;

7 (4) shall report the recommendations of the
8 subcommittee to the Advisory Committee for consid-
9 eration; and

10 (5) shall meet as necessary to accomplish the
11 objectives of the subcommittee, subject to the ap-
12 proval of the Chairperson of the Advisory Committee
13 and the availability of resources.

14 (d) MEETINGS.—

15 (1) IN GENERAL.—The Advisory Committee
16 shall meet at the call of the Chairperson, not less
17 than 1 time each year and not more than 4 times
18 each year.

19 (2) QUORUM.—A majority of the members of
20 the Advisory Committee shall constitute a quorum,
21 but a lesser number of members may hold meetings
22 or hearings.

23 (e) DUTIES OF THE ADVISORY COMMITTEE.—The
24 Advisory Committee shall—

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

3 (A) the management of Federal and na-
4 tional geospatial programs;

5 (B) the development of the National Spa-
6 tial Data Infrastructure; and

7 (C) implementation of this Act;

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

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

13 (f) POWERS OF THE ADVISORY COMMITTEE.—

14 (1) HEARINGS.—The Advisory Committee may
15 hold such meetings or hearings, sit and act at such
16 times and places, take such testimony, and receive
17 such evidence as the Advisory Committee considers
18 advisable to carry out this subtitle.

19 (2) INFORMATION FROM COVERED AGENCIES.—

20 (A) IN GENERAL.—The Advisory Com-
21 mittee may secure directly from any covered
22 agency such information as the Advisory Com-
23 mittee considers necessary to carry out this
24 subtitle. Upon request of the Chairperson of the
25 Advisory Committee, the head of such agency

1 shall furnish such information to the Advisory
2 Committee.

3 (B) NONCOOPERATION.—The Advisory
4 Committee shall include in the comments of the
5 Advisory Committee submitted under section
6 753(c)(11) a discussion of any failure by a cov-
7 ered agency to furnish information in response
8 to a request under subparagraph (A) of this
9 paragraph.

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

14 (4) GIFTS.—The Advisory Committee—

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

17 (B) shall establish rules for the acceptance,
18 use, and disposition of gifts and donations that
19 avoid any conflict of interest or appearance of
20 a conflict of interest.

21 (g) ADVISORY COMMITTEE PERSONNEL MATTERS.—

22 (1) NO COMPENSATION OF MEMBERS.—

23 (A) NON-FEDERAL EMPLOYEES.—A mem-
24 ber of the Advisory Committee who is not an

1 officer or employee of the Federal Government
2 shall serve without compensation.

3 (B) FEDERAL EMPLOYEES.—A member of
4 the Advisory Committee who is an officer or
5 employee of the Federal Government shall serve
6 without compensation in addition to the com-
7 pensation received for the services of the mem-
8 ber as an officer or employee of the Federal
9 Government.

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

18 (3) DETAIL OF GOVERNMENT EMPLOYEES.—
19 Any Federal Government employee may be detailed
20 to the Advisory Committee without reimbursement,
21 and such detail shall be without interruption or loss
22 of civil service status or privilege.

23 (h) APPLICABILITY OF FACA.—

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

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

7 (i) TERMINATION.—

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

11 (2) CONTINUATION.—The Advisory Committee
12 may be continued for successive 10-year periods by
13 action taken by the Director of the Office of Man-
14 agement and Budget to renew the Advisory Com-
15 mittee before the date on which the Advisory Com-
16 mittee would otherwise terminate.

17 **SEC. 755. NATIONAL SPATIAL DATA INFRASTRUCTURE.**

18 (a) IN GENERAL.—The National Spatial Data Infra-
19 structure shall ensure that geospatial data from multiple
20 sources (including the Federal Government, State, local,
21 and tribal governments, the private sector, and institu-
22 tions of higher education) is available and easily inte-
23 grated to enhance the understanding of the physical and
24 cultural world.

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

3 (1) ensure—

4 (A) the privacy and security of the per-
5 sonal data of individuals and accuracy of statis-
6 tical information on individuals, both in raw
7 form and in derived information products;

8 (B) free access for the public to geospatial
9 data, information, and interpretive products, in
10 accordance with Office of Management and
11 Budget Circular A–130, or any successor there-
12 to;

13 (C) the protection of proprietary interests
14 related to licensed information and data; and

15 (D) the interoperability of Federal infor-
16 mation systems to enable the drawing of re-
17 sources from covered agencies and partners of
18 covered agencies; and

19 (2) support and advance the establishment of a
20 Global Spatial Data Infrastructure, consistent with
21 national security, national defense, national intel-
22 ligence, and international trade requirements, in-
23 cluding ensuring that covered agencies develop inter-
24 national geospatial data in accordance with inter-
25 national voluntary consensus standards, as defined

1 in Office of Management and Budget Circular A-
2 119, or any successor thereto.

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

9 (d) ADVISORY ROLE.—The Committee shall advise
10 Federal and non-Federal users of geospatial data on their
11 responsibilities relating to implementation of the National
12 Spatial Data Infrastructure.

13 **SEC. 756. NGDA DATA THEMES.**

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

20 (1) be representations of conceptual topics de-
21 scribing digital spatial information for the Nation;
22 and

23 (2) contain associated datasets (with attribute
24 records and coordinates)—

1 (A) that are documented, verifiable, and
2 officially designated to meet recognized stand-
3 ards;

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

5 (C) from which other datasets may be de-
6 rived.

7 (b) LEAD COVERED AGENCIES.—

8 (1) IN GENERAL.—For each NGDA data
9 theme, the Committee shall designate one or more
10 covered agencies as the lead covered agencies for the
11 NGDA data theme.

12 (2) GENERAL RESPONSIBILITY.—The lead cov-
13 ered agencies for an NGDA data theme shall be re-
14 sponsible for ensuring the coordinated management
15 of the data, supporting resources (including tech-
16 nology and personnel), and related services and
17 products of the NGDA data theme.

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

22 (A) provide leadership and facilitate the
23 development and implementation of geospatial
24 data standards for the NGDA data theme, with

1 a particular emphasis on a data content stand-
2 ard for the NGDA data theme, including by—

3 (i) assessing existing standards;

4 (ii) identifying anticipated or needed
5 data standards; and

6 (iii) developing a plan to originate and
7 implement needed standards with relevant
8 community and international practices—

9 (I) in accordance with Office of
10 Management and Budget Circular A-
11 119, or any successor thereto; and

12 (II) consistent with or as a part
13 of the plan described in subparagraph
14 (B);

15 (B) provide leadership and facilitate the
16 development and implementation of a plan for
17 nationwide population of the NGDA data
18 theme, which shall—

19 (i) include developing partnership pro-
20 grams with States, Indian tribes, institu-
21 tions of higher education, private sector
22 entities, other Federal agencies, and local
23 governments;

24 (ii) meet the needs of users of
25 geospatial data;

1 (iii) address human and financial re-
2 source needs;

3 (iv) identify needs relating to stand-
4 ards, metadata for geospatial data within
5 the NGDA data theme, and the
6 GeoPlatform; and

7 (v) expedite the development of nec-
8 essary NGDA data themes;

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

12 (D) as necessary, collect and analyze infor-
13 mation from users of geospatial data within the
14 NGDA data theme regarding the needs of the
15 users for geospatial data and incorporate the
16 needs of users in strategies relating to the
17 NGDA data theme; and

18 (E) as part of administering the NGDA
19 data theme—

20 (i) designate a point of contact within
21 the lead covered agency who shall be re-
22 sponsible for developing, maintaining, co-
23 ordination relating to, and disseminating
24 data using the GeoPlatform;

25 (ii) submit to the Committee—

1 (I) a performance report, at least
2 annually, that documents the activi-
3 ties relating to and implementation of
4 the NGDA data theme, including
5 progress in achieving the requirements
6 under subparagraphs (A), (B), (C),
7 and (D); and

8 (II) comments, as appropriate,
9 regarding the summary and evalua-
10 tion of the performance report pro-
11 vided by the Committee under section
12 753(c)(12);

13 (iii) publish maps or comparable
14 graphics online (in accordance with the
15 mapping conventions specified by the Com-
16 mittee) showing the extent and status of
17 the NGDA data themes for which the cov-
18 ered agency is a lead covered agency;

19 (iv) encourage individuals and entities
20 that are a source of geospatial data or
21 metadata for geospatial data for the
22 NGDA data theme to provide access to
23 such data through the GeoPlatform;

24 (v) coordinate with the GeoPlatform;
25 and

1 (vi) identify and publish proven prac-
2 tices for the use and application of
3 geospatial data of the lead covered agency.

4 **SEC. 757. GEOSPATIAL DATA STANDARDS.**

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

9 (1) shall include—

10 (A) rules, conditions, guidelines, and char-
11 acteristics for the geospatial data within the
12 NGDA data theme and related processes, tech-
13 nology, and organization; and

14 (B) content standards for metadata for
15 geospatial data within the NGDA data theme;

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

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

21 (b) DEVELOPMENT OF STANDARDS.—The Committee
22 shall—

23 (1) develop and promulgate standards under
24 this section—

1 (A) in accordance with Office of Manage-
2 ment and Budget Circular A-119, or any suc-
3 cessor thereto; and

4 (B) after consultation with a broad range
5 of data users and providers;

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

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

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

19 **SEC. 758. GEOPLATFORM.**

20 (a) IN GENERAL.—The Committee shall operate an
21 electronic service that provides access to geospatial data
22 and metadata for geospatial data, to be known as the
23 GeoPlatform.

24 (b) IMPLEMENTATION.—The GeoPlatform—

25 (1) shall—

1 (A) be available through the Internet and
2 other communications means;

3 (B) be accessible through a common inter-
4 face;

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

7 (D) include a set of programming instruc-
8 tions and standards providing an automated
9 means of accessing available geospatial data,
10 which—

11 (i) harmonize sources and data stand-
12 ards associated with geospatial data, in-
13 cluding metadata; and

14 (ii) to the maximum extent prac-
15 ticable, as determined by the Chairperson
16 of the Committee, shall be made publicly
17 available;

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

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

23 (c) CLARIFICATION.—Although the GeoPlatform is
24 intended to include all National Geospatial Data Asset
25 and other Federal datasets, nothing in this subtitle shall

1 be construed to prevent a covered agency from also pre-
2 senting, providing, or disseminating data that is—

3 (1) specific to the functions of the covered
4 agency; or

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

8 **SEC. 759. COVERED AGENCY RESPONSIBILITIES.**

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

10 (1) prepare, maintain, publish, and implement a
11 strategy for advancing geographic information and
12 related geospatial data activities appropriate to the
13 mission of the covered agency, in support of the
14 strategic plan for the National Spatial Data Infra-
15 structure prepared under section 755(c);

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

20 (3) promote the integration of geospatial data
21 from all sources;

22 (4) ensure that data information products and
23 other records created in geospatial data activities are
24 included on agency record schedules that have been

1 approved by the National Archives and Records Ad-
2 ministration;

3 (5) allocate resources to fulfill the responsibil-
4 ities of effective geospatial data collection, produc-
5 tion, and stewardship with regard to related activi-
6 ties of the covered agency, and as necessary to sup-
7 port the activities of the Committee;

8 (6) use the geospatial data standards, including
9 the standards for metadata for geospatial data, and
10 other appropriate standards, including documenting
11 geospatial data with the relevant metadata and mak-
12 ing metadata available through the GeoPlatform;

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

20 (8) use geospatial information to—

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

23 (B) enhance operations;

24 (C) support decision-making; and

1 (D) enhance reporting to the public and to
2 Congress;

3 (9) protect personal privacy and maintain con-
4 fidentiality in accordance with Federal policy and
5 law;

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

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

15 (12) search all sources, including the
16 GeoPlatform, to determine if existing Federal, State,
17 local, or private geospatial data meets the needs of
18 the covered agency before expending funds for
19 geospatial data collection;

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

23 (14) appoint a contact to coordinate with the
24 lead covered agencies for collection, acquisition,

1 maintenance, and dissemination of the NGDA data
2 themes used by the covered agency.

3 (b) REPORTING.—

4 (1) IN GENERAL.—Each covered agency shall
5 submit to the Committee an annual report regarding
6 the achievements of the covered agency in preparing
7 and implementing the strategy described in sub-
8 section (a)(1) and complying with the other require-
9 ments under subsection (a).

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

21 (3) DISCLOSURE.—Each covered agency shall
22 disclose each contract, cooperative agreement, grant,
23 or other transaction that deals with geospatial data,
24 which may include posting information relating to
25 the contract, cooperative agreement, grant, or other

1 transaction on www.USAspending.gov, or any suc-
2 cessor thereto.

3 (4) OMB REVIEW.—In reviewing the annual
4 budget justifications submitted by covered agencies,
5 the Office of Management and Budget shall take
6 into consideration the summary and evaluations re-
7 quired under subparagraphs (A) and (B) of section
8 753(c)(10), comments, and replies to comments as
9 required under paragraphs (11) and (12) of section
10 753(c), in its annual evaluation of the budget jus-
11 tification of each covered agency.

12 (5) REPORTING.—The Office of Management
13 and Budget shall include a discussion of the sum-
14 maries and evaluation of the progress in establishing
15 the National Spatial Data Infrastructure in each E-
16 Government status report submitted under section
17 3606 of title 44, United States Code.

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

1 (1) the compliance of the covered agency with
2 the standards for geospatial data, including
3 metadata for geospatial data, established under sec-
4 tion 757;

5 (2) the compliance of the covered agency with
6 the requirements under subsection (a); and

7 (3) the compliance of the covered agency on the
8 limitation on the use of Federal funds under section
9 760.

10 **SEC. 760. LIMITATION ON USE OF FEDERAL FUNDS.**

11 On and after the date that is 5 years after the date
12 of enactment of this subtitle, Federal funds shall not be
13 available for the collection, production, acquisition, main-
14 tenance, or dissemination of geospatial data that does not
15 comply with applicable standards established under sec-
16 tion 757, as determined by the Committee.

