

# GEOSPATIAL FACT SHEET:

## Geospatial Data Act of 2018



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The Federal Geospatial Data Act of 2018 (GDA) was passed and signed by the President on October 5, 2018 as part of the FAA Reauthorization Act of 2018 (H.R.302). Introduced in both Chambers of Congress on November 15, 2017 as H.R.4395 and S.2128, it was ultimately included with minor changes into the FAA Reauthorization bill. This new version changes some wording and partially restores the two sections eliminated from the previous version, but with wording that URISA and other geospatial organizations do not find objectionable.

**URISA members and all GIS professionals should be interested in the GDA** because the federal government is being directed by Congress to share geospatial data among federal agencies and with non-federal agencies, acquire data from non-federal sources if possible, adopt standards, and make their data easy to access for the public.

### What is the Geospatial Data Act?

Members of Congress believe that the current approach of using Executive Orders (EO 12906 & 13286), Office of Management and Budget directives (OMB Circular A-16), and other executive documents was not achieving the effectiveness hoped for in reducing the duplication and waste in the procurement, use, and availability of Federal geospatial data. The GDA is intended to codify the previous executive actions and give Congress an oversight role for federal geospatial data expenditures.

### WHERE CAN I FIND THE NEW VERSION OF THE GEOSPATIAL DATA ACT?

The Geospatial Data Act of 2018 can be found in Subtitle F *Geospatial Data*, Sections 751-759 of H.R.302 FAA Reauthorization Act of 2018 (pages 228-242 in the PDF). Please note that this bill was once referred to as the Sports Medicine Licensure Clarity Act of 2017, which is still in the bill, but the FAA Reauthorization Act amended this bill and it became the dominant subject so the title was changed.

House Bill (H.R.302): <https://www.congress.gov/bill/115th-congress/house-bill/302>

## What are the key elements in the Geospatial Data Act?

Much of the language in the GDA reflect the current directives of OMB Circular A-16 and Executive Orders 12906 & 13286. Below is a brief summary of the key elements.

It establishes in statute the Federal Geographic Data Committee (FGDC) “for the development, implementation, and review of policies, practices, and standards relating to geospatial data.” It makes the Chair the Secretary of the Interior and Vice Chair the OMB Director, which is how it is structured today. It says the FGDC shall “lead the development and management of and operational decision making for the National Spatial Data Infrastructure [NSDI] strategic plan and geospatial policy...” and “designate National Geospatial Data Asset [NGDA] themes and oversee the coordinated management of the National Geospatial Data Asset data themes...” The FGDC will “not less than every 2 years, submit to Congress a report...” on the progress and status of each NGDA data theme (including the NSDI) and an evaluation of each lead covered agency.

The GDA formally establishes the National Geospatial Advisory Committee (NGAC) and its duties and composition. As indicated above, the GDA formalizes the NSDI and NGDA data themes. Continuing its current practice, the GDA directs the FGDC to establish standards for each NGDA data theme. Finally, the GDA directs the FGDC to “operate an electronic service that provides access to geospatial data and metadata for geospatial data to the general public, to be known as the GeoPlatform.”

URISA members should be encouraged by the GDA’s direction in Sec.759 Covered Agency Responsibilities to “coordinate and work in partnership with other Federal agencies, agencies of State, tribal, and local governments, institutions of higher education, and the private sector to efficiently and cost-effectively collect, integrate, maintain, disseminate, and preserve geospatial data, building upon existing non-Federal geospatial data to the extent possible.”



## **What happened when the Geospatial Data Act of 2017 was introduced?**

Many geospatial organizations became concerned with the wording in the bill. The first organization to publically raise concerns was the American Association of Geographers (AAG). This was followed by an analysis done by URISA's Policy Advisory Committee (PAC), which indicated the possible impact of the new language could be problematic. Several geospatial blogs also commented on the bill's potential impact. Based on the PAC's recommendation, the URISA Board of Directors issued a letter stating its withdrawal of support for the GDA until the language was revised to its satisfaction.

The Coalition of Geospatial Organizations (COGO), of which URISA is a founding member, met at the 2017 Esri User Conference to review the GDA. It was there that URISA, AAG, and other organizations voiced their opposition to the GDA as it was currently worded. COGO formed a subcommittee, which included URISA, to look into revising the language but, after meeting several times, could not come to an agreement.

URISA and other organizations met with the staffs of Senators Hatch (R-UT) and Warner (D-VA), who were the sponsors of the bill, to voice URISA's objections to the current language in the bill and to work towards a possible solution. Knowing that MAPPS would object but that most of the other geospatial organizations and many geospatial firms would support the revised language, it was agreed upon to remove Sections 11 and 12. A new version of the GDA was introduced instead of amending the original.

## **What is the November 15, 2017 version of the Geospatial Data Act?**

The revised version of the Geospatial Data Act of 2017 introduced in the Senate and House on November 15, 2017, removed the language that URISA and other geospatial organizations found objectionable, especially Sections 11 and 12. The Senate bill is S.2128, introduced by Senators Orrin Hatch (R-UT) and Mark Warner (D-VA). The Senate bill had four cosponsors: Sen. Dean Heller (R-NV), Sen. Ron Wyden (D-OR), Sen. John Boozman (R-AR), and Sen. Amy Klobuchar (D-MN).

Also on November 15, a companion bill was introduced in the House of Representatives as H.R.4395 sponsored by Rep. Bruce Westerman (R-AR4) and Rep. Seth Moulton (D-MA6).

## What are the differences in the Geospatial Data Act included with the FAA Reauthorization Act from the ones introduced on November 15, 2017?

The Geospatial Data Act of 2018 can be found in Subtitle F *Geospatial Data*, Sections 751-759 of H.R.302, FAA Reauthorization Act of 2018 (pages 228-242 in the PDF). While there are various minor edits to the language found in the November 15, 2017 bills (S.2128 & H.R.4395), below are the more substantial changes:

- Section 751 adds subsection (b) FINDINGS on the need for open and publicly accessible data and using the private sector.
- Section 752 DEFINITIONS excludes from “covered agency” the Department of Defense and all intelligence services but includes NASA and GSA.
- Section 753 FEDERAL GEOGRAPHIC DATA COMMITTEE returns the committee to the Department of the Interior with the Secretary as Chair instead of the Office of Management and Budget which was in the November 15, 2017 bills.
- Section 754 NATIONAL GEOSPATIAL ADVISORY COMMITTEE removes subsection (f)(4) GIFTS.
- Section 759 COVERED AGENCIES RESPONSIBILITIES
  - Subsection (a) GENERAL removes paragraph (10) “support emergency response activities requiring geospatial data in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)”
  - Subsection (B) REPORTING FROM (2) BUDGET SUBMISSION removes the requirement to budget geospatial data as a capital asset.
- Section 759A LIMITATIONS ON THE USE OF FEDERAL FUNDS adds exceptions for current geospatial data sets that do not comply with standards, adds the ability to grant a waiver to those geospatial data sets that have not yet met standards, and requires agencies to exercise their best efforts to comply during the 5 year transition period.
- New Section 759B SAVINGS PROVISION “Nothing in this subtitle shall repeal, amend, or supersede any existing law unless specifically provided in this subtitle.”
- New Section 759C PRIVATE SECTOR “The Committee and each covered agency may, to the maximum extent practical, rely upon and use the private sector in the United States for the provision of geospatial data and services.”

