

GEOSPATIAL DATA ACT OF 2018

Section by Section Summary

(FAA Reauthorization Act of 2018 [P.L. 115-254], Subtitle F – Geospatial Data)

Section 751. Short Title; Findings

This section establishes the short title of this subtitle as the “Geospatial Data Act of 2018” and makes findings.

Section 752. Definitions

This section defines the terms used in this subtitle.

Section 753. Federal Geographic Data Committee

This section codifies the continuation of an existing federal interagency committee, the Federal Geographic Data Committee (FGDC), established under OMB Circular A-16. The FGDC is the primary entity for developing, implementing, and reviewing the policies, practices, and standards relating to geospatial data according to the guidelines and requirements issued by OMB. This section states that the Secretary of the Department of the Interior (DOI) and Director of Office of Management and Budget (OMB) shall serve as Chairperson and Vice Chairperson of the committee, respectively, requires that the FGDC make available the annual summaries and evaluations of covered agency performance to the National Geospatial Advisory Committee (NGAC), and sets additional reporting requirements.

Section 754. National Geospatial Advisory Committee

This section codifies the National Geospatial Advisory Committee (NGAC) and includes language specifying that the NGAC would be administered in DOI. Similar to its current charge, the NGAC will continue providing advice and recommendations to the chairperson of the FGDC relating to the management of federal and national geospatial programs, the development of the National Spatial Data Infrastructure (NSDI), and other activities relating to the implementation of this subtitle. The NGAC is also required to review and comment on geospatial policy and management issues and ensure that the views of representatives of non-federal interested parties involved in national geospatial activities are conveyed to the FGDC.

Section 755. National Spatial Data Infrastructure

This section defines NSDI as “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).” This section establishes goals of the NSDI and mandates that FGDC prepare and maintain a strategic plan.

Section 756. NGDA Data Themes

This section requires the FGDC to designate for management by federal agencies NGDA data themes, which are primary topics and subjects such as elevation, federal land ownership, vegetation, or marine boundaries, for which the coordinated development, maintenance, and dissemination of geospatial data would benefit the federal government and people of the United States.

Section 757. Geospatial Data Standards

This section requires the FGDC to establish standards for each of the NGDA data themes, including rules, conditions, guidelines, and characteristics, and also establishes content standards for metadata. These standards are required to be consistent with international standards to the maximum extent practicable and be periodically reviewed and updated. At the request of DOD and the intelligence community, this section also contains an exclusion from public disclosure of any information that could reasonably be expected to cause damage to the national interest, security, or defense of the nation, including information relating to geospatial intelligence data activities, as determined in consultation with the Director of National Intelligence.

Section 758. GeoPlatform

This section directs the FGDC to operate an electronic service providing public access to geospatial data and metadata to be known as the GeoPlatform (many refer to this as the geospatial data “clearinghouse”). The GeoPlatform is required to be made available through the Internet, be accessible through a common interface, include metadata for all geospatial data collected, directly or indirectly, by covered agencies, and include a set of programming instructions and standards that would provide an automated means of accessing geospatial data. Additionally, this section prohibits the GeoPlatform from storing or serving proprietary information or data acquired under a license by the federal government, unless authorized by the data provider.

Section 759. Covered Agency Responsibilities

This section establishes the responsibilities and reporting requirements for each covered agency under this subtitle. This section requires the Inspector General of each covered agency (or the senior ethics official of a covered agency without an Inspector General), to submit to Congress an audit not less than once every two years of the collection, production, acquisition, maintenance, distribution, use, and preservation of geospatial data by the covered agency.

Section 759A. Limitation on Use of Federal Funds

This section prohibits the use of federal funds by a covered agency for the collection, production, acquisition, maintenance, or dissemination of geospatial data that does not comply with applicable standards established under Section 757, as determined by the FGDC. The prohibition under this section will be effective five years from the date on which standards for each NGDA theme are established by the FGDC.

Section 759B. Savings provision

This section establishes a savings provision for the subtitle and states that “Nothing in this subtitle shall repeal, amend, or supersede any existing law unless specifically provided in this subtitle.”

Section 759C. Private sector

This section authorizes the FGDC and each covered agency to rely upon and use the private sector in the U.S. for the provision of geospatial data and services, to the maximum extent practical.