Statement of Kevin T. Gallagher
Associate Director for Core Science Systems
U.S. Geological Survey
Department of the Interior
before the
House Natural Resources Committee
Subcommittee on Energy and Mineral Resources

H.R. 1604, the Map It Once, Use It Many Times Act of 2013
December 5, 2013

Thank you for inviting the Department of the Interior to provide its views on H.R. 1604, the Map It Once, Use It Many Times Act. The stated objectives of H.R. 1604 are to reduce duplication of Federally managed geospatial data and to take full advantage of the expertise of the private sector. The Department is actively pursuing these goals. The Administration opposes H.R. 1604 because it is inconsistent with and duplicates existing authorized activities and programs, includes definitions of geospatial information and activities that are overly broad, and is not adequately designed to achieve the stated goals of the bill.

The Department of the Interior (DOI) plays a leading role in the Federal collection, maintenance, and management of geospatial data. These activities are coordinated by the Federal Geospatial Data Committee (FGDC), which has its Secretariat housed at the USGS. The FGDC is co-chaired by leadership from DOI and the E-Government Office at the White House Office of Management and Budget and includes the participation of thirty-one agencies. The policy framework that guides these activities is found in OMB Circular A-16. For over two decades, the FGDC has worked to reduce duplication and increase the interoperability of Federally sourced geospatial data. The FGDC has established common geospatial data standards across the Federal Government, so that data collected by one agency can be used by another. The FGDC has also determined authoritative sources for a set of data themes, ensuring that one agency does not produce data already being produced by another. The new agency proposed in H.R. 1604, the National Geospatial Technology Administration (NGTA), would replace the existing objectives and efforts of the FGDC (FGDC's advisory board, the NGAC, would be replaced by the newly established National Geospatial Policy Commission under Title II). This, however, conflicts with the recommendations made by the Government Accountability Office (GAO) currently being implemented by the FGDC (discussed below).

H.R. 1604 would substantially alter the activities of the Federal Government related to the collection and management of geospatial data, which include the location, boundaries, and ownership of land in the United States. Title I would establish a new bureau in the Department: the NGTA. This provision would transfer to the Administrator of the NGTA all geospatial functions vested by law within DOI, the National Oceanic and Atmospheric Administration in the Department of Commerce, and the Department of Agriculture with respect to National Forest System lands. This new bureau would be directed to establish a comprehensive database that would include a large variety of geospatial data from both public and commercial sources. Title II would establish the National Geospatial Policy Commission (NGPC), a body of Federal and non-Federal stakeholders tasked with developing a plan for the management of the new

geospatial database and identifying activities performed by Federal agencies that should be converted to performance by private geospatial firms. It is important to note that the National Geospatial Advisory Commission is already in existence and is quite active in advising the Federal agencies on geospatial activities. Title III and Title IV concern the use of private contractors for the production of geospatial data and repeat direction that already exists in current Federal acquisition law. Title V would authorize a Federal geospatial research and development plan.

The nature of place-based information, or geospatial data, has evolved significantly in just the last few years. Information that was once available only in printed form is now available on almost every mobile communications device on the market, and while the data were once produced by a cadre of experts such as cartographers, photogrammetrists, and GIS specialists, today, some categories of geospatial data, such as building or street locations, are often produced by everyday users through crowd sourcing and Web-based applications. These changes are a byproduct of revolutionary advances in information technology, which are affecting nearly every aspect of our lives. In particular, when precise Global Positioning System data were made available for civilian use in 2000, the general availability of geospatial data and applications increased exponentially.

Modern mapping applications developed in the private sector often rely on geospatial data from Federal sources. For example, much of the imagery available on Web-based mapping applications, such as Google Maps and Esri's ArcGIS, is procured through the Department of Agriculture's National Agriculture Imagery Program. This imagery is used for agricultural monitoring by the USDA Farm Service Agency, but it is also made available to the public free of charge, allowing private firms to design value-added applications using the imagery. The same is true for other forms of geospatial data, such as boundaries for ZIP codes or National Parks, center lines for streams and rivers, or land cover datasets. Finished maps produced by private firms are often made using data from Government sources as the base.

H.R. 1604 states that its intention is to reduce duplication—yet what is sometimes perceived as duplication can, in fact, be data collected over the same geographic area but having different attributes to respond to significantly different end user needs and specifications. For example, the Department of Agriculture requires aerial imagery that is collected during the growing season, when there are leaves on the trees; other applications, such as the detailed mapping of hydrography, requires aerial imagery that is collected in the winter, when the leaves have fallen and do not obscure the view of stream networks.

We support a user-focused approach to the production and management of Federally sourced geospatial data. OMB Circular A-16 is aimed at promoting the coordinated use, sharing, and dissemination of geospatial data nationwide and follows such an approach. Currently, under this policy framework, the National Geospatial Advisory Committee (NGAC) advises the FGDC on effective standards-setting, the management of Federal and national geospatial data, the development of a uniform infrastructure for all geospatial data, and cooperation among Federal and non-Federal holders of geospatial data and users of geospatial data.

In 2011, the Government Accountability Office (GAO) conducted a review of the extent to which the federal government has established and effectively implemented policies and procedures for coordinating its geospatial investments and avoiding duplication. GAO recommended a number of improvements to the implementation of Circular A-16. Of the nine recommendations made by GAO to the FGDC and DOI, three have been completed. The remaining six are expected to be completed by 2014. (This is in addition to 11 recommendations made by GAO in 2004, all of which have been completed.)

Another example of the user-focused approach is the Geospatial Products and Services Contracts, administered by the USGS. These contracts, which are already used by Federal, State, Tribal, and local agencies, help agencies leverage their resources to collect geospatial data that meet multiple needs. There are also existing laws that further support collaboration on geospatial information, such as the Ocean and Coastal Mapping Integration Act (OCMIA, 33 USC 3501). OCMIA establishes a program for developing a coordinated and comprehensive federal ocean and coastal mapping plan that includes cooperative mapping efforts, collaborative technology development, standards and protocols, and archiving of the data for public use. Lastly, a very current example of user-focused procedures is the Alaska Mapping Initiative. Established in 2011, the initiative is developing updated topographic maps for Alaska. It includes multiple Federal and State of Alaska agencies and is overseen by a joint Federal-State committee. The initiative will provide data and finished maps that are expected to spur economic development and promote public safety.

Under these and other authorities, Federal agencies have coordinated many of their geospatial acquisitions. One example is elevation data collected by advanced sensor types such as Light Detection and Ranging (lidar) sensors. In 2010, five Federal agencies concluded a comprehensive study of the needs for and benefits of a nationwide lidar program. A component of the study was to complete an exhaustive inventory of all lidar data collected for the United States to date. The study concluded that less than 9 percent of the data was duplicated and virtually all data were justified by operational necessity. Recognizing these realities, the President's Fiscal Year 2014 Budget includes $9 million for a 3D Elevation Program (3DEP), which will take advantage of the impressive technological advances of lidar to meet communities' needs nationwide. 3DEP has been specifically designed to leverage funding from multiple Federal agencies as well as state and local governments.

With respect to the specifics of H.R. 1604, the bill states that the Administrator of the NGTA, a presidential appointee confirmed by the Senate, would report directly to the Secretary. The bill, however, also states that the NGTA would be created within the USGS, which is a non-regulatory science agency. Because the NGTA would include a number of regulatory functions, its establishment as a part of the USGS could conflict with its existing mission and potentially compromise the unbiased nature of USGS science. For this reason, we recommend clarifying the language. Further, H.R. 1604 directs the Administrator to represent the views and interests of private geospatial firms to the Federal Government if the policies or activities of a Federal agency affect private geospatial firms (Sec. 402(d)(2)), raising issues of ethics and conflict of interest.

Section 103 outlines a variety of data types that would be collected in the National Geospatial Database, which include boundaries and ownership information on Federal, Tribal Trust, and non-Federal lands. Some of these are problematic. For example, underground infrastructure is often privately owned, potentially implicating the interests of private property owners, or it may be sensitive for security reasons. Also, the terms "as-built drawings" and "service connection cards" are unclear. Furthermore, there are Department of Defense and Intelligence agency concerns that go beyond the nature of this statement.

Sec. 108 requires the head of every Federal agency—specifically including the Census Bureau—to provide to the Administrator all geospatial or address data held by the agency. Potential transfer of this data to private geospatial firms under this bill raises significant concerns about privacy and confidentiality, and the unauthorized disclosure of statistical information made confidential by Title 13 of the United States Code, among other issues.

We believe Title III is unnecessary. The President's 2010 National Space Policy directs the Government to "pursue potential opportunities for transferring routine, operational space functions to the commercial space sector." We believe the language of this title would restrict the Government's ability to select the acquisition approach that best meets end users' needs. Title IV could lead to conflicts of interest for the NGTA and the NGPC.

In conclusion, the Administration opposes H.R. 1604 because it would unnecessarily duplicate existing Government activities and structures that already enable efficient use of taxpayer dollars for the collection and maintenance of geospatial data. I will be pleased to respond to any questions you may have.

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Statement for the Record
U.S. Department of the Interior
before the
House Natural Resources Committee
Subcommittee on Energy and Mineral Resources
H.R. 916, Federal Land Asset Inventory Reform Act
December 5, 2013

Thank you for inviting the Department of the Interior to provide this statement for the record on H.R. 916, the Federal Land Asset Inventory Reform Act. The Department has serious concerns with H.R. 916, which would provide little new critical information about the lands the Federal government manages and would be prohibitively expensive to implement.

Background

According to the Congressional Research Service, the Federal government manages 635 to 640 million acres of the nearly 2.3 billion acres that constitute the United States. The largest land managers for the Federal government are the Departments of the Interior, Agriculture, Defense, and Energy. Within the Department of the Interior, the Bureau of Land Management administers approximately 245 million acres; the National Park Service manages approximately 80 million acres; the Fish and Wildlife Service manages approximately 150 million acres as part of the Refuge System; and the Bureau of Reclamation manages approximately 6.5 million acres associated with Bureau of Reclamation projects. The U.S. Forest Service, in the Department of Agriculture, manages approximately 193 million acres. Approximately 27.9 million acres in the United States are managed by the Department of Defense. Additionally, hundreds of thousands of buildings and structures are managed by a multitude of Federal agencies.

H.R. 916

H.R. 916 requires the Secretary of the Interior to undertake a multipurpose cadastre of all Federal real property, defined as real estate "consisting of land, buildings, crops, forests, or other resources." The bill defines cadastre as an inventory of the real property of the Federal government including information about the "use, value, assets and infrastructure of each parcel." The bill further requires the Secretary to determine which properties "can be better managed through ownership by a non-Federal entity."

The cost of this type of a detailed inventory of Federal real property called for in H.R. 916 would be prohibitive. A very rough estimate suggests that the cost could run in the many billions of dollars.

Some of the requirements in H.R. 916 are duplicative of other work and reports done by Federal agencies. One example is a comprehensive review of the Federal government's oil and gas resources which was required by the Energy Policy Conservation Act of 2000 (EPCA), Public Law 106-469. The final phase of the multi-agency EPCA report was completed in 2008.

H.R. 916 also requires that as part of the cadastre, a review be done to determine which lands could be better managed by a non-Federal entity. For the BLM, for instance, this would be a costly process that would duplicate work already being done by individual BLM field offices.

Many of the decisions about how best to manage the public lands entrusted to the BLM's management are made through 157 individual Resource Management Plans (RMPs) which are developed with full public participation at the local level. These RMPs provide the foundation for every on-the-ground action taken or authorized by the BLM, and include an inventory and assessment of a broad range of resource values and public land uses. Among the many decisions made through the RMP process is the identification of lands that are potentially available for disposal. Extensive public involvement in this process is critical. H.R. 916 appears to substitute the judgment of officials in Washington, D.C. for decisions made on the ground by local field managers, through an open and inclusive public process. The Department has serious concerns with H.R. 916 because of the likely costly and duplicative process of identifying lands for disposal established by this bill.

The Department of the Interior is aware of and appreciates the concerns expressed by some Members of Congress about the accuracy of data on lands owned by the Federal government and specifically in the Department of the Interior. It is worth noting that the Federal government is making important strides in improving the accuracy, efficiency and level of data available on the Federal real property portfolio. The Federal Real Property Council (FRPC) works across agencies to determine opportunities to spread real property best practices, achieve short and long-term cost savings, and realign real property inventories to agency mission and service delivery.

Beginning, in 2010, the BLM initiated a mineral and land records verification and validation program which is focused on delivering accurate land inventory data, while improving transparency and accountability. This system, once completed, will allow for more efficient and effective management of mineral and land records. Until it is completed, the public can access an updated national surface management data set through the BLM's GeoCommunicator web site.

Conclusion

The cost of the comprehensive inventory of Federal lands envisioned by H.R. 916 would be prohibitive. The Department of the Interior believes that the redirection of funds away from accomplishing important projects and the jobs they create in areas of energy development, resource protection, recreation, and conservation is not the best use of taxpayer dollars.