

FEDERAL LAND ASSET INVENTORY REFORM ACT OF 2014

DECEMBER 22, 2014.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HASTINGS of Washington, from the Committee on Natural Resources, submitted the following

R E P O R T

[To accompany H.R. 916]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 916) to improve Federal land management, resource conservation, environmental protection, and use of Federal real property, by requiring the Secretary of the Interior to develop a multipurpose cadastre of Federal real property and identifying inaccurate, duplicate, and out-of-date Federal land inventories, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Land Asset Inventory Reform Act of 2014”.

SEC. 2. CADASTRE OF FEDERAL LAND.

(a) **IN GENERAL.**—The Secretary shall develop and maintain a current and accurate a multipurpose cadastre of Federal real property to support Federal land management activities, including, but not limited to: resource development and conservation, agricultural use, active forest management, environmental protection, and use of real property.

(b) **COST-SHARING.**—The Secretary may enter into cost-sharing agreements with States to include any non-Federal lands in a State in the cadastre. The Federal share of any such cost agreement shall not exceed 50 percent of the total cost to a State for the development of the cadastre of non-Federal lands in the State.

(c) **CONSOLIDATION AND REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on—

(1) the existing real property inventories or any components of any cadastre currently authorized by law or conducted by the Department of the Interior, the

statutory authorization for such, and the amount expended by the Federal Government for each such activity in fiscal year 2012;

(2) the existing real property inventories or any components of any cadastre currently authorized by law or conducted by the Department of the Interior that will be eliminated or consolidated into the multipurpose cadastre authorized by this Act;

(3) the existing real property inventories or any components of a cadastre currently authorized by law or conducted by the Department of the Interior that will not be eliminated or consolidated into the multipurpose cadastre authorized by this Act, together with a justification for not terminating or consolidating such in the multipurpose cadastre authorized by this Act;

(4) the use of existing real property inventories or any components of any cadastre currently conducted by any unit of State or local government that can be used to identify Federal real property within such unit of government;

(5) the cost-savings that will be achieved by eliminating or consolidating duplicative or unneeded real property inventories or any components of a cadastre currently authorized by law or conducted by the Department of the Interior that will become part of the multipurpose cadastre authorized by this Act;

(6) in consultation with the Director of the Office of Management and Budget, the Administrator of the General Services Administration, and the Comptroller General of the United States, conduct the assessment required by paragraphs (1) through (5) of this subsection with regard to all cadastres and inventories authorized, operated or maintained by all other Executive agencies of the Federal Government; and

(7) recommendations for any legislation necessary to increase the cost-savings and enhance the effectiveness and efficiency of replacing, eliminating, or consolidating real property inventories or any components of a cadastre currently authorized by law or conducted by the Department of the Interior.

(d) COORDINATION.—

(1) IN GENERAL.—In carrying out this section, the Secretary shall—

(A) participate, pursuant to section 216 of Public Law 107–347, in the establishment of such standards and common protocols as are necessary to assure the interoperability of geospatial information pertaining to the cadastre for all users of such information;

(B) coordinate with, seek assistance and cooperation of, and provide liaison to the Federal Geographic Data Committee pursuant to Office of Management and Budget Circular A–16 and Executive Order 12906 for the implementation of and compliance with such standards as may be applicable to the cadastre;

(C) make the cadastre interoperable with the Federal Real Property Profile established pursuant to Executive Order 13327;

(D) integrate with and leverage to the maximum extent practicable current cadastre activities of units of State and local government; and

(E) use contracts with the private sector, to the maximum extent practicable, to provide such products and services as are necessary to develop the cadastre.

(2) CONTRACTS CONSIDERED SURVEYING AND MAPPING.—Contracts entered into under paragraph (1)(E) shall be considered “surveying and mapping” services as such term is used and as such contracts are awarded in accordance with the selection procedures in title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 1101 et seq.).

SEC. 3. DEFINITIONS.

As used in this Act, the following definitions apply:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) CADASTRE.—The term “cadastre” means an inventory of real property of the Federal Government developed through collecting, storing, retrieving, or disseminating graphical or digital data depicting natural or man-made physical features, phenomena, or boundaries of the earth and any information related thereto, including surveys, maps, charts, satellite and airborne remote sensing data, images, and services, with services performed by professionals such as surveyors, photogrammetrists, hydrographers, geodesists, cartographers, and other such services of an architectural or engineering nature including the following data layers:

(A) A reference frame consisting of a current geodetic network.

(B) A series of current, accurate large scale maps.

(C) An existing cadastral boundary overlay delineating all cadastral parcels.

(D) A system for indexing and identifying each cadastral parcel.

(E) A series of land data files, each including the parcel identifier, which can be used to retrieve information and cross reference between and among other data files, which contains information about the use, assets and infrastructure of each parcel, and shall also designate any parcels that the Secretary determines can be better managed through ownership by a non-Federal entity including but not limited to State government, local government, Tribal government, nonprofit organizations, or the private sector.

(3) **REAL PROPERTY.**—The term “real property” means real estate consisting of land, buildings, crops, forests, or other resources still attached to or within the land or improvements or fixtures permanently attached to the land or a structure on it, including any interest, benefit, right, or privilege in such property.

SEC. 4. TRANSPARENCY AND PUBLIC ACCESS.

The Secretary shall—

(1) make the cadastre publically available on the internet in a graphically geo-enabled and searchable format;

(2) ensure that the inventory referred to in section 2 includes the identification of all lands and parcels suitable for disposal by Resource Management Plans conducted for pursuant to the Federal Land Policy and Management Act of 1976 (FLPMA, 43 U.S.C. 1711 et. seq.); and

(3) in consultation with the Secretary of Defense and the Secretary of Homeland Security, prevent the disclosure of any parcel or parcels of land, and buildings or facilities thereon, or information related thereto, if such disclosure would impair or jeopardize the national security or homeland defense of the United States.

SEC. 5. RIGHT OF ACTION.

Nothing in this Act shall create any substantive or procedural right or benefit.

PURPOSE OF THE BILL

The purpose of H.R. 916 is to improve Federal land management, resource conservation, environmental protection, and use of Federal real property, by requiring the Secretary of the Interior to develop a multipurpose cadastre of Federal real property and identifying inaccurate, duplicate, and out-of-date Federal land inventories.

BACKGROUND AND NEED FOR LEGISLATION

Advances in mapping technology and demands for mapping products have created greater demand in the federal government for geospatial services. The federal government and policy makers increasingly use geospatial information and tools like geographic information systems (GIS) for producing floodplain maps, conducting the Census, mapping foreclosures, and responding to natural hazards such as wildfires and hurricanes. However, a lack of the coordination among agencies often fails to produce the best information for the best price. Frequently, multiple federal agencies will request separate maps of the same area at the same time for their own purposes. This wastes federal resources and taxpayer dollars.

A 2009 Congressional Research Service report titled, *“Geospatial Information and Geographic Information Systems (GIS): Current Issues and Future Challenges”* examined some of the problems facing the federal government when dealing with geospatial programs. According to the report, as much as 80% to 90% of government information has a geospatial component. As technology advances, the cost of coordinating and obtaining this information is increasingly becoming a significant concern. Additionally, with local, state, and the federal government all now using the same geospatial information for various purposes, coordination among the varying levels of government is a logical, yet challenging process.

In 2004, President Bush signed Executive Order 13327 placing the General Services Administration (GSA) in charge of managing

a centralized inventory system for all Federal real property. However, not only did the Executive Order exclude public lands from the inventory, but it also lacked a GIS or geo-reference component. In 2005, the Government Accountability Office (GAO) continued to report that GSA's inventory management was "unreliable and of limited usefulness" (GAO-05-848T).

In March 2005, then-Secretary of the Interior, Gale Norton, testified before the House Interior Appropriations Subcommittee that:

The Department currently uses 26 different financial management systems and over 100 different property systems. Employees must enter procurement transactions multiple times in different systems so that the data are captured in real property inventories, financial systems, and acquisition systems. This fractured approach is both costly and burdensome to manage.

Testimony of Gail Norton, Secretary of The Interior, before the House Appropriations Subcommittee of The Interior, Environment, and Related Agencies, p.25, March 2, 2005.

In a May 2012 report, the GAO concluded that while the federal government manages approximately 650 million acres, federal land management agencies cannot exactly guarantee where the boundaries are or what lands are in what status (such as Wilderness, National Park, or multiple use). In 2012, the Department of the Interior estimated that the federal government invests billions of dollars on geospatial data annually and that duplication is common. A November 2012 GAO study concluded that while the President and the Office of Management and Budget have established policies and procedures for coordinating investments in geospatial data, government-wide committees and federal departments and agencies have not effectively implemented them. To improve coordination and reduce duplication, GAO recommended that a national strategy for coordinating geospatial investments be developed, federal agencies should follow federal guidance for managing geospatial investments, and the Office of Management and Budget should develop a mechanism to identify and report on geospatial investments.

COMMITTEE ACTION

H.R. 916 was introduced on February 28, 2013, by Congressman Ron Kind (D-WI). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittees on Public Lands and Environmental Regulation and Energy and Mineral Resources. On December 5, 2013, the Subcommittee on Energy and Mineral Resources held a hearing on the bill. On July 16, 2014, the Full Natural Resources Committee met to consider the bill. The Subcommittees on Public Lands and Environmental Regulation and Energy and Mineral Resources were discharged by unanimous consent. Congressman Doug Lamborn (R-CO) offered an amendment in the nature of a substitute designated .082 to the bill; the amendment was adopted by unanimous consent. No further amendments were offered, and the bill, as amended, was then adopted and ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII

1. **Cost of Legislation.** Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(2)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 916—Federal Land Asset Inventory Reform Act of 2014

Summary: H.R. 916 would require the Department of the Interior (DOI) to develop and maintain a multipurpose inventory of all federal lands in the United States. Based on information provided by DOI and assuming appropriation of the necessary amounts, CBO estimates that implementing the legislation would cost about \$1.4 billion over the 2015–2019 period. Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 916 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). Any costs to state governments, including matching contributions, would result from participation in a voluntary federal program.

Estimated cost to the Federal Government: The estimated budgetary effect of H.R. 916 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—					
	2015	2016	2017	2018	2019	2015–2019
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Estimated Authorization Level	300	300	300	300	300	1,500
Estimated Outlays	75	300	350	350	350	1,425

Basis of estimate: For this estimate, CBO assumes that the legislation will be enacted in 2014 and that the necessary amounts will be appropriated for each fiscal year. Estimated outlays are based on historical spending patterns for similar activities.

H.R. 916 would require DOI to develop a comprehensive and current inventory of all federal lands in the United States. Based on information provided by the agency, CBO estimates that the federal government owns about 640 million acres of land, more than one-quarter of the nation's total land area. Based on information provided by the agency and assuming appropriation of the nec-

essary amounts, CBO estimates that implementing the legislation would cost about \$1.4 billion over the 2015–2019 period primarily for contract employees to consolidate existing information and obtain additional information where existing data are insufficient on federal land holdings. Those costs would include:

- \$90 million to create a computer system to combine spatial and quantitative data that can be used to generate customized maps and datasets for about 16 million parcels of federal land;
- \$605 million to catalogue the resources on each parcel and how those lands and resources are being used;
- \$605 million to evaluate the potential for developing mineral resources on each parcel; and
- \$125 million to create an inventory of the cultural and archaeological resources existing on each parcel to help determine which, if any, parcels would be better managed by non-federal entities.

CBO also expects that additional funds would be required after 2019 to continue evaluating whether certain parcels of federal land would be better managed by nonfederal entities. Such evaluations would require the agency to appraise and assess the cultural and archaeological resources existing on parcels targeted for disposal. The amount of those additional costs would depend on the number of parcels the agency determines would be candidates for disposal pending the outcome of the cultural and archaeological resource inventory for each parcel.

Pay-As-You-Go considerations: None.

Intergovernmental and private-sector impact: H.R. 916 contains no intergovernmental or private-sector mandates as defined in UMRA, and any costs to state governments, including matching contributions, would result from participation in a voluntary federal program.

Estimate prepared by: Federal Costs: Jeff LaFave; Impact on State, Local, and Tribal Governments: Jon Sperl; Impact on the Private Sector: Amy Petz.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures. Based on information provided by the Department of the Interior and assuming appropriation of the necessary amounts, CBO estimates that implementing the legislation would cost about \$1.4 billion over the 2015–2019 period.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to improve Federal land management, resource conservation, environmental protection, and use of Federal real property, by requiring the Secretary of the Interior to develop a multi-purpose cadastre of Federal real property and identifying inaccurate, duplicate, and out-of-date Federal land inventories.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

