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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To require the Secretary of the Interior to develop and maintain a cadastre
of Federal real property.

IN THE HOUSE OF REPRESENTATIVES

Mr. KIND introduced the following bill; which was referred to the Committee
on _____

A BILL

To require the Secretary of the Interior to develop and
maintain a cadastre of Federal real property.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Land Asset
5 Inventory Reform Act of 2021”.

6 **SEC. 2. CADASTRE OF FEDERAL REAL PROPERTY.**

7 (a) DEFINITIONS.—In this section:

8 (1) CADASTRE.—

1 (A) IN GENERAL.—The term “cadastre”
2 means an inventory of real property developed
3 through collecting, storing, retrieving, or dis-
4 seminating graphical or digital data depicting
5 natural or man-made physical features, phe-
6 nomena, or boundaries of the earth, and any in-
7 formation related to the data, including—

- 8 (i) surveys;
9 (ii) maps;
10 (iii) charts;
11 (iv) satellite and airborne remote
12 sensing data;
13 (v) images; and
14 (vi) services of an architectural or en-
15 gineering nature performed by 1 or more
16 professionals, as authorized to perform the
17 services under State law, if applicable,
18 such as—

- 19 (I) a surveyor;
20 (II) a photogrammetrist;
21 (III) a hydrographer;
22 (IV) a geodesist; or
23 (V) a cartographer.

24 (B) INCLUSIONS.—The term “cadastre”
25 includes—

1 (i) a reference frame consisting of a
2 current geodetic network that is consistent
3 with, and not duplicative of, the National
4 Geodetic Survey of the National Oceanic and
5 Atmospheric Administration;

6 (ii) a series of current and accurate
7 large-scale maps;

8 (iii) an existing cadastral boundary
9 overlay delineating all cadastral parcels;

10 (iv) a system for indexing and identi-
11 fying each cadastral parcel; and

12 (v) a series of land data files, each in-
13 cluding the parcel identifier, which can be
14 used to retrieve information and cross-ref-
15 erence between and among other existing
16 data files that may contain information
17 about the use, assets, and infrastructure of
18 each parcel.

19 (2) DEPARTMENT.—The term “Department”
20 means the Department of the Interior.

21 (3) FEDERAL REAL PROPERTY.—The term
22 “Federal real property”—

23 (A) means any real property owned, leased,
24 or otherwise managed by the Federal Govern-
25 ment; but

1 (B) does not include real property held in
2 trust by the Federal Government for the benefit
3 of one or more Indian Tribes or individual Indi-
4 ans or restricted lands owned by an Indian
5 Tribe or individual Indians.

6 (4) LANDHOLDING AGENCY.—The term “land-
7 holding agency” means a Federal department or
8 agency with statutory authority to control real prop-
9 erty.

10 (5) REAL PROPERTY.—The term “real prop-
11 erty” means real estate consisting of—

12 (A) land;

13 (B) buildings, crops, forests, or other re-
14 sources still attached to or within the land;

15 (C) improvements or fixtures permanently
16 attached to the land;

17 (D) any structure on the land; or

18 (E) any interest, benefit, right, or privilege
19 in the property described in subparagraphs (A)
20 through (D).

21 (6) SECRETARY.—The term “Secretary” means
22 the Secretary of the Interior.

23 (b) CADASTRE OF FEDERAL REAL PROPERTY.—

24 (1) INTERAGENCY DATA STANDARDIZATION.—

25 Not later than 18 months after the date of enact-

1 ment of this Act, the Secretary, in consultation with
2 the heads of landholding agencies, shall jointly de-
3 velop and adopt interagency standards to ensure
4 compatibility and interoperability among applicable
5 Federal databases with respect to the collection and
6 dissemination of data relating to Federal real prop-
7 erty.

8 (2) DEVELOPMENT OF CADASTRE.—Not later
9 than 2 years after the date of enactment of this Act,
10 the Secretary, in consultation with the heads of
11 landholding agencies, shall develop (and thereafter
12 maintain) a current and accurate multipurpose ca-
13 dastre of Federal real property and any real prop-
14 erty included under paragraph (3)(A) to support
15 Federal land management activities on Federal real
16 property, including—

17 (A) resource development and conserva-
18 tion;

19 (B) agricultural use;

20 (C) active forest management;

21 (D) environmental protection; and

22 (E) other use of the real property.

23 (3) COST-SHARING.—

24 (A) IN GENERAL.—The Secretary may
25 enter into cost-sharing agreements with States

1 to include any non-Federal land in a State in
2 the cadastre under paragraph (2).

3 (B) COST SHARE.—The Federal share of
4 any cost-sharing agreement described in sub-
5 paragraph (A) shall not exceed 50 percent of
6 the total cost to a State for the development of
7 the cadastre of non-Federal land in the State.

8 (4) CONSOLIDATION AND REPORT.—Not later
9 than 180 days after the date of enactment of this
10 Act, the Secretary shall submit to the Committee on
11 Energy and Natural Resources of the Senate and
12 the Committee on Natural Resources of the House
13 of Representatives a report describing—

14 (A) the existing real property inventories
15 or any components of any cadastre of Federal
16 real property currently authorized by law or
17 maintained by the Department, including—

18 (i) the statutory authorization for
19 each existing real property inventory or
20 component of a cadastre; and

21 (ii) the amount expended by the Fed-
22 eral Government for each existing real
23 property inventory or component of a ca-
24 dastre in fiscal year 2020;

1 (B) the existing real property inventories
2 or any components of any cadastre of Federal
3 real property currently authorized by law or
4 maintained by the Department that will be
5 eliminated or consolidated into the multipurpose
6 cadastre under paragraph (2);

7 (C)(i) the existing real property inventories
8 or any components of any cadastre of Federal
9 real property currently authorized by law or
10 maintained by the Department that will not be
11 eliminated or consolidated into the multipurpose
12 cadastre under paragraph (2); and

13 (ii) a justification for not eliminating or
14 consolidating an existing real property inven-
15 tory or component of a cadastre described in
16 clause (i) into the multipurpose cadastre under
17 paragraph (2);

18 (D) the use of existing real property inven-
19 tories or any components of any cadastre cur-
20 rently maintained by any unit of State or local
21 government that can be used to identify Federal
22 real property within that unit of government;

23 (E) the cost savings that will be achieved
24 by eliminating or consolidating duplicative or
25 unneeded real property inventories or any com-

1 ponents of any cadastre of Federal real prop-
2 erty currently authorized by law or maintained
3 by the Department that will become part of the
4 multipurpose cadastre under paragraph (2);

5 (F) a plan for the implementation of this
6 section, including a cost estimate and an assess-
7 ment of the feasibility of using revenue from
8 any transactional activity authorized by law to
9 offset any costs of implementing this section;

10 (G) an assessment described in subpara-
11 graphs (A) through (E) with regard to each ca-
12 dastre and inventory of Federal real property
13 authorized, operated, or maintained by each
14 other Federal agency, which shall be conducted
15 in consultation with the Director of the Office
16 of Management and Budget, the Administrator
17 of the General Services Administration, and the
18 Comptroller General of the United States; and

19 (H) recommendations for any legislation
20 necessary to increase the cost savings and en-
21 hance the effectiveness and efficiency of replac-
22 ing, eliminating, or consolidating Federal real
23 property inventories or any components of any
24 cadastre of Federal real property currently au-

1 thorized by law or maintained by the Depart-
2 ment.

3 (5) COORDINATION.—

4 (A) IN GENERAL.—In carrying out this
5 section, the Secretary shall—

6 (i) participate (in accordance with sec-
7 tion 216 of the E-Government Act of 2002
8 (44 U.S.C. 3501 note; Public Law 107–
9 347) and section 757 of the Geospatial
10 Data Act of 2018 (43 U.S.C. 2806)) in the
11 establishment of such standards and com-
12 mon protocols as are necessary to ensure
13 the interoperability of geospatial informa-
14 tion pertaining to the cadastre under para-
15 graph (2) for all users of the information;

16 (ii) coordinate with, seek assistance
17 and cooperation of, and provide liaison to
18 the Federal Geographic Data Committee
19 established by section 753(a) of the
20 Geospatial Data Act of 2018 (43 U.S.C.
21 2802(a)) for the implementation of and
22 compliance with such standards and re-
23 quirements of that Act as may be applica-
24 ble to—

1 (I) the cadastre under paragraph
2 (2); and

3 (II) any aspect of the develop-
4 ment of the cadastre under paragraph
5 (2);

6 (iii) integrate, or make the cadastre
7 interoperable with, the Federal Real Prop-
8 erty Profile or other inventories established
9 pursuant to Executive Order 13327 (40
10 U.S.C. 121 note; relating to Federal real
11 property asset management), the Federal
12 Assets Sale and Transfer Act of 2016 (40
13 U.S.C. 1303 note; Public Law 114–287),
14 or the Federal Property Management Re-
15 form Act of 2016 (Public Law 114–318;
16 130 Stat. 1608); and

17 (iv) to the maximum extent prac-
18 ticable, integrate with and leverage current
19 cadastre activities of units of State and
20 local government.

21 (B) CONTRACTS CONSIDERED SURVEYING
22 AND MAPPING.—

23 (i) IN GENERAL.—A contract between
24 the Secretary and a member of the private
25 sector to provide products and services for

1 the development of the cadastre shall be
2 considered to be a contract for services of
3 surveying and mapping (within the mean-
4 ing of chapter 11 of title 40, United States
5 Code).

6 (ii) SELECTION PROCEDURES.—A
7 contract described in clause (i) shall be en-
8 tered into in accordance with the selection
9 procedures in chapter 11 of title 40,
10 United States Code.

11 (c) TRANSPARENCY AND PUBLIC ACCESS.—The Sec-
12 retary shall—

13 (1) in accordance with any requirements appli-
14 cable to the Department under section 759 of the
15 Geospatial Data Act of 2018 (43 U.S.C. 2808),
16 make the cadastre under subsection (b)(2) publicly
17 available on the internet—

18 (A) in a graphically geo-enabled and
19 searchable format; and

20 (B) in a manner that is consistent with,
21 and meets any requirements for integration
22 with, the GeoPlatform established under section
23 758(a) of that Act (43 U.S.C. 2807(a));

24 (2) ensure that the inventory referred to in sub-
25 section (b) includes the identification of all land suit-

1 able for disposal in accordance with the Federal
2 Land Policy and Management Act of 1976 (43
3 U.S.C. 1701 et seq.); and

4 (3) in consultation with the Secretary of De-
5 fense and the Secretary of Homeland Security, pre-
6 vent the disclosure of any parcel or parcels of land,
7 any buildings or facilities on the land, or any infor-
8 mation related to the land, buildings, or facilities if
9 that disclosure would impair or jeopardize the na-
10 tional security or homeland defense of the United
11 States.

12 (d) **APPLICABLE LAW.**—Any data that is part of the
13 cadastre developed under subsection (b)(2) shall be—

14 (1) considered to be geospatial data for pur-
15 poses of the Geospatial Data Act of 2018 (43 U.S.C.
16 2801 et seq.); and

17 (2) subject to the requirements of that Act.

18 (e) **EFFECT.**—Nothing in this section—

19 (1) creates any substantive or procedural right
20 or benefit; or

21 (2) requires or authorizes—

22 (A) any new surveying or mapping of Fed-
23 eral real property;

- 1 (B) the evaluation of any parcel of land or
2 other real property for potential management
3 by a non-Federal entity;
- 4 (C) the disposal of any Federal real prop-
5 erty; or
- 6 (D) any new appraisal or assessment of—
- 7 (i) the value of any parcel of Federal
8 land or other real property; or
- 9 (ii) the cultural and archaeological re-
10 sources on any parcel of Federal land or
11 other real property.