

Testimony of John M. Palatiello
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Before the
Subcommittee on Energy and Mineral Resources
of the
Committee on Natural Resources
U.S. House of Representatives
Hearing on
“Federal Geospatial Data Management”
July 23, 2009

Mr. Chairman, members of the subcommittee, I'm John Palatiello, Executive Director of the Management Association for Private Photogrammetric Surveyors (MAPPS) the nation's only national association exclusively comprised of private sector firms in the mapping, spatial data and geographic information systems field. The more than 170 member firms of MAPPS are engaged in mapping, photogrammetry, satellite and airborne remote sensing, aerial photography, hydrography, aerial and satellite image processing, GPS and GIS data collection, integration and conversion services.

We appreciate this opportunity to testify today on the Federal government's geospatial information activities and areas where improvement is needed in order for the citizens of our Nation to receive the full benefit that geospatial technologies has to offer.

Executive Order 12906, issued by President Clinton and reaffirmed by President Bush established seven framework layers of geospatial data for Federal investment -- geodetic control, parcels (cadastral), orthoimagery, elevation, hydrography, administrative units, and transportation -- and constituting the National Spatial Data Infrastructure (NSDI). Sadly, now fifteen years later, not only is the NSDI not complete, but there is no record of how much progress has been made on any of the framework layers.

One of the shortcomings of the government's current geospatial management is the limited structure and participation in the Federal Geographic Data Committee (FGDC). Neither state and local government, nor the private sector, has a seat at the table. Broader participation by private sector interests in setting policy and strategy for FGDC will result in a stronger offering that better represents the interests of the American public and American business, and will engage all stakeholders.

Under the current structure, for Federal agencies the FGDC is essentially voluntary and secondary. Agencies are focused on their own missions, not a broader national strategy. Coordination, data sharing, interoperability and duplication-avoidance are secondary to meeting the agency's own program needs. They are after-thoughts or low priority items. For all agency employees, other than the very small staffs at FGDC, these goals are no one's full time responsibilities. There is neither a carrot nor a stick to incentivize or mandate conformance. A change in the charter and implementation of FGDC in particular must provide either incentives or penalties to assure compliance.

Delegating responsibility for implementation of these coordinating mechanisms to entities within the Department of the Interior is not the most effective model. The widespread perception is that these are Interior or USGS activities, not OMB activities affecting all Federal agencies. We believe a stronger OMB role must be established to make coordination, inter-operability, duplication-avoidance and data-sharing a reality.

Prior to the promulgation of the first version of OMB Circular A-16 in 1953, the old Bureau of the Budget had a much stronger role in coordinating Federal geographic information activities. Executive Order 3206, issued on December 30, 1919, established the Board of Surveys and Maps of the Federal Government to coordinate and promote improved surveying and mapping activities by Federal agencies. It was a Bureau of the Budget entity. Its name was changed to the Federal Board of Surveys and Maps by Executive Order 7262 on January 4, 1936. Under that authority, in 1941, the Bureau of the Budget issued the "United States National Map Accuracy Standards," which applied to all Federal agencies that produce maps. The standards were revised several times, and the current version was issued in 1947. They are still used today. The Board was abolished by Executive Order 9094, on March 10, 1942 and functions were transferred to the Bureau of the Budget. An office in the Bureau of the Budget

coordinated Federal geographic information activities. Those responsibilities were devolved to voluntary coordination activities of the agencies when Circular A-16 was issued in 1953. We believe the reestablishment of an OMB office should be considered by Congress or by OMB itself.

Bold, decisive action is needed to eliminate the extraordinary waste, duplication and inefficiency in the Federal government's geospatial activities, the lack of a strong partnership in Federal agencies' relationship with State and local government, and the insidious extent to which there continues to be unfair government competition with the private sector.

Efforts by the Bush Administration to revise OMB Circular A-16, create Geospatial One-Stop, launch the Geospatial Lines of Business (GLOB), and establish the National Geospatial Advisory Committee (NGAC), as well as the Clinton Administration's restructuring of the Federal Geographic Data Committee (FGDC) and creation of the National Spatial Data Infrastructure (NSDI), and the enforcement of OMB Circular A-16 all have one thing in common: they attempted to treat the symptoms, rather than the disease.

There are dozens of Federal agencies engaged in geospatial activities. Neither the agencies, nor OMB, have a comprehensive understanding of what agencies are involved in geospatial activities. No one in the Federal government has a current, accurate accounting of the annual geospatial expenditures. It is virtually impossible to determine how many Federal employees are involved in these activities. There is no balance sheet, performed to accepted cost accounting standards, of the capital investment made in equipment and plant (office space, etc.). There is no accurate data base on the amount of geospatial work performed in-house and by contract. GLOB attempted to gather this data. However, due to a poor structure and internal systems within the agencies and the Federal government generally, GLOB failed. In fact, none of the historic budget data gathered from the agencies through numerous annual data calls have ever been released to the public. In fact, the annual data call process has been terminated, due to the paucity of data OMB received from the agencies. While the NGAC has recommended that the data calls be resumed, and that the data be released, those recommendations have not been implemented.

The relationship of each agency with other Federal agencies and with State, local and foreign government agencies, needs improvement. There is considerable duplication and redundancy, little sharing of data, and development of standards for "interoperability" of data has been far too slow. The obstacles are not technical; they are political and organizational. There are some bright, dedicated professionals working in geospatial positions in Federal agencies who are trapped in an unworkable structure.

There are far too many Federal agencies operating geospatial production capabilities that are expensive, inefficient, and which duplicate and compete with the private sector. There is in the geospatial structure, no uniform application of the federal policy that the government will not compete with the private sector. There is no accurate record of the extent to which the Federal government utilizes (or duplicates or competes with) the private sector (including the dollar amount and percentage contracted to the private sector and whether that has increased in the recent past and can increase in the future). Although mapping-related activities are considered "commercial" in nature, agency compliance with the FAIR Act, Office of Management Budget Circular A-76 and Executive Order 12615 has been minimal. The relevant provisions of the Economy Act and the Intergovernmental Cooperation Act, intended to prevent unfair government competition with the private sector, are routinely ignored. There is no cross reference to these policies in NSDI, A-16, FGDC, GLOB or Executive Order 12906.

Federal agencies provide grants or other Federal financial assistance to non-Federal entities (including but not limited to State, local and foreign government) to perform surveying and mapping activities. Many of these activities could be performed by the private sector. Moreover, Federal agencies provide grants and other Federal financial assistance to universities to perform surveying and mapping activities or research. In fact, these activities could be performed by the private sector and the "research" is on activities already commercially available. Much of this expenditure is outside the FGDC and A-16 structure.

With the advent of new airborne and space-based remote sensing and imaging technologies, there are new business models under which government agencies can now buy licenses to commercial off the shelf maps and images, rather than the government owning data. However, civilian Federal agencies are very slow to embrace this concept. We were encouraged by developments, including the "Tenet memo" and the White House Policy on Commercial Remote Sensing, and we were hopeful they could help stimulate new thinking and new ways of doing business in

the government, as well as a new paradigm for government utilization of the private sector. However, despite the remote sensing policy language on utilization of the private sector, government duplication of and competition with the private sector persists. We are disappointed that no Federal agency has been assigned the role of enforcing that provision in the policy.

Given the failure of the NSDI to become a reality, numerous new initiatives have been launched to complete some of the framework. These include National Land Parcel Data, Imagery for the Nation, National Lidar Initiative and Elevation for the Nation, Transportation for the Nation, and others. While these are all worthy programs, their proliferation indicates the failure of the NSDI. A strategy must be developed to either fund and complete the NSDI as a holistic approach or to fully implement these individual initiatives.

There is also a need for Congress to comprehensively address the confusion in some agencies on the application of the qualifications based selection (QBS) process codified in the "Brooks Act" (40 USC 1101) to geospatial services. The current Federal Acquisition Regulation (48 CFR 36.601-4) does not accurately reflect the deep legislative history or the intent of Congress. MAPPS brought an action to Federal Court (MAPPS v. United States 1:06cv378) to address this important matter, but we were denied standing. We urge Congress to provide unequivocal clarification of the need for demonstrated competence and qualifications in the acquisition of geospatial services in data acquisition, production and related activities.

Mr. Chairman, the issue is not just that we built solid, impenetrable stovepipes in Executive Branch agencies, but I must say the problem begins here in Congress. There are more than 30 subcommittees and full committees of the Congress that have some oversight or legislative jurisdiction over geospatial activities. If we are to implement a better process for carrying out geospatial activities in the Executive Branch, then we must also implement a better committee structure for the authorization and appropriations of geospatial programs by the Legislative Branch.

Mr. Chairman, numerous studies have been conducted which detail the lack of coordination of Federal mapping and geospatial activities, and the government's duplication of and competition with the private sector. These studies date back to the 1930s. The time for action is long overdue. We hope this hearing will help stimulate that action. We commend you for your interest and leadership and we stand ready to work with Congress and the Executive Branch to better serve the geospatial needs of the American people in economic development, resource management, environmental protection, infrastructure, construction and maintenance, homeland security and a variety of other national needs and applications.