

117TH CONGRESS
1ST SESSION

H. R. 5522

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

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 2021

Mr. KIND (for himself and Mr. WESTERMAN) introduced the following bill; which was referred to the Committee on Natural Resources

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.—

9 (A) IN GENERAL.—The term “cadastre”
10 means an inventory of real property developed

1 through collecting, storing, retrieving, or dis-
2 seminating graphical or digital data depicting
3 natural or man-made physical features, phe-
4 nomena, or boundaries of the earth, and any in-
5 formation related to the data, including—

6 (i) surveys;

7 (ii) maps;

8 (iii) charts;

9 (iv) satellite and airborne remote
10 sensing data;

11 (v) images; and

12 (vi) services of an architectural or en-
13 gineering nature performed by 1 or more
14 professionals, as authorized to perform the
15 services under State law, if applicable,
16 such as—

17 (I) a surveyor;

18 (II) a photogrammetrist;

19 (III) a hydrographer;

20 (IV) a geodesist; or

21 (V) a cartographer.

22 (B) INCLUSIONS.—The term “cadastre”
23 includes—

24 (i) a reference frame consisting of a
25 current geodetic network that is consistent

1 with, and not duplicative of, the National
2 Geodetic Survey of the National Oceanic and
3 Atmospheric Administration;

4 (ii) a series of current and accurate
5 large-scale maps;

6 (iii) an existing cadastral boundary
7 overlay delineating all cadastral parcels;

8 (iv) a system for indexing and identi-
9 fying each cadastral parcel; and

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

17 (2) DEPARTMENT.—The term “Department”
18 means the Department of the Interior.

19 (3) FEDERAL REAL PROPERTY.—The term
20 “Federal real property”—

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

24 (B) does not include real property held in
25 trust by the Federal Government for the benefit

1 of one or more Indian Tribes or individual Indi-
2 ans or restricted lands owned by an Indian
3 Tribe or individual Indians.

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

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

10 (A) land;

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

13 (C) improvements or fixtures permanently
14 attached to the land;

15 (D) any structure on the land; or

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

19 (6) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior.

21 (b) CADASTRE OF FEDERAL REAL PROPERTY.—

22 (1) INTERAGENCY DATA STANDARDIZATION.—
23 Not later than 18 months after the date of enact-
24 ment of this Act, the Secretary, in consultation with
25 the heads of landholding agencies, shall jointly de-

1 velop and adopt interagency standards to ensure
2 compatibility and interoperability among applicable
3 Federal databases with respect to the collection and
4 dissemination of data relating to Federal real prop-
5 erty.

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

- 15 (A) resource development and conserva-
16 tion;
17 (B) agricultural use;
18 (C) active forest management;
19 (D) environmental protection; and
20 (E) other use of the real property.

21 (3) COST-SHARING.—

22 (A) IN GENERAL.—The Secretary may
23 enter into cost-sharing agreements with States
24 to include any non-Federal land in a State in
25 the cadastre under paragraph (2).

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

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

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

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

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

23 (B) the existing real property inventories
24 or any components of any cadastre of Federal
25 real property currently authorized by law or

1 maintained by the Department that will be
2 eliminated or consolidated into the multipurpose
3 cadastre under paragraph (2);

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

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

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

20 (E) the cost savings that will be achieved
21 by eliminating or consolidating duplicative or
22 unneeded real property inventories or any com-
23 ponents of any cadastre of Federal real prop-
24 erty currently authorized by law or maintained

1 by the Department that will become part of the
2 multipurpose cadastre under paragraph (2);

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

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

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

25 (5) COORDINATION.—

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

3 (i) participate (in accordance with sec-
4 tion 216 of the E-Government Act of 2002
5 (44 U.S.C. 3501 note; Public Law 107–
6 347) and section 757 of the Geospatial
7 Data Act of 2018 (43 U.S.C. 2806)) in the
8 establishment of such standards and com-
9 mon protocols as are necessary to ensure
10 the interoperability of geospatial informa-
11 tion pertaining to the cadastre under para-
12 graph (2) for all users of the information;

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

22 (I) the cadastre under paragraph
23 (2); and

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

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

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

19 (B) CONTRACTS CONSIDERED SURVEYING
20 AND MAPPING.—

21 (i) IN GENERAL.—A contract between
22 the Secretary and a member of the private
23 sector to provide products and services for
24 the development of the cadastre shall be
25 considered to be a contract for services of

1 surveying and mapping (within the mean-
2 ing of chapter 11 of title 40, United States
3 Code).

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

9 (c) TRANSPARENCY AND PUBLIC ACCESS.—The Sec-
10 retary shall—

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

16 (A) in a graphically geo-enabled and
17 searchable format; and

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

22 (2) ensure that the inventory referred to in sub-
23 section (b) includes the identification of all land suit-
24 able for disposal in accordance with the Federal

1 Land Policy and Management Act of 1976 (43
2 U.S.C. 1701 et seq.); and

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

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

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

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

17 (e) EFFECT.—Nothing in this section—

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

20 (2) requires or authorizes—

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

23 (B) the evaluation of any parcel of land or
24 other real property for potential management
25 by a non-Federal entity;

1 (C) the disposal of any Federal real prop-
2 erty; or

3 (D) any new appraisal or assessment of—

4 (i) the value of any parcel of Federal
5 land or other real property; or

6 (ii) the cultural and archaeological re-
7 sources on any parcel of Federal land or
8 other real property.

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