

117TH CONGRESS  
1ST SESSION

# S. 2433

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

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## IN THE SENATE OF THE UNITED STATES

JULY 22, 2021

Mr. CRAMER (for himself and Mr. HEINRICH) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## 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” means any real property  
21 owned, leased, or otherwise managed by the Federal  
22 Government.

23 (4) LANDHOLDING AGENCY.—The term “land-  
24 holding agency” means a Federal department or

1 agency with statutory authority to control real prop-  
2 erty.

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

5 (A) land;

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

8 (C) improvements or fixtures permanently  
9 attached to the land;

10 (D) any structure on the land; or

11 (E) any interest, benefit, right, or privilege  
12 in the property described in subparagraphs (A)  
13 through (D).

14 (6) SECRETARY.—The term “Secretary” means  
15 the Secretary of the Interior.

16 (b) CADASTRE OF FEDERAL REAL PROPERTY.—

17 (1) INTERAGENCY DATA STANDARDIZATION.—

18 Not later than 18 months after the date of enact-  
19 ment of this Act, the Secretary, in consultation with  
20 the heads of landholding agencies, shall jointly de-  
21 velop and adopt interagency standards to ensure  
22 compatibility and interoperability among applicable  
23 Federal databases with respect to the collection and  
24 dissemination of data relating to Federal real prop-  
25 erty.

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

10           (A) resource development and conserva-  
11 tion;

12           (B) agricultural use;

13           (C) active forest management;

14           (D) environmental protection; and

15           (E) other use of the real property.

16           (3) COST-SHARING.—

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

21           (B) COST SHARE.—The Federal share of  
22 any cost-sharing agreement described in sub-  
23 paragraph (A) shall not exceed 50 percent of  
24 the total cost to a State for the development of  
25 the cadastre of non-Federal land in the State.

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

7           (A) 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, including—

11           (i) the statutory authorization for  
12 each existing real property inventory or  
13 component of a cadastre; and

14           (ii) the amount expended by the Fed-  
15 eral Government for each existing real  
16 property inventory or component of a ca-  
17 dastre in fiscal year 2020;

18           (B) the existing real property inventories  
19 or any components of any cadastre of Federal  
20 real property currently authorized by law or  
21 maintained by the Department that will be  
22 eliminated or consolidated into the multipurpose  
23 cadastre under paragraph (2);

24           (C)(i) the existing real property inventories  
25 or any components of any cadastre of Federal

1 real property currently authorized by law or  
2 maintained by the Department that will not be  
3 eliminated or consolidated into the multipurpose  
4 cadastre under paragraph (2); and

5 (ii) a justification for not eliminating or  
6 consolidating an existing real property inven-  
7 tory or component of a cadastre described in  
8 clause (i) into the multipurpose cadastre under  
9 paragraph (2);

10 (D) the use of existing real property inven-  
11 tories or any components of any cadastre cur-  
12 rently maintained by any unit of State or local  
13 government that can be used to identify Federal  
14 real property within that unit of government;

15 (E) the cost savings that will be achieved  
16 by eliminating or consolidating duplicative or  
17 unneeded real property inventories or any com-  
18 ponents of any cadastre of Federal real prop-  
19 erty currently authorized by law or maintained  
20 by the Department that will become part of the  
21 multipurpose cadastre under paragraph (2);

22 (F) a plan for the implementation of this  
23 section, including a cost estimate and an assess-  
24 ment of the feasibility of using revenue from

1 any transactional activity authorized by law to  
2 offset any costs of implementing this section;

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

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

20 (5) COORDINATION.—

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

23 (i) participate (in accordance with sec-  
24 tion 216 of the E-Government Act of 2002  
25 (44 U.S.C. 3501 note; Public Law 107–



1 347) and section 757 of the Geospatial  
2 Data Act of 2018 (43 U.S.C. 2806)) in the  
3 establishment of such standards and com-  
4 mon protocols as are necessary to ensure  
5 the interoperability of geospatial informa-  
6 tion pertaining to the cadastre under para-  
7 graph (2) for all users of the information;

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

17 (I) the cadastre under paragraph  
18 (2); and

19 (II) any aspect of the develop-  
20 ment of the cadastre under paragraph  
21 (2);

22 (iii) integrate, or make the cadastre  
23 interoperable with, the Federal Real Prop-  
24 erty Profile or other inventories established  
25 pursuant to Executive Order 13327 (40

1 U.S.C. 121 note; relating to Federal real  
2 property asset management), the Federal  
3 Assets Sale and Transfer Act of 2016 (40  
4 U.S.C. 1303 note; Public Law 114–287),  
5 or the Federal Property Management Re-  
6 form Act of 2016 (Public Law 114–318;  
7 130 Stat. 1608); and

8 (iv) to the maximum extent prac-  
9 ticable, integrate with and leverage current  
10 cadastre activities of units of State and  
11 local government.

12 (B) CONTRACTS CONSIDERED SURVEYING  
13 AND MAPPING.—

14 (i) IN GENERAL.—A contract between  
15 the Secretary and a member of the private  
16 sector to provide products and services for  
17 the development of the cadastre shall be  
18 considered to be a contract for services of  
19 surveying and mapping (within the mean-  
20 ing of chapter 11 of title 40, United States  
21 Code).

22 (ii) SELECTION PROCEDURES.—A  
23 contract described in clause (i) shall be en-  
24 tered into in accordance with the selection

1                   procedures in chapter 11 of title 40,  
2                   United States Code.

3           (c) TRANSPARENCY AND PUBLIC ACCESS.—The Sec-  
4   retary shall—

5           (1) in accordance with any requirements appli-  
6           cable to the Department under section 759 of the  
7           Geospatial Data Act of 2018 (43 U.S.C. 2808),  
8           make the cadastre under subsection (b)(2) publicly  
9           available on the internet—

10           (A) in a graphically geo-enabled and  
11           searchable format; and

12           (B) in a manner that is consistent with,  
13           and meets any requirements for integration  
14           with, the GeoPlatform established under section  
15           758(a) of that Act (43 U.S.C. 2807(a));

16           (2) ensure that the inventory referred to in sub-  
17           section (b) includes the identification of all land suit-  
18           able for disposal in accordance with the Federal  
19           Land Policy and Management Act of 1976 (43  
20           U.S.C. 1701 et seq.); and

21           (3) in consultation with the Secretary of De-  
22           fense and the Secretary of Homeland Security, pre-  
23           vent the disclosure of any parcel or parcels of land,  
24           any buildings or facilities on the land, or any infor-  
25           mation related to the land, buildings, or facilities if

1 that disclosure would impair or jeopardize the na-  
2 tional security or homeland defense of the United  
3 States.

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

6 (1) considered to be geospatial data for pur-  
7 poses of the Geospatial Data Act of 2018 (43 U.S.C.  
8 2801 et seq.); and

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

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

11 (1) creates any substantive or procedural right  
12 or benefit; or

13 (2) requires or authorizes—

14 (A) any new surveying or mapping of Fed-  
15 eral real property;

16 (B) the evaluation of any parcel of land or  
17 other real property for potential management  
18 by a non-Federal entity;

19 (C) the disposal of any Federal real prop-  
20 erty; or

21 (D) any new appraisal or assessment of—

22 (i) the value of any parcel of Federal  
23 land or other real property; or

- 1                   (ii) the cultural and archaeological re-
- 2                   sources on any parcel of Federal land or
- 3                   other real property.

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