



OFFICE OF
INSPECTOR GENERAL

DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

September 30, 2020

OIG-CA-20-033

The Honorable Roger F. Wicker
Chairman
Committee on Commerce, Science, and Transportation
United States Senate
512 Dirksen Senate Building
Washington, D.C., 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate
512 Dirksen Senate Building
Washington, D.C., 20510

The Honorable Eddie Bernice Johnson
Chairwoman
Committee on Science, Space, and Technology
United States House of Representatives
2321 Rayburn House Office Building
Washington, D.C., 20515

The Honorable Frank D. Lucas
Ranking Member
Committee on Science, Space, and Technology
United States House of Representatives
2321 Rayburn House Office Building
Washington, D.C., 20515

Re: Survey Results - Department of the Treasury's Compliance with the Geospatial
Data Act of 2018

Dear Chairman, Chairwoman, and Ranking Members:

The *Geospatial Data Act of 2018*¹ (GDA), (Title VII, Subtitle F, Section 759(c)),
requires the Inspector General (IG) of a covered agency to submit to Congress, not
less than once every two years, an audit of the collection, production, acquisition,

¹ P.L. 115-254 (October 5, 2018).

maintenance, distribution, use, and preservation of geospatial data by the covered agency. As a covered agency defined in Section 752,² the Department of the Treasury (Treasury) is required to comply with the GDA. Section 759(c) requires that IGs review respective “covered agency’s” compliance with the following: (1) standards for geospatial data, including metadata for geospatial data established by the Federal Geographic Data Committee (FGDC)³ under Section 757; (2) specific responsibilities under Section 759(a) (provided in enclosure 1); and (3) limitations on the use of Federal funds under Section 759A.⁴ Since comprehensive geospatial data standards have yet to be established by the FGDC as discussed below, and Federal agencies await further guidance from the Office of Management and Budget (OMB), we conducted a survey to gain an understanding of Treasury’s current and planned activities to meet requirements of the GDA. The survey results will assist us in planning for our biennial audits under Section 759(c).⁵

Background

The President’s Management Agenda – *Federal Data Strategy 2020 Action Plan*⁶ (the plan), Action 10 – “Integrate Geospatial Data Practices into the Federal Data Enterprise” specifically addresses implementation of the GDA. According to the plan, the FGDC, in coordination with OMB’s Federal Data Policy Committee (FDPC) is to: (1) develop the National Spatial Data Infrastructure (NSDI) strategic plan;⁷ (2) publish a GeoPlatform providing standards-compliant web services for National Geospatial Data Assets (NGDA); and (3) publish NGDA data theme assets with standards compliant metadata and web-service endpoints. According to the plan’s timeline, these milestones have a target completion date of December 31, 2020. Since a NSDI strategic plan and comprehensive geospatial data standards have not yet been established and promulgated by the FGDC, we acknowledged limitations in Treasury meeting certain requirements under the GDA.

² A “covered agency” is defined as an Executive department listed in Section 101 of Title 5, United States Code, that collects, produces, acquires, maintains, distributes, uses, or preserves geospatial data on paper or in electronic form to fulfill the mission of the Executive department, either directly or through a relationship with another organization, including a State, local government, Indian tribe, institution of higher education, business partner or contractor of the Federal Government, and the public.

³ Established within the Department of the Interior, an interagency committee that acts as lead for the executive branch in the development, implementation, and review of policies, practices, and standards relating to geospatial data.

⁴ Except as provided otherwise, on and after the implementation date, a covered agency may not use Federal funds for the collection, production, acquisition, maintenance, or dissemination of geospatial data that does not comply with the applicable standards established under section 757.

⁵ The next biennial audit is required to be submitted to Congress no later than October 5, 2022.

⁶ Updated May 14, 2020.

⁷ On August 26, 2020, the FGDC filed a notice in the Federal Register soliciting comments on the draft strategic plan for the National Spatial Data Infrastructure, FR Doc 2020-18879.

The Council of the Inspectors General on Integrity and Efficiency (CIGIE) informed you of IGs' limitations to perform inaugural audits of covered agencies' implementation of the GDA in a letter dated March 23, 2020 (provided in enclosure 2). CIGIE convened a working group to determine an audit approach for the inaugural audits. Since it was determined by the working group that an assessment of the covered agencies' progress towards compliance with the GDA would likely provide the best value to the agencies, Congress, and the public, we decided to initiate a survey of Treasury's compliance with the covered agency responsibilities under Section 759(a).

Survey Scope and Methodology

To accomplish our survey objective, we developed questionnaires designed to gain an understanding from Treasury management of the current status and planned activities in relation to the implementation of the agency responsibilities detailed in Section 759(a), (provided in enclosure 1), and to determine the geospatial data landscape, (provided in enclosure 3). We interviewed officials and personnel within the Office of the Chief Information Officer (OCIO) responsible for GDA implementation. The scope of our survey included a review of the questionnaire responses and any documentation governing Treasury's collection, production, acquisition, maintenance, distribution, use, and preservation of geospatial data, including related policies and procedures, as well as other implementing activities since the GDA's enactment in October 2018. Given that the FGDC and OMB have not developed geospatial data standards and guidance, Treasury's compliance with GDA sections 757 and 759A were not within the scope of this survey. We also reviewed applicable provisions of the GDA and the President's Management Agenda – *Federal Data Strategy 2020 Action Plan*.

The survey's scope does not include documentation and activities of the Internal Revenue Service and the Troubled Asset Relief Program under the respective oversight jurisdiction of the Treasury Inspector General for Tax Administration and the Special Inspector General for the Troubled Asset Relief Program or programs and activities under the jurisdictional oversight of the newly created Special Inspector General for Pandemic Recovery. We conducted this survey between March 2020 and August 2020 at the Office of Inspector General office in Washington, D.C.

Survey Results

On March 31, 2020, we sent the Treasury OCIO our *Geospatial Data Act of 2018 Survey Questions* requesting information for each of the 13 agency responsibilities detailed in Section 759(a). Specifically, we requested that the OCIO (1) respond as to whether the Section 759(a) requirement (a) had been implemented, (b) had been partially implemented, (c) had not started, or (d) was not applicable; and (2) explain

how the requirement had been implemented or will be implemented. We also requested any policies and procedures in place (see enclosure 1 for each Section 759(a) agency responsibility and Treasury's associated response). We also requested information pertaining to the Treasury-wide geospatial data landscape (see enclosure 3 for questions and Treasury's associated responses). OCIO was responsible for coordinating responses to the survey questions and the geospatial data landscape. OCIO sent the survey questionnaire to six bureaus⁸ and 15 offices within Departmental Offices (DO). As of August 4, 2020, only 13 responses in total were returned. Without a 100 percent response rate, the full landscape of geospatial data systems or geospatial data in use within Treasury remains unknown.

Overall, Treasury has not implemented or developed a plan for any of the agency responsibilities required in Section 759(a). While Treasury awaits further guidance on geospatial standards, there are a few responsibilities that are not dependent upon FGDC and OMB guidance such as the appointment of a contact to coordinate with the lead covered agencies for collection, acquisition, maintenance, and dissemination of the NGDA data themes as required by Section 759(a)(13). Similarly, agency responsibilities associated with Treasury's internal procedures for the collection, production or maintenance of geospatial data under 759(a)(2),(4),and (9) and use and acquisition decision making under 759(a)(3),(8), and (12) are not dependent entirely on guidance and data standards. Treasury should prepare to implement GDA by considering these responsibilities and tracking and maintaining a comprehensive inventory of its geospatial data assets Treasury-wide.

OCIO management informed us that it will review Treasury's accountability for Section 759(a) and other data related priorities and initiatives. In consultation with Treasury's Office of the Chief Data Officer, OCIO will develop a plan to meet Treasury's responsibilities under Section 759(a) to the extent possible and prior to the FGDC and OMB promulgation of geospatial data standards and guidance. OCIO management will begin applying resources to fulfill responsibilities associated with Treasury's internal procedures for the collection, production or maintenance of a comprehensive geospatial data inventory under 759(a) to ensure that Treasury will timely meet the GDA requirements that will be the subject of our audit due in October 2022.

⁸ Treasury OCIO coordinated responses from the following six bureaus: Alcohol and Tobacco Tax and Trade Bureau (TTB); Bureau of Engraving and Printing (BEP); Bureau of the Fiscal Service (BFS); Financial Crimes Enforcement Network (FinCEN); Office of the Comptroller of the Currency (OCC); and the United States Mint (Mint).

If you wish to discuss further, please contact me at (202) 528-8997, or Deborah Harker, Assistant Inspector General for Audit, at (202) 486-1420.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard K. Delmar". The signature is written in a cursive style with a large initial "R".

Richard K. Delmar
Deputy Inspector General

Enclosures

cc: David Eisner, Assistant Secretary for Management
Eric Olson, Deputy Assistant Secretary for Information Systems and Chief
Information Officer
Jamal El-Hindi, Interim Chief Data Officer

Geospatial Data Act of 2018 Survey Questions

Listed below are covered agencies' responsibilities as outlined in Section 759(a) of the Geospatial Data Act (GDA). For each responsibility, please describe how the Department of the Treasury had addressed or plans to address the requirement. As part of the response to each requirement, (1) state whether the implementation of the requirement (a) has been implemented, (b) has been partially implemented, (c) has not started, or (d) is not applicable, and (2) explain how the requirement has been implemented or will be implemented. If policies and procedures are in place, please refer to them with your response(s) and provide copies to us.

The Department of the Treasury (Treasury) has not implemented the GDA's agency responsibilities under Section 759(a). The Office of the Chief Information Officer (OCIO) responded that in consultation with the Office of the Chief Data Officer, OCIO will develop a plan to meet Treasury's responsibilities under Section 759(a) to the extent possible and prior to the Federal Geographic Data Committee (FGDC or Committee) and the Office of Management and Budget promulgation of geospatial data standards and guidance.

Section 759(a)

1. Prepare, maintain, publish, and implement a strategy for advancing geographic information and related geospatial data and activities appropriate to the mission of the covered agency, in support of the strategic plan for the National Spatial Data Infrastructure (NSDI) prepared under section 755(c).
2. Collect, maintain, disseminate, and preserve geospatial data such that the resulting data, information, or products can be readily shared with other Federal agencies and non-Federal users.
3. Promote the integration of geospatial data from all sources.
4. Ensure that data information products and other records created in geospatial data and activities are included on agency record schedules that have been approved by the National Archives and Records Administration.
5. Allocate resources to fulfill the responsibilities of effective geospatial data collection, production, and stewardship with regard to related activities of the covered agency, and as necessary to support the activities of the Committee.
6. Use the geospatial data standards, including the standards for metadata for geospatial data, and other appropriate standards, including documenting geospatial data with the relevant metadata and making metadata available through the GeoPlatform.

7. Coordinate and work in partnership with other Federal agencies, agencies of State, tribal, and local governments, institutions of higher education, and the private sector to efficiently and cost effectively collect, integrate, maintain, disseminate, and preserve geospatial data, building upon existing non-Federal geospatial data to the extent possible.
8. Use geospatial information to—
 - a) make Federal geospatial information and services more useful to the public;
 - b) enhance operations;
 - c) support decision making; and
 - d) enhance reporting to the public and to Congress.
9. Protect personal privacy and maintain confidentiality in accordance with Federal policy and law.
10. Participate in determining, when applicable, whether declassified data can contribute to and become a part of the National Spatial Data Infrastructure.
11. Search all sources, including the GeoPlatform, to determine if existing Federal, State, local, or private geospatial data meets the needs of the covered agency before expending funds for geospatial data collection.
12. To the maximum extent practicable, ensure that a person receiving Federal funds for geospatial data collection provides high-quality data.
13. Appoint a contact to coordinate with the lead covered agencies for collection, acquisition, maintenance, and dissemination of the National Geospatial Data Asset data themes used by the covered agency.



March 23, 2020

The Honorable Roger F. Wicker
Chairman
The Honorable Maria Cantwell
Ranking Member
Committee on Commerce, Science,
and Transportation
United States Senate
Washington, D.C.

The Honorable Eddie Bernice Johnson
Chairwoman
The Honorable Frank D. Lucas
Ranking Member
Committee on Science, Space,
and Technology
U.S. House of Representatives
Washington, D.C.

Dear Mr. Chairman, Mrs. Chairwoman, and Ranking Members:

The Council of the Inspectors General on Integrity and Efficiency (CIGIE) recognizes and appreciates your leadership on issues of geospatial data. In particular, we believe the enactment of the Geospatial Data Act of 2018 (P.L. 115-254) will improve the continuing development of geospatial data and technology. To make sure this happens, the Geospatial Data Act provides for oversight by way of the Federal Inspectors General. Specifically, the Geospatial Data Act requires the bi-annual completion of a review of Covered Agencies' compliance with standards established by the Act, Covered Agencies' responsibilities detailed in the Act, and Covered Agencies' compliance with the prohibition of Federal funding for non-compliant datasets.

We are writing this letter on behalf of CIGIE to inform you of an important distinction with the inaugural Geospatial Data Act audits by the Inspector General community. Specifically, the inaugural mandatory audit scope period overlaps with the estimated Geospatial Data Act implementation period established by the Federal Geographic Data Committee (FGDC). As part of the implementation phase, the FGDC is evaluating the existing body of standards, among other items. Due to the continuing implementation of the Geospatial Data Act, conducting the mandatory audits as prescribed by the Act would result in reports submitted by the Inspectors General in October 2020 to be inconclusive for two of the three audit requirements.

To address this challenge while continuing to meet the mandatory audit requirements, CIGIE convened a working group with representatives from the Covered Agency Inspectors General to reach a consensus on an audit approach for the inaugural audits. The Covered Agency Inspectors General determined that audits focused on the Covered Agencies' progress toward compliance with the Geospatial Data Act, including the agencies' compliance with requirements under subsection (a), would likely provide the best value to the Covered Agencies', Congress, and the Public. This is a somewhat narrower approach than what the law requires, because it is currently difficult to determine which standards the audits should use in evaluating compliance. Also, because the law establishes a five-year implementation period before limiting the use of Federal

funds for non-compliant activities, this requirement would not be evaluated in the inaugural audits.

This consensus approach will afford each Covered Agency Inspector General latitude to perform additional testing based on the Covered Agency's geospatial footprint as determined necessary by the applicable Inspector General. CIGIE has advised the affected Inspectors General that should they decide to perform either additional, or more limited procedures, the rationale for the addition, or reduction of the audit procedures should be included in the report.

Should you or your staffs have any questions about our approach or other aspects of our collective Geospatial Data Act oversight activities, please do not hesitate to contact us at (202) 514-3435 or (703) 248-2296 respectively.

Sincerely,



Michael E. Horowitz
Chair, Council of the Inspectors General on
Integrity and Efficiency
Inspector General, U.S. Department of
Justice



Tammy L. Whitcomb
Chair, Council of the Inspectors General on
Integrity and Efficiency, Technology
Committee
Inspector General, U.S. Postal Service

cc: The Honorable Ron Johnson, Chairman
The Honorable Gary C. Peters, Ranking Member
Senate Committee on Homeland Security and Governmental Affairs

The Honorable Carolyn B. Maloney, Chairwoman
The Honorable Mark Meadows, Ranking Member
House Committee on Oversight and Reform

The Honorable Margaret Weichert, Deputy Director OMB and Executive Chair, Council
of the Inspectors General on Integrity and Efficiency

The Honorable Gene Dodaro, Comptroller General, GAO

Geospatial Landscape Questions

The following questions were used to identify the landscape of geospatial data, as defined in the Geospatial Data Act, within the Department of the Treasury's bureaus and offices.

1. Provide a complete inventory listing of geospatial systems/software/applications used by Departmental Offices (DO) and bureaus. This list should identify specific offices or programs within DO and bureaus that use the geospatial system/software/applications.

- Financial Crimes Enforcement Network (FinCEN) confirmed that it utilizes Informatica's Address Doctor to verify and enhance Bank Secrecy Act (BSA)⁹ data received from financial institutions.
- Alcohol and Tobacco Tax and Trade Bureau (TTB) identified the use of ArcGIS Desktop and other ArcGIS tools. ArcGIS Desktop is used by the Regulations and Rulings Division in support of the American Viticultural Area (AVA) program. The Field Operations (FO), Intelligence Division (ID) also uses ArcGIS Desktop in addition to ArcGIS Insights, ArcGIS Dashboards, ArcGIS Workforce, and ArcGIS Survey 123.
- Enterprise Business Solutions (EBS), within DO, responded that for all EBS program areas, only Enterprise Content Management (ECM) identified possible geospatial capabilities.
 - The Terrorist Financing Targeting Center: APAN (All Partner Access Network), which is hosted by U.S. Air Force, has geospatial capability. The Terrorist Financing Targeting Center does not currently use APAN, however, it may elect to use it in the future.
 - eDiscovery: Has geospatial capability which was reported as possibly being used by OIG. (We researched and determined that OIG is not currently using eDiscovery's geospatial capability.)

2. For each geospatial system/software/application identified in the inventory listing provided in response to question 1, provide detail of the geospatial data sets within each geospatial system/software/application.

- FinCEN noted there are no geospatial data sets, specifically: "Address Doctor is not considered a geospatial data set."

⁹ The Currency and Foreign Transactions Reporting Act of 1970 (commonly referred to as the "Bank Secrecy Act" or "BSA") requires U.S. financial institutions to assist U.S. government agencies to detect and prevent money laundering. FinCEN is responsible to implement, administer, and enforce compliance with the BSA.

- TTB identified AVA geospatial data: "The geospatial data in ArcMap is sourced by Esri (the software's creator) from a variety of entities, including the [U.S. Geological Survey] USGS, [National Oceanic and Atmospheric Administration] NOAA, and Garmin. TTB does not maintain the software or underlying mapping data set. Instead, TTB uses the data on the Esri basemaps to create the individual polygons for each established and proposed AVA. The mapped points and lines that form the polygons are based on the AVA boundary description as published in the [Code of Federal Regulations] CFR (for established AVAs) or in the published Notice of Proposed Rulemaking (for proposed AVAs). The AVA polygons may be viewed by the public on the AVA Map Explorer on TTB's website."
- 3. For the data sets identified in response to question 2, annotate any possible GDA exemptions for each one (refer to Section 752(5)(D)).**

Treasury did not identify exempt data for annotation.