

## The New Plot to Hijack GIS and Mapping

A bill recently introduced in the U.S. Senate could effectively exclude everyone but licensed architects, engineers, and surveyors from federal government contracts for GIS and mapping services of all kinds – not just those services traditionally provided by surveyors.

The Geospatial Data Act (GDA) of 2017 (S.1253) would set up a system of exclusionary procurement that would prevent most companies and organizations in the dynamic and rapidly growing GIS and mapping sector from receiving federal contracts for a very-wide range of activities, including GPS field data collection, GIS, internet mapping, geospatial analysis, location based services, remote sensing, academic research involving maps, and digital or manual map making or cartography of almost any type.

Not only would this bill limit competition, innovation and free-market approaches for a crucial high-growth information technology (IT) sector of the U.S. economy, it also would cripple the current vibrant GIS industry and damage U.S. geographic information science, research capacity, and competitiveness. The proposed bill would also shackle government agencies, all of which depend upon the productivity, talent, scientific and technical skills, and the creativity and innovation that characterize the vast majority of the existing GIS and mapping workforce.

The GDA bill focuses on a 1972 federal procurement law called the Brooks Act that reasonably limits federal contracts for specific, traditional architectural and engineering services to licensed A&E firms. We have no problem with that. However, if S.1253 were enacted, the purpose of the Brooks Act would be radically altered and its scope dramatically expanded by also including all mapping and GIS services as “A&E services” which would henceforth would be required to be procured under the exclusionary Brooks Act (accessible only to A&E firms) to the great detriment of the huge existing GIS IT sector and all other related companies and organizations which have long been engaged in cutting-edge GIS and mapping.

The list of new “geospatial data” services proposed for restrictive procurement open only to licensed A&E firms by the GDA (see section 2 of the bill for the full laundry list) is wildly broad and encompasses data such as:

- “all information tied to a location on Earth”;
- nearly all GIS, mapping, cartography, and imagery data;
- data that is represented by points, lines, and polygons;
- data depicting the distribution of natural or cultural resources, features, or phenomena;
- “any data used by a Federal agency”;
- data used to create general maps prepared for... an atlas as an educational tool or reference publication; or “for use in the curriculum of any course of study”;
- data used by law enforcement or the military;
- any data that may be derived from, among other things, remote sensing, mapping, and surveying technologies;
- and much more.

By linking this all-encompassing list of “geospatial data” services to the Brooks Act, the proposed Geospatial Data Act would have the disastrous effect of limiting federal contracts to A&E firms for almost any mapping-related data collection, analysis, or use activity at the exclusion of vast swaths of current GIS, IT, and mapping industries and related organizations.

Some in the geography and GIS communities may recall that a group called MAPPS representing various engineering and surveying firms tried to accomplish a very similar self-serving goal by filing a court case against the U.S. government in 2007 claiming that language in the Brooks Act was not limited to “surveying and mapping” activities traditionally performed by surveyors. Instead, they asserted that the language applied to all mapping activities, including projects routinely carried out by cartographers, geographers, GIS specialists, computer science and IT professionals, planners, academics, GIScientists, technicians, and many others.

The AAG and others in the larger GIS and mapping community played a key role in opposing this court case, and the judge ultimately issued summary judgment in ruling against the MAPPS plaintiffs. However, MAPPS has continued to try to change laws at the Federal and state levels to achieve their exclusionary-procurement goals, and S.1253 is the latest example.

This breathtakingly-selfish attempt to hijack the mapping and GIS fields, if implemented, would result in a significant loss of jobs throughout the U.S., and would cripple the dynamic and innovative American GIS, IT, and mapping companies and communities that have developed GIS and internet mapping, and now power its continued innovation and growth in jobs and new technologies.

The lead sponsor of the Geospatial Data Act (S.1253) is Senator Orrin Hatch (R-UT) and the co-sponsors are Senators Mark Warner (D-VA), Dean Heller (R-NV), and Ron Wyden (D-OR). The bill has been referred to the Senate Commerce, Science, and Transportation Committee, which is led by Chairman John Thune (R-SD) and Ranking Member Bill Nelson (D-FL). If you have any specific questions or concerns about this legislation or the broader issue, please do not hesitate to contact John Wertman of the AAG staff at [jwertman@aag.org](mailto:jwertman@aag.org). As always, we encourage AAG members and others to reach out to your elected officials to express your own views on issues of importance to you.