



# Audit of the Department of Justice's Compliance with the Geospatial Data Act of 2018



AUDIT DIVISION

20-113

---

**SEPTEMBER 2020**

---



# Executive Summary

*Audit of the Department of Justice's Compliance with the Geospatial Data Act of 2018*

## Objective

The objective of this audit was to assess the Department of Justice's (Department) progress toward meeting the requirements for covered agencies established under subsection 759(a) of the Geospatial Data Act of 2018 (GDA). The GDA requires the Department to take specific actions to enhance government and private sector use of geospatial data and technology.

The audit covers the Department's efforts to comply with the GDA between October 2018 and August 2020. To accomplish our objective, we interviewed personnel from the Justice Management Division Office of the Chief Information Officer. In addition, we evaluated the Department's policies governing geospatial data and reviewed the Department's Data Catalog to identify any geospatial datasets relevant to the requirements of the GDA.

## Results in Brief

We found that the Department has not established a comprehensive Department-wide strategy for ensuring that it meets the GDA requirements. Rather, the individual Department components generally are responsible for developing and implementing policies and procedures concerning geospatial data. As a result, while the Department has made progress toward compliance with 8 of the 13 GDA requirements outlined in subsection 759(a), it has made little or no progress toward compliance with 3 of the requirements. Additionally, we were unable to fully assess compliance with the two remaining requirements because the Federal Geographic Data Committee (FGDC) has not finalized the National Spatial Data Infrastructure strategic plan and performance standards.

## Recommendations

Our report contains two recommendations to improve the Department's efforts to comply with the GDA. We requested a response to the draft report from JMD, which can be found in Appendix 2. Our analysis of that response is included in Appendix 3.

## Audit Results

Geospatial data is information related to features or events that can be referenced to specific locations relative to the earth's surface, including information derived from remote sensing, mapping, and surveying technologies, images, and aerial photographs. Subsection 759 of the GDA established the responsibilities and reporting requirements of each covered agency. The GDA imposes 13 requirements on each covered agency, including the Department, to empower the use of geospatial data and technology, and to facilitate broad cooperation between the public and private sectors.

### Department Progress Towards Full Compliance

We found that the Department has made progress toward meeting 8 of the 13 requirements related to geospatial resource allocation, recordkeeping, data use, and personal privacy protection; including recent actions taken in August 2020 to improve the Department's geospatial data integration, and use of federal funds for geospatial data collection. In addition, the Department has taken steps to coordinate geospatial data efforts among its components. However, the Department's coordination with other federal and non-federal entities is still being conducted at the component level, which may lead to duplication of effort and wasted resources.

### Department Action Still Needed

We determined that the Department has made little to no progress towards meeting 3 of the 13 requirements pertaining to geospatial data sharing, standardization, and industry coordination. This is largely due to the Department's individual components separately managing their geospatial data activities.

### GDA Requirements Awaiting Additional Guidance

We were unable to fully assess the Department's compliance with 2 of its 13 requirements, specifically, those related to supporting and contributing to the National Spatial Data Infrastructure, because the FGDC has not yet developed the relevant performance standards.

**AUDIT OF THE DEPARTMENT OF JUSTICE’S COMPLIANCE WITH  
THE GEOSPATIAL DATA ACT OF 2018**

**TABLE OF CONTENTS**

INTRODUCTION ..... 1

    OIG Audit Approach..... 4

AUDIT RESULTS..... 6

    Department of Justice Geospatial Data Policy ..... 6

    Compliance with the Geospatial Data Act – Section 759(a)..... 7

        Geospatial Data Strategy..... 7

        Geospatial Data Collection ..... 7

        Geospatial Data Integration ..... 8

        Approved Agency Record Schedules ..... 9

        Geospatial Resource Allocation ..... 9

        Geospatial Data Standards ..... 9

        Industry Coordination ..... 10

        Use of Geospatial Data..... 11

        Personal Privacy Protection ..... 12

        National Spatial Data Infrastructure Contributions..... 13

        Use of Existing Geospatial Data ..... 13

        Geospatial Data Quality..... 14

        Lead Covered Agency Coordination ..... 14

CONCLUSION AND RECOMMENDATIONS ..... 15

APPENDIX 1: OBJECTIVE, SCOPE, AND METHODOLOGY ..... 16

APPENDIX 2: THE DEPARTMENT OF JUSTICE RESPONSE TO THE DRAFT AUDIT REPORT... 18

APPENDIX 3: OFFICE OF THE INSPECTOR GENERAL ANALYSIS AND SUMMARY OF  
    ACTIONS NECESSARY TO CLOSE THE REPORT ..... 20

# **AUDIT OF THE DEPARTMENT OF JUSTICE'S COMPLIANCE WITH THE GEOSPATIAL DATA ACT OF 2018**

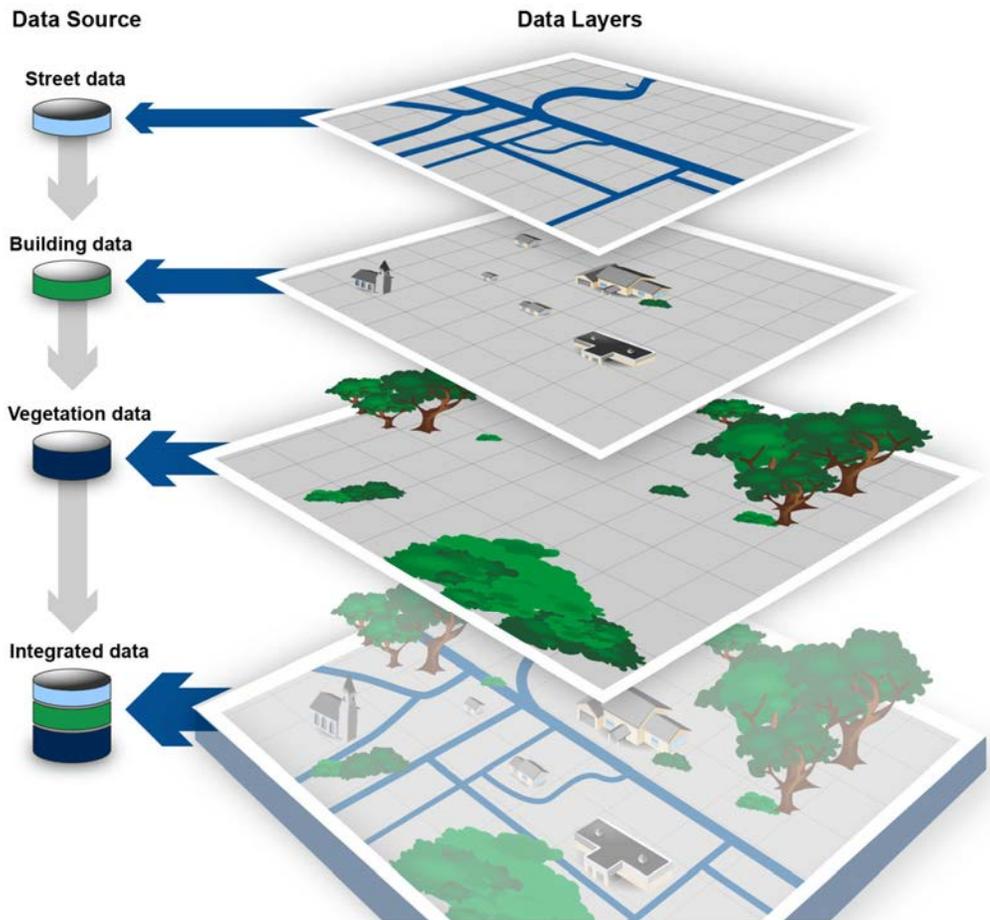
## **INTRODUCTION**

Geospatial data is information related to features or events that can be referenced to specific locations relative to the earth's surface. For example, features such as buildings, rivers, and roads can all be identified by geospatial locations. In addition, events such as criminal activity or the spread of COVID-19 can be tracked by geospatial locations. Geospatial data can be analyzed in geographic information systems — systems of computer software, hardware, and data used to capture, store, manipulate, analyze, and graphically present a potentially wide array of geospatial data. The primary function of a geographic information system is to link multiple sets of geospatial data and display the combined information as maps with different layers of information. Assuming that all of the information is at the same scale and has been formatted according to the same geospatial standards, users can potentially overlay geospatial data about any number of specific topics to examine how the data in the various layers interrelate.

Each layer of a geographic information system map typically represents a single theme made up of one or more sets of data, each of which could be derived from a source completely different from the others. For example, one theme could represent all streets in a specific area. Another theme could correspond to all buildings in the same area, and others could show vegetation. Analyzing this layered information as an integrated whole can significantly aid decision makers in considering complex choices, such as where to locate a police station to best serve the greatest number of citizens. Figure 1 portrays the concept of data themes in a geographic information system.

**Figure 1**

**Visual Representation of Data Themes in a Geographic Information System**



Source: GAO

For many years, the federal government has taken steps to coordinate geospatial activities both within and outside the federal government to discourage the duplication of data and the inefficient use of resources. Beginning in the early 1950s, the federal government began promoting the coordinated use, sharing, and dissemination of geospatial data nationwide through various Office of Management and Budget (OMB) Circulars and Executive Orders. However, in 2015 Congress found that federal efforts to collect this data historically lacked coordination and often were duplicative, resulting in billions of dollars in wasted resources. As a result, the Geospatial Data Act (GDA) was introduced with the goal of improving collaboration across agencies, reducing waste, and providing oversight of the federal government’s multibillion-dollar investments in geospatial data.

The GDA was signed into law on October 5, 2018, and is comprised of 12 sections that formalize governance processes related to geospatial data, provide policy and guidance to empower the use of geospatial data and technology, and facilitate broad cooperation between the public and private sectors. The GDA includes in its definition of geospatial data, not only information that is tied to a

location on the earth, but also information derived from remote sensing, mapping, and surveying technologies, images, and aerial photographs.<sup>1</sup> The GDA specifically excludes classified national security-related geospatial data and activities of the intelligence community, and geospatial data and activities of Indian tribes that are not conducted using federal funds. Table 1 provides a brief description of each section of the GDA.

**Table 1**  
**Sections of the Geospatial Data Act**

<b>Section</b>	<b>Title</b>	<b>Description</b>
<b>751</b>	Findings	Identifies findings leading to the GDA.
<b>752</b>	Definitions	Defines terms used in the GDA.
<b>753</b>	Federal Geographic Data Committee (FGDC)	Codifies the continuation of the FGDC as the primary entity for developing, implementing, and reviewing the policies, practices, and standards relating to geospatial data.
<b>754</b>	National Geospatial Advisory Committee	Codifies the continuation of the National Geospatial Advisory Committee specifying its role in advising the FGDC chairperson relating to the management of federal and national geospatial programs and other activities relating to the implementation of the GDA.
<b>755</b>	National Spatial Data Infrastructure	Defines and establishes the goals of the National Spatial Data Infrastructure and mandates that the FGDC prepare and maintain a National Spatial Data Infrastructure strategic plan.
<b>756</b>	National Geospatial Data Asset Data Themes	Requires the FGDC to designate geospatial data themes for management by federal agencies that it deems would benefit the general population through coordinated development, maintenance, and dissemination.
<b>757</b>	Geospatial Data Standards	Requires the FGDC to establish standards for each National Geospatial Data Asset data theme, including content standards for metadata.

---

<sup>1</sup> Remote sensing is the science of obtaining information about objects or areas from a distance, typically from aircraft or satellites.

Section	Title	Description
<b>758</b>	GeoPlatform	Directs the FGDC to operate an online “clearinghouse” of publicly-available geospatial data and metadata, known as the GeoPlatform, that provides an automated means of accessing covered agencies’ geospatial data.
<b>759</b>	Covered Agency Responsibilities	Establishes the responsibilities and reporting requirements for each covered agency under the GDA. This section also requires the Inspector General of each covered agency to submit to Congress a biennial audit report on the collection, production, acquisition, maintenance, distribution, use, and preservation of geospatial data by the covered agency.
<b>759A</b>	Limitation on Use of Federal Funds	Prohibits the use of federal funds by a covered agency for the collection, production, acquisition, maintenance, or dissemination of geospatial data that does not comply with applicable FGDC standards.
<b>759B</b>	Savings Provision	Establishes a savings provision for the subtitle that precludes the GDA from conflicting with existing law.
<b>759C</b>	Private Sector	Authorizes the FGDC and each covered agency to rely upon and use the private sector for the provision of geospatial data and services, to the maximum extent possible.

Source: OIG and GDA

**OIG Audit Approach**

The GDA requires that the Inspectors General of covered agencies conduct an audit of their respective agency’s compliance with the GDA requirements every 2 years. However, in view of the fact that the initial mandatory audit would cover the period from October 2018 through October 2020, which is prior to the estimated GDA implementation period established by the Federal Geographic Data Committee (FGDC), the Council of the Inspectors General on Integrity and Efficiency (CIGIE) notified the Senate Committee on Commerce, Science, and Transportation, and the House Committee on Science, Space, and Technology in March 2020, that conducting the mandatory audits as prescribed would result in inconclusive reports by the Inspectors General for sections 757 and 759A – two of the three audit requirements. The notice further stated that to address this challenge while continuing to meet the GDA’s mandatory audit requirements, CIGIE had convened a working group with representatives from the covered agencies’ Inspectors General to reach a consensus on an audit approach for the inaugural audits. The working

group determined that audits focused on the covered agencies' progress toward compliance with the GDA, including the agencies' compliance with requirements under subsection 759(a), would likely provide the best value to the agency, Congress, and the public.

Therefore, our audit objective was to assess the Department's progress toward meeting the requirements for covered agencies established in the Geospatial Data Act of 2018 under subsection 759(a). The GDA requires the Department to take specific actions to enhance government and private sector use of geospatial data and technology. The scope of our audit generally covers the Department's efforts to implement the statutory requirements of the GDA from October 2018 through August 2020.

To accomplish our objective, we interviewed personnel from the Justice Management Division (JMD) Office of the Chief Information Officer (OCIO), including the Acting Chief Information Officer, who also serves as the Department's Chief Data Officer and the Senior Agency Official for Geospatial Information, to determine what progress the Department has made in complying with the GDA. In addition, we evaluated the Department's policies governing geospatial data and reviewed the Department's Justice Data Catalog to identify any geospatial datasets relevant to the requirements of the GDA.<sup>2</sup>

---

<sup>2</sup> The Justice Data Catalog is an online repository of metadata input into the system by users within the Department community. Users entering the data into the catalog indicate whether the data has spatial element.

## **AUDIT RESULTS**

We found the Department has not established a comprehensive Department-wide strategy for ensuring that it meets the GDA requirements. Rather, the individual Department components generally are responsible for developing and implementing their individual policies and procedures concerning geospatial data. Additionally, the Department has not formally designated a component with responsibility for developing, implementing, and ensuring component adherence to Department-wide policy for geospatial data. As a result, Department efforts to comply with GDA requirements largely have been fragmented and conducted at the component level. While the Department has made progress toward compliance with 8 of the 13 GDA requirements outlined in Section 759(a), it has made little or no progress toward compliance with 3 of the 13 requirements.<sup>3</sup> Additionally, we determined that the Department cannot quantify its geospatial data assets.

### **Department of Justice Geospatial Data Policy**

We found that the individual Department components generally are responsible for developing and implementing policies and procedures concerning geospatial data. In our judgment, the lack of Department-wide policies and procedures is due, in part, to the fact that the Department has not formally tasked a component with the responsibility for establishing Department-wide policy for geospatial data that meets the GDA requirements and ensuring that all components are in compliance with the GDA requirements.

The GDA does not designate a specific authority within each covered agency for ensuring compliance with the GDA. However, OMB Memorandum M-06-07 requests selected executive agencies, including the Department, to designate a Senior Agency Official for Geospatial Information to oversee, coordinate, and facilitate the agency's implementation of the geospatial-related requirements, policies, and activities. While these activities may be undertaken by various components within an agency, OMB will look to the Senior Agency Official for Geospatial Information to coordinate these activities. Currently, the JMD Acting Chief Information Officer serves as the Department's Senior Agency Official for Geospatial Information. As a result, the OCIO has primary responsibility for ensuring Department-wide compliance with the GDA. We found that OCIO has not been formally tasked with the responsibility of developing and implementing Department-wide geospatial data policy to meet the GDA requirements and ensuring that the components are in compliance with the GDA requirements, as well as any Department-wide policies and procedures established to meet these requirements. However, in our judgment, these responsibilities should be formally assigned to the OCIO since it is best suited to lead the Department's efforts to address the GDA requirements. Therefore, we address the recommendations included in this report to JMD's OCIO.

---

<sup>3</sup> We were unable to assess the Department's compliance with the remaining two requirements because required standards have not yet been issued.

## **Compliance with the Geospatial Data Act – Section 759(a)**

Section 759 of the GDA establishes the responsibilities, reporting, and audit requirements for each covered agency under the Act. This section is split into 3 subsections: (a) details 13 responsibilities required to be implemented by each covered agency; (b) establishes reporting requirements for covered agencies related to their geospatial data strategy, budget submission, and data asset inventory; and (c) requires biennial audits by the covered agencies' Inspectors General to include reviews of compliance with geospatial data standards established under GDA section 757, the 13 requirements under subsection 759(a), and the limitation on the use of federal funds under section 759A. As previously stated, our audit examined the Department's progress toward compliance with the 13 requirements established in the GDA subsection 759(a), which are discussed in the following sections of this report.

### *Geospatial Data Strategy*

GDA subsection 759(a)(1) requires that covered agencies 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. The National Spatial Data Infrastructure is described as the technology, policies, criteria, standards, and employees necessary to promote geospatial data sharing throughout the federal, state, tribal, and local governments, as well as the private sector. The FGDC is responsible for coordinating the federal government's development of the National Spatial Data Infrastructure. The FGDC is currently drafting a new strategic plan that will provide a framework to improve the coordination and management of the Nation's geospatial assets and guide the further development of the National Spatial Data Infrastructure, which is expected to be released for public comment in the summer of 2020. Since the strategic plan is under revision, we were unable to determine if the Department's geospatial data strategy will support the revised strategic plan. However, OCIO officials stated that the Department will continue to work with the FGDC and Department components to ensure its data strategy aligns with the National Spatial Data Infrastructure update, once it is available.

### *Geospatial Data Collection*

GDA subsection 759(a)(2) requires that covered agencies 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. According to OCIO, the public website [data.gov](https://data.gov) is the main forum for sharing the Department's metadata information on public and restricted-public data assets with federal and non-federal users.<sup>4</sup> As of August 2020, the Department

---

<sup>4</sup> Data.gov is hosted by the U.S. General Services Administration and is a repository of public datasets, including geospatial data, from hundreds of federal agencies, states, counties, and cities.

shared nearly 1,000 public datasets on [data.gov](https://data.gov), none of which were designated as geospatial.

The public and restricted-public data assets published on [data.gov](https://data.gov) originate from a separate internal application that provides a central inventory of all Department datasets – the Justice Data Catalog – where users throughout the Department enter metadata for public and non-public datasets they have collected on a quarterly basis. Metadata entered into the Justice Data Catalog must adhere to standards in the Project Open Data Schema, which contains a spatial field where contributors must designate if a dataset has spatial elements.<sup>5</sup> However, we found that the spatial field in the Justice Data Catalog, which OCIO uses to identify the Department’s geospatial datasets, does not contain sufficient information necessary to determine if the dataset meets the GDA definition of geospatial data. As a result, there is no assurance that the Justice Data Catalog provides a complete and accurate inventory of the Department’s geospatial data.

According to OCIO, the Department publishes its public datasets in the Justice Data Catalog to [data.gov](https://data.gov) for view and use by the public. As of June 2020, the Justice Data Catalog listed nearly 800 public data sets, 559 of which were designated as having a spatial element by the data contributor. However, given that the Justice Data Catalog does not provide a complete accurate inventory of the Department’s geospatial data, the Department cannot assure that the data sets published on [data.gov](https://data.gov) include all of its public and restricted-public geospatial data. As a result, we found that the Department has not met the GDA requirement to preserve geospatial data such that the resulting data, information, or products can be readily shared with other federal agencies and non-federal users. Therefore, we recommend that JMD’s OCIO coordinate with components to identify all geospatial data sets for the Department, and develop and implement a plan to 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.

### *Geospatial Data Integration*

GDA subsection 759(a)(3) requires that covered agencies promote the integration of geospatial data from all sources. As part of its Justice Data Catalog quality control practices, OCIO conducts a quarterly Integrated Data Collection effort instructing the contributing components to review and update their entries into the catalog, including adding any new entries. OCIO recently revised the Integrated Data Collection procedures that will be implemented in its next effort, scheduled for November 2020. The revisions include a requirement for new entries into the Justice Data Catalog to incorporate data from all available sources. While we view this as adequate progress towards compliance with GDA subsection 759(a)(3), OCIO officials also stated that the Department is awaiting additional guidance from the FGDC on how to enact this provision. OCIO should further revise

---

<sup>5</sup> A data schema is a structure for organizing and classifying data in a database.

its quarterly review procedures to incorporate any additional guidance from the FGDC on promoting the integration of geospatial data from all sources.

### *Approved Agency Record Schedules*

GDA subsection 759(a)(4) requires that covered agencies 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 (NARA).<sup>6</sup> OCIO officials stated that Department policy directs components to work with their records managers to ensure the availability of all NARA approved record schedules, including geospatial datasets. As a result, we examined the Department's records management policies and found that they require geospatial data to be maintained in accordance with record schedules approved by the NARA.

### *Geospatial Resource Allocation*

GDA subsection 759(a)(5) requires that covered agencies 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 FGDC. OCIO officials stated that it helped lead the effort to establish an enterprise license agreement, which provides all Department components with access to geographic information system tools they can use to accomplish their individual missions. Additionally, OCIO stated that the Department Geospatial Community of Interest was recently relaunched with a renewed focus on maturing geospatial capabilities at the component level, including implementation of the GDA requirements. Furthermore, the Data Governance Board approved the Geospatial Community of Interest Charter in August 2020, formalizing its responsibility for enhancing the Department's geospatial resources. In our judgment, these activities demonstrate that the Department has made progress towards allocating its resources to fulfill the responsibilities of effective geospatial data collection, production, and stewardship. However, we also found that membership in the Community of Interest is voluntary and is currently comprised of only 12 components – approximately 20 percent of the components within the Department. The Department should continue to expand the Geospatial Community of Interest to ensure all Department components with geospatial data are represented.

### *Geospatial Data Standards*

GDA subsection 759(a)(6) requires covered agencies to use the geospatial data standards, including the standards for metadata for geospatial data, and other appropriate standards, that include documenting geospatial data with the relevant

---

<sup>6</sup> The NARA Records Schedule provides mandatory instructions to all NARA staff regarding how to maintain the agency's operational records and what to do with them when they are no longer needed for current business.

metadata and making metadata available through the GeoPlatform.<sup>7</sup> GDA section 758 defines the GeoPlatform as an electronic service that provides access to geospatial data and metadata to the general public. However, the GDA does not specify the standards that apply under this subsection. As a result, we were unable to fully assess the Department's compliance with this subsection. However, the FGDC has endorsed geospatial data standards that are published on its website. According to OCIO, the Department uses the metadata standards posted on [data.gov](https://data.gov) for metadata that Department components upload to the Department Data Catalog. We compared the metadata standards used by the Department against the FGDC-endorsed standards and found that they both required basic identifying information such as the title, description, and access level of the data. However, the metadata standards used by the Department only include a fraction of the requirements included in the FGDC-endorsed standards.

Since neither the GDA, nor the FGDC have specified geospatial data standards that covered agencies must comply with, we are not making a recommendation related to the metadata standards currently used by the Department. However, if the FGDC identifies pertinent geospatial data and metadata standards that are necessary to meet the GDA requirement, the Department should develop and implement policy requiring the components to follow the standards identified by the FGDC.

We also found that it does not appear that the Department requires geospatial data or metadata to be documented. There are no Department-wide standards for documenting geospatial data and metadata in compliance with subsection 759(a)(6). In our judgment, when developing Department-wide geospatial data policy to ensure the Department meets the geospatial data requirements set forth in the GDA, OCIO should ensure that any future Department-wide policy includes standards for documenting geospatial data and metadata.

Finally, we found that the Department does not currently make any metadata available through the GeoPlatform. Since the FGDC has not issued standards pertaining to the use of the GeoPlatform, there are currently no Department-wide standards related to making metadata available through the GeoPlatform. The OCIO stated that it will continue to work with the FGDC and Department components to understand how best to provide entries from the Department's Data Catalog into the GeoPlatform. In our judgment, the OCIO should also develop a plan for transitioning the Department's geospatial data and metadata from the Data Catalog to the GeoPlatform to fully comply with the GDA.

### *Industry Coordination*

GDA subsection 759(a)(7) requires covered agencies to 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

---

<sup>7</sup> As it relates to geospatial data, the term metadata means information about geospatial data, including the content, source, vintage, accuracy, condition, projection, method of collection, and other characteristics or descriptions of the geospatial data.

data, while building upon existing non-federal geospatial data, if possible. We found that there is no Department-wide effort to work in partnership with other federal, state, local and tribal government agencies; institutions of higher education, and the private sector to collect, integrate, maintain, disseminate, and preserve geospatial data. Rather, the individual components are responsible for coordinating and working with outside entities. For example, OCIO officials stated that the Federal Bureau of Investigation (FBI) collects and uses geospatial data from state and local governments, and conducts regular outreach with federal and non-federal partners on how to use geospatial tools, including the Department of Health and Human Services, the National Counter Terrorism Center, and the Australian Federal Police. OCIO added that the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) frequently collaborates with state and local law enforcement entities to share geospatial data in joint investigations and operations.

We also found that, prior to May 2020 there was no formal coordination among the Department components regarding the GDA requirements. However, as previously stated, the Department Geospatial Community of Interest was recently relaunched with a renewed focus on maturing geospatial capabilities at the component level, including implementation of the GDA requirements. Geospatial experts from the FBI and ATF will lead the new iteration of the Community of Interest with the Department's Chief Technology Officer serving as an executive sponsor. In addition, OCIO stated that the Department's Data Governance Board's Data Architecture Working Group is developing a standard data management plan for use by Department components to inventory and describe their data assets. As noted earlier, in August 2020 the Data Governance Board also approved the Geospatial Community of Interest Charter, which established its responsibility for collaborating within the Department and with external entities.

While the Department has made progress towards coordinating its geospatial data efforts among components, it has not demonstrated adequate progress coordinating with other federal and non-federal entities, which is still being conducted at the component level and may lead to duplication of effort and wasted resources. As a result, the Department cannot assure that the collection, integration, maintenance, dissemination, and preservation of geospatial data is being done so in an efficient and cost-effective manner. Therefore, we recommend that JMD's OCIO, utilize the Department's Geospatial Community of Interest and Data Governance Board's Data Architecture Working Group to coordinate and work in partnership with other federal and non-federal agencies to efficiently and cost-effectively collect, integrate, maintain, disseminate, and preserve geospatial data.

#### *Use of Geospatial Data*

GDA subsection 759(a)(8) requires covered agencies to use geospatial information to: (1) make federal geospatial information and services more useful to the public; (2) enhance operations; (3) support decision making; and (4) enhance reporting to the public and Congress. The Department publishes the public and restricted-public entries from its Data Catalog to [Data.gov](https://data.gov) for view and use by the public. Entries into the Department Data Catalog are made by users at the individual

Department components, who designate in the Catalog whether the dataset they steward has a spatial element to it. OCIO stated that uses of geospatial information will vary by Component, citing that the FBI uses geospatial information to allocate resources during times of response or necessity, enhance and focus investigative work, and provide efficiency to deployed resources. OCIO added that the FBI works with numerous partners in these efforts, including the Federal Aviation Administration and the National Geospatial-Intelligence Agency. Since the geospatial data assets and the use of geospatial data varies based on the needs of the Department components, there is no Department-wide policy related to this GDA requirement. However, OCIO stated that the Department recently launched a geospatial enterprise license agreement that provides all Department employees, contractors, and Task Force personnel assigned to the Department or its components with access to several geographic information system products and services on any Department sponsored desktops, clients, and servers. One such product is a desktop geographic information system application that allows users to transform data into maps and actionable information, integrating data from multiple sources, and share those maps with other users. This product currently has over 350,000 organizational users worldwide, who will have access to any datasets shared by the Department and vice-versa. According to OCIO, as of February 2020, the ATF, Civil Division, Criminal Division, Civil Rights Division, Drug Enforcement Administration, FBI, OIG, Office of Justice Programs, and the United States Marshals Service use this application. Finally, OCIO stated that the process to make geospatial information available to the public will also vary by Component. For instance, while the FBI would first need to review its datasets for sensitivity and determine if they can be shared with the public, the ATF already prepares and posts maps publicly to its website that present geospatial data on Federal Firearm Licensee burglary and robbery reports occurring in a calendar year.

In our judgment, the Department has made progress in using geospatial information for the purpose of enhancing operations and supporting decision-making within the Department, particularly at the component level. This is also supported by the Department's recent enterprise license agreement allowing all Department employees to use mapping applications, which will facilitate the sharing of geospatial information with users with access to the same applications, both within the Department, and externally. The Department should continue to maximize its use of geospatial information in accordance with the GDA.

#### *Personal Privacy Protection*

GDA subsection 759(a)(9) requires covered agencies to protect personal privacy and maintain confidentiality in accordance with federal policy and law. The Department's Office of Privacy and Civil Liberties (OPCL) provides legal advice and guidance to Department components, develops Department privacy policy, ensures the Department's compliance related to personal privacy. This includes matters concerning the Department's collection, use, and dissemination of Personally Identifiable Information; and the Department's compliance with privacy-related laws and regulations. In accordance with Department Order 0601, Privacy and Civil Liberties, Department components are required to identify a Senior Component

Official for Privacy to manage—at the component level—the implementation of privacy rules, regulations, policies, and laws, and to serve as the OPCL’s main point of contact. The OPCL coordinates privacy compliance with Departmental components through designated Senior Component Official for Privacy.

The OPCL requires Department components to use an Initial Privacy Assessment to facilitate the identification of potential privacy issues; assess whether additional privacy documentation is required; and ultimately, to ensure the Department’s compliance with applicable privacy laws and policies. The Initial Privacy Assessment asks a series of basic questions, the responses to which are reviewed and assessed by the component to identify privacy concerns and to determine whether additional privacy analysis and documentation are required. An Initial Privacy Assessment should be completed at the beginning of development of an information system before commencement of any testing or piloting. Additionally, an assessment should be completed any time there is a significant change to the information system to determine whether there are any resulting privacy issues. The Initial Privacy Assessment defines the term “information system” as: any process of collection, maintenance, use, or dissemination of information, whether performed manually with paper records or electronically using information technology (IT) products or design. Completed IPAs are reviewed at the component level by designated privacy officials, IT security staff, and the program-specific office responsible for the IT system. A copy is then forwarded to OPCL.

While these privacy practices were already implemented when the GDA was passed, in our judgment, they fulfill the intent of the subsection 759(a)(9) requirements to protect personal privacy and maintain confidentiality in accordance with federal law. The Department should continue to prepare Initial Privacy Assessments for any geospatial IT systems it utilizes in fully complying with the other requirements of the GDA.

#### *National Spatial Data Infrastructure Contributions*

GDA subsection 759(a)(10) requires covered agencies to participate in determining, when applicable, whether declassified data can contribute to and become part of the National Spatial Data Infrastructure. The Federal Data Strategy 2020 Action Plan states that the FGDC will develop the National Spatial Data Infrastructure Strategic Plan by December 31, 2020. As a result, we were unable to fully evaluate the Department's progress toward compliance with this subsection. OCIO stated that the Department will continue to work with the FGDC and Department components to ensure alignment with the National Spatial Data Infrastructure update, when available, including any guidance on assessing whether the Department has declassified data to contribute to the National Spatial Data Infrastructure.

#### *Use of Existing Geospatial Data*

GDA subsection 759(a)(11) requires covered agencies to 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. On August 21, 2020, the JMD's Acting Chief Information Officer issued a memorandum to the Acting Director of JMD's Policy and Planning Staff, instructing the modification of the existing information technology acquisition processes and requiring acquisition requests to include information on efforts to search all sources of existing data before requesting a new geospatial data collection. In our judgment, this memorandum demonstrates adequate progress towards compliance with the requirements of GDA subsection 759(a)(11), and JMD's OCIO should take steps to ensure that the direction in its memorandum is properly implemented.

#### *Geospatial Data Quality*

GDA subsection 759(a)(12) requires covered agencies, to the maximum extent practicable, ensure that a person receiving federal funds for geospatial data collection provides high-quality data. In its August 21, 2020 memorandum the JMD Acting Chief Information Officer instructed the Policy and Planning Staff to work with the Department components to ensure acquisition requests for geospatial data products include a description of the data quality requirements prior to obtaining approval by the IT Acquisition Review Board. The memorandum states that agencies must define acquisition-specific geospatial data quality requirements in Statements of Work or other requirements documents included in solicitations, requests for quotes, or requests for proposals. In our judgment, this memorandum demonstrates adequate progress towards compliance with the requirements of GDA subsection 759(a)(12). However, OCIO should take steps to ensure that the direction in its memorandum is properly implemented.

#### *Lead Covered Agency Coordination*

GDA subsection 759(a)(13) requires covered agencies to 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. As stated previously, OCIO has appointed the Acting Department Chief Information Officer as the Senior Agency Official for Geospatial Information responsible for ensuring compliance with the GDA. The Senior Agency Official for Geospatial Information also represents the Department at the FGDC as a voting member of its Steering Committee, whose central focus is to provide leadership for the coordination of federal geospatial activities between, among, and within agencies. In early August 2020, the Department participated in a vote to revise the FGDC portfolio of National Geospatial Data Asset data themes. In our judgment, the appointment of a Senior Agency Official for Geospatial Information and participation in the revision of the FGDC portfolio of National Geospatial Data Asset data themes demonstrates adequate progress towards compliance with GDA subsection 759(a)(13). Once the data theme revisions are finalized, OCIO should identify which themes are currently in use by the individual Department components and coordinate with the lead covered agency accordingly.

## **CONCLUSION AND RECOMMENDATIONS**

The Department has not fully complied with the GDA. Much of the Department's progress, to date, has been made in the past few months, and has been fragmented and largely conducted by the individual Department components as opposed to a cohesive Department-wide effort. Without corrective action to ensure compliance with the GDA, the Department is at risk of duplicating effort and wasting resources. As a result, we make two recommendations to improve the Department's efforts to comply with the GDA.

We recommend that JMD's OCIO:

1. Coordinate with components to identify all geospatial data sets for the Department, and develop and implement a plan to 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.
2. Utilize the Department's Geospatial Community of Interest and Data Governance Board's Data Architecture Working Group to coordinate and work in partnership with other federal and non-federal agencies to efficiently and cost-effectively collect, integrate, maintain, disseminate, and preserve geospatial data.

**OBJECTIVE, SCOPE, AND METHODOLOGY**

**Objective**

The objective of the audit was to assess the Department of Justice’s (Department) progress toward meeting the requirements for covered agencies established in the Geospatial Data Act of 2018 under subsection 759(a).

**Scope and Methodology**

Our audit covers the covers the Department’s efforts to implement the statutory requirements of the GDA from October 2018 through August 2020. To accomplish our objective, we interviewed we interviewed personnel from the Department’s Justice Management Division (JMD) Office of the Chief Information Officer (OCIO), including the Acting Chief Information Officer, who also serves as the Department’s Chief Data Officer and the Senior Agency Official for Geospatial Information. In addition, we evaluated the Department’s policies governing geospatial data, and reviewed the Department’s Data Catalog to identify any geospatial datasets relevant to the requirements of the GDA.

*Statement on Compliance with Generally Accepted Government Auditing Standards*

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

*Internal Controls*

In this audit, we performed testing of internal controls significant within the context of our audit objectives. We did not evaluate internal controls of the Department to provide assurance on its internal control structure as a whole. Department management is responsible for the establishment and maintenance of internal controls in accordance with OMB Circular A-123. Because we are not expressing an opinion on the Department’s internal control structure as a whole, we offer this statement solely for the information and use of the Department.

In planning and performing our audit, we identified the following internal control components and underlying principles as significant to the audit objective:

<b>Internal Control Components &amp; Principles Significant to the Audit Objectives</b>	
<b>Control Environment Principles</b>	
	Management should establish an organizational structure, assign responsibility, and delegate authority to achieve the entity's objectives.
<b>Control Activity Principles</b>	
	Management should design the entity's information system and related control activities to achieve objectives and respond to risks.
	Management should implement control activities through policies.
<b>Information &amp; Communication Principles</b>	
	Management's use of quality information to achieve the entity's objectives.
	Management's external communication of quality information necessary to achieve the entity's objectives.

We assessed the design, implementation, and operating effectiveness of these internal controls and identified deficiencies that we believe could affect the Department's ability to operate effectively and efficiently, and to ensure compliance with laws and regulations. The internal control deficiencies we found are discussed in the Audit Results section of this report. However, because our review was limited to internal control components and underlying principles determined to be significant to the audit objectives, it may not have disclosed all deficiencies that may have existed at the time of this audit.

#### *Compliance with Laws and Regulations*

In this audit we tested, as appropriate given our audit objective and scope, selected records, procedures, and practices, to obtain reasonable assurance that the Department's management complied with federal laws and regulations for which noncompliance, in our judgment, could have a material effect on the results of our audit. Our audit included examining, on a test basis, the Department's compliance with the following laws and regulations that could have a material effect on the Department's operations:

- Public Law 115-254, Subtitle F – Geospatial Data (Geospatial Data Act of 2018)
- OMB Circular A-16

This testing included interviewing personnel from JMD OCIO, examining geospatial data policies, practices and procedures, and assessing internal controls. As noted in the Audit Results section of this report, we found that the Department did not fully comply with the GDA requirements established in subsection 759(a).

#### *Computer-Processed Data*

During our audit, we examined metadata from the Department's Data Catalog. To assess the reliability of the metadata in the Catalog, we discussed the data quality control procedures with OCIO officials and reviewed relevant documentation. We determined that the data was sufficiently reliable for the purposes of this report.

## THE DEPARTMENT OF JUSTICE RESPONSE TO THE DRAFT AUDIT REPORT

Department of Justice  
GDA of 2018  
Comments on Draft Report  
09/18/2020

Thank you for the opportunity to comment on the Draft Report for the Geospatial Data Act of 2018. The report provided the following conclusion and recommendations. The Department's comments are in-line:

**Conclusion:** The Department has not fully complied with the GDA. Much of the Department's progress, to date, has been made in the past few months, and has been fragmented and largely conducted by the individual Department components as opposed to a cohesive Department-wide effort. Without corrective action to ensure compliance with the GDA, the Department is at risk of duplicating effort and wasting resources. As a result, we make two recommendations to improve the Department's efforts to comply with the GDA.

**DOJ Comments:** The report from the Office of the Inspector General found the Department has made progress in implementing the provisions of the Geospatial Data Act, with evidence supporting these efforts in a majority of the statute's provisions. We appreciate the efforts of the Audit Team and agree continued action which builds off of the work already in progress will see the Department achieve further success in implementing these statutory provisions.

**Recommendation 1.** Coordinate with components to identify all geospatial data sets for the Department, and develop and implement a plan to 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.

**DOJ Response:** As noted in the Draft Report, the Department actively coordinates with Components to inventory data assets regardless of type through multiple channels. As discussed with the Audit Team, DOJ agrees with this recommendation and will continue to document these current activities and existing requirements. DOJ will also confirm that all data assets from the Justice Data Catalog with spatial information and available for publishing on Data.gov (e.g. listed with an access level of "public" or "public restricted") are available on that site. The Department will remain responsive to changes in Federal Geographic Data Committee (FGDC) guidance for reporting assets through Data.gov to ensure visibility of DOJ information. Finally, DOJ will distribute instructions for the Department's existing mandatory, quarterly data call to update entries in the Justice Data Catalog through the Geospatial Community of Interest (COI) to further coordinate with Component geospatial subject matter experts on this inventory effort.

**Recommendation 2.** Utilize the Department's Geospatial Community of Interest and Data Governance Board's Data Architecture Working Group to coordinate and work in partnership with other federal and non-federal agencies to efficiently and cost-effectively collect, integrate, maintain, disseminate, and preserve geospatial data.

**DOJ Response:** The Department continues to successfully use the Geospatial COI and Data Architecture Working Group to coordinate geospatial activities across DOJ and agrees with this recommendation. The Data Architecture Working Group includes updates

Department of Justice  
GDA of 2018  
Comments on Draft Report  
09/18/2020

on activities from the Federal Geographic Data Committee as a part of its standard agenda and the Geospatial COI will include a similar item moving forward. These activities will be documented in meeting agendas, presentation materials, invites, and minutes (if applicable) moving forward. The Geospatial COI co-chairs will also review the Justice Data Catalog for Components with spatial entries and invite these offices to future meetings. DOJ will continue to document these current activities and strategic opportunities to advance these goals.

**OFFICE OF THE INSPECTOR GENERAL ANALYSIS AND SUMMARY OF ACTIONS NECESSARY TO CLOSE THE REPORT**

The OIG provided a draft of this audit report to the Department’s Justice Management Division (JMD) Office of the Chief Information Officer (OCIO). We incorporated JMD OCIO’s response in Appendix 2 of this final report. In response to our audit report, JMD OCIO agreed with our recommendations and discussed the actions it will implement in response to our findings. As a result, the status of the audit report is resolved. The following provides the OIG analysis of the response and summary of the actions necessary to close the report.

**Recommendations for JMD OCIO:**

- 1. Coordinate with components to identify all geospatial data sets for the Department, and develop and implement a plan to 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.**

Resolved. JMD OCIO agreed with our recommendation. JMD OCIO stated in its response that the Department actively coordinates with Department components to inventory its data assets and will continue to document these activities. JMD OCIO also stated that the Department will confirm that all public and public-restricted data assets with spatial information are available in both the Justice Data Catalog and on Data.gov, and the Department will implement Federal Geographic Data Committee (FGDC) guidance for reporting assets through Data.gov. Finally, JMD OCIO stated that the DOJ will distribute instructions for updating entries in the Justice Data Catalog through the Geospatial Community of Interest (COI) to further coordinate with Department components on this inventory effort.

This recommendation can be closed when we receive evidence that JMD OCIO: (1) has confirmed that all public and public-restricted data assets are made available on Data.gov; and (2) has distributed instructions to Department components ensuring all geospatial data entries into the Justice Data Catalog are appropriately updated and adhere to content requirements in the Project Open Data Schema.

- 2. Utilize the Department’s Geospatial Community of Interest and Data Governance Board’s Data Architecture Working Group to coordinate and work in partnership with other federal and non-federal agencies to efficiently and cost-effectively collect, integrate, maintain, disseminate, and preserve geospatial data.**

Resolved. JMD OCIO agreed with our recommendation. JMD OCIO stated in its response that, as part of its standard agenda, Data Architecture Working Group meetings currently include updates on external coordination activities

from the FGDC and future Geospatial COI meetings will include a similar item moving forward, which will be documented in meeting agendas, presentation materials, invites, and minutes (if applicable). Additionally, JMD OCIO stated that it will extend invitations to join the Geospatial COI to Department components who contribute spatial data to the Justice Data Catalog.

This recommendation can be closed when we receive evidence that JMD OCIO has communicated, through the Data Architecture Working Group and Geospatial COI, external coordination activities of the FGDC that the Department components can utilize to ensure the efficient and cost-effective collection, integration, maintenance, dissemination, and preservation of its geospatial data.