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**NGAC**

**Geospatial Privacy Subcommittee  
Status Report**

**Kevin Pomfret, Chair**

**June 10, 2015**

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# Session Agenda

- Introduction
- Update on CIO Council coordination
- NTIA Unmanned Aircraft System (UAS) stakeholder engagement process
- Discussion
- Next Steps

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# Subcommittee Membership

- Chair: Kevin Pomfret
- Co-Chair: Doug Richardson
- Members:
  - Keith Clarke
  - Matt Gentile
  - Michael Jones
  - Tony Spicci

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# Guidance 2015

The issue of geolocation privacy is an area of continuing importance to the FGDC and the organizations represented on the NGAC. The FGDC will continue to collaborate with the NGAC to review and develop common approaches to understand and address the issue of geolocation privacy, including the following:

- Provide continuing feedback and advice on emerging geospatial privacy issues and policy developments. Develop and refine background and briefing materials on key geospatial privacy issues.

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# CIO Council Coordination

- February 19 FGDC/NGAC briefing to CIO Council Privacy Committee
- Follow-up discussions/coordination:
  - CIOC Privacy Committee designation of Innovation and Emerging Technology Subcommittee as POC for geospatial privacy issues
  - Planning for November 2015 “Privacy Summit” – including session on geo-privacy issues (details to be developed)
- Very encouraging progress in developing working relationship with Federal privacy community

# Other Recent Developments

- NASCIO Policy Brief - Unmanned Aerial Systems, Governance and State CIOs: On the Radar
- Illinois Data Breach Law - “Geolocation information means information generated or derived from the operation or use of an electronic communications device that is stored and sufficient to identify the street name and name of the city or town in which an individual is located and the information is likely to enable someone to determine an individual’s regular pattern of behavior. ‘Geolocation information’ does not include the contents of an electronic communication.”
- Nevada Drone Law – Trespass if flown lower than 250 ft.
- Florida Drone Law – “For purposes of this section, a person is presumed to have a reasonable expectation of privacy on his or her privately owned real property if he or she is not observable by persons located at ground level in a place where they have a legal right to be, regardless of whether he or she is observable from the air with the use of a drone.”

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# NTIA UAS Activities

- **March 2015** – National Telecommunications and Information Administration (NTIA) issued Request for Comments on “Privacy, Transparency, and Accountability Regarding Commercial and Private Use of Unmanned Aircraft Systems.” Comments due April 20, 2015. (<http://www.ntia.doc.gov/federal-register-notice/2015/request-comments-privacy-transparency-and-accountability-regarding-comm>).
- **March 2015 NGAC Meeting** – discussion of RFC and approval of resolution

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# NGAC Resolution

- “The NGAC recommends that the FGDC work collaboratively with the National Telecommunications and Information Administration (NTIA) to ensure that the geospatial community is actively involved in the multi-stakeholder engagement process described in the February 2015 Presidential Memorandum “Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties in Domestic Use of Unmanned Aircraft Systems.” The NGAC encourages the FGDC to work collaboratively with the NTIA to develop and communicate appropriate best practices for privacy, accountability, and transparency issues regarding commercial and private UAS use for data acquisition, while encouraging innovation and the development and deployment of appropriate technologies that benefit the nation and serve the scientific and economic missions of multiple agencies. The NGAC looks forward to providing input and suggestions to the FGDC to inform the multi-stakeholder process as it develops.”

**Approved March 18, 2015**



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# FGDC/NGAC Comments

- FGDC submitted comments to NTIA - April 20, 2015
- Transmitted NGAC resolution on UAS
- Encouraged NTIA to fully include the geospatial community in the multi-stakeholder engagement process
- Noted that FGDC and NGAC representatives had registered to participate in stakeholder meetings; look forward to collaboration
  - FGDC Comments posted at: [http://www.ntia.doc.gov/files/ntia/fgdc\\_comments\\_4-20-15.pdf](http://www.ntia.doc.gov/files/ntia/fgdc_comments_4-20-15.pdf)
  - All comments posted at: <http://www.ntia.doc.gov/federal-register-notice/2015/comments-privacy-transparency-and-accountability-regarding-commercial-a>

# NTIA Multistakeholder Engagement

- Initial meeting in late June/early July (date TBD)
- Focus on Best Practices
- NGAC next steps:
- Discuss/identify emerging best practices and guiding principles from two perspectives:
  1. Sensor/Technology Approach
  2. Data Management Approach

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# Discussion Questions

## **Sensor/Technology Approach**

“What measures are reasonable for UAV operators take to protect the privacy of individuals while conducting standard operations? Should these vary depending upon the type of sensor (i.e. electro-optical vs. infra-red) used or the type of use (i.e. mapping vs. inspecting a home after a storm)?”

## **2. Data Management Approach**

“What measures are reasonable for organizations to take to protect data collected from UAVs from unauthorized or inappropriate access or use that could impact the privacy of individuals?”