

NGAC

Cultural & Historical Geospatial Resources

Subcommittee Report

NGAC Meeting
Washington, DC
June 2019



Original Problem Statement

There seems to be a lack of documented (or knowledge of) policies in place to address the protection of geospatial data assets that have cultural and historical significance. At a minimum, there is certainly no clear consistency concerning the management or protection of these types of geospatial data assets across federal agencies.

Audience: Federal agencies and/or agencies holding geospatial data assets that have cultural and historical significance.



Our Approach

- Data Collection: Summer – Fall 2018
- Focused on federal agencies/divisions (12 interviews conducted)
 - Land holding agencies;
 - Agencies with land stewardship responsibilities
- Used a standardized interview guide
 - Conversational interview, using the guide
- Analyzed interview notes
 - Identified points of convergence across interviews
- Researched applicable existing laws that protect this type of data



Findings in Brief

- Ambiguity & contradictions in applicable federal laws
- Clear need to develop a definition defining cultural & historical geospatial data
- Confirmed lack of consistency in procedures across agencies regarding cultural & historical geo data
- Most agencies possesses large amounts of highly detailed cultural & historical geospatial data that is not included in national inventories
- Security issues related to derived data



Existing laws that protect this type of data

- Congress has previously passed legislation to protect culturally significant sites and landmarks dating back to the Historic Sites Act of 1935 and subsequently the National Historic Preservation Act (NHPA) of 1966, amended in 1992 and the Archeological Resources Protection Act (ARPA), passed in 1979.
- The principal federal laws that can protect sensitive information about historic properties and archaeological resources are Section 304 of the National Historic Preservation Act and Section 9 of the Archeological Resources Protection Act. While there is some overlap between these two statutes, each focuses on specific kinds of information that can be withheld from general disclosure, and the former is utilized more often (ACHP, 2016).



Existing laws summary

- It should be noted that cultural properties (or historic resources) only need to be “eligible” for inclusion on the National Register of Historic Places to enjoy the protections of section 304 of the NHPA. This would make the majority of geospatial assets related to cultural and historic locations protected under section 304 of the NHPA. Additionally, most cultural and historical geospatial assets would also be covered under ARPA (43CFR part 7) as the definition of scientific or scholarly techniques depicts capabilities of most modern GIS systems.



Preliminary Recommendations

- Develop a definition for cultural & historical geospatial data
- Provide guidance to agencies to develop policies or procedures
 - Develop formal guidance to identify cultural and historical geospatial data
 - Define how said data should be protected and what process should be followed if data is to be released
 - Utilize documented data sharing agreements
 - Implement non disclosure agreements with organization staff including volunteers that have access to cultural & historical geo data
 - Consult with potentially affected entities (states, tribes, local) that have an interest in the resources included in a potential data release
- Provide more education and training

Subcommittee Next Steps

- Refine draft report within the sub-committee (in progress)
- Distribute review draft report full NGAC for review mid July 2019
- Solicit feedback from NGAC members late July
- Review comments and modify report prior to September 2019 NGAC meeting
- Present final draft report for approval at September 2019 meeting



Committee Membership

- Garet Couch, Chair
- Gar Clarke
- Jennie Stapp
- Julie Sweetkind-Singer
- Mark Reichardt
- Byron Bluehorse

Federal Liaison: Deidre McCarthy

