

IMPACT OF LAWS AND REGULATIONS ON GEOSPATIAL INFORMATION MANAGEMENT

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- > Policy instead of law;
- > (e.g., definition of National Spatial Data Infrastructure in Geospatial Data Act of 2018 “means the technology, policies, criteria, standards, and employees necessary to promote geospatial data sharing throughout the Federal Government, State, tribal, and local governments, and the private sector (including nonprofit organizations and institutions of higher education)”)”))
- > “Open Data” instead of licensing
- > Ethics instead of privacy/data protection
- > Data quality, provenance or governance instead of liability
- > digital rights management instead of intellectual property rights

GOVERNMENT AGENCIES, BUSINESSES AND NGO'S ALL TALK ABOUT THE SAME SET OF ISSUES



- > When I talk to government agencies, businesses and NGO's, they raise the same issues regarding data sharing.
 - Licensing
 - Data Protection/Privacy
 - Liability concerns
 - National Security laws
 - Regulatory restrictions/requirements
- > True in every country, regardless of geomaturity, legal system or level of government support (\$\$\$).
- > As a result, geospatial community is not actively participating in important legal/regulatory discussions. (e.g., Data protection; artificial Intelligence)

$$X = (A * B) C^2$$

Where:

X = complexity of aggregation

A = number of data sets

B = number of different legal systems involved

C = number of parties removed from original data source

FGDC VS GEOSPATIAL LAW



> FGDC Website

- Geospatial Data Act of 2018
- OMB Circular A-16 and Supplemental Guidance
- OMB Circulars that guide the FGDC policies
- Executive Order establishing the NSDI
- FGDC Policies

> Geospatial Law

- Security classification rules and regulations
- Title 13
- U.S. Constitution
- World Meteorological Organization Resolution 40
- Privacy Act of 1974
- FAR and DFARS
- Foundations for Evidence-Based Policymaking Act of 2018
- FTC v Kochava
- NIST SP 800-188: De-Identifying Government Datasets: Techniques and Governance
- DOD Directive 5105.60
- And many more