

## **GSDI Legal and Economic Working Group: A Template for Reporting National Legal and Economic Issues Affecting Spatial Data Infrastructure Developments**

The primary objective of the GSDI Legal and Economic Working Group is to open communication channels and encourage dialogue regarding the legal and economic frameworks within which spatial data infrastructures are being developed. One step in this communication process is the exchange of detailed descriptions of the existing legal and economic framework affecting the development of SDIs in each of our nations.

A sample report follows. Others are encouraged to participate by preparing and distributing openly reports on the legal and economic issues affecting Spatial Data Infrastructure developments in their nations. Please note that much of the material in the sample report is drawn verbatim or with few changes from other past published sources. (See the reference list at the end of the report). Thus there may be little need to resort to new writings in order to report the situation in a specific country.

If you are interested in preparing such a report for your nation and having it posted on the GSDI site, please us.

Best regards,

Harlan Onsrud <onsrud@spatial.maine.edu> and  
Bas Kok <bas.kok@ravi.nl>  
Co-chairs  
GSDI Legal and Economic Working Group

### **SAMPLE COUNTRY REPORT:**

#### **Legal and Economic Issues Affecting Spatial Data Infrastructure Developments in the United States of America<sup>1</sup>**

Professor Harlan J. Onsrud  
Department of Spatial Information Science and Engineering &  
National Center for Geographic Information and Analysis  
University of Maine  
Orono, ME USA  
Onsrud@spatial.maine.edu

#### **1. Introduction and Background**

U.S. public information principles attempt to support broad access to information in order to advance both economic and political opportunities for citizens. Four broad motives of U.S. information policy are: (1) to encourage public education and enlightenment; (2) to

---

<sup>1</sup> Much of the material in this article is drawn verbatim or with minor changes from Onsrud, H.J., "Access to Geographic Information in the United States", Free accessibility of geo-information in the Netherlands, the United States, and the European Community, Proceedings, Delft, Netherlands, Oct 2, 1998, pp. 33-41. Material in that article as well was drawn from other sources and an earlier version was presented as GIS Legal Issue Challenges, International Federation of Surveyors (FIG), Brighton England, July 22, 1998.

protect intellectual property rights; (3) to assist economic development; and (4) to protect national security (Ballard et. al., 1989, 86). All of these motives are supported to varying degrees through a balance of competing yet complementary laws.

A basic policy assumption underlying most U.S. information law is that the economic and social benefits of information will be maximized in society by fostering wide diversity in the creation, dissemination and use of information. For-profit businesses, not-for-profit organizations, government agencies and citizens all contribute to this diversity. The belief, borne through experience, is that diversification of sources and channels for the distribution of information establishes a social condition that allows the economy and democracy to thrive. In the U.S., government records and datasets are considered to be highly valuable national assets. The diversification principle leads to the conclusion that to gain the greatest economic and social benefits from these assets, U.S. government information should be made available to all in an equitable and timely manner (Weiss and Backlund, 1996). U.S. laws generally support this proposition.

## **2. Copyright, Database Protection, and Similar Intellectual Property Protection Laws<sup>2</sup>**

A primary objective of copyright law in the U.S. is to encourage expression of ideas in tangible form so that the ideas become accessible to others and can benefit the community at large. Copyright restricts the use of creative works as an incentive for authors to bring forth knowledge, information and ideas so that others in the community may exploit the knowledge for economic or social gain. By providing limited but substantial protection to the creative author for making their work known, everyone in the community benefits.

In brief, copyright protection subsists in original works of authorship and the author of the work is the owner of the copyright upon creation of the work or expression in tangible form. Copyright protects only expression, not facts (Berne Convention, 1986). Facts, algorithms, physical truths, and ideas exist for use by everyone. The expression protected must be the product of intellectual creativity and not merely labor, time, or money invested. In the U.S., the protected elements of the resulting work are precisely those that reflect the intellectual creativity, and no more. Generally in the U.S., copyright extends for the life of the author plus fifty years; or 75 years for corporate created works.

Thus copyright may be had in compilations of geographic facts if there is some "authorship" in the "selection, coordination, or arrangement" of the compilation. Only a very low level of creativity - a modicum of creativity - is required (Feist Publications v. Rural Telephone Service Co., 1991). However, the protection is "thin" and extends only to the author's original and creative "selection, coordination, or arrangement."

Further, "(i)n no case does copyright protection for an original work of authorship extend to any idea, procedure, process, system, method of operation, concept, principle, or discovery" (17 U.S.C. § 102b). "The primary objective of copyright law is not to reward authors, but to promote science and useful arts. To this end, copyright assures authors the right to their original expression, but encourages others to build freely upon the ideas and information conveyed by the work. This result is neither unfair nor unfortunate. It is the

---

<sup>2</sup> Segments of this section were drawn from H.J. Onsrud and X.R. Lopez, "Intellectual Property Rights in Disseminating Geographic Data, Products, and Services: Conflicts and Commonalities Among European Union and United States Approaches" in: I. Masser and F. Slag  (eds.), *European Geographic Information Infrastructures*. London: Taylor & Francis, 1997.

means by which copyright advances the progress of science and art." (Feist, 1991)

Some works are little protected by copyright, including many spatial data sets, but may be protected by alternative laws. Contract, trademark, trade secret and misappropriation laws provide substantial protection for many data sets that lack the creativity requisite for protection under copyright.

The United States expressly forbids Federal agencies from imposing copyright in the works of the agencies, thereby placing these information resources in the public domain. Due to their dominant power positions and fiscal incentives to do so, it is very likely that most government agencies would choose in their own best agency interests rather than in the interests of citizens generally if they had the ability to decide whether to impose copyright in government information. Thus the imposition of copyright in government works should be addressed by public policy makers in political law making forums. In the U.S., the Copyright Act has long stated that "(c)opyright protection under this title is not available for any work of the United States Government." (17 U.S.C. § 105). The primary reason for not allowing Federal agencies to copyright public records was the fundamental belief that government copyright is the antithesis of "open access" whereby an informed citizenry can check official abuses. However, other values also are at work, primarily that individuals ought to be able to derive benefit from public goods and that education (increased access to information) is inherently good in its own right (US Congress, 1986). Thus the position of Congress has supported the development by individuals and private businesses of markets for government information and has otherwise encouraged the distribution of government information in the public interest.

Most state and local governments in the U.S. feel that they have the option of imposing copyright in their public records if they choose to do so. However recent legal arguments have been put forward that challenge this assumption. Legal scholars are now arguing that under the patents and copyright clause of the U.S. Constitution, Congress lacks the ability to extend copyright beyond that which is necessary to provide "incentives" to authors to make their works available. When state or local government agencies collect information in response to a legislated obligation, it is the public need as defined by the legislative obligation that provides the incentive to gather information or create a public record. If copyright failed to exist, the information would still be collected. This being the case, copyright provides no incentive and the works may not be protected by copyright. Regardless, some local and state agencies are pursuing the imposition of copyright in some public records. Due to their value, geographic data sets are often included when this approach is taken.

### **3. Rules and Laws Regarding Access to Government Data<sup>3</sup>**

The U.S. Freedom of Information Act (FOIA, USCS Title 5 § 552) and the Open Records Laws of the individual states create a balance between the right of citizens to be informed about government activities and the need to maintain confidentiality of some government records. The U.S. Supreme Court has stated that "(t)he basic purpose of FOIA is to ensure an informed citizenry, vital to the functioning of a democratic society, needed to check against corruption and to hold the governors accountable to the governed" (NLRB v. Robbins Tire & Co., 1978). Both the national FOIA and state Open Records Laws

---

<sup>3</sup> Segments of this section were drawn from Onsrud, H.J. "In Support of Open Access for Publicly Held Geographic Information," *GIS Law*, Vol. 1, No. 1, Jan/March 1992, pp. 3-6.

generally support a policy of broad disclosure by government. For instance, if a data set held by a federal agency is determined to be an agency record, the record must be disclosed to any person requesting it unless the record falls within one of nine narrowly drawn exceptions contained in the FOIA. Exceptions are construed narrowly by the courts so that disclosure is typically favored over non-disclosure. In responding to citizen requests for records, government agencies at most levels in the U.S. are authorized to recover the costs required to respond the citizen requests.

May a private citizen acquire an entire geographic data set produced by a U.S. government agency? The answer to this question typically is “yes” and the rate charged for data sets is essentially the cost of duplication. There exists a general presumption of disclosure and the courts have held that records stored in a computer are available through the FOIA (Yeager v. DEA, 1982). However, if the digital data set is protected by one of the nine exceptions to the act, it may be withheld from disclosure. For instance, exception 3 protects agency records that are specifically exempted from disclosure by statute. Thus, the Landsat Commercialization Act of 1984 allowed Landsat data sets to be sold at a much higher rate than the costs of duplication. It is worth noting that allowing an exception for Landsat data and the resulting high costs for obtaining it greatly curtailed the use of that data for an extended period of time. Unlike food and clothing, the demand for information is highly elastic so that if the price for information is perceived by individuals as being too high, they will often choose to do without rather than paying the demanded price (Weiss and Backlund 1996).

It should be noted that many federal agencies in the U.S. voluntarily have been placing their geographic information datasets openly on the web to make their data sets more accessible to other government agencies as well as to for-profit businesses, non-profit organizations, and citizens generally (For example, see the clearinghouse nodes accessible through <http://www.fgdc.gov>). However, federal agencies also bear affirmative obligations to actively disseminate their information as defined by the provisions of OMB Circular A-130 (June 1993). They are particularly encouraged to disseminate raw content upon which value-added products may be built and to do so at the cost of dissemination, with no imposition of restrictions on the use of the data and through a diversity of channels. The core provisions of OMB Circular A-130 were incorporated into the Paperwork Reduction Act of 1995 (PRA) and that act additionally encourages the use of information technologies by agencies for providing public access, rather than relying on cumbersome FOIA processes. With the expanded use of world wide web servers by federal agencies the cost of dissemination for many government data sets has become negligible and thus these data sets are now freely available to anyone with the ability to access them over the internet.

Actions have also been taken at the federal level specifically related to spatial information and agency contributions to building the National Spatial Data Infrastructure (NSDI). The Federal Geographic Data Committee (FGDC) was established by the Office of Management and Budget (OMB) in its 1990 revision of Circular A-16, “Coordination of Surveying, Mapping, and Related Spatial Data Activities.” FGDC is now composed of representatives from 16 Cabinet level and independent Federal agencies. In April 1994, President Clinton signed Executive Order 12906 that called for the establishment of a coordinated National Spatial Data Infrastructure (NSDI) as part of the evolving National Information Infrastructure (NII) and FGDC was charged with coordinating the federal government’s development of the NSDI. In this executive order, FGDC was given a mandate to involve state, local and tribal governments, academia and the private sector in coordinating the development of the NSDI. The roles of various parties and their relationships in moving towards a common NSDI vision are being developed over time. Within the federal government itself, lead coordination responsibilities based on themes

were assigned to specific Federal agencies by the Office of Management of Budget while FGDC working groups play a crosscutting role.

Similar to the federal situation, many local communities and states voluntarily have been making geographic data sets available on the web for general use by for-profit businesses, not-for-profit organizations, and citizens generally (e.g. see <http://recorder.maricopa.gov/recorder/imaging> for an example of open web access to deeds and plats; see <http://www.concordnet.org/> or <http://www.ci.ontario.ca.us> for an alternative example of access to community geographic information; or see <http://www.fgdc.gov> for state and community clearinghouse nodes). However, similar to the Landsat situation, some local and state governments in the U.S. have advocated altering state open records laws to exempt geographic information data sets from release to citizens under the provisions of those laws. These local governments have perceived a possibility of paying for the creation and maintenance of improved land records systems other than through general tax revenues. Restricting access to public records is contrary to the plain letter language of most state open records laws in the U.S. and therefore explicit legislation is typically required to allow the restrictions. Those who seek to impose the restrictions on citizens should be required to overcome the underlying policy arguments on which such laws are based, foremost of which are that open access keeps government accountable and that open access to government information has far greater long term economic benefits for a community than does pursuing revenue generation approaches.

#### **4. Liability and Other Means for Ensuring the Suitability of Data**

If the vision of the NSDI in the U.S. is one of islands of spatial data sets growing and being supplied by many different parties, how is the *accuracy* and *reliability* of spatial data ensured?

Spatial data and spatial data products in the US are typically suitable for the purposes for which they are intended and no more. This principle is enforced primarily through our liability laws. As a general proposition, one is not allowed to warrant a spatial data product for a purpose for which it is not suitable. If one does and the client is legally harmed by the seller's negligence or incompetence, the seller is liable for the damages suffered.

But of course, the risks of most spatial data transactions are distributed among the parties through contract language. A contract for a boundary or engineering survey for instance would make clear the responsibilities and risks incurred by both parties.

If you are a government agency making spatial data available on the web in the US, you in essence are saying - "Here is some government data that was suitable for some government purpose but it may or may not be suitable for some purpose you have in mind. Therefore it goes without saying that the responsibility is on your shoulders to determine whether it is fit for your use." If you are a commercial company and you place government data in a vehicle routing system without checking whether the data is suitable and reliable for this purpose, the responsibility is on the commercial company to pay any damages to users of the commercial system, not the government. For a detailed description of liability exposure issues in the US in the use of geographic data, see (Onsrud 1999).

So, in practice, the accuracy of spatial data in most instances is very responsive to the economic risks and values at stake. If you are building a multimillion dollar skyscraper in a downtown urban area, you tend to know exactly and conclusively where the

boundaries are because you have invested in a very high quality survey and have gone through the process of clearing any defects in the land title. However, if you are buying a land lot in a rural area for a fishing cabin you may not have any survey work done because you may be satisfied with a rough land description and survey done back in the 1800's. The land isn't worth what a new survey would cost. Thus, as a general rule, the decision on how reliable a US citizen wants spatial information and the extent to which they are willing to incur risk is left up to the individual citizen and his or her advisers.

## **5. Protections for Personal Information Privacy<sup>4</sup>**

The legal right to privacy in the United States arose from a Harvard Law Review article written in 1890 by S. D. Warren and Louis Brandeis (Warren and Brandeis 1890). Over the years the judiciary developed and clarified the right through case law. The right "prevents governmental interference in intimate personal ... activities and freedoms of the individual to make fundamental choices involving himself, his family, and his relationship with others" (Industrial Foundation of the South v. Texas Indus. Acc. Bd., 679). Although the word "privacy" does not appear in the U.S. Constitution, the U.S. Supreme Court over time has interpreted a right of privacy to exist for individuals under the First, Fourth, Fifth, Ninth and Fourteenth Amendments (Schwartz 1991).

From the case law, it is plainly seen that the context within which common law privacy rights were originally argued and developed in the U.S. was one involving conflicts among singularly identified individuals. Although such law remains valid and provides some limited protection, our culture has entered a new social and technological era in which privacy conflicts involve detailed data collection and identity profiling on large portions of the population.

Therefore, in addition to judge-made law, numerous legislative enactments address privacy in the U.S. at both the federal and state levels. The major federal privacy statute is the Privacy Act of 1974. The Privacy Act (1) allows individuals to determine what records pertaining to them are being collected, maintained, or used by federal agencies, (2) allows individuals to prevent records obtained for a particular purpose from being used or made available for another purpose without their consent, (3) allows individuals to gain access to such records, make copies of them and make corrections, (4) requires agencies to ensure that any record which identifies individuals is for a necessary and lawful purpose, and (5) requires agencies to provide adequate safeguards to prevent misuse of personal information (Privacy Act of 1974). Among additional U.S. federal acts addressing a range of privacy issues include the Freedom of Information Act, Fair Credit Reporting Act, Family Educational Rights and Privacy Act of 1974, Right to Financial Privacy Act of 1978, Electronic Fund Transfer Act, Privacy Protection for Rape Victims Act of 1978, Privacy Protection Act of 1980, Cable Communications Policy Act of 1984, Electronic Communications Privacy Act of 1986, Computer Matching and Privacy Protection Act of 1988, Video Privacy Protection Act of 1988, the Telephone Consumer Protection Act of 1991 and similar more recent acts. Each of these acts provides protection of personal information privacy under specific circumstances.

Many state governments in the U.S. have a general privacy act that mirrors the federal government's Privacy Act. These acts typically control the information that state agencies and local governments may gather on individuals. Also similar to the federal

---

<sup>4</sup> Segments of this section were drawn from H.J. Onsrud, J. Johnson, and X. Lopez, "Protecting Personal Privacy in Using Geographic Information Systems," *Photogrammetric Engineering and Remote Sensing* 60 (9): 1083-1095, 1994

law situation, most states have numerous separate acts addressing privacy problems in specific situations.

From a review of the federal and state laws, it is readily apparent that in the U.S. we have tended to restrict the personal information that government may collect and we provide significant safeguards against privacy intrusions by government agencies. However, we have tended to give the commercial sector greater leeway in protecting the privacy interests of their clients and potential clients. We have also allowed private companies greater leeway in what they may do with the information they have gathered. This may reflect in U.S. society a belief that individuals should be responsible for protecting their own privacy interests relative to the commercial sector rather than relying on government to do it for them, a belief that economic efficiency will be stifled by imposing greater personal privacy restrictions, a greater distrust of government power than in private commercial power, or simply an inability to overcome industry resistance to privacy legislation initiatives at state and federal levels.

With the strong privacy protection mandates being imposed by the European Union we may see much greater consistency across Europe in implementing privacy protection measures than we may see, for instance, across the individual states in the United States. Due to the ability to construct contracts that can accommodate the differences in privacy laws among nations, EU privacy legislation is not expected to significantly impede trade with the U.S. and other nations.

In review and by way of example, all spatial data sets provided openly on the web in the U.S. are subject to the numerous privacy statutes and the common law of privacy of the United States and the various states. The U.S. Federal Privacy Act applies to all collections of spatial data collected by federal agencies. In addition, the FGDC has recently endorsed a policy on access to public information and the protection of personal privacy in federal geospatial databases (<http://www.fgdc.gov/Communications/policies/policies.html>). This policy applies to all federal geospatial databases from which personal information might be retrieved. The personal information privacy constraints imposed on the commercial sector in their use of spatial data tend to be far less restrictive although many private companies are following voluntary privacy guidelines. Imposing privacy guidelines on private companies by contracts with individuals is also possible.

## **6. Commentary and Discussion**

If intellectual property law is too lax, there may be inadequate incentives to produce information works. Thus, one economic goal of copyright is to protect and reward creative activity such that creators have an incentive to make their works available to others. However, if protection is too rigid, it may impede the free flow and fair use of information (Varian, 1995). Thus the intellectual property regimes of most modern nations strive to provide sufficient access for citizens in order to provide the raw materials that citizens may use to create new ideas, products, services. Through such value-added activities the economic and social well being of the nation is advanced. U.S. law historically has supported protection of access by citizens to knowledge over protection of income streams from older innovations. This creates a tension in society to continually innovate. Thus, compared to most other nations, the current balance of copyright law in the U.S. favors the promotion of science and creative authorship over protection of investment.

In terms of access to government information, noted legal scholar Henry Perritt Jr, states that “ the policy and legal questions on both sides of the Atlantic are remarkably similar.

The principle legal questions are whether or not citizens and information resellers have a right of access to public information and, conversely, whether or not the government can block such access by asserting copyright” (Perritt, 1994, 7). U.S. domestic information policy at the Federal level may be summarized as: “a strong freedom of information law, no government copyright, fees limited to recouping the cost of dissemination, and no restrictions on reuse” (Weiss and Backlund 1997).

Global electronic networks have advanced to the point where we are now well along in participating in global economies. This suggests that the need to reconcile competing interests in digital geographic data will become more intense over time. Yet, each nation needs to individually resolve internally the appropriateness of proposed changes in its policies and practices in light of the culture its citizens desire to maintain.

We should be very cautious about proposing new laws and I argue that new legislation should be enacted only when our societies can't deal with changed circumstances through the marketplace, private contracting or technological responses. The law should react, not lead, in times of rapidly changing technological and social conditions. FOIA and the Copyright Act in the U.S. are largely technology neutral. New legislative enactments based on fear of what might happen rather than on actual conflicts will tend to complicate the law and increase the complexity of resolving future disputes. The courts are able to adapt to changing circumstances and as a general rule we should let legal principles evolve through actual experiences in dealing with new conflicts and technologies prior to advocating legislative solutions. Discussions among legal experts in the U.S. often raise the importance of focusing on appropriate policy choices for the United States rather than letting the desire to harmonize laws with other nations dictate our policy directions for the future. When specific conflicts arise among nations that can not be resolved by other means, certainly cautious legislative adjustments may be appropriate.

Ultimately commerce and the advancement of science need unrestricted flows of information. If this is so, the long term international consensus regarding information policy is likely to more closely resemble the U.S. models for open access to government information and copyright than the more restrictive models observed elsewhere (Weiss and Backlund 1997).

I believe that giving deference in the law to new innovations and investment over old innovations and investment has had a highly desirable effect on the long term economic and social well being of the U.S. However, even if a group of academics could strongly document this relationship, democracies allow citizens to select government officials who may chose to ignore the advice of experts. Citizens also have the right at the ballot box to make mistakes. Therefore, the initial critical issue in determining which policy alternatives are practically feasible in a specific jurisdiction may be to answer the question of *who* has the power in that jurisdiction to make decisions - whether or not those decisions are considered by experts to be rational.

If through the political process, citizens have been convinced that leaders advocating "restrictive information practices" are appropriate, such practices are likely to be implemented. Certainly there is growing pressure in the U.S. to move toward more restrictive information laws. Whether the current balances in copyright law and laws controlling access to government information will continue in the U.S. into the near and distant future is unknown. However, political realities do not negate the responsibility of citizens, practitioners, government administrators and researchers to continually question and investigate whether specific approaches provide greater or lesser economic and social equity benefits than others. In democracies, irrational governmental policies are inevitably exposed over time with the result that the system corrects itself.



## 7. Summary

Several areas of law define or influence access to geographic information in the United States. Among these include intellectual property (e.g. copyright), freedom of information, privacy, electronic contracting and antitrust laws. In general, the form of these laws in the U.S. allows greater access to government information at the local, state, and national government levels and use of that information than is generally allowed in other nations. As a further generalization, U.S. law grants individuals greater leeway to use the work products of others without permission than is often granted by the laws of other nations. This summary article suggests that the general principle of open and unrestricted access to government information and a liberal policy concerning copyright law have been wise policy choices for the United States. The current open access approaches have been beneficial both in terms of supporting fundamental democratic values and in terms of supporting long term economic advancement for the nation.

## 8. References

Ballard, Steve, 1989, *Innovation Through Technical and Scientific Information: Government and Industry Cooperation*. New York: Quorum Books.

Onsrud, H.J., 1999, "Liability in the Use of Geographic Systems and Geographic Data Sets." In Macquire, Goodchild, Rhind, and Longley, (Eds.), *Geographic Information Systems: Principles, Techniques, Management, and Applications* (New York: Wiley).

Onsrud, H.J., "Access to Geographic Information in the United States", Free accessibility of geo-information in the Netherlands, the United States, and the European Community, Proceedings, Delft, Netherlands, Oct 2, 1998, pp. 33-41

Onsrud, H.J., "GIS Legal Issue Challenges", International Federation of Surveyors (FIG), Brighton England, July 22, 1998"

Onsrud, H.J. "In Support of Open Access for Publicly Held Geographic Information," *GIS Law*, 1.1: 3-6, 1992

Onsrud, H.J. and X.R. Lopez, "Intellectual Property Rights in Disseminating Geographic Data, Products, and Services: Conflicts and Commonalities Among European Union and United States Approaches" in: I. Masser and F. Salgé (eds.), *European Geographic Information Infrastructures*. London: Taylor & Francis, 1997.

Onsrud, H.J., J. Johnson, and X. Lopez, "Protecting Personal Privacy in Using Geographic Information Systems," *Photogrammetric Engineering and Remote Sensing* 60 (9): 1083-1095, 1994

Perritt, Henry H., Jr., 1994, *Commercialization of Government Information: Comparisons Between the European Union and United States*, *Internet Research* 4:2, 7-23.

Schwartz, John (1991). "How did they get my name?" *Newsweek* June 3: 40- 42.

U.S. Congress, 1986, *Intellectual Property Rights in an Age of Electronics and Information*, Washington, DC: Office of Technology Assessment.

U.S. Copyright Office, *Report on Legal Protection for Databases* (August 1997),

<http://lcweb.loc.gov/copyright/cpypub/db4.wp>

Varian, Hal, 1995, The Information Economy: How much will two bits be worth in the digital marketplace? Scientific American, September 1995, pp. 200-201.

Warren, S.D. , and L. Brandeis (1890). "The Right to Privacy." Harvard Law Review 4.5: 193-220.

Weiss, P.N. and P. Backlund (1996). "International Information Policy in Conflict: 'Open and Unrestricted Access' versus 'Government Commercialization'", Papers of the Conference on Information, National Policies, and International Infrastructure, HIIP, Jan 28-30, 1996 <http://ksgwww.harvard.edu/iip/GIIconf/weiss.html>.

### Treaties, Legislation, Executive Orders and Administrative Rulings

Berne Convention, 1986, U.S. Treaty Doc. 99-27, KAV 2245

5 USCS § 552. Freedom of Information Act (FOIA), Pub. L. No. 89-487, 80 Stat. 250 (1966), Pub. L. No. 90-23, 81 Stat. 54 (1967), Pub. L. No. 93-502, 88 Stat. 1561 (1974), Pub. L. No. 99-570, 100 Stat. 3204-48 (1986)

17 USC §§ 101-810 . Copyright Act

Paperwork Reduction Act of 1995 (PRA), codified in 44 USC Chap 35.

Privacy Act of 1974, Pub. L. No. 93-579, 88 Stat. 1896 (1974), Pub. L. No. 94-394, 90 Stat. 1198 (1976), Pub. L. No. 95-38, 91 Stat. 179 (1977), Pub. L. No. 100-503, 102 Stat. 2513 (1988)

Office of the President, 1994, Coordinating Geographic Data Acquisition and Access: The National Spatial Data Infrastructure. Executive Order 12906. (April 11, 1994), Washington DC.

Office of Management and Budget, 1990, OMB Circular A-16, coordination of Surveying, Mapping and Related Spatial Data Activities, Washington DC.

Office of Management and Budget, June 1993, OMB Circular A-130, Management of Federal Information Sources, Washington DC.

### Cases

Feist Publications v. Rural Telephone Service Co. 111 S. Ct. 1281, 1287 (1991).

Industrial Foundation of the South v. Texas Indus. Acc. Bd., Tex., 540 S.W.2d 668, 679.

NLRB v. Robbins Tire & Rubber Co. (1978)

Yeager v. DEA, 678 F. 2d 315, 321 (D.C. Cir. 1982)