



University Consortium for
GEOGRAPHIC INFORMATION SCIENCE



May 14, 2020

We write on behalf of a group of professional and academic organizations at the intersection of science, industry, and geospatial technologies (GPS, GIS, remote sensing, geography and mapping sciences). After reviewing the SNPRM associated with Strengthening Transparency in Regulatory Science Proposed Rulemaking (EPA-HQ-OA-2018-0259-9322), we remain deeply concerned that by giving primacy to research in which data and models are made publicly available the proposed rule will limit the use of valid scientific research for promulgating environmental regulations and finalizing scientific information. We fully recognize the importance of scientific principles of open data sharing and reproducibility, but also contend that the integrity of much environmental and health research requires the tradeoff that certain business, proprietary, and personally identifiable information remain confidential. Making such information publicly available would potentially violate long-standing human subjects research protocols (i.e. the 1974 National Research Act), as well as legally binding proprietary data agreements.

Confidential and proprietary geospatial data, including remotely sensed satellite imagery, location tracking of individual mobility, and georeferenced demographic and health information (which can reveal identity), play essential roles in environmental and health research. For example, the U.S. response to the COVID-19 pandemic depends on temporarily restricting human mobility and tracing the spatial contacts of infected individuals in order to mitigate disease transmission, which both rely on confidential, individual-level geospatial location data for monitoring and modeling. The proposed rule suggests that such research could be discounted unless the underlying data, containing real-time whereabouts of individuals, be made available to the public. While the SNPRM modifications are an adjustment to the original 2018 rule, they do not ameliorate our concerns.

EPA's mission is to protect human health and the environment based on the best available scientific information. Deemphasizing geospatial research in which confidentiality and proprietary data agreements necessitate restrictions to public data access would severely limit that mission, with consequent deleterious effects on environmental and health policy among state and local government agencies. Further, the criteria for evaluation and plans for long-term management regarding research utilizing confidential and proprietary data remain unclear in the SNPRM. We encourage the EPA to utilize the most appropriate, scientifically peer-reviewed research to guide the development of environmental regulations and scientific information.

Karen K. Kemp, UCGIS President 2019-20

Keri Brennan, URISA President 2019-20

Gary Langham, AAG Executive Director