

**DEPARTMENT OF COMMERCE
ECONOMICS AND STATISTICS ADMINISTRATION**

**Guidelines for Ensuring and Maximizing the Quality, Objectivity,
Utility and Integrity of Disseminated Information**

SUMMARY: These guidelines implement Section 515 of Public Law 106-554 which directs the Office of Management and Budget (OMB) to issue guidelines that provide policy and procedural guidance to Federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by Federal agencies. Further, Section 515 requires that, within one year after OMB issues its guidelines, agencies must issue their own guidelines that include administrative mechanisms allowing affected persons to seek and obtain correction of information maintained and disseminated by the agency that does not comply with OMB's guidelines. These guidelines are in compliance with Department of Commerce (DOC) and OMB Information Quality Guidelines and may be revised periodically, based on experience, evolving requirements in DOC, ESA and concerns expressed by the public.

I. BACKGROUND AND SCOPE

A. Background

On May 3, 2002, the Department of Commerce published for comment proposed Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility and Integrity of Disseminated Information as required by Section 515 of Public Law 106-554 and the Office of Management and Budget (OMB) Guidelines (67 FR 22398-403). The proposed Department's Guidelines required operating units within the Department to post on their websites, not later than May 31, 2002, standards for ensuring and maximizing the quality, objectivity, utility and integrity of their information disseminated on or after October 1, 2002. On May 24, 2002, and pursuant to the above-referenced Departmental Notice, the Economics and Statistics Administration (ESA) published for comment proposed Information Quality (IQ) Standards for Ensuring and Maximizing the Quality, Objectivity, Utility and Integrity of Disseminated Information. Comments were due by close of business July 1, 2002. One comment was received from the Center for Regulatory Effectiveness (CRE). These final guidelines reflect ESA's response to this comment and further deliberations within the agency.

B. Scope

ESA adopts the following Information Quality Guidelines as a performance goal. These guidelines cover information disseminated by ESA after September 30, 2002, regardless as to when the information was first disseminated. However, the pre-dissemination

review procedures incorporated in these guidelines shall be applied only to information first disseminated after September 30, 2002. Covered information disseminated by ESA shall comply with DOC and OMB Information Quality Guidelines.

Information not covered by these guidelines include the following:

- a. Information with distribution intended to be limited to government employees or agency contractors.
- b. Information with distribution intended to be limited to intra or inter-agency use or sharing of government information.
- c. Responses to requests for agency records under the Freedom of Information Act, the Privacy Act, the Federal Advisory Committee or other similar laws.
- d. Information disseminated to individual persons.
- e. Press releases, fact sheets, press conferences or similar communications in any medium that announce, support the announcement or give public notice of information ESA has disseminated or is disseminating elsewhere.
- f. Archival records, including library holdings.
- g. Public filings, subpoenas and solicitations (e.g., program announcement and requests for proposals).
- h. Archival information disseminated by ESA before October 1, 2002, and still maintained by ESA as archival information.
- i. Information limited to adjudicative processes (such as pleadings) or limited to administrative actions determining the rights and liabilities of specific parties under applicable statutes and regulations.
- j. Hyperlinks to information that others disseminate, as well as information from other sources referenced, but not approved or endorsed by ESA.
- k. Policy manuals and information created for internal management and operation of ESA and not primarily intended for public dissemination.
- l. Information presented to Congress as part of the legislative or oversight process, such as testimony of ESA officials, and information or drafting assistance provided to Congress in connection with proposed or pending legislation that is not simultaneously disseminated to the public. However, which would otherwise be covered by applicable guidelines is not exempted from compliance merely because it is presented to Congress.
- m. Information not authored or disseminated by ESA and not intended to represent the views of ESA, including information authored and distributed by ESA contractors.
- n. Research data, findings, reports and other materials published or otherwise distributed by ESA employees or contractors where the information is identified as not representing the views of ESA.
- o. Opinions, where the presentation disclaims that the views expressed are not the views of ESA.

In implementing these guidelines, ESA acknowledges that ensuring the quality

of information is an important management objective that takes its place alongside other DOC objectives, such as ensuring the success of agency missions, observing budget and resource priorities and restraints, and providing useful information to the public. ESA intends to implement these guidelines in a way that will achieve all of these objectives in a harmonious way.

ESA's Information Quality Guidelines shall apply to information disseminated by the following four headquarter offices: Office of Economic Conditions; Office of Policy Development; Office of Administration; and STAT-USA. The Bureau of Economic Analysis (BEA) and the Bureau of the Census shall publish separately information quality guidelines applicable to their respective information dissemination. The Office of Economic Conditions (OEC) does not disseminate any information to the public. The Office of Policy Development (OPD) disseminates analyses of industrial economic performance. In addition, staff members of OEC and OPD publish scholarly papers in academic journals and present these papers at various forums. Since these papers will be disclaimed as representing the views of the researcher rather than the views of the above-referenced offices, they will not be covered by these guidelines. The Office of Administration (OF) disseminates budget information and procurement solicitations. STAT-USA disseminates on its website information collected by other government agencies (e.g., foreign trade data; market research reports; trade leads; foreign exchange rates; various international trade reports; and economic indicators). Information disseminated by STAT-USA is neither collected nor prepared by STAT-USA; thus, it will be disclaimed as not representing the views of STAT-USA and ESA and will not be subject to these guidelines.

II. INFORMATION QUALITY STANDARDS

A. Utility Standard

Information disseminated by ESA to the public shall be useful to its intended users.

Useful means that the content of the information is helpful, beneficial, or serviceable to its intended users, or that the information supports the usefulness of other disseminated information by making it more accessible or easier to read, see, understand, obtain, or use. Where the usefulness of information will be enhanced by greater transparency, care shall be taken that sufficient background and detail are available, either with the disseminated information or through other means, to maximize the usefulness of the information. The level of such background and detail shall be commensurate with the importance of the particular information, balanced against the resources required, and be appropriate to the nature and timeliness of the information to be disseminated.

B. Integrity Standard

Information disseminated by ESA to the public, independent of the specific distribution mechanism, shall be safeguarded from improper access, modification or destruction. ESA will ensure that disseminated information, including original and supporting information, is protected commensurate with the risk and magnitude of harm that could result from the loss, misuse or unauthorized access to or modification of such information.

All electronic information disseminated to the public by ESA adheres to the standards set out in Appendix I, Security of Federal Automated Information Resources ; OMB Circular A-130; the Computer Security Act; and the Government Information Systems Reform Act.

Confidentiality of data collected by the Department is safeguarded under legislation including the Privacy Act and titles 13, 15 and 22 of the U.S. Code. For any formal statistical data releases to the public, ESA maintains strict procedures to protect premature disclosure of the data before the publicly scheduled date and time of the release.

C. Objectivity Standard

Objectivity involves a focus on ensuring that information is accurate, reliable and unbiased and that information products are presented in an accurate, clear, complete and unbiased manner. ESA shall achieve objectivity by using reliable data sources and sound analytical techniques, and preparing information products that use proven methods by qualified people that are carefully reviewed.

Use reliable data sources

Much of the information disseminated by ESA is based on data files disseminated by BEA and the Census Bureau. These files shall be presumed to be reliable if they comply with the IQ standards of BEA and the Census Bureau, respectively. ESA shall engage in pre-dissemination review processes to determine the reliability of data files from other sources. As a general rule, ESA shall use (as appropriate) data files it has determined over time to be reliable and consistent with ESA s Information Quality Guidelines. When such information is used, any limitations, assumptions, collection methods, or uncertainties concerning it are taken into account and disclosed.

Use sound analytic techniques

Analytical reports in ESA are prepared using a variety of analytical techniques from simple tabulations and descriptive summary statistics to multivariate statistical methods and econometric models. Analytical techniques are reviewed for their appropriateness to the data and the analysis being conducted and are clearly identified in reports.

Preparation of statistical data products

Estimates in ESA statistical data products are prepared from representative random samples of data files and from reliable external data sources. Procedures for sampling are prepared using accepted statistical methods.

Output is reviewed by knowledgeable staff within ESA as appropriate. Estimates are compared to prior year estimates and estimates from other sources to ensure consistency, reasonableness and reliability.

All data sources used in producing statistical data products are identified, either for the publication as a whole or for individual tables. Documentation includes specification of variables used, definitions of variables when appropriate, sampling errors and disclosure avoidance rules or techniques.

Preparation of analytical reports

Information contained in analytical reports is based on estimates derived from reliable sources. Analysts apply sound statistical and analytical techniques and are knowledgeable about the data sources and models being used.

All data sources are identified. When analyses are based on simulation model projections, the assumptions used to produce the projections are also identified as well as the rationale for the assumptions used and the impact of using alternative assumptions.

All analytic reports are reviewed by technically qualified staff to ensure that analysis is valid, complete, unbiased, objective and relevant.

Editorial review for accuracy and clarity of information in publications

All information products are edited and proofread before release to ensure clarity and coherence of the final report. Text is edited to ensure that the report is easy to read and grammatically correct, thoughts and arguments flow logically, and information is worded concisely and lucidly. Tables and charts are edited to ensure that they clearly and accurately illustrate and support points made in the text, and include concise but descriptive titles. Tables and charts clearly indicate the unit of measure and the universe being examined and all internal labels (column heads, row stubs, and panel headings) should accurately describe the information they contain. All changes made to a manuscript during the editing process are checked by a proofreader and reviewed and approved by the author.

Policy for correcting errors

If an error is detected before an initial dissemination, ESA includes an errata notice with the dissemination. If the dissemination has occurred, ESA issues an errata sheet with all subsequent publications, and as appropriate, sends the errata sheet to all those who received the initial notice.

D. Definitions

In ESA's Information Quality Standards, the following terms are used with the meanings given by the definitions in the OMB Final Guidelines published in the *Federal Register* Vol. 67, No. 36, February 22, 2002: quality, utility, objectivity, integrity, information, government information, information dissemination product, dissemination, influential and reproducibility.

III. PRE-DISSEMINATION REVIEW

Pre-dissemination review is an important part of ESA's Information Quality Guidelines and enables ESA to substantiate the quality of disseminated information through documentation or other means appropriate to the nature and importance of the information, balanced against resources required and the time available.

Pre-dissemination review of information disseminated by ESA shall be incorporated into the normal review processes for each type of information to take advantage of inherent quality checks that are part of the process of formulating the information. This review shall be at a level appropriate to the information, taking into account the information's importance, balanced against the resources required and the time available. ESA treats information quality as integral to every step in its process of developing the information, including creation, collection, maintenance, and dissemination. Moreover, ESA incorporates information quality into the clearance process required by the Paperwork Reduction Act.

Pre-dissemination review shall be accomplished in a number of ways, including but not limited to combinations of the following:

- a. Active personal review of information by supervisory and management layers, either by reviewing each individual dissemination, or selected samples, or by any other reasonable method.
- b. Use of quality check lists, charts, statistics, or other means of tracking quality.
- c. Careful design and monitoring of review processes to ensure they are effective.
- d. Peer monitoring during information preparation.
- e. Use of management controls.
- f. Review of comments from the public.
- g. Agency-sponsored or independent external peer review.
- h. Any other method which serves to enhance the objectivity, utility, and integrity of the information.

IV. CORRECTION OF DISSEMINATED INFORMATION

A. Overview and Definitions

1. Overview

Any affected person may request timely correction of disseminated information that does not comply with all applicable DOC and ESA Information Quality Guidelines, and by implication, OMB Information Quality Guidelines. The burden of proof is on the requester to show that the disseminated information does not comport with all applicable guidelines.

2. Definitions

Affected person means any person who uses, benefits from or is harmed by the information, including persons seeking to address information about themselves or about other persons to whom they are related or associated.

Person means an individual, partnership, corporation, association, public or private organization, or State or local government.

Responsible Office means one of the following offices of ESA responsible for the disseminated information and designated to make the initial decision on a request for correction based on applicable Information Quality Guidelines: Office of Economic Conditions; Office of Policy Development; Office of Administration; and STAT-USA.

Appeals Official means the Associate Under Secretary for Management and is the person who decides appeals for ESA pursuant to these administrative correction procedures. The Appeals Official shall not be the Section 515 Officer and, in all instances, shall be at a higher level within the ESA organization than the head of the Responsible Office which handled the initial request for correction.

B. Procedures for Submission of Initial Requests for Correction

1. An initial request for correction of disseminated information that does not comply with applicable ESA and OMB Information Quality Guidelines shall be in writing and addressed to:

ESA Section 515 Officer
Economics and Statistical Administration
HCH Bldg., Rm 4848
Washington, D.C. 20230

The ESA Section 515 Officer shall deliver the initial request to the head of the Responsible Office. Any ESA employee receiving a misdirected request shall make reasonable efforts to forward the request to the ESA Section 515 Officer, but the time for response does not commence until the ESA Section 515 Officer receives the request.

2. Requests for correction will not be considered under these procedures for:
- a. A matter not involving information, as that term is defined in OMB's Section 515 Information Quality guidelines;
 - b. Information that has not been disseminated as that term is defined in OMB's Section 515 Information Quality guidelines;
 - c. Disseminated information whose correction would serve no useful purpose. However, this does not preclude a request for correction alleging a recurring or systemic problem resulting in repeated similar or consistent errors.

Additionally, requests that are duplicative, repetitive or frivolous may be rejected.

3. To be considered a proper request, an initial request for correction shall include the following:
- a. The requester's name, current home or business address and telephone number or e-mail address;

- b. a statement that the request for correction of information is submitted under Section 515 of Public Law 106-554;
- c. An explanation of how the requester is affected;
- d. A specific statement on how the information at issue fails to comply with all applicable guidelines and why the requester believes the information is not correct; and
- e. An accurate citation to or description of the particular information disseminated which is the subject of the request, including: the date and source from which the requester obtained the information; the point and form of dissemination; an indication of which ESA office or program disseminated the information (if known); and any other details the requester believes may assist ESA in identifying the specific information and forwarding the correction request to the Responsible Office.

4. For a proper request, ESA shall attempt to communicate either a decision or a statement on the status of the request and an estimated decision date, usually within sixty (60) calendar days after receipt of the request by the ESA Section 515 Officer.

5. No action shall be taken on a request that does not contain all of the elements cited in paragraph 3 above. Usually within sixty (60) calendar days, ESA will notify the requester of this disposition. If possible, the requester may amend the request as required and resubmit it.

6. If a proper request is received concerning information disseminated as part of and during the pendency of the comment period on a proposed rule, that request shall be treated as a comment filed on that proposed rule and will be addressed in issuance of any final rule.

C. Action on Initial Requests for Correction

1. Upon receipt of a proper request, the ESA Section 515 Officer shall deliver the request to the head of the Responsible Office who will make a preliminary determination whether the request states a claim. A request for correction states a claim if it reasonably demonstrates, on the strength of the assertions made in the request, that the disseminated information does not comply with applicable Information Quality Guidelines.

2. A determination that a request does not state a claim, along with an explanation of the deficiencies, will be communicated to the requester, usually within sixty (60) calendar days of receipt of the request by the ESA Section 515

Officer. A request that does not state a claim may be amended and resubmitted following the procedures for submission of an initial request.

3. If a proper request is determined preliminarily to state a claim, the head of the Responsible Office will investigate and analyze relevant material, in an objective manner consistent with established internal procedures, to determine whether the disseminated information complies with DOC s and ESA s Information Quality Guidelines and, by implication, OMB s Information Quality Guidelines. The head of the Responsible Office will make the decision on whether the information should be corrected and what, if any, corrective action should be taken. No opportunity for personal appearance, oral argument or hearing shall be provided.

4. If the head of the Responsible Office determines that corrective action is appropriate, corrective measures may be taken through a number of forms, including but not limited to: personal contacts via letter (including form letter), e-mail or telephone; press releases or postings on the appropriate ESA website; or withdrawal of the information in question. The form of corrective action will be determined by the nature and timeliness of the information involved and such other factors as the significance of the error on the use of the information and magnitude of the error.

5. The head of the Responsible Office will communicate a decision or the status of the request to the requester. The decision of the head of the Responsible Office or a status update on the initial request shall contain the name and title of the head of the Responsible Office, the name of the Responsible Office, and a notice that the requester may appeal an initial denial within thirty (30) calendar days of the date of the initial denial. The above-referenced notice shall contain the name and address of the ESA Section 515 Officer (the person to whom an appeal should be sent). An initial determination shall become a final decision if no appeal is filed within thirty (30) calendar days of the date of the initial decision.

D. Appeal from Initial Denial

1. An appeal from an initial denial shall be made within thirty (30) calendar days of the date of the initial decision by the Responsible Office and should be addressed to the ESA Section 515 Officer.

2. Any appeal of an initial denial shall include, at a minimum, the following:
a. The requester s name, current home or business address and telephone

- number or e-mail address;
- b. A copy of the original request and any correspondence regarding the original request; and
- c. A statement of the reasons the requester believes the initial denial was in error.

3. Where an initial denial has been made regarding information that is part of the record of a rulemaking or similar administrative procedure and an administrative appeal mechanism (e.g., reconsideration process) exists, an appeal from an initial denial shall be considered pursuant to that process.

4. The Appeals Official shall decide whether the information should be corrected based on all of the information in the appeal record. No opportunity for personal appearance, oral argument or hearing shall be provided. The Appeals Official shall communicate a decision to the requester, usually within sixty (60) calendar days after receipt of the appeal by the ESA Section 515 Officer.