



DEPARTMENT OF HEALTH & HUMAN SERVICES

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ADMINISTRATION FOR CHILDREN AND FAMILIES  
370 L'Enfant Promenade, S.W  
Washington, D.C. 20447

JAN 23 2006

William Smith, Vice President  
Sexuality Information Education Council of the US  
1706 R Street NW  
Washington, DC 20009

Dear Mr. Smith,

This is in response to your letter to Michael Curtis, Deputy Chief Information Officer for the Administration for Children and Families (ACF), regarding ACF's compliance with the Information Quality Act (IQA). I appreciate and share your concern that ACF operate its agency programs, including the Community-Based Abstinence Education (C-BAE) program, in compliance with all of the laws that Congress has authorized. In response, I am submitting the following information and accompanying documents, which I believe will clarify your understanding of the legislative requirements, and resolve the issues you have raised.

Your letter states that, "Federal review policy indicates that all publications, curricula, audio visuals, and other materials *disseminated with federal grant monies must first be reviewed and then approved by the granting agency* (emphasis added)." It is unclear whether your reference to "Federal review policy" is a direct reference, summary, or interpretation of the Information Quality Act (P.L. 106-554) as it applies to this issue. If you are making specific reference to the IQA, this misstatement of the Act has resulted in the erroneous conclusion that, "...the Administration for Children and Families is accountable for curricula used by its C-BAE grantees and is therefore, in violation of the Information Quality Act of 2000." In fact, Section V, §515(b) (1) and (2) (A) of the IQA provides that, in pertinent part, Information Quality Guidelines apply to information *disseminated by Federal agencies*. The legislative language does not state that information quality review standards extend to materials not disseminated by Federal agencies. In the case here, although the materials are produced with Federal grant monies, the products are disseminated by grantees and do not represent agency disseminations.

In accordance with the provisions of P.L. 106-554 and the Office of Management and Budget's (OMB) "*Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated to the Public*," HHS' *Information Quality Guidelines*, in both Part I and Part II, state that grants are excluded from the scope of the *Guidelines*' coverage.

More specifically, ACF's agency-specific guidelines clearly state that the scope and applicability of the *Information Quality Guidelines* is limited, and does not include materials authored and distributed by ACF grantees. I have enclosed a copy of these guidelines for your reference, but provide here the applicable language that makes this point clear:

“The following types of information are not subject to the ACF *Information Quality Guidelines*:

- Information relating to ACF programs, archival information, clearinghouses, and Internet distribution of studies, reports, documents, summaries, and articles *not authored by the agency* and not representing the agency’s views, *including materials authored and distributed by ACF grantees* (emphasis added).”<sup>1</sup>

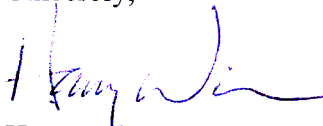
Although these guidelines do not apply to information produced by HHS grantees, ACF nevertheless seeks to maximize the quality, objectivity, utility and integrity of the information that we provide, as well as the information that our grantees provide. For this reason, we offer numerous training and technical assistance opportunities to all of our grantees in a number of program-related areas. However, the documents produced do not represent official ACF documents and are not disseminated on behalf of ACF. Increased grantee awareness of the scientific and medical facts relative to their delivery of abstinence education has been, and continues to be, one area of focus for ACF.

For these reasons, I have concluded that the concerns raised in your letter are not appropriately addressed under the Information Quality Act. Because materials that are authored and distributed by grantees are not covered by the Information Quality Act, grantees are directly responsible for the content of their materials.

You may appeal this decision either in writing or electronically within 30 days of receipt of this response. Your request for reconsideration should state the reasons why you believe the response is inadequate. It should include a copy of your original request, together with this response, and should be marked clearly with the words “Information Quality Appeal.”

Thank you for your letter, and for your concern for ACF’s abstinence education programs. I have sent a similar letter to Mr. James Wagoner.

Sincerely,



Harry Wilson  
Associate Commissioner  
Family and Youth Services Bureau  
Administration on Children, Youth and Families

Enclosure: *Guidelines for Ensuring the Quality of Information Disseminated to the Public*

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JAN 23 2006

James Wagoner, President  
Advocates for Youth  
2000 M Street NW, Suite 750  
Washington, DC 20036

Dear Mr. Wagoner,

This is in response to your letter to Michael Curtis, Deputy Chief Information Officer for the Administration for Children and Families (ACF), regarding ACF's compliance with the Information Quality Act (IQA). I appreciate and share your concern that ACF operate its agency programs, including the Community-Based Abstinence Education (C-BAE) program, in compliance with all of the laws that Congress has authorized. In response, I am submitting the following information and accompanying documents, which I believe will clarify your understanding of the legislative requirements, and resolve the issues you have raised.

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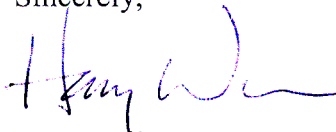
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