

NOAA Fisheries Procedures to Implement NOAA Section 515 Guidelines

Background

Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554) directs the Office of Management and Budget (OMB) to issue government-wide 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." OMB complied by issuing guidelines which direct each federal agency to 1) issue its own guidelines; 2) establish administrative mechanisms allowing affected persons to seek and obtain correction of information that does not comply with the OMB 515 Guidelines; and 3) report periodically to OMB on the number and nature of complaints received by the agency and how the complaints were handled.

The NOAA Section 515 Working Group (NOAA WG), comprised of representatives from each of the Line Offices, Staff Offices, and General Council developed a set of guidelines to comply with the statute and OMB guidance. NOAA Sec. 515 Guidelines, created with input and reviews from each of the components of NOAA Fisheries, go into effect on 1 October, 2002.

Purpose

This document serves as procedural guidance for implementing the NOAA Sec. 515 Guidelines. These interim procedures will be tested and refined as experience with compliance and handling requests for corrections grows, and eventually will be finalized in a handbook.

Guideline Compliance

Information Generation

- **Familiarity with the NOAA Sec. 515 Guidelines (posted on the NOAA and NOAA Fisheries Home Pages) and this document is crucial for NOAA Fisheries employees who engage in the generation and dissemination of information.**
- Determine the information category into which the information product best fits.
- Generate the information in a way that meets each of the appropriate standards.
- Create a Sec. 515 compliance file for each information product describing what measures were taken to meet each of the standards (Appendix A).
- Maintain the Sec. 515 compliance file in a readily accessible place.

Additional Issues

- New contracts that include the acquisition of data or generation of a report to be used as the basis of management or policy decision or directly disseminated to the public must include compliance with NOAA Sec. 515 Guidelines as a requirement of the contract.
- Paperwork Reduction Act packages going forward to OMB must contain a statement that the proposed collection will produce information that meets the NOAA Sec. 515 Guidelines.

Pre-dissemination Review

- Before information is disseminated, it must be certified as having been reviewed for compliance with the NOAA Sec. 515 Guidelines. This is accomplished by reviewing the information and the Sec. 515 compliance file.
- Certification of 515 compliance and pre-dissemination review must accompany the information through the clearance process and be maintained on file.

Processing Requests for Correction

The proposed flow for requests for correction is as follows:

- arrives and is logged in by Exec. Sec. (60-day deadline begins)

- reviewed by Program Coordination Office for completeness
- forwarded to appropriate LO (Correspondence Control Unit [CCU] for NOAA Fisheries)
- forwarded to Responsible Office with information cc to GC
- reviewed by an individual or team
- initial decision is made, review report developed, and response prepared
- report and response forwarded to GC for clearance
- report and response forwarded to head of Responsible Office for review, clearance and signature
- response sent out to requestor with a cc to NOAA Fisheries CCU to update request status in the system

Additional Guidance

- Within 60 days of the complaint arriving at Exec. Sec., the above steps must be completed or a notice of when the initial decision will be completed must be sent to the requester.
- If a request for correction is sent to the wrong office, CCU should be notified immediately.
- If a request is submitted directly from the requester to the correct office, such that it bypasses steps 1-3 above, notify CCU immediately.
- A form will be supplied for building a record of the request review and response development process.
- The NOAA Sec. 515 Working Group will serve in an advisory capacity for the first three months of FY03. Assistance will be provided on response and record development, and experience gained through this process will be used to develop a handbook with refined guidelines.

Appendix A

A Sec. 515 Compliance file for each new information product, including the following elements, shall be developed and maintained in a readily accessible location:

- I. Document Citation:
- II. Point of Contact:
- III. Document how the following standards for **utility** are met for the information product:
 - A. As a service organization, NOAA strives to continually improve the usefulness of its data and information products.
 - B. NOAA disseminates data products in a manner that allows them to be accessible and understandable to a broad range of users.
- IV. Document how the following standards for **integrity** are met by the information product:
 - A. All electronic information disseminated by NOAA adheres to the standards set out in Appendix III, "Security of Automated Information Resources," OMB Circular A-130; the Computer Security Act; and the Government Information Systems Reform Act.
 - B. Confidentiality of data collected by NOAA is safeguarded under legislation such as the Privacy Act and Titles 13, 15, and 22 of the U.S. Code.
 - C. Additional protections are provided as appropriate by 50 CFR Part 600, Subpart E. Confidentiality of Statistics of the Magnuson-Stevens Fishery Conservation and Management Act, NOAA Administrative Order 216-100 – Protection of Confidential Fisheries Statistics.
- V. Into which of the following categories of information products does this product fall (check one):
 - A. Original Data - go to Section A
 - B. Synthesized Products - go to Section B
 - C. Interpreted Products - go to Section C
 - D. Hydrometeorological, Hazardous Chemical Spill, and Space Weather Warnings, Forecasts, and Advisories - go to Section D
 - E. Experimental Products - go to Section E
 - F. Natural Resource Plans - go to Section F
 - G. Corporate and General Information - go to Section G

Section A

If the information product under review falls into the category of "Original Data" document how the standards for **objectivity** are met:

- a. Data are collected according to documented procedures or in a manner that reflects standard practices accepted by the relevant scientific and technical communities.
- b. Original data undergo quality control prior to being used by the agency or disseminated outside of the agency.
- c. The quality control/quality assessment of NOAA data is an on-going process.
- d. NOAA strives for transparency regarding data collection procedures, level of quality, and limitations.

Section B

If the information product under review falls into the category of "Synthesized Products" document how the standards for **objectivity** are met:

- a. Data and information sources are identified or made available upon request.
- b. NOAA uses data of known quality or from sources acceptable to the relevant scientific and technical communities in order to ensure that synthesized products are valid, credible and useful.
- c. Synthesized products are created using methods that are either published in standard methods manuals, documented in accessible formats by the disseminating office, or generally accepted by the relevant scientific and technical communities.

- d. NOAA reviews synthesized products or the procedures used to create them (e.g. statistical procedures, models, or other analysis tools) to ensure their validity.
- e. NOAA includes the methods by which synthesized products are created when they are disseminated or makes them available upon request.

Section C

If the information product under review falls into the category of "Interpreted Products" document how the standards for **objectivity** are met:

- a. Data and information sources are properly referenced or identified upon request.
- b. Interpreted products are produced using methods that are documented in accessible formats by the disseminating office or generally accepted by the relevant scientific and technical communities.
- c. NOAA puts its interpreted products in context.
- d. Interpreted products are reviewed.
- e. NOAA includes the methods by which interpreted products are created when they are disseminated or makes them available upon request.

Section D

If the information product under review falls into the category of "Hydrometeorological, Hazardous Chemical Spill, and Space Weather Warnings, Forecasts, and Advisories" document how the standards for **objectivity** are met:

- a. To the extent possible, NOAA uses data of known quality to provide the best possible information under tight time constraints.
- b. Data and information sources are identified or made available upon request.
- c. To the extent possible, information in this category is produced using methods and techniques that are documented in accessible formats by the responsible office or generally accepted by the relevant scientific and technical communities.
- d. NOAA identifies and tracks performance as a mechanism for evaluating accuracy of warnings, forecasts, and advisories.

Section E

If the information product under review falls into the category of "Experimental Products" document how the standards for **objectivity** are met:

- a. Objectivity of experimental products is achieved by using the best science and supporting studies available, in accordance with sound and objective scientific practices, evaluated in the relevant scientific and technical communities, and peer-reviewed where feasible.
- b. Through an iterative process, provisional documentation of theory and methods are prepared, including the various assumptions employed, the specific analytic methods applied, the data used, and the statistical procedures employed.
- c. Where experimental products are disseminated for experimental use, evaluation or feedback in the form of comment or criticism, the products are accompanied by explicit limitations on their quality or by an indicated degree of uncertainty.
- d. Where experimental products are used by NOAA in support of other NOAA products in urgent situations where the timely flow of vital information is critical, they are used by qualified scientists in conjunction with accepted non-experimental scientific methods and tools, and taking into account all available information.

Section F

If the information product under review falls into the category of "Natural Resource Plans" document how the standards for **objectivity** are met:

- a. Natural Resource Plans (Plans) are developed according to published standards.
- b. Plans are based on the best information available.
- c. Plans are presented in an accurate, clear, complete and unbiased manner.
- d. Review of Natural Resource Plans, ranging from internal review by staff who were not involved in the

development of the product to formal, independent, external peer review, is conducted at a level commensurate with the importance of the interpreted product and the constraints imposed by legally-enforceable deadlines.

Section G

If the information product under review falls into the category of "Corporate and General Information" document how the standards for **objectivity** are met:

- a. Information disseminated by NOAA is reliable and accurate to an acceptable degree of error as determined by factors such as the importance of the information, the intended use, time sensitivity, expected degree of permanence, relation to the primary mission(s) of the disseminating office, and the context of the dissemination, balanced against the resources required and the time available.
- b. Review of corporate and general information disseminated by NOAA is incorporated into the normal process of formulating the information.