

ITA INFORMATION QUALITY GUIDELINES

PART I: BACKGROUND, MISSION, DEFINITIONS, AND SCOPE

BACKGROUND

Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554), hereinafter "Section 515," 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 (A) issue its own guidelines ensuring and maximizing the quality, objectivity, utility, and integrity of information disseminated by the agency; (B) establish administrative mechanisms allowing affected persons to seek and obtain correction of information that does not comply with the OMB 515 Guidelines (Federal Register: February 22, 2002, Volume 67, Number 36, pp. 8452-8460, hereinafter OMB Guidelines) or the agency guidelines, and (C) report periodically to the Director of OMB on the number and nature of complaints received by the agency regarding the accuracy of information disseminated by the agency and how such complaints were handled by the agency.

In compliance with OMB directives, the Department of Commerce (DOC) has issued Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Disseminated Information (<http://www.doc.gov/cio/oipr/iqg.html>).

This document implements Section 515 and fulfills the OMB and DOC information quality guidelines. It may be revised periodically, based on experience, evolving requirements in the International Trade Administration, and concerns expressed by the public. Covered information disseminated by the International Trade Administration will comply with all applicable OMB, DOC, and (these) International Trade Administration Information Quality Guidelines.

In implementing these guidelines, the International Trade Administration (ITA) acknowledges that ensuring the quality of information is an important management objective that takes its place alongside other ITA objectives, such as ensuring the success of ITA missions, observing budget and resource priorities and restraints, and providing useful information to the public. The International Trade Administration intends to implement these guidelines in a way that will achieve all these objectives in a harmonious way.

MISSION

The International Trade Administration furthers the international economic interests of the United States by improving the environment for U.S. foreign trade, assisting U.S. firms to realize their export potential in global markets, and protecting domestic companies from the effects of foreign unfair trading practices. ITA works closely with other Commerce operating units, the Office of the United States Trade Representative and other U.S. Government trade agencies to develop and implement trade policies and programs that serve the commercial interests of U.S. firms. An important element of these responsibilities is the dissemination of statistics and other information to private sector entities, academia and other governmental bodies.

ITA programs and activities support Department of Commerce Strategic Planning Goal 1: *Provide the information and the framework to enable the economy to operate efficiently and equitably*. With regard to Objective 1.1, *Provide the infrastructure to enable the participation of all Americans in the new economy*, ITA assists the export growth of small and medium-sized businesses, enforces U.S. trade laws and trade agreements, monitors and maintains trading relationships with established markets, promotes new business in emerging markets (e.g., China), and improves access to overseas markets by identifying and pressing for the removal of trade barriers. ITA contributes to Objective 1.2, *Promote responsible economic growth and trade while protecting U.S. security*, by improving access to foreign markets through trade agreement compliance enforcement and negotiating foreign observance of laws governing dumping and subsidies. Finally, ITA contributes to Objective 1.3, *Support the effective decision-making of policymakers, business, and the American public*, by compiling and disseminating trade and related economic data originating in the Census Bureau, the Bureau of Economic Analysis, and other U.S. Government agencies, foreign governments, and international organizations in an effort to better monitor and analyze trade flows.

DEFINITIONS

The definitions in this section apply throughout these Guidelines.

Quality is an encompassing term comprising utility, objectivity, and integrity. Therefore, the guidelines sometimes refer to these four statutory terms, collectively, as "quality."

Utility refers to the usefulness of the information to its intended users, including the public. In assessing the usefulness of information that the agency disseminates to the public, ITA considers the uses of the information not only from its own perspective but also from the perspective of the public. As a result, when transparency of information is relevant for assessing the information's usefulness from the public's perspective, ITA takes care to ensure that transparency has been addressed in its review of the information.

Objectivity consists of two distinct elements: presentation and substance. The presentation element includes whether disseminated information is presented in an accurate, clear, complete, and unbiased manner and in a proper context. The substance element involves a focus on ensuring accurate, reliable, and unbiased information. In a scientific, financial, or statistical context, the original and supporting data shall be generated, and the analytic results shall be developed, using sound statistical and research methods.

Integrity refers to security the protection of information from unauthorized access or revision, to ensure that the information is not compromised through corruption or falsification.

Information means any communication or representation of knowledge such as facts or data, in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual forms. This definition includes information that an agency disseminates from a Web page, but does not include the provision of hyperlinks to information that others disseminate. This definition does not include opinions, where the agency's presentation makes it clear that what is being offered is someone's opinion rather than fact or the agency's views.

Government information means information created, collected, processed, disseminated, or disposed of by or for the Federal Government.

Information dissemination product means any books, paper, map, machine-readable material, audiovisual production, or other documentary material, regardless of physical form or characteristic, an agency disseminates to the public. This definition includes any electronic document, CD-ROM, or Web page.

Dissemination means agency initiated or sponsored distribution of information to the public. Dissemination does not include distribution limited to government employees or agency contractors or grantees; intra- or inter-agency use or sharing of government information; and responses to requests for agency records under the Freedom of Information Act, the Privacy Act, the Federal Advisory Committee Act or other similar law. This definition also does not include distribution limited to correspondence with individuals or persons, press releases, archival records, public filings, subpoenas or adjudicative processes.

Agency initiated distribution of information to the public refers to information that the Agency distributes or releases which reflects, represents, or forms any part of the support of the policies of the Agency. In addition, if the Agency, as an institution, distributes or releases information prepared by an outside party in a manner that reasonably suggests that the Agency agrees with the information, this would be considered Agency initiated distribution and hence Agency dissemination because of the appearance of having the information represent Agency views. By contrast, the Agency does not initiate the dissemination of information when an Agency scientist or grantee or contractor publishes and communicates his or her research findings in the same manner as his or her colleagues, even if the Agency retains ownership or other intellectual property rights because the Federal government paid for the research.

Agency sponsored distribution of information to the public refers to situations where the Agency has directed a third party to distribute or release information, or where the Agency has the authority to review and approve the information before release. By contrast, if the Agency simply provides funding to support research, and if the researcher (not the Agency) decides whether to distribute the results and if the results are to be released determines the content and presentation of the distribution, then the Agency has not sponsored the dissemination even though it has funded the research and even if the Agency retains ownership or other intellectual property rights because the Federal government paid for the research. Note that subsequent Agency dissemination of such information would require that the information adhere to the Agency's information quality guidelines even if it was initially covered by a disclaimer.

Influential, when used in the phrase "influential scientific, financial, or statistical information," means that the agency can reasonably determine that dissemination of the information will have or does have a clear and substantial impact on important public policy and private sector decisions.

Reproducibility means that the information is capable of being substantially reproduced, subject to an acceptable degree of imprecision. For information judged to have more (less) important impacts, the degree of imprecision that is tolerated is reduced (increased). With respect to analytic results, "capable of being substantially reproduced" means that independent analysis of the original or supporting data using identical methods would generate similar analytic results, subject to an acceptable degree of imprecision or error.

Transparency is not defined in the OMB Guidelines, but the Supplementary Information to the OMB Guidelines indicates (p. 8456) that "transparency" is at the heart of the reproducibility standard. The Guidelines state that "The purpose of the reproducibility standard is to cultivate a consistent agency commitment to transparency about how analytic results are generated: the specific data used, the various

assumptions employed, the specific analytic methods applied, and the statistical procedures employed. If sufficient transparency is achieved on each of these matters, then an analytic result should meet the reproducibility standard." In others words, transparency and ultimately reproducibility is a matter of showing how you got the results you got.

SCOPE

These guidelines cover information disseminated by ITA on or after October 1, 2002, regardless of when the information was first disseminated, except that pre-dissemination review procedures shall apply only to information first disseminated on or after October 1, 2002.

Information Disseminated by the International Trade Administration and Covered by these Guidelines

Information quality is an integral part of the pre-dissemination review of information disseminated by the International Trade Administration. Information quality is also integral to information collections conducted by ITA, and is incorporated into the clearance process required by the Paperwork Reduction Act (PRA) to help improve the quality of information that ITA collects and disseminates to the public. ITA offices already are required to demonstrate in their PRA submissions to OMB the practical utility of a proposed collection of information that they plan to disseminate. Additionally, for all proposed collections of information that will be disseminated to the public, ITA offices should demonstrate in their PRA clearance submissions to OMB that the proposed collection of information will result in information that will be collected, maintained, and used in a way consistent with applicable information quality guidelines.

Corporate or general information includes all non-scientific, non-financial, non-statistical information. Examples include program and organizational descriptions, brochures, pamphlets, education and outreach materials, newsletters, and other general descriptions of ITA operations and capabilities.

Trade and related data refer to statistics that describe the value and quantity of U.S. exports and imports by product category and country of destination or origination, as well as other economic data (e.g., tariff rates, currency exchange rates, GDP and other economic activity indicators, domestic production and productivity) that affect trade flows. These data are summaries or aggregations of statistics from other sources primarily from U.S. and foreign governments and international organizations.

Foreign and domestic markets assessments include market research conducted abroad and economic analysis on a national geographic and industry sector basis.

General descriptive commercial and trade policy information refers to a broad range of primarily non-statistical information describing policies, regulations, laws and other factors that affect trade flows.

Information Not Covered by these Guidelines

Information with distribution limited to government employees or agency contractors or grantees.

Information with distribution limited to intra- or inter-agency use or sharing of government information.

Responses to requests for agency records under the Freedom of Information Act, the Privacy Act, the Federal Advisory Committee Act or other similar law.

Information relating solely to correspondence with individuals or persons.

Press releases, fact sheets, press conferences or similar communications in any medium that announce, support the announcement or give public notice of information that ITA has disseminated elsewhere.

Archival records, including library holdings.

Archival information disseminated by ITA before October 1, 2002, and is still maintained by ITA as archival material.

Public filings.

Responses to subpoenas or compulsory document productions.

Information limited to adjudicative processes, such as pleadings, including information developed during the conduct of any criminal or civil action or administrative enforcement action, investigation or audit against specific parties, or information distributed in documents limited to administrative action determining the rights and liabilities of specific parties under applicable statutes and regulations.

Solicitations (e.g., program announcements, requests for proposals).

Hyperlinks to information that others disseminate, as well as paper-based information from other sources referenced, but not approved or endorsed by ITA.

Policy manuals and management information produced for the internal management and operations of ITA, and not primarily intended for public dissemination.

Information presented to Congress as part of legislative or oversight processes, such as testimony of ITA 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, information which would otherwise be covered by applicable guidelines is not exempted from compliance merely because it is also presented to Congress.)

Documents not authored by ITA and not intended to represent ITA's views, including information authored and distributed by ITA grantees, as long as the documents are not disseminated by ITA (see definition of dissemination).

Research data, findings, reports and other materials published or otherwise distributed by employees or by ITA contractors or grantees that are identified as not representing ITA's views.

Opinions where the presentation makes it clear that what is being offered is not the official view of the International Trade Administration.

PART II: INFORMATION QUALITY STANDARDS AND PRE-DISSEMINATION REVIEW

Information quality is composed of three elements utility, integrity and objectivity. Quality will be ensured and established at levels appropriate to the nature and timeliness of the information to be disseminated. Information quality is an integral part of the pre-dissemination review of information disseminated by ITA. Information quality is also integral to information collections conducted by ITA, and will be incorporated into the clearance process required by the Paperwork Reduction Act.

As OMB has recognized (OMB Guidelines, pp. 8452-8453), "information quality comes at a cost." In this context, OMB directed that "agencies should weigh the costs (for example, including costs attributable to agency processing effort, respondent burden, maintenance of needed privacy, and assurances of suitable confidentiality) and the benefits of higher information quality in the development of information, and the level of quality to which the information disseminated will be held." Therefore, in deciding the appropriate level of review and documentation for information disseminated by ITA, the costs and benefits of using a higher quality standard or a more extensive review process will be considered. Where necessary, other compelling interests such as privacy and confidentiality protections will be considered.

The utility and integrity standards below pertain to all information disseminated by the International Trade Administration. Following the utility and integrity standards are objectivity standards for each of the specific categories of ITA-disseminated information. Because most of the standards presented in this document reflect existing practice in ITA, the present tense has been used when describing them; but regardless of tense used, a performance standard is intended.

UTILITY

Utility means that disseminated information is 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 is taken that sufficient background and detail is available, either with the disseminated information or through other means, to maximize the usefulness of the information. The level of such background and detail is commensurate with the importance of the particular information, balanced against the resources required, and is appropriate to the nature and timeliness of the information to be disseminated.

INTEGRITY

Prior to dissemination, information released by ITA, independent of the specific intended distribution mechanism, is safeguarded from improper access, modification, or destruction, to a degree 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 by ITA 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.

Confidentiality of data collected by ITA is safeguarded under legislation such as the Privacy Act and Titles 13, 15, and 22 of the U.S. Code.

OBJECTIVITY

Objectivity ensures that information is accurate, reliable, and unbiased, and that information products are presented in an accurate, clear, complete, and unbiased manner. In a scientific, financial, or statistical context, the original and supporting data are generated, and the analytic results are developed, using sound statistical and research methods.

Third-party Information. Use of third-party information from both domestic and international sources, such as foreign governments, international organizations, states, municipalities, agencies and private entities is a common practice in ITA. ITA's information quality guidelines are designed to be reality-based, i.e., not intended to prevent the use of reliable outside information. Although third-party sources may not be directly subject to Section 515, information from such sources, when used by ITA to develop information products or to form the basis of a decision or policy, must be of known quality and consistent with ITA's information quality guidelines. When such information is used, any limitations, assumptions, collection methods, or uncertainties concerning it are taken into account and disclosed.

Corporate and General Information

Corporate and general information disseminated by ITA is presented in a clear, complete, and unbiased manner, and in a context that enhances usability to the intended audience. The sources of the disseminated information are identified to the extent possible, consistent with confidentiality, privacy, and security considerations and protections, and taking into account timely presentation, the medium of dissemination, and the importance of the information, balanced against the resources required and the time available.

Information disseminated by ITA 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. A body of information is considered to be reliable if experience shows it to be generally accurate. Accurate information, in the case of non-scientific, non-financial, non-statistical information, means information which is reasonably determined to be factually correct in the view of the disseminating office as of the time of dissemination.

Review of corporate and general information disseminated by ITA is incorporated into the normal process of formulating the information. This review is at a level appropriate to the information, taking into account the information's importance, balanced against the resources required and the time available. Department operating units treat information quality as integral to every step of an agency's development of information, including creation, collection, maintenance, and dissemination.

Review can 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, completeness, and usefulness.
- c. Process design and monitoring to ensure that the process itself imposes checks on information quality.
- d. Review during information preparation.
- e. Use of management controls.
- f. Any other method which serves to enhance the accuracy, reliability, and objectivity of the information.

Trade and Related Data

In addition to the standards and review criteria described in the corporate and general information section above, trade and related data are periodically modified to reflect revisions to statistics already disseminated and updated to reflect the availability of more recent data. The original sources for these data include such U.S. Government sources as the Bureau of the Census and the Bureau of Economic Analysis in the Department of Commerce, the Bureau of Labor Statistics in the Department of Labor, the Departments of Agriculture, Energy and Interior, and the Federal Reserve System. Other major sources include such international organizations as the International Monetary Fund, the United Nations, the Organization for Economic Cooperation and Development, and the World Bank and its affiliates. Foreign government entities also serve as important original sources as well as certain private sector organizations. These sources are noted in the display of individual data sets or provided in the explanatory notes.

Foreign and Domestic Market Assessments

In addition to the standards and review criteria described in the corporate and general information section above, particular attention is paid to the validity of the analysis and projections and estimates that are incorporated into materials that assess U.S. foreign trade developments, economic and business conditions in foreign markets and the domestic economy, foreign market research on an industry sector basis, and the economic and commercial implications for U.S. businesses of trade policy initiatives and commercial practices. These materials are conducted both by ITA and other U.S. Government analysts and by foreign and domestic business entities under contract to ITA. These materials are reviewed by competent ITA employees before being approved for dissemination.

General Commercial and Trade Policy Information

These types of information are subject to criteria similar to that described in the corporate and general information section above. Commercial information includes foreign business practices, trade leads, and potential agents, distributors and other business partners abroad designed to assist

U.S. exporters and potential exporters realize their overseas business potential. Information dealing with trade laws and regulations includes foreign and domestic documentation requirements, tariff rates, shipping options and regulations, health and safety standards, and trade agreement and trade law compliance issues.

PART III. ADMINISTRATIVE CORRECTION MECHANISM

A. Overview and Definitions

1. Requests to correct information. Any affected person (see "Definitions" below) may request, where appropriate, timely correction of disseminated information that does not comply with applicable information quality guidelines. An affected person would submit a request for such action directly to:

International Trade Administration Section 515 Officer
Office of Management and Operations
HCHB, Room 4001
U.S. Department of Commerce
Washington, DC 20230

2. Appeals of denials of requests. Any person receiving an initial denial of a request to correct information may file an appeal of such denial, which must be received by the ITA Section 515 Officer (address as in paragraph A.1 above) within 30 calendar days of the date of the denial of the request. The appeal must include a copy of the original request, any correspondence regarding the initial denial, and a statement of the reasons why the requester believes the initial denial was in error. No opportunity for personal appearance, oral argument, or hearing on appeal will be provided.

3. Burden of Proof. The burden of proof is on the requester to show both the necessity and type of correction sought. The requester has the burden of rebutting the presumption that information subjected to formal, independent peer review is objective.

4. Definitions.

Affected person means an individual or entity that uses, benefits from, or is harmed by the disseminated information at issue.

Appeal Official means the Deputy Under Secretary for International Trade or his/her designee. The Appeal Official will review and decide upon an appeal of an initial denial of a request to correct information.

Person means an individual, partnership, corporation, association, public or private organization, or governmental entity.

Responsible office means the sub-organization within ITA that is designated, based on known competency, to make the initial decision on a request for correction based on ITA's information quality standards.

B. Procedures for Submission of Initial Requests for Correction

1. An initial request for correction of disseminated information must be made in writing and submitted to the responsible office. Any employee receiving a misdirected request should make reasonable efforts to forward the request to the responsible office, but the time for response does not commence until the responsible office receives the request.

2. No initial request for correction will be considered under these procedures concerning:

- a. a matter not involving "information," as that term is defined in OMB's Section 515 guidelines;
- b. information that has not actually been "disseminated," as that term is defined in OMB's Section 515 guidelines; or
- c. disseminated information the correction of which would serve no useful purpose. For example, correction of disseminated information would serve no useful purpose with respect to information that is not valid, used, or useful after a stated short period of time (such as a weather forecast). However, this would not preclude a request for correction alleging a recurring or systemic problem resulting in repeated similar or consistent errors.

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

Any request rejected under this provision will nevertheless be accounted for in the Department's report to OMB.

3. At a minimum, to be considered proper, initial requests must include:
 - a. the requester's name, current home or business address, and telephone number or electronic mail address (to assist with timely communication);
 - b. a statement that the request for correction of information is submitted under Section 515 of Public Law 106-554 (to ensure correct and timely routing);
 - c. 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 ITA office or program disseminated the information (if known); and any other details that will assist in identifying the specific information which is the subject of the request;
 - d. an explanation of how the requester is affected; and
 - e. a specific statement of how the information at issue fails to comply with the applicable information quality standards and why the requester believes that the information is not correct.
4. For any proper request (i.e. one including all the elements of (III.B.3.) above, ITA will attempt to communicate either a decision on the request, or a statement of the status of the request and an estimated decision date, within 60 calendar days after receipt of the request.
5. No action will be taken regarding a request not including all the elements of paragraph III.B.3. (including a request made by a person unaffected by the dissemination of the information), or a request that does not state a claim according to paragraph III.C.1. The submitter of any such request will be notified, usually within 60 calendar days, of this disposition, and, may amend the request and resubmit it. Whether resubmitted or not, such requests will be accounted for in the Department's annual report to OMB.
6. A proper request received concerning information disseminated as part of and during the pendency of the comment period on a proposed rule or other action involving an opportunity for prior notice and public comment, including a request concerning the information forming the record of decision for such

proposed rule or action, will be treated as a comment filed on that proposed rule or action, and will be addressed in issuance of any final rule or action.

C. Action by the Responsible Office on Initial Requests for Correction

1. Upon receipt of a proper request, the head of the responsible office 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 alone, and assuming they are true and correct, that the information disseminated was based on a misapplication or non-application of ITA's applicable information quality standards. In other words, to state a claim, a request for correction must actually allege that the agency disseminated some information that does not comply with ITA's applicable information quality standards.

A determination that a request does not state a claim will be communicated, along with an explanation of the deficiencies, to the requester, usually within 60 calendar days of receipt. The request may be amended and resubmitted as indicated in paragraph III.B.5 above.

2. If a proper request is preliminarily determined to state a claim, the head of the responsible office will objectively investigate and analyze relevant material, in a manner consistent with established internal procedures, to determine whether the disseminated information complies with ITA's information quality standards. The head of the responsible office will make an initial decision whether the information should be corrected and what, if any, corrective action should be taken. No opportunity for personal appearance, oral argument, or hearing is provided.

If ITA 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 or telephone, form letters, press releases, postings on an appropriate 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 factors as the significance of the error on the use of the information and the magnitude of the error.

3. The head of the responsible office will communicate his/her initial decision or the status of the request to the requester, usually within 60 calendar days after it is received. The head of the responsible office will make an initial decision, based on the request and any internal investigation and analysis, whether the information should be corrected because it does not comply with ITA's information quality standards (granted request) or not corrected because it does comply with the operating unit's information quality standards (initial denial).

4. The initial decision or status update will contain the name and title of the person communicating the decision, the ITA sub-organization of which the responsible office is a part, the name and title of the Appeal Official, and a notice that the requester may appeal an initial denial, pursuant to paragraph III.D.1. below, within 30 calendar days of the date of the initial denial.

An initial denial will become a final decision if no appeal is filed within 30 calendar days.

D. Appeals from Initial Denial

1. An appeal from an initial denial must be made within 30 calendar days of the date of the initial decision and must be in writing and addressed to the Appeal Official. An appeal of an initial denial must include:

- a. the requester's name, current home or business address, and telephone number or electronic mail address (in order to ensure timely communication);
- b. a copy of the original request and any correspondence regarding the initial denial; and
- c. a statement of the reasons why the requester believes the initial denial was in error.

2. Where an initial denial has been made concerning information that is part of a rule or other action identified in paragraph III.B.6., and an administrative appeal mechanism, such as a reconsideration process, exists, an appeal will be considered pursuant to that process.

3. The Appeal Official will decide whether the information should be corrected based on all the information presented in the appeal record. No opportunity for personal appearance, oral argument, or hearing on appeal is provided. The Appeal Official will communicate his/her decision to the requester usually within 60 calendar days after receipt.