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**DEPARTMENT OF THE INTERIOR**

**Office of the Secretary**

**Information Quality Guidelines Pursuant to Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001**

**AGENCY:** U.S. Department of the Interior

**ACTION:** Notice of Availability of Proposed Information Quality Guidelines

**SUMMARY:** The U.S. Department of the Interior, is issuing these proposed Information Quality Guidelines in order to comply with the guidance published by the Office of Management and Budget in the Federal Register, Vol., 2, No. 67, dated January 2, 2002, and re-issued February 22, 2002, Vol. 67, No. 36, for implementing section 515(a) of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554; H.R. 5658).

**FOR FURTHER INFORMATION CONTACT:** Persons interested in reviewing the proposed Information Quality Guidelines issued by the Office of the Secretary, U.S. Department of the Interior, are encouraged to contact the Office of the Chief Information Officer (Attn: Nancy Trent) 1849 C Street, NW., Mail Stop 5312, Washington, DC 20240, phone: 202-208-6051. The guidelines may also be reviewed at website: www.mms.gov/whatsnew.

**SUPPLEMENTAL INFORMATION:**

The U.S. Department of the Interior, its offices, and its eight component bureaus disseminate a wide variety of information to the public regarding the Nation's Federal lands, National Parks, natural resources, geographic and spatial data, wildlife and fisheries, and Indian lands. This document is the basis for Departmental policy to ensure quality of information disseminated. Interested parties may submit comments not later than 30 days from the date of this notice. Bureaus and offices are directed to publish by July 1, 2002, a notice of availability of their guidelines in the Federal Register for public comment, with at least a 30-day comment period.

P. Lynn Scarlett
Assistant Secretary
for Policy, Management and Budget

May 10, 2002

# U.S. DEPARTMENT OF THE INTERIOR

## INFORMATION QUALITY GUIDELINES PURSUANT TO SECTION 515 OF THE TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT FOR FISCAL YEAR 2001

A notice published by the Office of Management and Budget (OMB) in the Federal Register, Vol. 2, No. 67, dated January 2, 2002, and re-issued February 22, 2002, Vol. 67, No. 36, directed Federal agencies to issue and implement guidelines to ensure and maximize the ***quality, objectivity, utility, and integrity*** of Government information disseminated to the public. The Department of the Interior is issuing these proposed Information Quality Guidelines in order to comply with this direction. This document is the basis for Departmental policy. Bureaus and appropriate offices are directed to publish a notice of availability of their guidelines in the Federal Register for public comment by July 1, 2002, with at least a 30-day comment period. Their final guidance should be published prior to the statutory compliance date of October 2, 2002. For further information, contact the Chief Information Officer, U.S. Department of the Interior, Washington, DC 20240. Telephone: 202-208-6051. Fax: 202-501-2360.

### I. Background

The U.S. Department of the Interior, its offices, and its eight component bureaus (Department) disseminate a wide variety of information to the public regarding the nation's Federal lands, National Parks, natural resources, geographic and spatial data, wildlife and fisheries, and Indian lands. Information dissemination products may include organizational and management information, programs and services products, research and statistical reports, policy and regulatory information, and general reference information. The Department, bureaus and offices should evaluate and identify the types of information that it disseminates that will be subject to these guidelines, once implemented.

### II. Information Quality Standards

All information disseminated by the Department bureaus and offices must comply with basic standards of quality to ensure and maximize the objectivity, utility, and integrity of information disseminated to the public. The Department and its bureaus and offices will ensure that information they release will be developed from reliable data sources and will otherwise ensure information quality at each stage of information development. The Department's methods for producing quality information will be made transparent, to the maximum extent practicable, through accurate documentation, use of appropriate internal and external review procedures, consultation with experts and users, and verification of the quality of the information disseminated to the public. The Department will also keep users informed about corrections and revisions.

Information released by the Department, its bureaus, and offices will be developed only from reliable data sources based on accepted practices and policies, utilizing accepted methods for information collection and verification. It will be reproducible to the extent possible. Influential information will be produced with a high degree of transparency about data and methods.

The information quality definitions published by OMB are hereby adopted by the Department and are set forth in (IV.) below.

**III. Information Quality Procedures**

Due to mission-related information differences, the Department's bureaus and offices may vary in implementation approaches; however, the basic guidance published by OMB (Federal Register/Vol. 2, No. 67, January 3, 2002; and re-issued February 22, 2002, Vol. 67, No. 36) is adopted by the Department, is included in Departmental policy, and will apply.

The OMB guidelines mandate that, after October 2, 2002, affected persons may seek and obtain, where appropriate, correction of disseminated information that does not comply with the OMB or Department guidelines. As a responsible agency, the Department must provide procedures to review and correct disseminated information. Each bureau or office of DOI which disseminates information shall establish a system for tracking and responding to complaints in accordance with this direction. As a part of this process, web sites will be provided as a means for affected persons to challenge the quality of disseminated information. Bureaus and offices will also provide addresses of appropriate officials to contact through the mail to challenge the quality of disseminated information.

A challenge to the quality of disseminated information must contain the following information: the name and address of the person filing the complaint; specific reference to the information being challenged; a statement of why the complainant believes the information fails to satisfy the standards in the Departmental or OMB guidelines; and how a complainant is affected by the challenged information. The complainant may include suggestions for correcting the challenged information, but that is not mandatory.

Upon receiving a complaint, the bureau or office will have 5 business days in which to notify the complainant of receipt. The bureau or office shall also notify its component which disseminated the challenged information of the receipt of the complaint. The bureau or office will have 45 days from receipt to evaluate whether the complaint is substantiated by analysis of all information available to the appropriate program or office. If at the end of the 45-day period, the bureau or office determines that the complaint is without merit, the complainant will be so notified. If at the end of the 45-day period, the bureau or office determines that the complaint has merit, it shall so notify the complainant, the appropriate program or office, and it shall take reasonable steps to withdraw the information from the public domain and from any decision making process in which it is being used. If the bureau or office determines that it will correct challenged information, it will notify the complainant of its intent and the corrective steps it proposes. The bureau or office may determine the schedule and procedure for correcting challenged information, but may not

disseminate the challenged information in any form until it has been corrected. Upon redisseminating corrected information, the bureau or office will provide the complainant with a copy of the corrected information.

If a complainant does not receive the notices within the time frame described above, or wishes to appeal a determination of merit, or wishes to appeal the proposed correction of information, the complainant may appeal to the Department's Chief Information Officer (CIO). The CIO may intervene on behalf of the complainant to maintain the complaint-resolution process. If the CIO determines that an appeal of a determination of merit or the proposed correction of information has merit, the affected bureau or office will be notified. The challenged information will be withdrawn, to the extent practicable, from the public domain and will not be used in any Departmental, bureau, or office decision making process until it is corrected.

A second complaint received before the issuance of a 45-day notice for an overlapping complaint under review will be treated with simultaneous consideration, and the second complainant will be notified within 5 days that an analysis is in progress and advised of its status. The earlier and later complaints will be combined, and a combined 45-day finding will be issued.

If the second identical complaint on the same subject is received after a 45-day notice has been issued, then the second complaint will require a new and separate review, however recent. Unless substantial new information has been submitted, the 45-day finding for the earlier complaint shall suffice and should be relatively easy to produce.

The Department and its bureaus and offices conduct a substantial amount of business through processes which involve a structured opportunity for public review and comment on proposed documents prior to their issuance in final form. These activities include rulemakings and analyses conducted under the National Environmental Policy Act (NEPA) . In these instances, requests made under these guidelines for corrections of information in draft documents will be treated as a comment on the draft document and the response will be included in the final document. In the cases where a request pertains to a final document, the bureau will first determine whether the request pertains to an issue discussed in the draft document upon which the requester could have commented. If the bureau or office determines that the requester had the opportunity to comment on the issue at the draft stage and failed to do so, it may consider the request to have no merit. If information which did not appear in the draft document is the subject of a request for correction, the bureau will consider that request. If the bureau determines that the information does not comply with the guidelines issued by the Department or OMB, such that the non-compliance with the Department or OMB guidelines presents significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts, the bureau will use existing mechanisms to remedy the situation, such as reproposing a rule or supplementing a NEPA analysis.

Bureaus and offices shall submit a report for each fiscal year to the Department not later than November 30 of that year of the number, nature, and resolution of complaints received. This report will be submitted to the Office of the Chief Information Officer (OCIO). OCIO staff will consolidate bureau and office input and submit the Department's annual report to the Director, Office of Management and Budget, no later than January 1 annually.

## IV. Definitions

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

*2. Utility* refers to the usefulness of the information to its intended users, including the public. In assessing the usefulness of information that the Department disseminates to the public, the agency needs to reconsider the uses the information not only from perspective of the Department 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, the Department must take care to ensure that transparency has been addressed in its review of the information.

*3. Objectivity* involves two distinct elements: presentations and substance:

(a) ***Objectivity*** includes whether disseminated information is being presented in an accurate, clear, complete, and unbiased manner. This involves whether the information is presented within a proper context. Sometimes, in disseminating certain types of information to the public, other information must also be disseminated in order to ensure an accurate, clear, complete, and unbiased presentation. Also, the Department needs to identify the sources of the disseminated information (to the extent possible, consistent with confidentiality protections) and, in a specific, financial, or statistical context, the supporting data and models, so that the public can assess for itself whether there may be some reason to question the objectivity of the sources. Where appropriate, transparent documentation, and error sources affecting data quality should be identified and disclosed to users.

(b) In addition, ***objectivity*** 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.

(1) If data and analytic results have been subjected to formal, independent, external peer review, the information may generally be presumed to be of acceptable objectivity. However, this presumption is rebuttable based on a persuasive showing by the petitioner in a particular instance. If peer review is employed to help satisfy the objectivity standard, the review process employed shall met the general criteria for competent and credible peer review recommended by OMB-OIRA to the President's Management Council (9/20/01) (http://www.whitehouse.gov/omb/inforeg/oira_review-process.html), namely, "that (a) peer reviewers be selected primarily on the basis of necessary technical expertise, (b) peer reviewers be expected to disclose to the Department prior technical/policy positions they may have taken on the issues at hand, (c) peer reviewers be expected to disclose to the Department their sources of personal and institutional funding (private or public sector) and (d) peer reviews be conducted in an open and vigorous manner."

(2) If the Department is responsible for disseminating influential scientific, financial, or statistical information, Departmental guidelines shall include a high

degree of ***transparency*** about data and methods to facilitate the ***reproducibility*** of such information by qualified third parties.

With regard to original and supporting data related thereto, agency guidelines shall not require that all disseminated data be subjected to a ***reproducibility*** requirement. Agencies may identify, in consultation with the relevant scientific and technical communities, those particular types of data that can practically be subjected to a reproducibility requirement, given ethical, feasibility, or confidentiality constraints. It is understood that reproducibility of data is an indication of transparency about research design and methods and thus a replication exercise (i.e. a new experiment, test of sample) shall not be required prior to each dissemination.

With regard to analytical results related thereto, agency guidelines shall generally require sufficient transparency about data and methods that an independent reanalysis could be undertaken by a qualified member of the public. These transparency standards apply to agency analysis of data from a single study as well as to analyses that combine information from multiple studies.

Making the data and methods publicly available will assist in determining whether analytic results are reproducible. However, the objectivity standard does not override other compelling interests such as privacy, trade secrets, intellectual property, and other confidentiality protections.

In situations where public access to data and methods will not occur due to other compelling interests, bureaus shall apply especially rigorous robustness checks to analytical results and document what checks were undertaken. Departmental guidelines shall, however, in all cases, require a disclosure of the specific data sources that have been used and the specific quantitative methods and assumptions that have been employed. Each bureau is authorized to define the type of robustness checks, and the level of detail for documentation thereof, in ways appropriate for it given the nature and the multiplicity of issues for such the agency is responsible .

With regard to analysis of risks to human health, safety and the environment maintained or disseminated by the Department, the bureaus shall either adopt or adapt the equality principles applied by Congress to risk information used and disseminated pursuant to the Safe Drinking Water Act Aments of 1996 (42 U.S.C. 300g-1(b)(3)(A) & (B)). Bureaus responsible for dissemination of vital health and medical information shall interpret the reproducibility and peer-review standards in a manner appropriate to assuring the timely flow of vital information from agencies to medial providers patients, health agencies, and the public. Information quality standards may be waived temporarily by agencies under urgent situations (e.g., imminent threats to public health or homeland security) in accordance with the latitude specified in agency-specific guidelines.

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

corruption or falsification.

5. ***Information*** means any communications 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.

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

7. ***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.

8. ***Dissemination*** means agency initiated or sponsored distribution of information to the public (see 5 CFR 1320.3(d) (definition of "Conduct or Sponsor"). 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.

9. ***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 policies or important private sector decisions. Each agency is authorized to define "influential" in ways appropriate for it, given the nature and multiplicity of issues for which the agency is responsible.

10. ***Reproducible*** 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). If agencies apply the reproducibility test to specific types of original or supporting data, the associated guidelines shall provide relevant definitions of reproducibility (e.g. standards for replication of laboratory data). With respect to analytic results, ***capable of being substantially reproduced*** means that independent analysis of the original or supporting data using identical methods would demonstrate whether similar analytic results, subject to an acceptable degree of imprecision or error, could be generated.

## V. Legal Effect

These guidelines are intended only to improve the internal management of the Department of the Interior, its bureaus, and offices, relating to information quality. Nothing in these guidelines is intended to create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its offices, or any other person.