

Office of Comptroller of the Currency
Procedures for Implementation of Section 515 Information Quality Act
(Public Law 106-554)

Introduction

Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001, Public Law 106-554, (Section 515) requires federal agencies to issue procedures to ensure and maximize the quality, utility, objectivity, and integrity of disseminated information. As a Department of the Treasury (Treasury) bureau, the OCC follows the [Treasury guidelines](#).

Purpose

The Office of the Comptroller of the Currency (OCC) charters, regulates, and supervises national banks to ensure a safe, sound, and competitive banking system that supports the citizens, communities, and economy of the United States. The OCC disseminates information on a variety of banking and economic topics to a broad spectrum of individuals and organizations. The goal of the OCC's procedures is to share the processes that the OCC uses to ensure the quality of disseminated information and to provide a method by which affected persons may seek or obtain correction of information that the OCC disseminates.

Scope

These procedures apply to information disseminated to the public in any medium, whether printed, electronic, or other form.

Examples of Information Covered by These Procedures:

- Speeches and reports on various banking and economic topics that communicate official OCC positions
- Statistical releases
- Research and staff studies initiated or sponsored by the OCC
- Educational brochures, booklets, and pamphlets

Examples of Information Not Covered by These Procedures

- Press releases
- Correspondence with individuals or persons
- Public filings
- Research and staff studies not initiated or sponsored by the OCC
- Hyperlinks to information that others disseminate

The effective date of these procedures is October 1, 2002. These procedures will cover information disseminated by the OCC on or after the effective date, regardless of when the information was first disseminated.

The OCC procedures are offered only as guidance and are not intended to be, and should not be construed as, legally binding regulations or mandates. They are not legally enforceable and do not create any legal rights or impose any legally binding requirements or obligations on the OCC or the public. Nothing in these procedures affects any otherwise available judicial review of agency actions.

Information Quality Procedures

The OCC takes pride in the quality, objectivity, utility, and integrity of the information that it disseminates to the public. Existing information dissemination processes provide for rigorous internal review and approval of information products prior to their dissemination to ensure that the quality of information released to the public is useful, accurate, appropriate, and uncompromised.

Utility

The OCC ensures the utility or usefulness of information disseminated to its intended users, including the public, by reviewing analytical and statistical publications and other resources to ensure topics and issues addressed remain relevant and timely. The OCC's subject matter experts are fully involved in issues related to the business of banking. This permits them to respond in a timely manner to changing needs in the banking industry through issuance of new information products or the discontinuation of information products that are no longer useful or relevant to the OCC's intended users.

Objectivity

The OCC disseminates information only after ensuring that the substance of the information is accurate, reliable, and unbiased and that it is presented in such a manner. The OCC achieves objectivity by using reliable data sources and sound analytical techniques, having information products prepared by qualified people using proven methods, and carefully reviewing the content of information products.

The OCC's data sources include, but not limited to, data reported to the OCC by its regulated entities, information obtained from other government agencies, and information provided by other reliable outside sources. After receiving information from external sources, the OCC assigns qualified personnel to carefully review the content of all information. The OCC's information systems include rigorous quality checks including complex business rules, reasonability checks, and checks for redundancies. The OCC's methods of verifying the substance of information will, in general, be transparent to the user, except in situations in which it must protect proprietary or confidential information. Transparency is achieved by referencing sources, identifying the statistical methods employed, and utilizing sound research and analytical techniques. These systems and processes enable the OCC to substantiate the quality of information it disseminates.

Influential Information, Reproducibility, and Transparency

The term influential, when used in the phrase “influential scientific, financial, or statistical information,” means that the OCC can reasonably determine that the dissemination of the OCC’s information does have or will have a genuinely clear and substantial impact at the national level and on major public and private policy decisions as they relate to the OCC’s mission of ensuring the safety and soundness of national banks.

Influential information is subject to reproducibility and transparency requirements.

Reproducibility of information refers to the ability, in principle, for a qualified individual to use the documentation of methods, assumptions, and data sources to achieve substantially the same information, subject to an acceptable degree of imprecision. Transparency means that the sources, methods, procedures, references, and assumptions employed to create the information are provided, except in circumstances where information is confidential and therefore cannot be released to the public.

Integrity

The OCC protects disseminated information from unauthorized access or revision and ensures that information has not been compromised through corruption or falsification. The OCC maintains a comprehensive security program to protect critical systems. This program includes comprehensive information security policies and safeguards designed to protect information assets from unauthorized access, modification, destruction, or disclosure. The OCC has implemented specific technologies, including virus detection systems, to secure its internal network from external attacks. An intrusion detection system continuously monitors the OCC’s network and flags possible unauthorized access. Servers housing the data use specialized software that determines if an unauthorized modification has taken place.

Procedures to Seek Correction of Information Under Section 515

In accordance with Section 515, the OCC has developed procedures to allow affected persons to seek and obtain correction of information that the OCC disseminates. Overall, the Office of Management and Budget (OMB), which developed and provided policy and procedural guidance to federal agencies pursuant to Section 515, does not envision an administrative mechanism that would burden agencies with frivolous claims. Instead, the correction process would serve to address the genuine and valid needs of the OCC and its constituents without disrupting bureau processes. In making determinations of whether or not to correct information, the OCC may reject claims made in bad faith or without justification. The OCC is required to undertake only the degree of correction that it concludes is appropriate for the nature and timeliness of the information involved and explain such practices in the annual fiscal year report to Treasury.

The OCC’s procedures permit affected persons to seek, and obtain where appropriate, correction of information disseminated by the OCC that does not comply with Treasury guidelines. “Affected persons” are people who may benefit or be harmed by the disseminated information. The benefit or harm must be actual (not conjectural or hypothetical) and must be directly caused by the information distributed by the OCC. Affected persons include groups, organizations, and

corporations. If you are an affected person and you believe that information disseminated by the OCC does not comply with Treasury guidelines, you may submit a request for correction of the information. You may submit your request for correction to the OCC by mail, personal delivery, fax, or e-mail using the following contact information.

Mailing Address:

Comptroller of the Currency
Customer Assistance Group
1301 McKinney Street, Suite 3710
Houston, Texas 77010-3031
Telephone: 713-336-4300
Fax : 713-336-4302

1-800 Number:

Consumer Hot Line 1-800-613-6743

E-Mail Address:

customer.assistance@occ.treas.gov

A request for correction of information must contain the following information:

- ✓ A statement that your request is being submitted under Section 515 of Public Law 106-554.
- ✓ Contact information, including name, mailing address, fax number or e-mail address, telephone number, and organization affiliation (if any). The OCC needs this information to respond to your request and to contact you, if required.
- ✓ A description of the report, data set, or other document that contains the information you seek to have corrected, including, when applicable, the number or title of the document(s) in question, the date of release and manner disseminated.
- ✓ A description of the specific information you believe should be corrected, a detailed explanation of how or why the information does not comply with Treasury guidelines, a detailed statement of the reasons you believe the information is wrong, and a statement about how it should be corrected.
- ✓ A detailed explanation of how the disseminated information affects you, identifying what benefit or harm may come to you directly as a result of the information, and how correction would benefit you.

Review of Requests by the OCC

You are responsible for presenting a full and specific basis for a Section 515 request for correction. As a preliminary matter, the OCC may determine that your request does not meet the threshold requirements for processing. Examples of requests that may not meet threshold requirements include: requests that do not contain sufficient information to process the request, requests that are not from affected persons, or requests to correct information or data not subject to these procedures. If contact information has been provided, the OCC plans to respond within 14 business days to a request for correction that is either incomplete or requires that additional information be provided.

Upon receipt of a properly filed request for correction, the Customer Assistance Group will forward the request to the appropriate OCC Unit. That unit will carefully review the substance of each request, and any supporting material, and will consider whether any change or correction to the information or data is warranted.

Requests normally will be processed in the order in which they are received. The OCC's goal is to respond in writing to properly filed requests within 60 calendar days of receipt. If the request requires more than 60 calendar days to resolve, the OCC will inform you that more time is required and indicate the reason why and an estimated response date. If the time is extended, the OCC will notify you by mail, telephone, or e-mail.

The format of the OCC's response will depend on the character and volume of requests. For example, if the OCC receives numerous requests about the same information, it may provide a response through a press release or on its Web site. Other requests may receive an individual response by letter or e-mail.

Requester's Right to Appeal

If you disagree with the OCC's response to your request, you may submit a written request for reconsideration to the OCC's Ombudsman, using the same address provided above, for evaluation and final response. Your request may be submitted by mail, personal delivery, fax, or e-mail. You must submit it to the OCC within 45 calendar days of the date of the OCC's initial response to your request. You should state the reasons why the OCC should reconsider its response, and relevant facts that, for good cause shown, were not previously presented to the OCC. The OCC's goal is to respond in writing to a request for reconsideration within 60 calendar days of receipt. If the request for reconsideration requires more than 60 calendar days to resolve the OCC will inform you that more time is required and indicate the reason why and an estimated decision date. If the time is extended, the OCC will notify you by mail, telephone, or e-mail.

Information For Which the OCC Requested Public Comments

On occasion, the OCC may disseminate a study, analysis, or other information in connection with the issuance of a notice of proposed rulemaking or other action that involves well-established procedures for obtaining, considering, and responding to comments from the public. Generally, the administrative mechanisms described in these procedures do not apply to such information. However, in unusual circumstances, the OCC will consider a Section 515 request for correction of information disseminated in connection with the issuance of a notice of proposed rulemaking or other action where: 1) the OCC determines that a response in advance of the final agency action would not unduly delay issuance of the agency action; and, 2) you demonstrate a reasonable likelihood that you will suffer actual harm from the OCC's dissemination if the OCC does not resolve your request for correction prior to the final agency action.

Compliance Reporting

The OCC reports annually to the Treasury's Deputy Assistant Secretary for Information Systems and Chief Information Officer on the number and nature of requests for correction received regarding compliance with the Treasury guidelines concerning the quality, objectivity, utility, and integrity of information, and how such requests for correction were resolved. The OCC submits compliance reports to Treasury no later than November 1 following the end of each fiscal year, with the first report due November 1, 2003. Periodically, there will be an internal review and update of the procedures to ensure and maximize the quality of disseminated information.

Privacy Act Statement

Collection of this information is authorized by Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001, Public Law 106-554. The information will be used to process your request for correction of information. In some circumstances, the OCC may disclose information you submitted to a congressional office in response to an inquiry made on your behalf; to the Department of Justice, a court, or other tribunal when the information is relevant and necessary to litigation; or to a contractor or another federal agency to help accomplish a function related to this process. Supplying this information is voluntary, but failure to provide all the information may cause a delay in the processing of your request.