

United States Office of Government Ethics

Office of Administration and Information Management

Policy Statement and Procedures

SUBJECT: Information Quality Guidelines

ISSUANCE DATE: October 1, 2002

1. PURPOSE. The Office of Government Ethics (OGE) issues these Information Quality Guidelines to describe OGE's policy for ensuring the quality of information that it disseminates to the public and to set forth the administrative procedure by which an affected person may obtain correction of disseminated information that does not comply with the guidelines.

2. AUTHORITY. Section 515 of the Treasury & General Government Appropriations Act for FY 2001 (Public Law No. 106-554) requires each Federal agency to publish guidelines for ensuring and maximizing the quality, objectivity, utility, and integrity of information that it disseminates to the public. Each agency's guidelines must be based on government-wide guidelines issued by the Office of Management and Budget (OMB). After seeking comment on proposed government-wide guidelines, OMB published final guidelines (with certain provisions published on an interim final basis) in the Federal Register on September 28, 2001 (66 FR 49718). Revised final guidelines were published by OMB on January 3, 2002 (67 FR 369), then republished with corrections on February 22, 2002 (67 FR 8452).

3. EFFECTIVE DATE. These guidelines apply to information disseminated (as defined in the OMB guidelines) by OGE on or after October 1, 2002, regardless of when the information was first disseminated.

4. SCOPE AND APPLICABILITY. The Office of Government Ethics exercises leadership in the executive branch to prevent conflicts of interest on the part of Government employees, and to resolve those conflicts of interest that do occur. In partnership with executive branch agencies and departments, OGE fosters high ethical standards for employees and strengthens the public's confidence that the Government's business is conducted with impartiality and integrity.

The Office of Government Ethics maintains an active outreach program that disseminates a variety of information about the Agency's mission, programs, and operations. Primary target audiences for these outreach efforts are current and former federal government employees, nominees, and applicants for federal positions (i.e. persons affected by or interested in the laws and regulations within OGE's jurisdiction). The Office of Government Ethics uses a variety of tools in these efforts, including the Agency's Web site, brochures, memoranda to ethics officials in other agencies, fact sheets, and provision of OGE employees and others from the ethics community as speakers at training conferences and meetings.

The Office of Government Ethics does not usually disseminate information to the public, as such. Information is available to the public, primarily by means of the Agency's Web site, but usually as a by-product of the dissemination of that information to federal employees; transmittal of reports to Congress and other agencies; publication of regulations and required notices in the Federal Register; and OGE's performance of its other duties (e.g. congressional testimony).

In order to foster public trust in executive branch employees, OGE welcomes members of the public to access OGE information so they may understand ethics policies and regulations as they relate to the federal work force. As indicated in the above description of OGE's target audience and in the definition of "dissemination" as stated in OMB guidance and Public Law 106-554, the majority of information OGE disseminates is exempt from information quality guidelines. Specifically, exempt OGE documents include, but are not limited to:

- S opinions of legal policy or interpretation; and
- S public and confidential financial disclosure reports;

The OGE Division Chief and/or Deputy Director of the program unit developing information for dissemination to the ethics community or to the public is responsible for reviewing its content, and for periodic review of the information to ensure that it is updated to reflect changes in laws and regulations, and recent court decisions. Such OGE documents are prepared by subject matter experts and reviewed by OGE Division Chiefs and/or Deputy Directors, and are approved by the Director of OGE prior to their submission or publication.

The Office of Government Ethics does not develop or disseminate specific categories of information cited by OMB that may require higher and more specific quality standards (e.g., influential

scientific, financial or statistical information, and reports prepared by non-governmental entities).

The correction and appeal process that will address data quality challenges does not apply to information disseminated by OGE through a comprehensive public comment process, e.g., *Federal Register* notices of proposed rulemakings, requests for comments on information collections subject to the Paperwork Reduction Act, and other documents for which OGE solicits public comments. Persons questioning the quality of information disseminated in those documents, or documents referenced or relied upon in those documents, must submit comments as directed in the *Federal Register* or other notices requesting public comment on the given document. The Office of Government Ethics will use its existing processes for responding to public comments in addressing the request for correction, and will describe the actions it has taken with regard to the request in the *Federal Register* notice of the final agency rule or other final action.

5. DEFINITIONS. Terms used in these guidelines are defined by reference to definitions in OMB guidelines as follows:

A. "Quality" includes the utility, objectivity, and integrity of information.

B. "Utility" refers to the usefulness of information not only to OGE, but also to its intended users, including the public.

C. "Objectivity," as applied to both presentation and substance, includes whether disseminated information is being presented in an accurate, clear, complete, unbiased manner, in a proper context, and with identification of sources (to the extent possible, consistent with confidentiality protections).

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

E. "Information" means any communication or representation of knowledge, such as facts or data, in any medium or form, including textual, numerical, graphic, narrative, or audiovisual forms. It includes information disseminated on the OGE Web site, but does not include the provision of hyperlinks to information that others disseminate. The term also does not include opinions, where OGE's presentation makes it clear that what is being offered is someone's opinion rather than fact or OGE's views.

F. "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 of information that is:

- S limited to government employees, agency contractors or grantees;
- S intra- or inter-agency use or sharing of government information;
- S responses to requests for agency records under the Freedom of Information Act, the Privacy Act, the Federal Advisory Committee Act, or other similar law;
- S correspondence with individuals or persons;
- S archival records;
- S public filings;
- S subpoenas; or
- S subject to adjudicative processes.

6. PROCEDURES FOR ENSURING AND MAXIMIZING THE OBJECTIVITY AND UTILITY OF INFORMATION PRIOR TO DISSEMINATION. The Office of Government Ethics staff and officials review all draft information, as necessary and appropriate. It is the responsibility of the Division Chief and/or Deputy Director of the program unit developing information for dissemination (hereafter collectively referred to as the Lead Division) to pursue the most knowledgeable and reliable sources reasonably available to confirm the objectivity and utility (as defined in Section 5 above) of such information. It is also the Lead Division's responsibility to review and verify data submitted by the other government agencies, as necessary and appropriate.

The Office of Government Ethics follows a basic clearance process coordinated by the Lead Division. The Lead Division consults with OGE Divisions having substantial interest or expertise in the material to be disseminated. Where appropriate, substantive input is sought from other government agencies, non-government organizations, and the public.

7. PROCEDURES FOR ENSURING INTEGRITY OF INFORMATION. As previously stated, information is made available to the public primarily through the Agency's web site. OGE's Web site is hosted by the Government Printing Office (GPO), who ensures appropriate security measures are in place to protect information on OGE's Web site from unauthorized access or revision. In carrying out that responsibility, GPO: (a) implements applicable new software patches and security guidelines as recommended by federal agencies responsible for guidance on information security issues; (b) routinely monitors Web server event logs to identify

potential breaches of security; and (c) maintains backups of Web site and Web server content, to permit GPO to promptly restore the OGE Web site if its security is threatened or the system fails due to hardware or software error.

8. ADMINISTRATIVE CORRECTIVE MECHANISMS. Affected members of the public who believe that information disseminated by OGE does not comply with OMB or OGE guidelines may contact OGE to request a correction of the information. Such persons ("requesters") should write to the Deputy Director for Administration and Information Management, U.S. Office of Government Ethics, Suite 500, 1201 New York Ave., NW, Washington, DC 20005-3917. The Deputy Director for Administration and Information Management will refer the request for response to the program unit responsible for development or maintenance of the information. Initial requests should include all relevant information available to the requester, and a clear statement of the alleged conflict with OMB or OGE guidelines. The Office of Government Ethics will reject requests made in bad faith or without justification.

The Office of Government Ethics will respond to a request within 60 calendar days after its receipt (or sooner, if it is possible to quickly resolve the request and immediate attention is necessary due to the nature of the information). If the request requires more than 60 calendar days to resolve, OGE will inform the requester that more time is required and indicate the reason why and an estimated decision date. The program unit to which the request has been referred will respond by letter to the requester. The letter will inform the requester whether OGE believes a correction is appropriate given the nature and timeliness of the information involved, and if so, will provide any corrected information. If the OGE response is not acceptable to the requester, he or she may appeal the initial decision. The requester must send an appeal within 60 calendar days of the date of OGE's response. It should be addressed to the Deputy Director for Administration and Information Management (at the address shown in the first paragraph of this section), and must state the reason(s) why the initial decision was not acceptable.

If OGE believes that other agencies may have an interest in the resolution of an appeal, it will consult with those agencies about their possible interest before completing its review of the appeal. Within 60 calendar days after OGE receives the appeal, the Deputy Director for Administration and Information Management will respond by letter informing the requester whether the appeal is granted (that is, the letter will state whether a correction is appropriate given the nature and timeliness of the information involved, and if so, will provide any corrected information). If

the appeal requires more than 60 calendar days to resolve, OGE will inform the requester that more time is required and indicate the reason why and an estimated decision date.

9. REPORTING PROCEDURES. The Office of Government Ethics will send an annual report to OMB describing the number and type of complaints received about OGE's compliance with OMB guidelines, and how such complaints were resolved. The Office of Government Ethics will submit its initial report by January 1, 2004.

10. INFORMATION CONTACT. For questions or comments regarding these guidelines, contact Mary T. Donovan, IRMD.

11. EXPIRATION. These guidelines will remain in effect until superseded or rescinded.

Original Signed OCTOBER 1 2002

A handwritten signature in cursive script, reading "Daniel D. Dunning". The signature is written in black ink and is positioned above the printed name.

Daniel D. Dunning
Deputy Director for Administration
and Information Management