



SOCIAL SECURITY

Office of the Commissioner

August 10, 2001

Mr. John D. Graham
Office of Information and Regulatory Affairs
Office of Management and Budget
New Executive Office Building
725 17th St. NW
Washington, DC 20503

Dear Mr. Graham:

Thank you for the opportunity to comment on the proposed information quality guidelines. The information disseminated by the Social Security Administration (SSA) is extremely important to the American public. SSA has a long history that demonstrates our commitment to ensuring the integrity and quality of our data and information and to providing excellent service to the public.

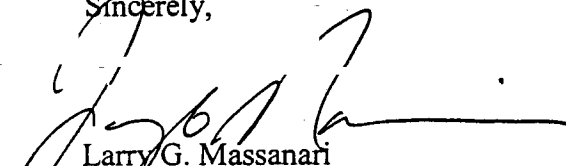
The proposed guidelines present some areas of concern for SSA in terms of how implementing the guidelines would affect the workloads and service delivery of this agency. The guidelines were originally intended for research and statistical data and there may be serious unintended consequences when applied to the broader range of information disseminated by a public benefit agency such as SSA. The guidelines do not appear to result in any increase in the level or quality of service SSA provides to the public, and may actually diminish the quality of service to which the public has become accustomed. In addition, it is unclear how these guidelines would affect public policy analysis and public affairs activities within SSA and throughout the Federal Government.

Specific comments on the proposed guidelines are enclosed. In our comments, we focused on suggested remedies for the language that would retain the intent of the legislation while supporting your commitment to provide agencies with the needed flexibility to implement the guidelines without creating significant additional workloads.

Input was also requested regarding whether OMB should develop specific guidelines to address information that Federal agencies disseminate from a web page. We believe that agencies should retain the flexibility to develop these guidelines as part of their overall set of information dissemination guidelines.

We look forward to working with you to address the issues we raise in our comments and to create final guidelines that satisfy the requirements of the statute while retaining essential flexibility for Federal agencies. If members of your staff have questions or require additional information, please contact Debbie Somers at (410) 966-8365, or via email at Debbie.Somers@SSA.gov.

Sincerely,



Larry G. Massanari
Acting Commissioner
of Social Security

Enclosure

cc:

Brooke Dickson

Social Security Administration Comments

Background

The history that led to these guidelines and the draft language of the guidelines focus on the statistical and research communities across the Federal Government. The examples of information dissemination products listed in the Background Section include products like Census data, economic analysis and labor statistics. Every year SSA releases the *Annual Statistical Supplement*, a comprehensive source of data on Social Security programs. On a quarterly basis, SSA publishes the *Social Security Bulletin*, a research journal. Statistical data products are developed following accepted statistical standards and are carefully reviewed by professional staff before being released to the public.

In addition, we disseminate large volumes of other categories of information. It is critical to recognize that the application of these guidelines to this broader expanse of information dissemination products results in potentially unintended consequences for benefit agencies such as SSA.

The information we distribute on an annual basis reaches hundreds of millions of individuals. This is done through a variety of means including personal contacts through our toll-free number or field offices, explanatory pamphlets, websites, notices and outreach speeches given by our field office representatives. Each year, for example, SSA sends out approximately 250 million notices to our beneficiaries. On a more general level, every working American over the age of 25 receives a Social Security Statement, approximately 135 million statements annually. In addition, newsletters go out to thousands of individuals and organizations.

Our strong history of excellent customer service is based on being very accessible to the public and actively encouraging public feedback. This accessibility ensures that all stakeholders have an opportunity to voice their 'complaints', but it also allows the Agency to respond in a number of appropriate methods that best address the issue or concern. In some cases, this response may be in a written format as required by the proposed guidelines, but in others, it may instead take a variety of forms ranging from a personal conversation and discussion to a public information address. We believe that the best way to provide the highest level of customer service is to maintain a flexible approach to addressing each situation.

We appreciate that one of the underlying principles of the proposed guidelines is to allow agencies maximum flexibility to establish workable agency-level guidelines that are more appropriate to the information each agency deals with. However, some modifications to the current proposed OMB guidelines are essential to ensure that this flexibility is available. For example, agencies will need to be able to determine the best means of handling complaints based on the type of data, the audience, the manner in which the complaint was received and the issues involved. The requirement for a written response to each complaint and the subsequent level of individual tracking not only removes any flexibility for the agency, but it may serve to diminish the level and quality of a response in some situations, while simultaneously creating unmanageable workloads. Below we propose some alternatives that maintain the intent of the statute while also providing agencies the flexibility to respond in an appropriate manner and report meaningful information to OMB.

Major Concerns

Written Response to Complaints—As mentioned above, SSA encourages and receives a tremendous volume of contacts that may be considered ‘complaints’ under these guidelines. A requirement that SSA respond individually in writing to each of these contacts would impose a huge burden on SSA requiring significant increases to staffing levels, changes to work processes, and new tracking and control systems. We do not believe that this effort would result in any value added to our stakeholders. Instead, we believe that this requirement may actually reduce the level of stakeholder satisfaction. Given that OMB does not want to unnecessarily burden agencies with new processes, and that agencies are given the flexibility to “issue their own information quality guidelines,” it is our recommendation that OMB permit agencies to develop agency-specific performance standards. This would give agencies the flexibility to design procedures for responding to complaints in a manner appropriate to the nature of the complaint and the mission of the agency, while assuring that the agency can meet the reporting requirements of these proposed guidelines. We recommend the following language to this effect: (replaces Section IV, Paragraph 2, page 34492, column 1):

The agency should respond to complaints in a manner appropriate to the nature and the extent of the complaint. Examples of appropriate responses include personal contacts via letter or phone, form letters, press releases or mass mailings that corrects a widely disseminated and recognized error. Agency specific guidelines should determine when written responses are necessary.

Annual Report and Complaint Tracking—An additional workload generated as a result of these proposed guidelines is the requirement that agencies periodically report on the number and nature of complaints and how such complaints were resolved. Again, to individually track each and every complaint would create a tremendous workload for this agency. Alternatives should be considered that would maintain the intent of the legislation while balancing the workload for the agency.

One approach would be to allow agencies to use sampling measures (based on generally accepted standards) to generate the annual report required by Section 515. This approach is commonly accepted in reporting on large workloads that do not justify the development of itemized tracking systems. We recommend the following proposed language to this effect (Section IV, Paragraph 5, page 34492, column 2):

On an annual basis, ...each agency must submit a report to the Director of OMB providing information on the number and nature of complaints received by the agency regarding the quality, objectivity, utility and/or integrity of information and how such complaints were resolved. Agencies may use sampling measures to provide this information. If a sampling method is used, the standards for obtaining estimates should be included in the agency information quality guidelines.

Possible Effect on Policy Analysis Activities—We are concerned about the effect these guidelines could have on policy analysis activities in SSA and throughout the Federal Government. There seems to be little question that the guidelines would apply to such activities

Setting standards of objectivity and utility as they apply to policy analysis should be difficult, and allowing ‘affected persons to seek and obtain correction’ of analytical materials could prove contentious.

Specific Comments on Individual Sections

Background Section

Any confusion on the intent and context of these guidelines would be cleared up by a more complete discussion of the context and history of the statute in the Background Section. It is our understanding that Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 was designed to ensure that statistical, policy and research data disseminated by agencies met basic information quality standards. It was not the intent of the section to impede information dissemination related to the transfer of public benefits. Recognizing this context, we recommend adding the following language to the Background Section:

While these guidelines have specific applications in information dissemination activities across the federal government, the original intent of Section 515 applied to the information dissemination activities conducted by the statistical, research and policy communities.

Definitions

Quality, Utility, Objectivity and Integrity—An agency’s application of these definitions will vary, depending on the types of dissemination activities carried out by the particular agency. Agencies should be granted the flexibility to define quality, utility, objectivity, and integrity based on the activities carried out by that agency. We recommend the following proposed language to this effect (added to Section V, Paragraph 1.A, page 34492, column 2):

Agencies shall develop agency-specific definitions of the terms “quality,” “utility,” “objectivity,” and “integrity,” based on the types and extent of the dissemination activities carried out by the agency.

Further defining quality, utility, objectivity, and integrity in each agency’s guidelines will logically lead to a clear and appropriate definition of “complaint” for each agency. Without such clarification, the wide universe of what could possibly constitute a complaint will create unmanageable agency workloads.

Dissemination—Under the current definition of dissemination, some routine government operations could be classified as dissemination subject to these proposed guidelines. Thus, SSA recommends further clarification on the definition and the dissemination activities excluded from the scope of the guidelines.

Government employees—Information shared by government employees is excluded from coverage. On a daily basis, SSA interacts with all three branches of the Federal Government (executive, judicial, and legislative) and all levels of government (Federal, state, and local) as a necessary part of administering our programs. For example, our disability determinations

are made by independent state agencies in each of the 50 states and our Inspector General (IG) regularly interacts with law enforcement officials to investigate alleged cases of fraud. Confusion may exist as to the definition of government employees; therefore, the guidelines should be more explicit. We recommend the following proposed language (added to Section V, Paragraph 5, pages 34492-93, column 3):

Dissemination does not include distribution limited to government employees in all levels and branches of federal, state and local government during the routine conduct of the agency's business.

- **Replies to correspondence**— The proposed guidelines clearly state that individual correspondence with the public is excluded from the definition of dissemination. However, a limited interpretation of the phrase “replies to correspondence” does not appear to exclude complaints on other types of individual-specific dissemination products that could not be classified as responses to correspondence.

Universal Notices—In addition to distributing hundreds of millions of individual notices, SSA also sends out universal notices, like the Social Security Statement. These are notices that are of a general format, but contain information specific to the individual receiving the information.

Unsolicited Materials— SSA also disseminates materials for informational purposes that are specific to the needs of individuals.

It is our recommendation that the exclusion from the definition of dissemination be expanded to include these situations. We recommend the following proposed language to this effect (added to Section V, Paragraph 5, pages 34492-93, column 3):

...This definition also does not include distribution limited to the correspondence to individuals or groups of individuals required for the administration of federal benefit programs. Excluded is material sent to individuals that contains variable or unique information pertaining to their own circumstances.

- **Speeches/local outreach efforts**—In order to inform and educate members of the American public about SSA programs, field employees from over 1300 offices do many local outreach presentations and speeches at the request of local organizations. This type of dissemination activity and the data presented is very different from a speech given by the Commissioner, Inspector General, Chief Information Officer or other agency official at a professional conference or policy briefing. Under the present definition of “information” both of these different types of information dissemination are included in the scope of these proposed guidelines.

In our experience, responses to local speeches such as those described above are difficult to track and assess individually. We recommend excluding these information dissemination activities from the definition and relying on the other methods of registering and tracking complaints that are available to the same audience. We recommend the following language (added to Section V, Paragraph 2, page 34492, column 2):

This definition also does not include dissemination limited to correspondence to individuals or groups of individuals required for the administration of federal benefit programs, including speeches given for purposes of educating the public about such programs.

Conclusions

The changes to the information quality guidelines that we are recommending would maintain the goals of the statute to ensure the quality, utility, objectivity and integrity of information disseminated by the Federal Government while permitting benefit agencies like SSA to continue to effectively and efficiently administer their programs.

We look forward to working with OMB to assess the comments and refine the guidelines on a workgroup or agency basis. The potential for creating significant workloads and the resulting impact on service and on program beneficiaries need to be recognized and addressed within the final version of the guidelines.