
The Pension Benefit Guaranty Corporation (PBGC) welcomes comments on this draft document. Under law and OMB guidelines published in the Federal Register, the PBGC will be submitting its draft guidelines to OMB for review only after providing an opportunity for public comment

INFORMATION QUALITY GUIDELINES (DRAFT MAY 1, 2002)

INTRODUCTION

Background

On December 21, 2000 Congress passed Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (the Act). On February 22, 2002, OMB issued final guidance for implementing the Act, which required all Federal agencies to:

- Issue information quality guidelines ensuring and maximizing the quality, objectivity, utility, and integrity of information, including statistical information, disseminated by the agency;
- Establish administrative mechanisms allowing affected persons to seek and obtain correction of information maintained and disseminated by the agency that does not comply with the OMB guidelines, and;
- Report to the Director of OMB the number and nature of complaints received regarding compliance with the OMB guidelines, including how the complaints were resolved.

Purpose

The purpose of this document is to describe those practices that can best help the Pension Benefit Guaranty Corporation (PBGC) to achieve its goal of information quality; to assign responsibilities; and to describe the information quality complaint and review process provided for in the law and OMB guidelines. The PBGC guidelines are structured to focus awareness, understanding, and adherence to the PBGC's overall approach to ensuring the quality of the information it disseminates.

SCOPE AND APPLICABILITY

These guidelines are intended, within the context of laws administered and enforced by the PBGC, to improve information quality. They are intended to improve the internal management of the Federal government. They are not intended to impose any binding requirements or obligations on the PBGC or the public or to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, officers, or any person. They are not intended to provide any right to judicial review. The PBGC may vary the application of information quality guidelines in particular situations where it believes that other approaches will more appropriately carry out the purpose of these guidelines or are needed to permit the PBGC to

meet its statutory or program obligations.

These guidelines (other than the information and review process guidelines) apply to information first disseminated by the PBGC on or after October 1, 2002. 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. Dissemination includes PBGC initiated or sponsored distribution of information to the public, but does not include PBGC citation to or discussion of information that was prepared by others and considered by the PBGC in the performance of its responsibilities. These guidelines do not apply to the following:

- Information distribution limited to government employees, or PBGC contractors or grantees;
- Intra- or inter-agency use or sharing of government information, such as strategic plans, performance plans, program reports, operating plans, or budgets;
- Responses to requests for PBGC records under the Freedom of Information Act, the Privacy Act, the Federal Advisory Committee Act, or other similar laws;
- Correspondence or other communications with individuals, or organizations (for instance, these guidelines do not apply to participant benefit determinations);
- Press releases;
- Archival records;
- Public filings;
- Subpoenas or adjudicative processes;
- Information clearly represented as opinion and not an official PBGC representation;
- Policy guidance of statements or summaries of agency policies, procedures, or programs;
- Statements of legal policy or interpretations; and
- Final agency decisions or determinations of legal force and effect.

For a glossary of numerous terms and their definitions used throughout the rest of this document, please consult the Appendix. The definitions are from OMB guidance for the Act.

QUALITY MANAGEMENT PRINCIPLES

In accordance with OMB's guidelines, the PBGC is responsible for assuring the quality of the information that it disseminates. The level of quality will be "appropriate to the nature and timeliness of the information to be disseminated." This level of quality will, of course, be affected by the resources available and the nature of the underlying data. Quality includes the "utility", "objectivity", and "integrity" of the information. The PBGC will assess the value of particular information to those expected to use it. The objectives of the PBGC's information programs are the development of information that is "accurate, reliable, and unbiased," the presentation of information "in an accurate, clear, complete, and unbiased manner," and the protection of information from unauthorized access or revision. These objectives and guidelines are to be interpreted consistent with the PBGC's statutory obligations.

Where the PBGC is disseminating information of a scientific, financial, or statistical nature, it

will use sound statistical and research methods to develop and analyze the data. Depending on the type of information disseminated, and consistent with statutory and confidentiality restrictions, the PBGC will identify the sources of the information, and where appropriate, the supporting data, models, and error sources.

Where the PBGC develops and disseminates "influential" scientific, financial, or statistical information, it will provide a higher level of transparency about data and methods such that, if feasible and appropriate under the circumstances and if confidentiality constraints permit, qualified third parties could reproduce the information.

INFORMATION QUALITY RESPONSIBILITIES

The PBGC will make information quality an important goal in every appropriate phase of a product's development. The following responsibilities pertain to the implementation of these quality guidelines.

Information Quality Officer (IQO)

- Maintain a leadership role in overseeing the implementation of these guidelines and in providing guidance to the appropriate PBGC employees on information quality matters.
- Develop and submit to OMB the annual report concerning the number, nature, and resolution of complaints regarding PBGC compliance with OMB guidelines.
- Coordinate, as appropriate, with other Federal organizations on cross-agency information quality issues.
- Apply, consistent with applicable statutes and regulations, these information quality guidelines to PBGC-sponsored information products that the PBGC has direct authority to control.
- Ensure that where PBGC-sponsored information does not necessarily reflect the views of the PBGC, an appropriate disclaimer will be included.

INFORMATION CATEGORIES

Per OMB's guidance, 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 the PBGC 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 PBGC's presentation makes it clear that what is being offered is someone's opinion rather than fact or the agency's views.

The PBGC has identified two categories of information that are disseminated to the public, with the level of quality control and review being greater for influential information than for non-influential information. Whether information is influential is to be determined on an item-by-item basis rather than by aggregating multiple studies, documents, or other informational items that may influence a single policy or decision.

Influential

Definition: Per OMB guidance, this category contains scientific, financial, or statistical information when the PBGC can reasonably determine that dissemination will have or does have a clear and substantial impact on important public policies or important private sector decisions.

Non-Influential

Definition: This category contains all information disseminated to the public that does not meet the criteria set forth in the influential information definition.

INFORMATION QUALITY ASSURANCE TECHNIQUES AND METHODS

The PBGC will use the information quality assurance techniques and methods that it determines are most appropriate for the information product being disseminated.

PRIVACY AND SECURITY INFORMATION

Regardless of the category of information, the PBGC will comply with the Privacy Notice and Security Disclaimer posted on the PBGC's Web site. The PBGC is strongly committed to maintaining the privacy of information and the security of its computer systems. With respect to the collection, use, and disclosure of information, the PBGC makes every effort to ensure compliance with applicable Federal laws, including, but not limited to, the Privacy Act of 1974, the Paperwork Reduction Act of 1995, the Trade Secrets Act, and the Freedom of Information Act.

As part of its efforts to ensure and maintain the integrity of the information disseminated to the public, the PBGC maintains an IT security policy and planning framework designed to protect information from unauthorized access or revision and to ensure that the information is not compromised through corruption or falsification.

INFORMATION QUALITY ASSURANCE PROCESS

The PBGC's use of the quality assurance process described below will help maximize the quality of information disseminated. The PBGC will use information quality assurance processes that are appropriate to the complexity and importance of the product being developed. In addition, the PBGC will use appropriate pre-existing information quality assurance processes provided the level of quality assurance rigor used meets or exceeds the quality assurance principles set forth by these guidelines and OMB guidelines.

The quality assurance process will begin at the inception of the product development process. At the initiation of the product development process, the PBGC will consult existing PBGC information quality assurance guidelines. The PBGC will determine the information category of the product to be developed, the level of quality assurance needed, and the appropriate techniques required to maximize and ensure information quality.

The PBGC will incorporate the selected quality assurance techniques into the project development schedule. Throughout the product's development, the PBGC will ensure that

quality assurance decisions are defensible and appropriate to the category of information involved. The product may be subject to internal quality controls and appropriate reviews before being disseminated to the public. The PBGC will be responsible for ensuring that lessons learned are incorporated into future information product development activities so as to improve the PBGC's overall quality management process.

INFORMATION COMPLAINT AND REVIEW PROCESS

Because the PBGC is committed to information dissemination programs based on high standards of quality, it recognizes the value of public input. The PBGC therefore encourages the affected public to suggest improvements in the PBGC's information practices and to contact it when particular disseminated information may not meet the guidelines set forth above. The PBGC believes that in most cases, informal contacts would be appropriate.

Sometimes the PBGC and affected persons may find it helpful to resolve concerns about information in a more structured way and may choose to follow a more formal process.

The purpose of the information complaint and review process is to deal with information quality matters, not to resolve underlying substantive policy or legal issues or factual disputes.

As in the case with other provisions of these guidelines, the process is intended to improve the internal management of the Federal government. It is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, officers, or any person. It is not intended to provide any right of judicial review.

Moreover, this process is not intended to substitute for other legally authorized processes, such as the Privacy Act, the rulemaking processes, or the administrative review processes. For example, concerns regarding information in a rulemaking must be presented in the rulemaking in accordance with the rulemaking's procedures.

These guidelines for the information complaint and review process apply to information that the PBGC disseminates on or after October 1, 2002, regardless of when the PBGC first disseminated the information.

Overview of Information Complaint and Review Process

Affected persons may indicate their interest in following a more structured complaint and review process by expressing that interest to the PBGC. Complainants must identify themselves and indicate where and how they can be reached. They also must identify, as specifically as possible, the information in question and carefully describe the nature of the complaint, including an explanation of why they believe the information does not comply with PBGC or OMB guidelines, and the reason the PBGC should make the change. Failure to include this information may result in a complainant not receiving a response to the complaint or greatly reducing the usefulness or timeliness of any response.

In deciding how to handle complaints, the PBGC will be especially mindful of its legal obligations, program priorities, resource constraints, and its duty to use resources efficiently. For example, the PBGC has important responsibilities to issue rules and provide compliance guidance to the public. The PBGC will administer the complaint and review process, consistent with these obligations and its responsibilities to carry them out in an expeditious manner.

Any structured process would not apply to the PBGC's archival information or to public filings. The PBGC may choose not to respond to complaints about claimed defects that are frivolous or unlikely to have substantial future impact. It may not be in the public interest for the PBGC to devote significant resources to correcting information where the expenditure of such resources is not, in the PBGC's view, cost effective in light of the significance of the asserted error, the benefits that are likely to be derived from such a correction, the costs of the correction, and the PBGC's more pressing priorities and obligations. Where procedures exist for dealing with information quality issues, the PBGC may consider resolving complaints by referring them to these procedures. For example, complaints about the quality of information in a rulemaking are to be submitted and handled in accordance with rulemaking procedures. Where the PBGC responds directly to a complaint, it will respond in the manner that it deems most suitable, whether by letter, telephone, email, or otherwise.

The PBGC will try to respond to complaints and requests for review within ninety (90) days of receipt, unless the PBGC deems a response within this time period to be impracticable, in light of the nature of the complaint and the PBGC's priorities.

If an affected person is dissatisfied with the initial response to the complaint, the complainant may seek review. A complainant may seek review within thirty (30) days of the date the PBGC notified the complainant how it would handle the complaint or 120 days from the date on which the PBGC first received the complaint, whichever is later. The review request must contain the same contact and descriptive information that was provided in the original complaint and the specific reasons the initial response was not satisfactory.

In processing initial complaints and requests for review, the PBGC will be flexible and take into account, among other things, the nature, significance, and volume of complaints, the particular program needs, and available review mechanisms. The PBGC will vary its procedures if it believes that other approaches are more suitable to carrying out its mission or would facilitate compliance with the purposes of these guidelines. Moreover, the PBGC welcomes any suggestions from the public at any time concerning the improvement of this complaint and review process.

APPENDIX: INFORMATION QUALITY GLOSSARY

OMB provides the following definitions in its guidance for the Act.

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 for its intended users, including the public. In assessing the usefulness of information that the agency disseminates to the public, the agency needs to consider the uses of information not only from the perspective of the agency 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 agency must take care to ensure that transparency has been addressed in its review of the information.
3. "Objectivity" involves two distinct elements, presentation 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 agency needs to identify the sources of the disseminated information (to the extent possible, consistent with confidentiality protections) and, in scientific, 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, supporting data should have full, accurate, 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 analytical results shall be developed, using sound statistical and research methods.
 - i. 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 agency-sponsored peer review is employed to help satisfy the objectivity standard, the review process employed shall meet 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 agencies prior technical/policy positions they may have taken on the issues at hand, (c) peer reviewers be expected to disclose to agencies their sources of personal and institutional funding (private or public sector), and (d) peer reviews be conducted in an open and rigorous manner."
 - ii. If an agency is responsible for disseminating influential scientific, financial, or statistical information, agency guidelines shall include a high degree of transparency about data and methods to facilitate the reproducibility of such information by qualified third parties.
 - A. 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 be practicably be subjected to a reproducibility requirement, given ethical, feasibility, or confidentiality restraints. 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, or sample) shall not be required prior to each dissemination.

B. With regard to analytic results related thereto, agency guidelines shall generally require sufficient transparency about data and methods that a qualified member of the public could undertake an independent reanalysis. These transparency standards apply to agency analysis of information from multiple studies.

i 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.

ii In situations where public access to data and methods will not occur due to other compelling interests, agencies shall apply especially rigorous robustness checks to analytic results and document what checks were undertaken. Agency guidelines shall, however, in all cases, require a disclosure of the specific quantitative methods and assumptions that have been employed. Each agency 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 multiplicity of issues for which the agency is responsible.

C. With regard to analysis of risks to human health, safety, and the environment maintained or disseminated by the agencies, agencies shall either adopt or adapt the quality principles applied by Congress to risk information used and disseminated pursuant to the Safe Drinking Water Act Amendments of 1996 (42 U.S.C. 300g-1(b)(3)(A) and (B)). Agencies 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 medical 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 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.

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

7. "Information dissemination product" means any book, 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. "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). 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 generate similar analytic results, subject to an acceptable degree of imprecision or error.