

BUREAU OF INDIAN AFFAIRS

QUALITY OF INFORMATION GUIDELINES

I. Introduction

In Section 515(a) of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554; HR 5658), Congress directed the Office of Management and Budget (OMB) to issue government-wide guidelines that "provide policy and procedural guidance to Federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by Federal agencies." OMB's guidelines were published in the Federal Register on February 22, 2002 (67 FR 8452), directing agencies subject to the Paperwork Reduction Act (44 USC 3502) to:

- "Issue guidelines ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by their agency, no later than October 1, 2002.
- "Establish administrative mechanisms allowing affected persons to seek and obtain correction of information that does not comply with OMB guidelines.
- "Report to the Director of OMB the number and nature of complaints received by the agency regarding the accuracy of information and how such complaints were handled by the agency."

This document constitutes the office of the Assistant Secretary of Indian Affairs' (Indian Affairs) response to the directive from OMB. The Indian Affairs guidelines will apply to all information the bureau disseminates on or after October 1, 2002, regardless of when it was first disseminated. Information disseminated prior to October 1, 2002, but not archived and still being used in a decision-making process is not exempt from these guidelines. Archived records of information disseminated and subsequently archived are exempt from the guidelines.

II. Indian Affairs Information Quality Guidelines

A. *Related Guidelines*

Both the OMB and the final Department of the Interior (DOI) guidelines and standards are incorporated by reference into these Indian Affairs guidelines. The information quality definitions published by OMB and DOI guidelines also are adopted as Indian Affairs' definitions for information quality.

B. Overview of Indian Affairs Information Quality Guidelines.

Most materials other than specifically defined exemptions, that constitute “information” that the Bureau of Indian Affairs disseminates or makes available to the public will be covered by these guidelines, e.g., information produced by the Bureau of Indian Affairs in any medium, including data sets, web pages, audiovisual presentations, and published reports, including draft reports made available for public comment.

Factors such as imminent threats to public health or homeland security, statutory or court-ordered deadlines, or other circumstances beyond Indian Affairs’ control, **will** limit or preclude applicability of these guidelines.

Internal Review. To the greatest extent practicable and appropriate, information Indian Affairs disseminates is internally reviewed for quality – including objectivity, utility and integrity – before such information is disseminated. Information disseminated by the Bureau is normally subject to one or more levels of quality review by internal staff or supervisory officers before it is released for dissemination. The number of levels of internal quality review applied in a particular case depends on the nature, scope and purpose of the information to be disseminated. For example, routine reports that may be prepared by staff about the Bureau’s activities or operations may be subject to one or two levels of staff or supervisory review for basic accuracy and completeness before such reports are released to the general public. Additional levels of internal review, supplementation, clarification or approval by Bureau management may be appropriate, however, to the extent that such a report may be intended as the basis for more complicated budgeting decisions or legislative reporting purposes.

Each Bureau of Indian Affairs office will incorporate the information quality principles outlined in these guidelines into their existing pre-dissemination review procedures as appropriate. Offices and regions may develop unique and new procedures as needed to provide additional assurance that the information disseminated by or on behalf of them is consistent with these guidelines.

Paperwork Reduction Act. All Indian Affairs offices will make use of OMB’s Paperwork Reduction Act (PRA) clearance process to help improve the quality of information that the bureau collects and disseminates to the public. All proposed collections of information that are disseminated to the public will demonstrate in their PRA clearance submissions to OMB that the proposed collection of information will result in information that will be collected, maintained and used in a way consistent with the DOI and OMB Quality Information Guidelines.

Exemptions. Exemptions to these guidelines include:

- Materials intended to be limited to subpoenas or adjudicative processes
- Information in public filings submitted to Indian Affairs by other organizations or government or **Tribal entities** (such as public comments submitted in a rulemaking or NEPA document - unless relied upon by Indian Affairs)
- Internal distributions to employees

- Information covered by the Privacy Act, the Freedom of Information Act, the Federal Advisory Committee Act or similar laws
- Normal and usual correspondence (press releases, fact sheets, press conferences or similar communications (Congressional testimony and information provided to Congressional offices; outdated or superseded Indian Affairs information.)

Third Party Information. If Indian Affairs relies upon technical, scientific, or economic information submitted or developed by a third party, that information is subject to the appropriate standards of objectivity and utility. The standards of these guidelines apply not only to information that Indian Affairs generates, but also to information that other parties provide to Indian Affairs, if Indian Affairs disseminates and relies upon this information.

C. *Indian Affairs Influential Information*

“Influential information” means that Indian Affairs can reasonably determine that dissemination of the information could have a clear and substantial impact on important public policy or management decisions of others. Indian Affairs recognizes that the information it disseminates includes data or information that can influence policy decisions.

Indian Affairs information is subject to a high degree of transparency about data and methods used to facilitate the reproducibility of such information by other qualified individuals. Therefore such information has a high degree of transparency regarding:

- The sources of the data used
- The various assumptions employed
- The methods applied
- The statistical procedures employed
- **The application of existing law or interpretation of existing public policy pertaining to the issue being addressed**

The degree of rigor with which each of these factors is presented and discussed is scaled as appropriate. If access to data and methods cannot occur due to compelling interests such as privacy, trade secrets, intellectual property, **Tribal sovereignty, Trust responsibilities, existing or pending litigation** and other confidentiality protections, Indian Affairs will, to the extent practicable, verify information and document that verification steps were taken.

III. Information Correction

A. Administrative Process

Each year, the Bureau of Indian Affairs will send a report to the Department of the Interior by November 30 describing the number, nature and resolution of any correction inquiries received.

Correction requests should be made by contacting the Indian Affairs Chief Information Officer by the following means:

Email: publicaffairs@bia.gov

Fax: 202-501-1516

U.S. Mail: Bureau of Indian Affairs
Office of Public Affairs MS-4542-MIB
1849 C Street, N. W.
Washington, D.C. 20240

B. Requirements

A request for information correction must include the following:

- A written statement that the person is seeking correction of information disseminated by the Bureau of Indian Affairs and the specific reasons for believing the information fails to meet OMB or DOI standards, along with supporting documentation, if any.
- Name, mailing address, telephone number, email address (if applicable), and organizational affiliation, if any, of the individual making the complaint. Organizations submitting a complaint should identify one individual to serve as the primary contact.
- The complainant should use the subject line, “Complaint About Information Quality,” so that it may be clearly recognizable to those managing the process.
- A detailed description of the specific material in question, including where the material is located (that is, publication title, date, and publication number, if any, or the website and web page address).
- A description of how the person submitting the complaint is affected by the information error.
- Any specific recommendations for corrective action.

C. Evaluation

The Director, Office of **Public Affairs** will notify the complainant of receipt of their inquiry within 10 business days of receipt. Indian Affairs will first determine the applicability of the correction definitions and guidelines, and if the information is deemed to be exempt from the guidelines, will so notify the complainant. If the inquiry is covered

by the guidelines, then the Director, Office of Public Affairs will forward the correction request to the appropriate office for evaluation and resolution.

Within 60 calendar days of receipt, the appropriate office will evaluate the information in question. If Indian Affairs determines that the correction request is without merit, the complainant will be notified. If Indian Affairs determines that the request has merit, **then** Indian Affairs will take reasonable steps to respond to the complainant's request and will notify the complainant of this intent and the corrective steps proposed. Indian Affairs will determine the schedule and procedure for correcting any challenged information that it has deemed as having an error. Indian Affairs will not disseminate any information it has determined is in error until such error has been corrected.

A second complaint received before the issuance of a 60-calendar-day evaluation notice for a **substantially similar** complaint under review will be treated with simultaneous consideration. The second complainant will be notified within 10 business days that an analysis is in progress and advised of its status. The first and any subsequent **substantially similar** complaints will be combined and a **single** 60-calendar-day finding will be issued.

If a second identical complaint on the same subject is received any time after a 60-calendar-day notice has been issued, then the second complaint will require a new and separate review. Unless substantial new information has been submitted, the 60-calendar-day finding for the earlier request shall suffice.

In the case of rulemakings and other public comment procedures, where Indian Affairs disseminates a study, analysis, or other information prior to the final bureau action or information dissemination, requests for correction will be considered prior to the final bureau action or information dissemination in those cases where the bureau has determined that an earlier response would not unduly delay issuance of the agency action or information, and the complainant has shown a reasonable likelihood of suffering actual harm from Indian Affairs' dissemination if the agency does not resolve the complaint prior to the final bureau action or information product.

D. Appeal Procedure

If complainants are dissatisfied with a decision regarding their request, they may appeal the decision to the Assistant Secretary of Indian Affairs, using the address of the Public Affairs Manager. The Assistant Secretary will make the final decision on the appeal within 60 calendar days of receipt.

Appeals for reconsideration should contain the following:

- An indication that the person is seeking an appeal of a Indian Affairs decision on a previously submitted request for a correction of information, including the date of the original submission and date of Indian Affairs decision.
- Name, mailing address, telephone number, email address (if applicable), and organizational affiliation, if any, of the individual making the complaint appeal.

Organizations submitting an appeal should identify one individual, as the primary contact.

- An explanation of why the appealing person or organization disagrees with the Indian Affairs decision as inconsistent with OMB or DOI standards, and if possible, a recommendation of corrective action.
- A copy of the original request for the correction of information.

IV. Legal Effect

These guidelines are intended only to improve the internal management of Indian Affairs relating to information quality. Nothing in these guidelines is intended to create any right or benefit, substantive or procedural, enforceable by law or equity by a party against the United States, its agencies, its offices, or any other person. These guidelines do not provide any right to judicial review.