



FMS' Procedures for Implementation of the Information Quality Act

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Introduction:

Section 515 of Public Law 106-554, 44 U.S.C. § 3516, note, ("Section 515") requires that each Federal agency subject to the Paperwork Reduction Act, 44 U.S.C. chapter 35, issue guidelines for ensuring and maximizing the quality, objectivity, utility, and integrity of the information it disseminates. Section 515 also directs each Federal agency to establish an administrative mechanism that allows affected persons to seek and obtain correction of information maintained and disseminated by the agency that does not comply with information quality guidelines issued by the Office of Management and Budget ("OMB").

OMB issued its [Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies](#) [EXIT](#) in the Federal Register on September 28, 2001, January 3, 2002, and February 22, 2002.

This document serves as the Department of the Treasury's Financial Management Service's ("FMS") Implementation Procedures for Section 515. It identifies FMS' information quality standards and describes the process for affected persons to seek correction of information disseminated by FMS that does not comply with the OMB guidelines.

Scope: These procedures will become effective on October 1, 2002, and cover information disseminated by FMS on or after October 1, 2002, regardless of when the information was first disseminated.

These procedures do not apply to any matter that does not meet the definition of "information" provided in the OMB guidelines. For example, the procedures do not apply to opinions, where the agency's presentation makes clear what is being offered is someone's opinion rather than fact or the agency's views.

These procedures also do not apply to any release or distribution of information or other matter that does not meet the definition of "dissemination" provided in the OMB guidelines. Dissemination is defined in the OMB guidelines as "agency initiated or sponsored distribution of information to the public."

Information may be included in a FMS publication that is not initiated or sponsored by FMS. For example, FMS publishes the *Treasury Bulletin*, which includes information submitted by other bureaus or agencies. However, FMS does not edit or control the information submitted by those other bureaus or agencies. Therefore, FMS' procedures apply only to the information in the *Treasury Bulletin* for which FMS is cited as the source.

The complete definitions for information and dissemination and other key terms from the OMB guidelines are included in the following section.

Definitions of Key Terms From the OMB guidelines

"Dissemination" means "agency initiated or sponsored distribution of information to the public." Dissemination does not include "distribution limited to government employees or agency contractors or grantees; intra- or interagency 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."

"*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."

"*Quality*" is "an encompassing term comprising utility, objectivity, and integrity."

"*Utility*" refers to "the usefulness of the information to its intended users."

"*Objectivity*," means whether the "information is being presented in an accurate, clear, complete and unbiased manner" and whether the substance of the information is "accurate, reliable and unbiased."

"*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."

For the complete list of definitions applicable to Section 515, please refer to OMB's Guidelines for *Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies*.

FMS' Information Quality Standards

FMS adopts the quality standards incorporated in the *Information Quality Guidelines* issued by the Department of the Treasury. These guidelines are based on, and must be used in conjunction with, OMB's *Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies*.

FMS will use the information quality guidelines and the standards incorporated in the guidelines issued by the Department of the Treasury and OMB when reviewing the quality of information it disseminates.

When preparing and disseminating financial reports for the United States Government, FMS also adheres, to the extent practicable, to the Federal Accounting Standards Advisory Board's standards on the "[Qualitative Characteristics of Information in Financial Reports](#),"  which are included in Chapter Six of the Board's *Statement of Federal Financial Accounting Concepts, Number 1*. These standards provide relevant guidance for ensuring and maximizing the objectivity and utility of information in financial reports. FMS reserves the right to supplement its information quality standards as it deems necessary.

FMS' Administrative Correction Procedures

FMS has established procedures for affected persons to seek and obtain correction of information disseminated by FMS that does not comply with OMB's Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies or the [Department of the Treasury's Information Quality Guidelines](#) . FMS reserves the right to supplement these procedures as it deems necessary.

FMS' administrative correction procedures are described below.

A. Request for Correction

Persons affected by information disseminated by FMS may seek correction of information that does not comply with OMB's or the Department of the Treasury's information quality guidelines by mailing, faxing, or e-mailing a timely written request for correction to the following:

FMS Section 515 Coordinator

Legislative and Public Affairs Office, Room No. 555
Financial Management Service
Department of the Treasury
401 14th Street, SW
Washington DC, 20227

Fax number: (202) 874-2391

E-mail address: Section515@fms.treas.gov

At a minimum, a request for correction should include the following information:

1. name, mailing address, telephone number and, if applicable, organizational affiliation, fax number and e-mail address of the affected person seeking the correction;
2. an indication that the request for correction is submitted under Section 515 of Public Law 106-554;
3. a description of the information that is the subject of the request, which should include identifying details, such as the address of the web page where the information appears or the title and date of the report or publication containing the information, with citations to the applicable chapter, page, and paragraph;
4. a discussion of how the information fails to comply with OMB's and the Department of the Treasury's information quality guidelines;
5. a specific recommendation regarding how to correct the information;
6. an explanation of how the person making the request is affected by this information and how the correction would benefit him or her; and
7. any evidence that supports the argument for the requested correction.

FMS may not be able to process a request for correction that does not include all of the above information. In the case of an incomplete request, the FMS Section 515 coordinator will attempt to notify the requestor that the request has not been processed due to missing information and will identify the information that needs to be provided.

B. Improper Requests for Correction

FMS will consider the following requests as improper under the OMB guidelines and will not process such requests:

1. requests that have not been raised within a reasonable time of the dissemination at issue and that concern information that has no continuing significance, (such as a request concerning information that is clearly outdated or that FMS has indicated by a more recent dissemination is no longer relevant);
2. requests concerning matters that do not meet the definition of "information" provided in the OMB guidelines;
3. requests concerning a distribution or release of information that does not meet the definition of "dissemination" provided in the OMB guidelines;
4. requests that are frivolous or involve allegations identical or substantially similar to requests from persons not affected by the information at issue.

In the case of an improper request, the FMS Section 515 coordinator will notify the requestor that the request has been rejected and provide his or her reason for rejecting the request.

The FMS Section 515 coordinator will also provide a copy of his or her response to the program official

responsible for the dissemination at issue. The fact that a request has been rejected as improper should not preclude the responsible official from taking any action he or she deems necessary to correct an error.

If a request concerns information that was distributed or released as part of a public comment process (e.g., notices of proposed rulemaking or regulatory analyses), the FMS Section 515 coordinator will refer the requestor to the comment process if the request can be addressed within that process.

C. FMS Response to Request for Correction

The FMS Section 515 coordinator will immediately forward a complete and proper request for correction to the program official responsible for the dissemination at issue and request a review of the challenged information. However, if a request for correction involves allegations that are identical or substantially similar to those that have been previously reviewed and addressed by FMS in a prior response on another request, the Section 515 coordinator, after consultation with the responsible program official, may elect to provide the requestor a copy of the prior response rather than initiate another review of the same matter.

If the responsible program official believes other Federal agencies may have an interest in the resolution of the request for correction, he or she should consult with those agencies about their possible interests and may consider their input in resolving the request.

In determining whether the requested correction or other appropriate action is warranted, the responsible program official should consider whether a correction is necessary to avoid causing confusion to the public and what type of corrective action is appropriate given the nature and timeliness of the information involved. The responsible program official need not adopt a corrective action that requires such a significant amount of agency resources that it would disrupt the agency's operations or would outweigh any benefit to the public or the requestor that might result from the corrective action.

If, in response to a request for correction, the responsible program official makes a correction or revision, he or she should ensure that the corrected information indicates that information was deleted, corrected, or added, as appropriate, and indicate the date of such revision. To the extent that it is practicable, the correction should be disseminated in a manner consistent with the original dissemination.

The responsible official should prepare a written response for the Section 515 coordinator to send to the requestor. Within sixty (60) calendar days of the receipt of a complete and proper request for correction, the FMS Section 515 coordinator will send a written response by regular mail, e-mail, or fax to the requestor. The response should inform the requestor what corrective action, if any, FMS has taken or will take in response to the request. If FMS will not take any corrective action, the response should inform the requestor of the reasons for this decision and of the right to request reconsideration. The response should also describe the procedures for requesting reconsideration.

If the preparation of the response requires more than sixty (60) calendar days, the Section 515 coordinator will notify the requestor of this in writing and provide an estimated date for the completion of the response.

D. Request for Reconsideration

If the person who requested the correction does not agree with the decision in the initial response, (including the corrective action, if any), the person may submit a written request for reconsideration by regular mail or fax to the following:

Director of Legislative and Public Affairs
Legislative and Public Affairs Office, Room 555
Financial Management Service
Department of the Treasury
401 14th Street, SW
Washington DC, 20227

Fax number: (202) 874-2391

The request for reconsideration must be submitted within forty-five (45) calendar days of the date of the initial response letter. Requests that are not received within this time period will not be considered.

The request should clearly state that it is a request for reconsideration and include a complete copy of the original request for correction. The person requesting reconsideration should also provide specific reasons for his or her belief that the initial decision was erroneous and attach any supporting evidence.

E. FMS Response to Request for Reconsideration

The FMS Director of Legislative and Public Affairs will immediately forward the request for reconsideration to the assistant commissioner of the program area responsible for the dissemination at issue. The assistant commissioner will serve as the reviewing official on the request for reconsideration and will issue the decision on the request, except as provided below.

An assistant commissioner should not serve as a reviewing official if he or she participated in the initial response. In such instances, the Director of Legislative and Public Affairs or another assistant commissioner may serve as the reviewing official, provided that he or she did not participate in the initial response.

In making his or her decision, the reviewing official should consider the information contained in the request and any supporting evidence, as well as any information the responsible program official relied upon in reaching the initial decision.

The reviewing official may consult with other individuals who possess relevant subject matter expertise but were not involved with the dissemination at issue.

The reviewing official, if other than the Director of Legislative and Public Affairs, should prepare a written response for the Director of Legislative and Public Affairs to send to the requestor and provide a copy of the response to the Section 515 coordinator. Within sixty (60) calendar days of receipt of the request for reconsideration, the Director of Legislative and Public Affairs will send the requestor by regular mail or fax the reviewing official's written decision that provides the reasons for the decision and identifies the information the reviewing official considered in arriving at the decision.

If the reviewing official requires additional time to complete the review, he or she should notify the requestor of this in writing and provide an estimated date for the completion of the review. The reviewing official should provide a copy of this written notice of a change in the response date to the Section 515 coordinator.

F. FMS Reporting Requirements

Beginning October 1, 2002, the FMS Section 515 coordinator will maintain records on complaints received under these procedures and retain the information necessary to prepare annual reports on such complaints for the Deputy Assistant Secretary for Information Systems/Chief Information Officer ("DASIS/CIO"). Beginning November 1, 2003, the FMS Section 515 coordinator will prepare annual reports for the DASIS/CIO on the number of the complaints received by FMS and the resolution of those complaints.

Privacy Act Statement:

Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law No. 106-554 codified at 44 U.S.C. § 3516) authorizes the collection of information furnished in a request for correction or request for reconsideration. A requestor does not have to furnish this information, but failure to do so may prevent the request from being processed. The primary use of this information is to allow FMS to process and reply to the request. FMS may also disclose information to others as authorized or required by Federal law.