

RE: Department of Transportation Comments on OMB Proposed Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies. [Federal Register, June 28, 2001]

The following are DOT's comments on the OMB's proposed guidelines, which have been consolidated from the contributions of the operating administrations and OST offices that responded to our circulation of the document:

- There is a general concern that the document represents too much of a "command and control regulation" approach to ensuring that agencies present good quality information. It would be better to establish standards and allow agencies the flexibility to figure out the best way to achieve the desired results. The document, in short, uses a too old-fashioned detailed bureaucratic approach, rather than the more contemporary result-oriented approach to improving agency performance.
2. There is concern that requiring additional reports to be submitted to OMB (see IV, 4-5, page 34492) may impose a significant administrative burden on agencies, and, as to complaints, require more specificity than GPRAs mandates. Some aspects of the reporting process, such as requiring a draft as well as a final report to be submitted to OMB and Federal Register notices, seem particularly excessive. It may also be difficult for large, decentralized agencies to manage the information collection process leading to these reports. The disclaimer of intent to avoid imposing unnecessary burdens on agencies is thoughtful, but not reassuring, particularly since the document says nothing about the additional resources that will be necessary to carry out its requirements.
 3. The guidelines should not overemphasize unauthorized access as a security threat, to the exclusion of other system integrity problems, such as human error in system development and inadequate system testing.
 4. With respect to the questions on page 34491 of the notice
 - a. The definition of quality should add consideration of confidentiality of data.
 - b. OMB should not develop more specific guidelines, given frequent changes in information dissemination products. Future experience will show the need for additional guidance; meanwhile, greater specificity will likely inhibit change and development of government information systems.
 - c. Users should be informed when they are leaving the government web site via a hyperlink. The same quality standards applying to the government's site should not apply to linked sites from other sources. We cannot control or police the content of linked sites, including sites that may be quite useful to users of our own sites. A disclaimer to this effect could be useful to users, but we believe it is preferable to leave this decision to the agency with respect to each site, rather than establishing a general policy either for or

against disclaimers. We want to make clear that applying government quality standards to outside sites to which we link would inhibit the very useful practice of providing links.

- d It would be useful to have a guideline that information on government sites be dated, so users can know of the currency of the data.
- 5 There was concern that the third sentence of V. Number 1, Section A, Page 34492, especially unexplained the use of the terms “reproducibility” and “transparency,” might not be clear to many readers. As a general matter, we would urge a thorough edit of the document to meet “Plain Language” standards.
- 6 We endorse the principles concerning objectivity of scientific and statistical information in V. Section B, Para. ii, Page 34492. The value of data comes from knowing how the information was collected, and any data needs to be closely connected with documentation of data collection methods, research design, etc. However, OMB should commit to avoiding any future, additional, prescriptive requirements for scientific and statistical data.
- 7 In IV. Section 1, Page 34492, the role of determining who will act as ombudsman should be delegated to the agencies. While CIOs can serve this function, there may be situations in which other officials are more appropriate to the task.
- 8 It would be useful to have guidance concerning the issue of whether, in the case of a public information system like the DOT Docket Management System (DMS), there are any limitations on the posting of material submitted by commenters that is copyrighted or which the submitters view as confidential.
- 9 We assume that the requirements of this document would not apply to information solicited or submitted in context of adjudicatory actions. Is this correct?
10. For geospatial data, OMB should make clear that existing FGDC guidelines met the standards of the proposed guidelines.
 1. The document should contain a cross-reference to meeting the requirements of section 508 of the Rehabilitation Act, to ensure that government sites not only have quality information but accessible information.
 12. The idea of providing the public redress concerning the quality of data is generally laudable. However, the process proposed in the guidelines could be used by organized special interests to intimidate agencies from posting information or to distort the information agencies make available. For example, an industry (e.g., the tobacco industry) could use the process to pressure an agency to limit the availability of data showing that its products or processes created health or

environmental problems. Safeguards against this kind of abuse of the process should be included in the guidelines.