CIOP CHAPTER 34

Departmental Data Release Policy

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Section 34.1 Purpose

34.1.1 The purpose of this order is to outline the U. S. Department of Transportation's (DOT) policy to manage and standardize the quality, objectivity, utility, and integrity of data disseminated to the public, and outline DOT requirements and mechanisms for allowing affected persons to seek and obtain, where appropriate, correction of data disseminated by DOT that does not comply with Office of Management and Budget (OMB) or DOT information quality

guidelines.

34.1.2 The DOT recognizes that public access to quality data is an important Government responsibility. This policy seeks to ensure that DOT provides that access in a timely, efficient manner while protecting security, privacy, and confidentiality of the provider or source of the information.

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Section 34.2 Background

34.2.1 The DOT issued guidelines to implement Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001, Public Law (PL) 106-554, referred to as the *Information Quality Act*. OMB Circular A-4, *Regulatory Analysis*, also contains guidelines specific to information quality and data dissemination.

34.2.2 The OMB issued Government-wide guidelines under Section 515, which directed Federal agencies subject to the Paperwork Reduction Act (44 U.S.C., Chapter 35) to establish and implement written guidelines to ensure and maximize the quality, utility, objectivity, and integrity of the information that they disseminate. (See Appendix A)

34.2.3 The E-Government Act of 2002 (PL 107-347) and guidelines issued by OMB in Circular A-130, *Management of Federal Information Resources*, provide additional guidance on the electronic dissemination of information, assigning responsibility for implementation to Agency Chief Information Officers (CIO). The Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA) is also part of this same statute (PL 107-347, title V). CIPSEA provides additional guidance on protecting confidentiality and limiting disclosure of information collected under a pledge of confidentiality. It also provides for improved coordination among certain Federal statistical agencies.

34.2.4 Financial data transparency requirements were levied by the Federal Funding Accountability and Transparency Act of 2006 (PL 109-282) (FFATA) and enhanced by changes to OMB Circular A-11, *Preparation, Submission and Execution of the Budget*, for reporting to the Federal Information Technology Dashboard.

34.2.5 These reporting requirements were clarified and codified by OMB Memorandum M-10-06, Open Government Directive, which instructed agencies to increase accountability, promote informed participation by the public, and create economic opportunity by taking prompt steps to expand access to information; making information available online in open formats, and presuming openness to the extent permitted by law and subject to valid privacy, confidentiality, security, and other restrictions.

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Section 34.3 Scope and Applicability

34.3.1 This policy applies to all DOT Operating Administrations and Secretarial Offices (hereinafter referred to as "DOT components").

34.3.2 This policy applies not only to information that DOT generates, but also to information that other parties provide to DOT, if the other parties seek to have DOT rely upon or disseminate this information or DOT decides to do so on its own.

34.3.3 This policy applies to structured, digital information (both statistical and non-statistical) in all media (printed, electronic, or in any other form) disseminated by DOT on or after October 1, 2002, regardless of when the information was first disseminated.

34.3.4 This policy applies to financial information reported under the requirements of FFATA and to the Federal Information Technology Dashboard under the requirements of OMB Circular A-11.

34.3.5 This policy does not apply to disclosure of information under the Freedom of Information Act (5 USC 552) or the Privacy Act (5 USC 552a); these statutes have their own requirements for the matters addressed in this policy. Furthermore, this policy does not apply to information protected by Executive Order 13526 Classified National Security Information and all preceding orders; declassification and release is a separate process from the matters addressed in this policy.

34.3.6 This policy does not apply to redress provisions provided for under the Privacy Act (5 USC 552a).

34.3.7 This policy applies only to information disseminated to the public and does not apply to information disseminated via the DOT intranet.

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Section 34.4 Policy

34.4.1 The DOT policy is to make data available at the most detailed level possible, subject only to the limits imposed by data quality and the need to protect national/homeland security, individual privacy, and confidentiality.

34.4.1.1 The release of aggregate statistics is acceptable under this policy, provided that micro-data, subject to appropriate restrictions noted above, is also available.

34.4.1.2 Cost-effectiveness may be a consideration in prioritizing the availability of micro-data, but is not a limit to making data available.

34.4.2 Data must be protected from unauthorized access, corruption, or revision (i.e., ensure disseminated information is not compromised through corruption or falsification) and data released through the Web must be accessible. Consistent with the requirements of DOT Order 1351.24, *Departmental Web Policy*, DOT policy is to do the following:

34.4.2.1 Establish appropriate security safeguards for ensuring the integrity of DOT and non-DOT information disseminated on Web sites and that such information complies with all privacy requirements.

34.4.2.2 Ensure that all publicly available data (including electronic dissemination of data) are accessible in compliance with Section 508 of the Rehabilitation Act.

34.4.3 The DOT policy is to disseminate data as soon as possible following collection, subject only to the limits imposed by resources, technology, authority, regulation and data quality while protecting security, privacy, and confidentiality. DOT will not impede the prompt dissemination of data in order to preserve publication rights of staff, collaborators, or other organizations, unless directed to do so by regulation or authority.

34.4.3.1 Data releases and information dissemination products must conform to general standards of quality, as established by DOT's Bureau of Transportation Statistics (BTS) and OMB. Information must be accurate, clear, complete, and unbiased, both as to substance and presentation, and in proper context.

34.4.3.2 Use reliable data sources and sound analytical techniques, as established by BTS and OMB.

34.4.3.3 Identify the source of disseminated information so that the public can assess whether the information is objective, consistent with confidentiality protections.

34.4.3.4 Apply reproducibility standards to original and supporting statistical data, as appropriate, in consultation with relevant scientific and technical communities.

34.4.3.5 Apply additional quality standards to the special case of influential data (See Appendix B for definition) by specifying, to the extent practicable the following:

34.4.3.5.1 Each population addressed by any estimate of applicable effects.

34.4.3.5.2 The anticipated qualitative effects upon the populations affected.

34.4.3.5.3 Each appropriate upper- or lower-bound estimate of risk.

34.4.3.5.4 Each significant uncertainty identified in the process of the risk assessment and studies that would assist in reducing any uncertainty.

34.4.3.5.5 Any additional studies known, including peer-reviewed studies, that

support, are directly relevant to, or fail to support the findings of the assessment and the methodology used to reconcile inconsistencies in the scientific data.

34.4.3.6 Statistical data releases must conform with additional standards of quality as established by BTS, including but not limited to the following:

34.4.3.6.1 Data containing estimates, projections, and analyses must contain or reference the methodology supporting documentation.

34.4.3.6.2 Data must be accompanied by (or have a reference to) the quality-related documentation discussed herein: planning documentation and collection, processing, and analysis methodology. This information must take the form of a Source & Accuracy statement that contains or refers to the following:

34.4.3.6.2.1 Current data system objectives and data requirements.

34.4.3.6.2.2 Data source and data collection design.

34.4.3.6.2.3 Collection operations methodology documentation.

34.4.3.6.2.4 Processing documentation.

34.4.3.6.2.5 Major sources of error, including coverage of the target population, missing data information, measurement error, and error measures from processing quality assurance.

34.4.3.6.2.6 The revision process for the system, indicating the source for revision information for the data source.

34.4.3.6.3 Data releases must be accompanied by file layouts and information describing the data.

34.4.3.6.4 Data must be accompanied by a clear description of revision information related to the file.

34.4.4 Prior to the first release of a data set, a pre-dissemination review of appropriate micro data must be conducted, in part to ensure that dissemination provides adequate protection for security, privacy, and confidentiality. Additionally, when a data set is substantially changed (e.g., a field is added or more granular information is made available), a pre-dissemination review must be conducted. A pre-dissemination review is not required when appending data to an existing release or when issuing an additional set of data as part of an existing time series. A pre-dissemination review will:

34.4.4.1 Involve internal peer reviews and other review mechanisms to ensure the quality of all disseminated data. As part of these reviews, the costs and benefits of using a higher standard of quality or more extensive review processes must be considered in establishing the appropriate level of review and documentation.

34.4.4.2 Allow adequate time for reviews, unless reviews will inappropriately delay the release of current data and information, consistent with the standards required for the type of information to be disseminated. Consult with others, if consultation does not delay the release of current data (e.g., other DOT components,

the public, State governments, etc.), that have a substantial interest in the proposed dissemination of the information.

34.4.4.3 Verify compliance with DOT Information Quality Guidelines (i.e., utility, objectivity, integrity, and accessibility requirements) as well as other DOT components' specific guidance/procedures.

34.4.4.4 When appropriate, include a public disclosure assessment; to include close review by subject matter experts and the DOT component that is the source of the data, to evaluate the data and determine whether a public release would unwarrantedly put individuals, establishments, or critical infrastructure at risk through the release of Controlled Unclassified Information or other sensitive information. The evaluation should consider the following:

34.4.4.4.1 Whether any portion of a data set contains the following:

34.4.4.4.1.1 Personally Identifiable Information (PII) and/or sensitive PII.

34.4.4.4.1.2 Procurement-sensitive information.

34.4.4.4.1.3 Security or law enforcement information.

34.4.4.4.1.4 Draft rules, legislation, or policies.

34.4.4.4.1.5 Information protected by statute or regulation, including copyright and/or trademark.

34.4.4.4.1.6 Information technology systems security information.

34.4.4.4.1.7 Current or developing technologies.

34.4.4.4.1.8 For Official Use Only or Sensitive Security Information.

34.4.4.4.2 The level of detail for which the data would be released, particularly as it regards geographic specificity, and variables known to be held in common with outside data sources that serve as matching keys to increase the risk of identification.

34.4.4.4.3 Certain variables or combinations of variables that render records unique within the sample and might facilitate their recognition by outsiders.

34.4.4.4.4 Other linkable data already available outside DOT, such as those already released from the same or related information held by others.

34.4.4.5 Retain internal records of what additional standards will be applied to ensure quality of information believed to be influential.

34.4.4.6 Ensure that the entire information product fulfills the intentions stated and that the conclusions are consistent with the evidence.

34.4.4.7 Indicate origin of data.

34.4.4.8 Ensure that each program office can provide additional data on the subject matter of any covered information it disseminates.

34.4.4.9 Register the data set(s) that belong to DOT in the DOT Services/Data Architecture Group (S/DAG) Metadata Registry (MDR) at http://data.nhtsa.gov/.

34.4.4.9.1 Registration, at a minimum, requires population of the "Basics" tab in the MDR.

34.4.4.9.2 If the data set will be registered on data.gov, in accordance with the provisions of Section 34.4.5 of this policy, the "Data.gov Requirement" tab in the MDR must be populated.

34.4.4.9.3 Where possible and appropriate, field information and National Information Exchange Model (NIEM) Information Exchange Package Documentation should be provided in the MDR.

34.4.4.10 Ensure that no hidden text and other artifacts are embedded in metadata.

34.4.5 The DOT policy is to provide for the widest possible dissemination of data.

34.4.5.1 Data may be released through DOT Web sites. When data are released through a DOT Web site, such data must also be disseminated through one of the e-Government initiatives identified in Section 34.4.5.2 below.

34.4.5.2 Data may be released through Government-wide e-Government initiatives including, but not limited to:

34.4.5.2.1 FedStats.gov, an e-Government initiative that provides links to the statistical products and programs of the various Federal statistical agencies.

34.4.5.2.2 Data.gov, an e-Government initiative focused on the dissemination of raw data products and data mining tools, sponsored by the General Services Administration (GSA).

34.4.5.2.3 Geodata.gov, an e-Government initiative focused on the dissemination of geospatial information, sponsored by the Department of the Interior.

34.4.5.2.4 USASpending.gov, an e-Government initiative, focused on the dissemination of contract, grant, and purchase card information, sponsored by OMB.

34.4.5.2.5 ITDashboard.gov, an e-Government initiative focused on the dissemination of information technology spending, and investment performance, sponsored by the Federal CIO Council.

34.4.5.3 Data may be released on media (e.g., CD-ROM/DVD-ROM, tapes).

34.4.5.4 When the data support an information dissemination product, such as a statistical report or a report to Congress, the underlying data used to generate that report must be released concurrently.

34.4.5.4.1 Where such reports make use of data that is not DOT-owned and is

not publicly available, or such data is available to the public for a fee, the information dissemination product shall direct the public to the source of such data and indicate the reason for not releasing such underlying data.

34.4.5.4.2 This provision does not apply to such products as Congressional testimony or other such public statements.

34.4.5.5 Data must be released in the most appropriate electronic formats. Where practicable:

34.4.5.5.1 Industry or Government standards must be used, including NIEM.

34.4.5.5.2 Non-proprietary formats must be employed, including the use of text files or eXtensible Markup Language (XML).

34.4.5.5.3 Data made accessible through a user interface or query tool must also be made available for bulk download and/or through a Web service such as an Application Programming Interface (API).

34.4.6 Individuals or establishments affected by the release of data must be provided the opportunity to correct that data. Notices found in Appendix C and D of this policy must be posted at the appropriate Web pages.

34.4.7 In accordance with DOT Order 1351.29, *Paperwork Reduction Act and Information Collection Request*, information collectors will ensure that these requirements are consistent with the guidelines and will state as much in the Information Collection Request submitted to OMB.

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Section 34.5 Roles and Responsibilities

34.5.1 The **DOT Office of the CIO** is the Office of Primary Responsibility for this policy and must ensure that appropriate measures are taken to:

34.5.1.1 Establish standards and guidelines to protect the security, privacy, and confidentiality of subjects of all data releases, establishing security safeguards to ensure the integrity of information disseminated on Web sites, including those not owned and operated by DOT.

34.5.1.2 Establish administrative mechanisms to ensure that releases of DOT data have undergone a pre-dissemination review and that such data releases:

34.5.1.2.1 Comply with DOT Information Quality Guidelines.

34.5.1.2.2 Have undergone a public disclosure assessment.

34.5.1.2.3 Are registered in the DOT S/DAG Metadata Registry MDR.

34.5.1.3 Provide for the widest possible dissemination of data.

34.5.1.4 Ensure that Information Correction Procedures and Notices are posted on all DOT Web sites.

34.5.1.5 Ensure that all Information Collection Requests submitted to OMB indicate that associated data releases comply with this policy.

34.5.2 The **Director, Bureau of Transportation Statistics** must:

34.5.2.1 Establish general standards of information quality.

34.5.2.2 Serve as the DOT representative to the Interagency Committee on Standards Policy and develop implementing guidance on statistical standards and policy for DOT.

34.5.2.3 Serve as or designate an appropriate representative to serve as the DOT representative to the Federal Geographic Data Committee (FGDC) and develop implementing guidance on standards and policy for DOT.

34.5.2.4 Establish appropriate standards for statistical and geographic data releases and advise, where appropriate, on the conformity of data releases to those standards.

34.5.2.5 Advise statistical programs on the use of reliable data sources and sound analytical techniques, including reproducibility standards, in consultation with relevant scientific and technical communities.

34.5.2.6 Advise data owners on the application of techniques to ensure security, privacy, and confidentiality are sufficiently protected for DOT source data releases, participating in pre-dissemination reviews, when appropriate, and serving as an expert on public release disclosure assessments.

34.5.2.7 Advise on additional standards of quality (such as reproducibility) that must be applied to influential data releases.

34.5.3 The **DOT Office of Intelligence, Security, and Emergency Response** must:

34.5.3.1 Participate in pre-dissemination reviews, serving as an expert on critical transportation infrastructure and advising on the appropriate level of granularity in a data release related to critical transportation infrastructure.

34.5.4 The **DOT Office of General Counsel** must:

34.5.4.1 Establish and maintain DOT Information Correction policies and procedures, as outlined in Appendices C and D of this policy, including dockets for accepting requests through regulations.gov.

34.5.4.2 Participate in pre-dissemination reviews, providing advice on public

release disclosure assessments, ensuring that information products fulfill the intentions stated; conclusions are consistent with the evidence; and confidentiality protections are maintained.

34.5.5 The **DOT Office of Public Affairs** must:

34.5.5.1 In coordination with the CIO, ensure that information products conform to the standards of quality outlined in this policy.

34.5.5.2 Advise program owners on whether data releases are accurate, clear, complete, unbiased (both as to substance and presentation) and in a proper context.

34.5.5.3 Advise on the release of influential data, ensuring that additional standards of quality are applied and that information is properly presented.

34.5.5.4 Participate in pre-dissemination reviews, providing advice on public disclosure assessments, ensuring that information products fulfill the intentions stated and conclusions are consistent with the evidence.

34.5.6 **Operating Administration (OA) CIOs** must:

34.5.6.1 Implement this policy, ensuring that appropriate measures are taken to protect the security, privacy, and confidentiality of all data releases, establishing security safeguards for ensuring the integrity of information disseminated on Web sites.

34.5.6.2 Establish administrative mechanisms to evaluate data quality.

34.5.6.3 Where appropriate, implement a pre-dissemination review program, ensuring that all data released from the OA:

34.5.6.3.1 Comply with DOT Information Quality Guidelines

34.5.6.3.2 Have undergone a public release disclosure assessment

34.5.6.3.3 Are registered in the DOT Services/Data Architecture Group (S/DAG) Metadata Registry (MDR)

34.5.6.4 Ensure the widest possible dissemination of data.

34.5.6.5 Ensure that Information Correction Procedures and Notices are posted on all OA Web sites.

34.5.6.6 Ensure that all information collection requests submitted to OMB through the DOT CIO indicate that associated data releases comply with this policy.

34.5.7 **OA Offices of Chief Counsel** must:

34.5.7.1 Establish information correction programs in accordance with policies and procedures established by the DOT Office of General Counsel, including

monitoring and responding to requests for information correction received through dockets, electronic mail, or regular mail.

34.5.7.2 Participate in pre-dissemination reviews, providing advice on public release disclosure assessments, ensuring that information products fulfill the intentions stated and conclusions are consistent with the evidence and ensuring that confidentiality protections are maintained.

34.5.8 **OA Offices of Public Affairs (or equivalent)** must:

34.5.8.1 In coordination with the OA CIO, ensure that information products conform to the standards of quality outlined in this policy.

34.5.8.2 Ensure that releases of DOT source data are accurate, clear, complete, unbiased (both as to substance and presentation) and in a proper context.

34.5.8.3 Advise on the release of influential data, ensuring that additional standards of quality are applied and that information is properly presented.

34.5.8.4 Participate in pre-dissemination reviews, providing advice on public release disclosure assessments, ensuring that information products fulfill the intentions stated and conclusions are consistent with the evidence.

34.5.9 **DOT Data Owners** must:

34.5.9.1 Ensure that data is released at the most detailed level possible.

34.5.9.2 Implement security, privacy, and confidentiality protections and ensure that data releases are accessible, in compliance with Section 508 of the Rehabilitation Act.

34.5.9.3 Ensure that data releases comply with standards of quality, as established by BTS, FCSM, FGDC, and other guidance, as appropriate.

34.5.9.4 Ensure that data releases are accurate, clear, complete, unbiased (both as to substance and presentation) and in a proper context.

34.5.9.5 Use reliable sources and sound analytical techniques in developing data releases, identifying sources of data (consistent with confidentiality protections) and applying reproducibility standards as appropriate.

34.5.9.6 Apply additional quality standards to the release of influential data.

34.5.9.7 Conduct pre-dissemination reviews, consulting with Counsel, Public Affairs (or equivalent), the DOT CIO, the DOT Office of Intelligence, Security, and Emergency Response, BTS, and CIOs. Consult with other non-DOT entities as appropriate to:

34.5.9.7.1 Conduct public disclosure assessments.

34.5.9.7.2 Maintain internal records of what additional standards of quality are applied to data releases that may be considered influential.

34.5.9.7.3 Ensure information products fulfill their stated intent and that conclusions are consistent with evidence, conducting peer reviews as appropriate.

34.5.9.7.4 Staff appropriately to ensure additional data can be provided on the subject matter of any information dissemination product.

34.5.9.7.5 Register data sets in the S/DAG MDR.

34.5.9.7.6 Ensure that no hidden text or other artifacts are embedded in metadata of data releases.

34.5.9.8 Implement DOT Information Quality Guidelines and an appropriate information quality program.

34.5.9.9 Respond to and execute requests for information correction.

34.5.9.10 Ensure information collection requests submitted to OMB state that data releases associated with the collection are in compliance with this policy.

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Section 34.6 Dates

34.6.1 This directive is effective as of the date signed.

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Section 34.7 Cancellations

34.7.1 This directive does not cancel or replace any other DOT directives. In the event of conflict or inconsistency with other DOT directives, the provisions of this policy shall prevail.

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Section 34.8 Compliance

34.8.1 The DOT components must register the complete list of current data dissemination products and data sets in the S/DAG Metadata Registry within 3 months of the effective date of this policy.

34.8.2 The DOT components must review their current data releases and ensure that a pre-dissemination review has taken place within 3 months of the effective date of this policy.

34.8.2.1 If pre-dissemination reviews have not taken place, data releases must

be immediately removed from Web sites until such reviews have taken place. Such reviews must be completed within 6 months of the effective date of this policy.

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Section 34.9 Waivers

34.9.1 Pre-Dissemination Review Waiver. Written approval to exempt a data release from pre-dissemination review requirements is granted through the Office of the CIO in consultation with BTS (for statistical data releases only). The request must come from the head of the Operating Administration and include the following:

34.9.1.1 Written justification of the compelling need to exempt a particular data release from pre-dissemination review requirements.

34.9.1.2 A description of the plan to ensure that privacy, security, and confidentiality have been and will continue to be protected for the particular data release and concurrence of the OA privacy officer for the plan.

34.9.1.3 A description of the plan to ensure that information quality standards have been and will continue to be met.

34.9.2 Information correction policies and procedures waiver. Written approval to provide for alternative administrative mechanisms for managing information correction procedures is granted through the Office of the CIO. The request must come from the head of the Operating Administration and include:

34.9.2.1 Written justification of the compelling need to provide alternative administrative mechanisms for managing information correction procedures.

34.9.2.2 A description of the alternative administrative mechanism and an assessment of whether it complies with the provisions outlined in Appendix C and D of this policy.

34.9.2.3 A description of the plan to ensure that affected persons are aware of and will avail themselves of the alternative mechanism.

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Section 34.10 Audit Procedures

34.10.1 The S/DAG MDR will serve as the authoritative repository of compliance information. The DOT CIO, in consultation with specific OA CIO, will establish procedures for comparing information released through public Web sites against the data sets registered in the S/DAG MDR.

34.10.2 The DOT CIO, in consultation with specific OA CIO, will review the information in the S/DAG MDR for compliance with the registration requirements outlined in section 34.4.4.8 of this order.

34.10.3 Audit of security, privacy, and confidentiality risk determinations will conform to the requirements outlined by DOT programs covering these requirements.

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Section 34.11 Approval

March 28, 2011

Name

Date

DOT Chief Information Officer

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Appendix A – Legal Authorities and Guidance

Statutes

Paperwork Reduction Act (44 USC 3501 et seq.)

Information Quality Act (PL 106-554, H.R. 5868)

E-Government Act of 2002 (PL 107-347)

Confidential Information Protection and Statistical Efficiency Act of 2002 (PL 107-347, title V)

Federal Funding Accountability and Transparency Act of 2006 (PL 109-282)

Presidential Orders and Memoranda

Executive Order 12906 - Coordinating geographic data acquisition and access: The National Spatial Data Infrastructure

Memorandum on Transparency and Open Government (January 21, 2009)

OMB Circulars

OMB Circular A-4, Regulatory Analysis

OMB Circular A-11, Preparation, Submission, and Execution of the Budget

OMB Circular A-16, Coordination of Geographic Information and Related Spatial Data Activities

OMB Circular A-130, Management of Federal Information Resources

OMB Memoranda and Guidance

OMB Memorandum M-05-04, Policies for Federal Agency Public Web sites

OMB Memorandum M-10-06, Open Government Directive

OMB Memorandum M-11-02, Sharing Data While Protecting Privacy

OMB Guidelines for Ensuring and Maximizing, the Quality, Objectivity, Utility, and Integration of Information Disseminated by Federal Agencies, 67 Fed. Reg. 8452, February 22, 2002.

DOT Orders and Guidance

DOT Order 1351.24, Departmental Web Policy

DOT Report for Implementing OMB Information Dissemination Quality Guidelines, dated August 2002

Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the DOT, dated August 2002

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Appendix B – Glossary of Terms

Term	Definition
Confidential Information	Proprietary information given to any DOT component with explicit understanding that it will not be shared with an unauthorized party.
Dissemination	Any mechanism by which data are made available or released to the public.
Identifiable data	Any tabulation, record, or file that can be used to establish individual or establishment identity, whether directly (using items such as name, address, or unique identifying number) or indirectly (by linking data with other information that uniquely identifies an individual or establishment).
Influential data	Financial, scientific, or statistical information that any DOT component reasonably can determine "will have or does have a clear and substantial impact on important public policies or important private sector decisions." (OMB Information Quality Guidelines).
Micro-data	A data file containing information at the unit of data collection (e.g., individual persons, households, establishments, or events).
Non-statistical data	A data file containing information as it is collected, with no statistical methods applied to the records. This includes "raw" data or "operational" data, such as financial management (contracts, grants, and spending) data, where no sampling methods have occurred. Rather, the data set contains the complete set of records as collected.
Reproducibility	Documented methods are capable of being used on the same data set to achieve a consistent result.
Statistical data	A data file generated as a result of applying statistical methods to a raw data file including, but not limited to, sampling techniques, design of experiments, and the like. Typically, the resultant data set is the result of both descriptive and inferential statistical methods being applied to non-statistical data.

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Appendix C – Web Page Notice for DOT Information Correction Procedures

Note: The following text, or a link to a page that provides this information, must be posted to DOT Web pages that disseminate DOT information and/or data.

On October 1, 2002, the Department of Transportation (DOT) issued agency guidelines to ensure the quality of disseminated information. If you are affected by information that DOT has disseminated on or after October 1, 2002 (e.g., if you are harmed because the information does not meet the guidelines or a correction of the information would benefit you), you may request that DOT correct that information.

We regard information originally disseminated before October 1, 2002, as being subject to this correction process only if it remains readily available to the public (e.g., it is posted on a DOT website) and it continues to play a significant, active role in DOT programs or in private sector decisions. You should be aware that DOT is not required to change, or in any way alter, the content or status of information simply based on the receipt of a request for correction. For example, DOT need not withdraw an information product from a website just because a request for correction has been received with respect to it. Nor does the receipt of a request, or its consideration by DOT, result in staying or changing any DOT action. The receipt of a request for correction likewise does not affect the finality of any decision of a DOT organization.

Data quality requests will be handled via the Federal-wide Docket Management System (FDMS) at http://www.regulations.gov. In order to process and file data quality requests properly with the agencies, a Shell Docket has been set up for each agency to accept "Requests for Correction". Once a request is received in FDMS, it is processed by the DOT Dockets staff and issued a new docket ID. A notice of the issuance of the docket ID is put in the Shell Docket.

If you are submitting a "Request for Correction" please search for the appropriate agency docket as listed below. The following are Shell Dockets to accept New Data Quality Requests for Correction. (Please note: Only Data Quality Requests for Correction are accepted in this Docket.)

Department of Transportation/Office of the Secretary of Transportation (OST) Data Quality Shell Docket (DOT-OST-2007-0002)

FAA Data Quality Shell Docket (FAA-2007-0002)

FHWA Data Quality Shell Docket (FHWA-2007-0002)

FMCSA Data Quality Shell Docket (FMCSA-2007-0002)

FRA Data Quality Shell Docket (FRA-2007-0002)

FTA Data Quality Shell Docket (FTA-2007-0002)

MARAD Data Quality Shell Docket (MARAD-2007-0002)

NHTSA Data Quality Shell Docket (NHTSA-2007-0002)

PHMSA Data Quality Shell Docket (PHMSA-2007-0002)

RITA Data Quality Shell Docket (RITA-2007-0002)

SLSDC Data Quality Shell Docket (SLSDC-2007-0002)

Although a completed on-line form is preferred, we also respond to written requests sent to the following address via letter or fax:

U. S. Department of Transportation (DOT)

Dockets

SUBJECT: Request for Correction of Information

1200 New Jersey Avenue, SE, Room W12-140

Washington, DC 20590

Fax number: 202-493-0402

Appendix D – Web Page Notice for DOT Information Correction Instructions

Note: The following text, or a link to a page that provides this information, must be posted to DOT Web pages that post the DOT Web Page Notice for DOT Information Correction Procedures (Appendix C).

What Should You Include in a Request for Correction of Information?

In keeping with the non-regulatory nature of these guidelines, this guidance for the content of requests for correction of information is not intended to constitute a set of legally binding requirements. However, DOT may be unable to process, in a timely fashion or at all, requests that omit one or more of the requested elements. DOT will attempt to contact and work with requesters to obtain additional information when warranted.

1. You should include a statement that a request for correction of information is submitted under DOT's Information Dissemination Quality Guidelines.
2. You should include your name, mailing address, fax number, or e-mail address, telephone number, and organizational affiliation, if any.

The Privacy Act Statement below applies:

DOT is authorized to obtain certain information under 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, note). Information will be needed to process requests and allow DOT to reply accordingly. This information is needed to respond to your request and initiate follow-up contact with you if required. Please do not send us your Social Security Number. You are advised that you do not have to furnish the requested information but failure to do so may prevent your request from being processed. The information you furnish is almost never used for any purpose other than to process and respond to your request. However, we may disclose information to a congressional office in response to an inquiry made on your behalf, to the Department of Justice, a court, other tribunal when the information is relevant and necessary to litigation, or to a contractor or another Federal agency to help accomplish a function related to this process.

3. You should describe how the information in question affects you (e.g., how an alleged error harms you, and/or how the correction will benefit you).
4. You should clearly identify the report, data set, or other document that contains the information you want DOT to correct. Please be as specific as possible; include such identifying characteristics as title, date, how information was received (e.g., web-accessed).
5. You should clearly identify the specific information that you want DOT to correct. Please be as specific as possible; include such identifying characteristics as the name of the DOT agency that originated the data, title, date, etc. For example, you should not rely solely on general statements that allege some type of error. Requests for information that are specific and provide evidence to support the need for correction will likely be more persuasive than requests that are general, unfocused, or simply indicate disagreement with the information in question.

6. You should specify, in detail, why you believe the information in question is inconsistent with DOT's and/or OMB's information quality guidelines (i.e., how the information fails to meet standards of integrity, utility, and/or objectivity).
7. You should specify your recommendations for what corrections DOT should make to the information in question and reasons for believing that these recommended corrections would make the information consistent with DOT's and/or OMB's information quality guidelines.
8. You should include any documentary evidence you believe is relevant to your request (e.g., comparable data or research results on the same topic).

May the Department reject a request for correction of information?

Once the appropriate data quality official has received your request for correction of information from DMS, that official will review your request and answer the following questions to determine if your request for correction is a valid request:

1. Did DOT (as opposed to some other person or organization) actually disseminate the information you are requesting be corrected?
2. Are you a person affected by the information in question?
3. Is the information about which you are requesting a correction from DOT covered by these guidelines?
4. Is your request frivolous or not germane to the substance of the information in question?
5. Has DOT responded previously to a request that is the same or substantively very similar? (Note: This does not mean that DOT would automatically reject a second or subsequent information correction request concerning the same information product. If one person made a request concerning one aspect of the information product, and a second person made a request concerning a different aspect of the same product, for example, or two persons sought correction on substantively divergent grounds, it could be appropriate for DOT to consider both.)
6. With respect to information in a final rule, final environmental impact statement, or other final document on which there was an opportunity for public comment or participation with respect to the compliance of the information with these guidelines, could interested persons have requested the correction of the information at the proposed stage?

If the DOT organization determines that the answer to 1, 2, or 3 is "no" or that the answer to Question 4, 5, or 6 is "yes," DOT has the discretion to reject your request without responding to it on its merits.

If DOT rejects your request on these grounds, the DOT component will send a written response explaining why. Normally, the DOT component will send this response within 60 calendar days of receiving your request. The DOT component also will file this response in the DMS.

If the DOT component does not reject your request on these grounds, it will consider the request on its merits.

Who has the burden of proof with respect to corrections of information?

As the requester, you bear the burden of proof with respect to the necessity for correction as well as with respect to the type of correction you seek.

What determinations does DOT make concerning a request for correction of information?

If the DOT component considers your request on its merits (that is, does not reject it for one of the reasons above), DOT will make the determination whether information subject to the DOT information quality guidelines complies with the guidelines. In doing so, DOT will consider whether the information or the request for correction is stale. If DOT did not disseminate this information recently (i.e., within one year of your request), or it does not have a continuing significant impact on DOT projects or policy decisions or on important private sector decisions, we may regard the information as stale for purposes of responding to a correction request, unless the requestor can show that he or she is affected by its dissemination. If we determine that information subject to the DOT information quality guidelines does not comply with the guidelines, DOT will decide what correction is appropriate to make in order to ensure compliance. It should be noted that while DOT's policy is to correct existing information when necessary, DOT is not obligated to generate new or additional information to respond to requests for correction.

The DOT component will normally issue a written response within 60 calendar days of receiving the request. If the DOT component's response will take significantly longer than this period, it will inform the requester that more time is required and indicate the reason why and an estimated decision date. This written explanation to the requester will also be filed in DMS.

How does DOT process requests for correction concerning information on which it has sought public comment?

Information in rulemakings and other documents concerning which public participation and comment are sought are subject to these guidelines. However, DOT may respond to requests for correction concerning such information through a different process than we use for other types of information. When DOT seeks public comment on a document and the information in it (e.g., a notice of proposed rulemaking (NPRM), studies cited in an NPRM, a regulatory evaluation or cost-benefit analysis pertaining to the NPRM; a draft environmental impact statement; a proposed policy notice or aviation order on which comment has been sought; a request for comments on an information collection subject to the Paperwork Reduction Act), there is an existing mechanism for responding to a request for correction. This mechanism is a final document that responds to public comments (e.g., the preamble to a final rule).

Consequently, our response to a request for correction of such information will normally be incorporated in the next document we issue in the matter.

DOT would consider making an earlier response, if doing so (1) would not delay the issuance of the final action in the matter; and (2) DOT determines that there would be an unusually lengthy delay before the final document would be issued or the requester persuades DOT that there was a reasonable likelihood that the requester would suffer actual harm if the correction were not made before the final action was issued.

Once again, the DOT component will place its response in the DMS. As noted above, a DOT component may reject a request for correction with respect to information in a final document if there was an opportunity for public comment or participation with respect to the compliance of information to these guidelines and interested persons could have requested the correction of the information at the proposed stage.

How Do You Seek Reconsideration of DOT's Decision on a Request for Correction?

1. You may request reconsideration if you have requested a correction of information under these guidelines, and you are not satisfied with the DOT component's response. You should request reconsideration within 30 days of the date you received the DOT component's decision on your original request for correction.
2. You should send your request in the same manner, and to the same address, as provided in of these guidelines. When completing the electronic DMS form, you need only complete Section II - "Request for Reconsideration".
3. If there is an existing process for reconsidering a particular sort of information disseminated by DOT, the DOT component will make use of that process. For example, if the information relates to a final rule that a DOT component has issued, and the DOT component has an existing process for handling requests for the reconsideration of a final rule, the DOT component will use that process. If the information relates to a final Environmental Impact Statement (EIS), the DOT component may handle the request as though it were a request for a Supplemental EIS. If you state that you do not seek any change in the ultimate outcome of the process - such as a change in the content of the rule or the EIS - and the DOT component agrees that a correction is appropriate and can be made without adversely affecting that outcome, DOT will respond to you as provided in paragraphs (4) - (6), below
4. In the absence of an existing applicable reconsideration process, the DOT component will designate a reconsideration official. This official will be someone who can offer objectivity (i.e., was not involved in making the decision on the original request for correction or in producing the underlying information) and who has a reasonable knowledge of the subject matter. The official can either be within the DOT component to which the request for reconsideration pertains or in another DOT component. In the case of a request concerning influential information, DOT will designate a panel of officials to perform this function, and may do so in other appropriate cases. Typically, such a panel will include one

person from the DOT component that made the initial determination and two from other DOT components.

5. The reconsideration official will determine if additional corrective action is needed. This determination may pertain to the specific correction that is appropriate in a given case as well as to the issue of whether correction is merited at all. The reconsideration official will issue a written response to the requester stating the reasons for the decision.
6. The DOT component will normally issue this response within 60 calendar days of receiving the request for reconsideration. If the DOT component's response will take significantly longer than this period, the DOT component will inform the requester that more time is required and indicate the reason why and an estimated decision date. This response will be filed in the DMS. The reconsideration official's determination will also be filed in DMS.