DEPUTY SECRETARY OF DEFENSE
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February 10, 2003

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
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DIRECTOR, NET ASSESSMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Ensuring Quality of Information Disseminated to the Public by the Department of Defense

This memorandum and its attachments comply with Section 515, Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554). The law 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." The OMB guidance was provided by Federal Register: February 22, 2002 (Volume 67, Number 36, page 8452).

According to the OMB guidelines, a basic standard of quality (objectivity, utility, and integrity) must be maintained and appropriate steps taken to incorporate information quality criteria into DoD public information dissemination practices. DoD Components shall adopt standards of quality that are appropriate to the nature and timeliness of the information they disseminate.

The OMB guidelines and this memorandum apply to the Office of the Secretary of Defense, Military Departments, Chairman of the Joint Chiefs of Staff, Combatant Commands, Inspector General of the DoD, Defense Agencies, DoD Field Activities, and all other organizational entities in DoD (hereafter referred to collectively as "DoD Components").

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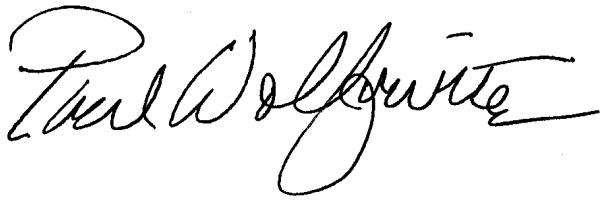
Attachment 1 prescribes policy, guidelines and procedural guidance for DoD Components. It assigns responsibilities, establishes administrative mechanisms for affected persons to seek and obtain correction of information maintained and disseminated by DoD Components, and delineates public complaint reporting requirements. Attachment 2 defines terms and provides context and attributes of each term. Attachment 3 is the form for annual reporting of complaints to OMB.

DoD Components will implement the guidance in Attachment 1, effective upon the signature of this memorandum, as integral to their information resource management procedures. These guidelines apply to information disseminated by DoD on or after the date of this memorandum, regardless of when the information was first disseminated. I ask that the DoD CIO in consultation with the Director, Administration and Management, review existing DoD issuances, take appropriate action to incorporate quality standards for information disseminated to the public by the Department into such issuances as may be appropriate, and incorporate this guidance into the DoD Directive System. The DoD CIO is delegated authority to issue such DoD Instructions, Publications, and one-time directive-type memoranda, consistent with DD 5025.1-M, as may be necessary to carry out the responsibilities assigned by this memorandum.



3 Attachments:
1. Policy and Procedural Guidance
2. Definitions
3. Annual Report of Complaints form

Ensuring the Quality of Information Disseminated to the Public by the Department of Defense

Policy and Procedural Guidance

1. Purpose:

This attachment:

1.1. Prescribes policy and procedures and assigns responsibilities for ensuring and maximizing the quality (objectivity, utility, and integrity) of information (hereafter referred to as "quality standards") disseminated to the public by the Department of Defense.

1.2. Issues guidelines that include administrative mechanisms for affected persons to seek and obtain correction of information maintained and disseminated to the public by Department of Defense Components that does not comply with the quality standards in these guidelines as based on the OMB guidelines (Federal Register, February 22, 2002, Volume 67, Number 36, page 8452).

1.3. Does not provide independent authority to release information to the public.

2. Definitions:

Terms used in this attachment are defined in Attachment 2.

3. Procedures:

3.1. Underlying Principles:

3.1.1. Technology such as the Internet enables DoD to communicate information quickly and easily to a wide audience. However, Internet communication also increases the potential harm that can result from the dissemination of information that does not meet basic information quality standards. At the same time, the variety of DoD information does not lend itself to detailed, prescriptive, "one-size-fits-all" DoD-wide guidelines that require different types of dissemination activities to be treated in the same manner. These guidelines have been developed with the following principles in mind.

3.1.1.1. The guidelines apply, in the spirit and intent of the Paperwork Reduction Act (PRA) of 1995, to a wide variety of DoD information dissemination

activities including practices that have an impact on the acquisition, storage and maintenance of the information to be disseminated. The guidelines are generic in order to apply to a variety of media, printed, electronic, or other forms of publication.

3.1.1.2. Components should not disseminate substantive information that does not meet a basic level of quality. An additional level of quality is warranted in those situations involving influential scientific, financial, or statistical information. This additional level of quality for influential scientific, financial, or statistical analytical results requires that such information be "capable of being substantially reproduced." This is discussed further in paragraph 3.2.3. below.

3.1.1.3. The guidelines are designed so that Components can apply them in a common sense and workable manner. It is important these guidelines do not impose unnecessary administrative burdens that would inhibit Components from continuing to take advantage of the Internet and other technologies to disseminate information to the public. In this regard, Components may incorporate the performance standards and procedures required by these guidelines into their existing information resources management (IRM) and administrative practices rather than create new and potentially duplicative or contradictory processes. Under these guidelines, Components must ensure their guidelines are consistent with these guidelines and their administrative mechanisms satisfy the standards and procedural requirements in these guidelines. Components may rely on their implementation of the computer security provisions of the PRA of 1995 to establish appropriate security safeguards for ensuring the integrity of the information that they disseminate. Guidance contained in DEPSECDEF Memorandum, subject: Web Site Administration, dated December 7, 1998, as amended, and DoDD 5230.9, subject: Clearance of DoD Information for Public Release, dated April 9, 1996, address DoD web site administration policies and procedures and clearance of DoD information for public release respectively.

3.2. Guidelines:

3.2.1. Components are directed to publish IRM procedures for reviewing and substantiating (by documentation or other means selected by Components) the quality standards of information before it is disseminated. In addition, Components are to establish administrative procedures allowing affected persons to seek and obtain, if appropriate, correction of disseminated information that does not comply with the quality standards.

3.2.2. Three substantive terms describe the quality of information disseminated by DoD and Components: utility, objectivity, and integrity. Definitions in Attachment 2

provide some context and attributes for these terms to enable Components to judge whether a particular type or piece of information meets these attributes. "Utility" refers to the usefulness of the information to intended users, including the public. When reviewing information for dissemination, Components must consider the usefulness of the information for its reasonable and expected application. "Objectivity" focuses on whether the disseminated information is being presented in an accurate, clear, complete and unbiased manner and as a matter of substance, is accurate, reliable and unbiased. "Integrity" refers to security -- the protection of information from unauthorized access or revision to ensure that the information is not compromised through corruption or falsification.

3.2.3. In cases of dissemination of general scientific and research information, technical information that has been subjected to formal, independent, external peer review is presumptively objective. However, this presumption is rebuttable based on a persuasive showing by a complainant in a particular instance.

3.2.3.1. In dissemination of scientific, financial, or statistical information that is deemed by DoD to be influential, a higher quality standard than that of peer review is warranted. To ensure the objectivity of influential scientific, financial, or statistical information, it must be capable of being substantially reproduced in accordance with commonly accepted scientific, financial, or statistical standards. The reproducibility standard applicable to influential scientific, financial or statistical information is intended to ensure disseminated information is sufficiently transparent in terms of data and methods of analysis, that it would be feasible for a replication to be conducted.

3.2.3.2. Components 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 to medical providers, patients, health agencies and the public.

3.2.3.3. With regard to analysis of risks to health, safety or the environment that DoD Components disseminate, DoD Components will adopt or adapt as appropriate to the analysis in question, the quality principles of the Safe Water Drinking Act of 1996 (42 U.S.C. 300g-1(b)(3)(A)&(B)).

3.2.4. Archival information disseminated by DoD and Component libraries (e.g., Internet distribution of published articles) is not covered by these guidelines; libraries do not endorse the information they disseminate. Components have not authored these documents nor adopted them as representing DoD's or Components' views. By disseminating these materials, Components are simply ensuring that the public can have quicker and easier access to materials that are otherwise publicly available. These

guidelines apply to information that a Component disseminates from a web page but do not include the provision of hyperlinks to information that others disseminate. These guidelines also do not apply to opinions where the Component's presentation makes it clear what is being offered is someone's opinion rather than fact or the Component's views, unless the Component represents the information as or uses the information in support of an official position of the Component. Components should use disclaimers to distinguish the status of information as they consider their information holdings.

3.2.5. Component dissemination of information prepared by an outside party in a manner that reasonably suggests the Component agrees with the information renders Component dissemination of the information subject to these guidelines. However, a Component does not initiate the dissemination of information when a Component-employed scientist or Component grantee or contractor publishes and communicates his research findings in the same manner as his academic colleagues, even if the Component retains ownership or other intellectual property rights because the Component paid for the research. To avoid confusion regarding whether the Component agrees with the information, the researcher should include an appropriate disclaimer in the publication or speech to the effect that the views expressed are his own and do not necessarily reflect the views of the Component.

3.2.6. In contrast to paragraph 3.2.5. above, if the Component has directed a third party to disseminate information or retains the authority to approve the information before release, then the Component has sponsored the dissemination of the information.

3.2.7. Specific types of information that are not subject to these guidelines are included in Attachment 2, paragraph 4.

3.3. Administrative Mechanisms:

3.3.1. DoD Components shall establish, and make public, administrative mechanisms within the guidelines below, allowing affected persons to seek and obtain, when proper documentation is provided, correction of information maintained and disseminated by the Component that does not comply with the DoD or OMB quality standards. However, each Component shall determine whether a person, which includes groups, organizations and corporations, as defined by the PRA of 1995, is or will be affected by the Component's information. These administrative mechanisms are not intended to replace or supersede existing mechanisms that apply through other procedures. They also do not create substantive rights and are intended for administration only.

3.3.2. The correction process must be consistent with the genuine and valid needs of the Component and the Department without disrupting Component and DoD processes. In making their determination of whether or not to correct information, Components may reject claims made in bad faith or without justification and are required to undertake only the degree of correction that they conclude is appropriate for the nature and timeliness of the information involved.

3.3.3. Each Component's information disseminating activity (IDA) or in the case of Military Departments (MilDep), their designated representative (designee), shall receive and resolve claims regarding information that does not comply with the quality standards. The IDA or MilDep designee may consult with the Component Chief Information Officer or designee during the process.

3.3.4. The IDA or MilDep designee shall allow affected persons to request correction to publicly disseminated information to the extent that such information is not accurate, clear, complete or unbiased. Claims must be in writing (electronic mail is encouraged), brief and simple, containing as a minimum the disseminating organization, location of the information, description of the information to be corrected, reason for failure to be compliant with these guidelines, copies of available documented evidence supporting the request, and information supporting the contention that the complainant is an affected person. A claim shall not be required to be resubmitted unless additional information is essential to process the request. Whenever practical, a decision whether to reject the claim or correct the information will be made within 60 working days of receipt of the request. If the claim requires more than 60 working days to resolve, then the Component will inform the requester that more time is required and indicate the reason why and an estimated decision date.

3.3.5. The IDA or MilDep designee shall promptly take one of the following actions on requests to correct the information, consulting with the original disseminator of the information as required:

3.3.5.1. If the IDA agrees with any portion or all of a requester's request, he will notify the disseminator of the information that the correction must be made, and shall explain the substance of the requested correction in a manner associated with the extent of the complaint. The IDA shall inform the requester, in writing, of the decision and the action taken.

3.3.5.2. If the IDA disagrees with all or any portion of a request, the requester shall be informed promptly in writing of the refusal to correct the information, the reason for refusal and the appeal procedures as outlined in paragraph 3.3.7. below, including the name and address of the official to whom the appeal should be directed.

3.3.5.3. If the request for correction pertains to information originated, controlled or maintained by another DoD Component or Federal Agency, the request shall be referred to the appropriate Component or Agency and the requester advised of this in writing.

3.3.6. The following procedures shall be used when reviewing records under dispute:

3.3.6.1. In response to a request for correction of information, the IDA shall determine whether the requester has adequately supported the claim that the information is not accurate, clear, complete or unbiased, and the claim that the requester is an affected person.

3.3.6.2. The IDA shall limit the review of information to the aspect or aspects of the information that clearly bear on any determination to correct the information.

3.3.6.3. If a previous claim concerning the information in question has been received and responded to, a new, similar request may be rejected as duplicative.

3.3.7. If the requester disagrees with the IDA or MilDep designee determination, he/she may file an appeal in writing within 30 working days of notification of the determination. The appeal shall be referred to the Component Chief Information Officer (CIO).

3.3.7.1. All appeals will be processed within 60 working days unless the CIO determines that a fair review cannot be made within this time. If additional time is required, the appellant will be notified of the delay in writing at the expiration of the 60 working day period. The notification shall include the reason for the delay and when the appellant may expect a decision on the appeal.

3.3.7.2. If after review, the CIO determines correction of the record as requested is unwarranted, the CIO shall advise the appellant of the denial, and explain the reason for the denial.

3.3.7.3. If after review, the CIO determines that the information should be corrected in accordance with the appellant's request, the CIO shall direct the disseminator of the information to correct the information in question, and advise the appellant of the action taken.

3.4. Reporting Requirements:

3.4.1. On an annual fiscal-year basis, Components shall submit reports to the Assistant Secretary of Defense for Public Affairs (ASD(PA)) of the claims received under this policy and guidance and their resolutions. Components must submit these reports no later than November 1 every year, including complaints received during the previous fiscal year. The first reports are due to ASD(PA) November 1, 2003. ASD(PA) will compile the DoD consolidated report and submit it annually to OMB beginning January 1, 2004. Component reports shall include the number of claims received, and how they were resolved (e.g., number corrected, denied, or pending appeal). The report must also include a compilation of the number of staff-hours devoted to handling and resolving such claims and preparing reports. The report format is contained in Attachment 3.

4. Responsibilities:

4.1. The DoD CIO shall:

4.1.1. In coordination with the Assistant Secretary of Defense for Public Affairs, oversee implementation of the policy and procedures in this attachment.

4.1.2. Serve as the OSD appeal authority to receive and resolve requests for appeal concerning information disseminated by OSD.

4.2. The Heads of the DoD Components shall:

4.2.1. As information owners:

4.2.1.1. Establish basic quality standards with respect to publicly disseminated information consistent with these guidelines.

4.2.1.2. Publish a process consistent with these guidelines for reviewing the quality of information that allows substantiation of the quality of the information the Component has disseminated.

4.2.1.3. Publish administrative mechanisms consistent with these guidelines, that allow affected persons to seek and obtain, where appropriate, timely correction of public information maintained and disseminated by the Component that may not be in compliance with the quality standards.

4.2.2. Designate the Component public affairs activity (PAA) or MilDep designee to receive complaint reports regarding information that may not comply with the quality standards.

4.2.3. Designate the CIO of the Component as the appeal authority to receive and resolve requests for appeal.

4.2.4. Designate the PAA or MilDep designee to maintain file records to support and substantiate the DoD annual report to OMB per paragraph 3.4.1.

4.2.5. Submit annual reports as required in paragraph 3.4.1. above.

4.3. The Assistant Secretary of Defense for Public Affairs (ASD (PA)) shall:

4.3.1. In coordination with the ASD(C3I), oversee implementation of the policy and procedures in this attachment.

4.3.2. Serve as the PAA for OSD to include:

4.3.2.1. Receive and resolve complaints concerning information disseminated by the Secretary and Deputy Secretary of Defense.

4.3.2.2. Compile the DoD annual report to OMB as required in paragraph 3.4.1. above.

4.3.2.3. Maintain file records to support and substantiate the DoD annual report to OMB per paragraph 3.4.1.

Ensuring the Quality of Information Disseminated by the Department of Defense

Definitions

1. Affected persons. Persons who may benefit, be harmed, or otherwise affected by the disseminated information. This includes persons who are seeking to address information about themselves as well as persons who use information. "Persons" includes groups, organizations and corporations as defined by the Paperwork Reduction Act (PRA) of 1995.

2. Dissemination. Component initiated or sponsored distribution of information to the public. Dissemination does not include distribution limited to: government employees or component contractors or grantees; intra- or inter-Component use or sharing of government information; and responses to requests for Component 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.

3. Influential. When used in the context of scientific, financial, or statistical information, means that the Component can reasonably determine that dissemination of the information will have or does have clear and substantial impact on important public policies or important private sector decisions. Each Component is authorized to define "influential" in ways appropriate given the nature and multiplicity of issues for which the Component is responsible.

4. Information. 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 a Component 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 Component's presentation makes it clear that what is being offered is someone's opinion rather than fact or the Component's views.

4.1. Specific types of information that are not subject to these guidelines

4.1.2. Distribution of information that is limited to government employees, Component contractors or grantees.

4.1.3. Intra or inter-Component or other Department or Agency use of sharing of government information including responses to requests under the Freedom of

Information Act (FOIA), Privacy Act, the Federal Advisory Committee Act, or other similar laws.

4.1.4. Distribution of correspondence with individuals or persons.

4.1.5. Information limited to subpoenas and adjudicative processes.

4.1.6. Information that has previously been disseminated to the public and is subsequently presented to Congress as part of the legislative or oversight processes, including testimony of officials, and information or drafting assistance provided to Congress in connection with pending or proposed legislation.

4.1.7. Press releases and other information advising the public of an event or activity.

4.1.8. Procedural, operational, policy, and internal manuals prepared for the management and operations of the Component that are not primarily intended for public dissemination, including personnel notices such as vacancy announcements.

4.1.9. Information that is not otherwise disseminated to the public.

4.1.10. Applicability of these DoD information quality guidelines may be waived by any DoD agent, for information disseminated under urgent situations, including imminent or credible threats to national defense and security.

5. Information disseminating activity. Any organization, office, entity or activity, not limited to the public affairs activity, that provides official information directly to the public.

6. Information dissemination product. Any book, paper, map, machine-readable material, audiovisual production, or other documentary material, regardless of physical form or characteristic, a Component disseminates to the public. This definition includes any electronic document, CD-ROM, or web page.

7. 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.

8. Objectivity. Involves two distinct elements, presentation and substance.

8.1. "Objectivity" includes whether disseminated information is being presented in an accurate, clear, complete, and unbiased manner. The information must also be

presented in the 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 Component must identify the sources of the disseminated information (to the extent possible, consistent with confidentiality protections) and, in a 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 (including classified data) should have full, accurate, transparent documentation, and error sources affecting data quality should be identified and disclosed to users when possible.

8.2. In addition, "objectivity" involves ensuring accurate and reliable information, including classified 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.

8.2.1. If the data and analytical results have been subjected to formal, independent, external peer review, the information can generally be considered of acceptable objectivity. However, this presumption is rebuttable based on persuasive showing by the petitioner in a particular instance.

8.2.2. In those situations involving dissemination of influential scientific, financial, or statistical information, a high degree of transparency of data and methods must be ensured to facilitate the reproducibility of such information by qualified third parties.

8.2.3. Components shall not require that all disseminated original and supporting data be subjected to the reproducibility requirement. Components may identify those particular types of data that can practicably be subjected to the reproducibility requirement, given ethical, feasibility, or confidentiality constraints.

8.2.4. Making the data and models publicly available will assist in determining whether analytical results are capable of being substantially reproduced. However, these guidelines do not alter the otherwise applicable standards and procedures for determining when and how information is disclosed. Thus, the objectivity standard does not override other compelling interests such as privacy, trade secret, intellectual property and other confidentiality protections such as security classifications.

9. Quality. An encompassing term comprising utility, objectivity, and integrity. Therefore, the guidelines sometimes refer to these four statutory terms, collectively, as "quality."

10. Reproducibility. 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 Components apply the reproducibility test to specific types of original and supporting data, standards for replication of laboratory data shall be established. 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.

11. Transparent/Transparency. The practice of describing the data and methods of developing an information product in a way that it would be possible for an independent individual or organization to reproduce the results.

12. Utility. Refers to the relevance and timeliness of information to its intended users, including the public. In assessing the usefulness of information that the Component disseminates to the public, the Component needs to consider the uses of the information not only from the perspective of the Component but also from the perspective of the public.

Department of Defense Information Quality Annual Report of Complaints Concerning Publicly Disseminated Information

Date: _____ For Fiscal Year Ending: _____

Service/Agency: _____

POC: Name/Phone/E-mail Address: _____

I. Number of complaints received: _____

A. Number of complaints substantiated as valid and corrected: _____(Number) _____(% of total received)

B. Number of complaints denied: _____(Number) _____(% of total received)

(1) Number of denied complaints appealed: _____

a. Number of appeals granted: _____

b. Number of appeals denied: _____

c. Appeals pending as of end of FY: _____

C. Complaints involving "influential" scientific, financial or statistical information (Provide a brief qualitative description describing each complaint, or category of complaints that are of a similar nature, and the resolution thereof.):

II. Approximate staff-hours devoted to handling and resolving complaints and appeals and preparing reports: _____