

NOAA INFORMATION QUALITY GUIDELINES (DRAFT)

INTRODUCTION

Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554) directs the Office of Management and Budget (OMB) to issue government-wide guidelines (<http://www.whitehouse.gov/omb/fedreg/reproducible.html>) that "provide policy and procedural guidance to Federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by Federal agencies." OMB complied by issuing guidelines which direct each Federal agency to (A) issue its own guidelines ensuring and maximizing the quality, objectivity, utility, and integrity of information disseminated by the agency; (B) establish administrative mechanisms allowing affected persons to seek and obtain correction of information that does not comply with the OMB 515 Guidelines (hereinafter "OMB Guidelines"), and (C) report periodically to the Director of OMB on the number and nature of complaints received by the agency regarding the accuracy of information disseminated by the agency and how such complaints were handled by the agency.

In compliance with OMB directives, the Department of Commerce has issued draft Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Disseminated Information (<http://www.doc.gov/cio/oipr/iqg.html>).

This document represents the National Oceanic and Atmospheric Administration (NOAA) implementation of the Department of Commerce information quality guidelines.

BACKGROUND

NOAA's missions of environmental stewardship, assessment, and prediction are keystones to enhancing economic prosperity and quality of life, better protecting lives and property, and strengthening the U.S. balance of trade. To accomplish these missions, NOAA

- \$ creates and disseminates reliable assessments and predictions of weather, climate, the space environment, and ocean and living marine resources;
- produces and assures access to nautical and geodetic products and services;
- \$ implements integrated approaches to environmental management and ocean and coastal resources development and restoration for economic and social health, protection of essential fish habitat, and recovery of endangered and threatened species of fish and marine mammals;
- \$ works to ensure access to sustained, reliable observations - from satellites to ships to radars to data buoys;

- 1
2 \$ develops public-private and international partnerships for the expansion and transfer of
3 environmental knowledge and technologies; and
4
5 \$ invests in scientific research and the development of new technologies to improve current
6 operations and prepare for the future.
7

8 **NOTE ON TERMINOLOGY**

9

10 In these Guidelines, the terms "quality," "utility," "objectivity," "integrity," "information,"
11 "government information," "information dissemination product," "dissemination," "influential,"
12 and "reproducibility" are used with the meanings given by the definitions in the OMB Guidelines
13 as published in the Federal Register, Vol. 67, No.36, February 22, 2002. Where a different or
14 modified definition of any of these terms is applicable in a specific context, or associated with a
15 specific information category, that definition will be provided in the context to which it applies.
16

17 "Transparency " is not defined in the OMB Guidelines, but the Supplementary Information to the
18 Guidelines indicates that "transparency" is at the heart of the reproducibility standard. The
19 Guidelines themselves say that "The purpose of the reproducibility standard is to cultivate a
20 consistent agency commitment to transparency about how analytic results are generated: the
21 specific data used, the various assumptions employed, the specific analytic methods applied, and
22 the statistical procedures employed. If sufficient transparency is achieved on each of these
23 matters, then an analytic result should meet the reproducibility standard." This is NOAA's view
24 of transparency.
25

26 **SCOPE**

27 These guidelines cover information disseminated (as defined in the OMB Guidelines) by NOAA
28 on or after October 1, 2002.
29

30 **Information Covered by these Guidelines**

31 NOAA disseminates a wide variety of information that is subject to the OMB Guidelines. To
32 facilitate development of information quality standards and procedures, NOAA's disseminated
33 information is grouped into the following categories: 1) Original Data; 2) Synthesized Products;
34 3) Interpreted Products; 4) Weather and Solar Weather Warnings, Forecasts, and Advisories; 5)
35 Natural Resource Management Plans; 6) Experimental Products; and 7) Corporate and General
36 Information.
37

38 *Original data* are data in their most basic useful form. These are data from individual times and
39 locations that have not been summarized or processed to higher levels of analysis. While these
40 data are often derived from other direct measurements (e.g., spectral signatures from a chemical
41 analyzer, electronic signals from current meters). These data can be disseminated in both real
42 time and retrospectively. In only rare instances are scientific interpretations, evaluations, and
43 judgments needed. Examples of original data include buoy data, survey data, biological and
44 chemical properties, weather observations, and satellite data.
45

1 *Synthesized products* are those that have been developed through analysis of original data. This
2 includes analysis through statistical methods, model interpolation and extrapolation, and
3 combinations of multiple sets of original data. While some scientific evaluation and judgment is
4 needed, the methods of analysis are well documented and relatively routine. Examples of
5 synthesized products include summaries of fisheries landings statistics, weather statistics, model
6 outputs, data display through GIS techniques, and satellite-derived maps.

7
8 *Interpreted products* are those that have been developed through interpretation of original data
9 and synthesized products. In many cases, this information incorporates additional contextual
10 and/or normative data, standards, or information that puts original data and synthesized products
11 into larger spatial, temporal, or issue contexts. This information is subject to scientific
12 interpretation, evaluation, and judgment. Examples of interpreted products include journal
13 articles, scientific papers, technical reports, and production of and contributions to integrated
14 assessments.

15
16 *Weather and solar weather warnings, forecasts, and advisories* are developed through time-
17 critical interpretation of original data and synthesized products. These warnings, forecasts, and
18 advisories for discrete time periods represent the best possible information available prepared
19 under tight time constraints. They are subject to scientific interpretation, evaluation, and
20 judgment. Some products in this category, such as weather forecasts, are of a routine nature and
21 are prepared at predetermined times. Other products, such as tornado warnings and solar flare
22 alerts, are of an urgent nature and are prepared for unique circumstances.

23
24 *Natural resource management plan* content, structure and public review processes are prescribed
25 by statute and implemented by published guidelines. These plans are a composite of several
26 types of information (e.g., scientific, management, stakeholder input, policy) from a variety of
27 internal and external sources. Examples of natural resource management plans include fishery
28 and protected resource, sanctuary, and estuarine reserve management plans.

29
30 *Experimental products* are products that are experimental (in the sense that their quality has not
31 yet been fully determined) in themselves, or are products that are based in part on experimental
32 capabilities or algorithms. Examples of experimental products include imagery or data from non-
33 NOAA sources, algorithms currently being tested and evaluated, experimental climate forecasts,
34 and satellite imagery processed with developmental algorithms for urgent needs (e.g.; wildfire
35 detection).

36
37 *Corporate or General information* includes all non-scientific, non-financial, non-statistical
38 information. Examples include program and organizational descriptions, brochures, pamphlets,
39 education and outreach materials, newsletters, and other general descriptions of NOAA
40 operations and capabilities.

41 **Information Not Covered by these Guidelines**

42
43
44 Information with distribution limited to government employees or agency contractors or grantees
45

- 1 Information with distribution limited to intra- or inter-agency use or sharing of government
- 2 information
- 3
- 4 Responses to requests for agency records under the Freedom of Information Act, the Privacy
- 5 Act, the Federal Advisory Committee Act or other similar law
- 6
- 7 Information relating solely to correspondence with individuals or persons
- 8
- 9 Press releases
- 10
- 11 Archival records, including library holdings
- 12
- 13 Public filings
- 14
- 15 Subpoenas
- 16
- 17 Information for adjudicative processes
- 18
- 19 Information for administrative enforcement proceedings
- 20
- 21 Solicitations (e.g., program announcements, requests for proposals)
- 22
- 23 Information for advisory councils or advisory committee members
- 24
- 25 Hyperlinks to information that others disseminate, as well as paper-based information from other
- 26 sources referenced, but not approved or endorsed by NOAA
- 27
- 28 Policy manuals and management information produced for the internal management and
- 29 operations of NOAA, and not primarily for public dissemination
- 30
- 31 Information presented to Congress as part of legislative or oversight processes, such as testimony
- 32 of NOAA officials, and information or drafting assistance provided to Congress in connection
- 33 with proposed or pending legislation that is not simultaneously disseminated to the public
- 34
- 35 Documents not authored by NOAA and not representing NOAA's views, including information
- 36 authored and distributed by NOAA grantees
- 37
- 38 Research data, findings, reports and other materials published or otherwise distributed by
- 39 employees or by NOAA contractors or grantees that are identified as not representing NOAA
- 40 views
- 41
- 42 Opinions where the presentation makes it clear that what is being offered is not the official view
- 43 of NOAA
- 44
- 45

1 **UTILITY**

2 Utility means that disseminated information is useful to its intended users. "Useful" means that
3 the content of the information is helpful, beneficial, or serviceable to its intended users, or that
4 the information supports the usefulness of other disseminated information by making it more
5 accessible or easier to read, see, understand, obtain, or use. Where the usefulness of information
6 will be enhanced by greater transparency, care is taken that sufficient background and detail is
7 available, either with the disseminated information or through other means, to maximize the
8 usefulness of the information. The level of such background and detail is commensurate with the
9 importance of the particular information, balanced against the resources required, and is
10 appropriate to the nature and timeliness of the information to be disseminated.

11
12 *As a service organization, NOAA strives to continually improve the usefulness of its data and*
13 *information products.* A broad definition of NOAA's customers includes the American public,
14 other federal agencies, state and local governments, academia, the private sector, recreational
15 concerns, and many different national and international organizations. NOAA interacts with its
16 customers through workshops, surveys, product reviews and other similar mechanisms to assess
17 and improve the utility and accessibility of its products.

18
19 *NOAA disseminates data products in a manner that allows them to be accessible and*
20 *understandable to a broad range of users.* NOAA meets the needs of its customers by
21 disseminating information through a variety of media, which can include printed publications,
22 diskettes or CD-ROM, the internet, and broadcast media. NOAA also utilizes standard data
23 formats and consistent attribute naming and unit conventions to ensure that its information is
24 accessible to a broad range of users with a variety of operating systems and data needs.

25
26
27 **INTEGRITY**

28 Information disseminated by NOAA, independent of the specific distribution mechanism, is
29 safeguarded from improper access, modification, or destruction. NOAA ensures that
30 disseminated information is protected commensurate with the risk and magnitude of harm that
31 could result from the loss, misuse, or unauthorized access to or modification of such information.

32
33 All electronic information disseminated by NOAA adheres to the standards set out in Appendix
34 III, "Security of Automated Information Resources," OMB Circular A-130; the Computer
35 Security Act, and the Government Information Systems Reform Act.

36
37 Confidentiality of data collected by NOAA is safeguarded under the Privacy Act and Titles 13,
38 15, and 22 of the U.S. Code.

39
40 Additional protections are provided as appropriate by 50 CFR Part 600, Subpart E–
41 Confidentiality of Statistics of the Magnuson-Stevens Act, NOAA Administrative Order 216-100
42 – Protection of Confidential Fisheries Statistics.

43
44
45 **OBJECTIVITY**

1 Objectivity ensures that information is accurate, reliable, and unbiased, and that information
2 products are presented in an accurate, clear, complete, and unbiased manner.

4 **A. Original Data**

5 Objectivity of original data is achieved by using reliable data sources and sound quality control
6 techniques.

7
8 *Data are collected according to documented procedures or in a manner that reflects standard*
9 *practices accepted by the scientific and technical community.* Data collection methods, systems,
10 instruments, training, and tools are designed to meet requirements of the target user and are
11 validated before use. Instrumentation is calibrated using primary or secondary standards and
12 fundamental engineering and scientific methods. NOAA's standard operating procedures (SOPs)
13 are reviewed on a regular basis and modified as practices and procedures evolve. Deviations
14 from current SOPs are documented and occur only if valid scientific reasons exist for such a
15 deviation.

16
17 *Original data and information undergo quality control prior to being used by the agency or*
18 *disseminated outside of the agency.* Quality control techniques can include, as appropriate:

- 19 \$ gross error checks for data that fall outside of physically realistic ranges (e.g. a minimum,
20 maximum, or maximum change);
- 21 \$ comparisons made with other independent sources of the same measurement;
- 22 \$ examination of individual time series and statistical summaries;
- 23 \$ application of sensor drift coefficients determined by a comparison of pre- and post-
24 deployment calibrations; and
- 25 \$ visual inspection of the data.

26
27 *The quality control/quality assessment of NOAA data is an on-going process.* A continuous effort
28 to improve the quality of NOAA data provides for evolution and improvements in survey
29 techniques, instrument performance and maintenance, and data processing.

30
31 *NOAA strives for transparency regarding data collection procedures, level of quality, and*
32 *limitations.* NOAA includes metadata record descriptions and an explanation of the methods and
33 quality controls to which original data are subjected when they are disseminated, or makes them
34 available upon request. This additional information helps the user assess the suitability of the
35 data for a particular task.

36 37 **B. Synthesized Products**

38 Objectivity of synthesized products is achieved using data of known quality, applying sound
39 analytical techniques, and reviewing the products or processes used to create them before
40 dissemination.

41
42 *All data and information sources are identified or made available upon request.*

43
44 *NOAA uses data of known quality.* To ensure that synthesized products are valid, credible and
45 useful, only data of known quality is used in their preparation.

1
2 *Synthesized products are created using methods that are either published in standard methods*
3 *manuals, documented in accessible formats by the disseminating office, or generally accepted by*
4 *the broader science and technology community.*

5
6 *NOAA reviews synthesized products or the procedures used to create them (e.g. statistical*
7 *procedures, models, or other analysis tools) to ensure their validity.*

- 8 • Synthesized products that are unique or not produced regularly are reviewed individually
9 by internal and/or external experts.
- 10 • For regular production of routine syntheses, the processes for developing these products
11 are reviewed by internal and/or external experts.

12
13 *NOAA includes the methods by which synthesized products are created when they are*
14 *disseminated or makes them available upon request.*

15 16 **C. Interpreted Products**

17 Objectivity of interpreted products is achieved by using reliable data and supporting products,
18 applying sound analytical techniques, presenting the information in the proper context, and
19 reviewing the products before dissemination.

20
21 *All data and information sources are properly referenced or identified upon request.*

22
23 *Interpreted products are produced using methods that are documented in accessible formats by*
24 *the disseminating office or generally accepted by the broader science and technology*
25 *community.*

26
27 *NOAA puts its interpreted products in context.* Additional information that demonstrates the
28 quality and limitations of the interpreted products helps the user assess the suitability of the
29 product for the user's application.

30
31 *All interpreted products are reviewed.* Since the production of interpreted products often
32 involves expert judgment, evaluation, and interpretation, these products are reviewed by
33 technically qualified individuals to ensure that they are valid, complete, unbiased, objective, and
34 relevant. Peer reviews, ranging from internal peer review by staff who were not involved in the
35 development of the product to an external independent peer review, are conducted at a level
36 commensurate with the importance of the interpreted product.

37
38 *NOAA includes the methods by which interpreted products are created when they are*
39 *disseminated or makes them available upon request.*

40 41 **D. Weather and solar weather warnings, forecasts, and advisories**

42 Objectivity of weather and solar weather warnings, forecasts, and advisories is achieved by using
43 reliable data collection methods and sound analytical techniques and systems to ensure the
44 highest possible level of accuracy given the time critical nature of the products. Due to time
45 constraints, the ability to review final products prior to dissemination is limited.

1
2 *To the extent possible, NOAA uses data of known quality to provide the best possible information*
3 *under tight time constraints.*

4
5 *All data and information sources are identified or made available upon request.*
6

7 *To the extent possible, weather and solar weather warnings, forecasts, and advisories are*
8 *produced using methods and techniques that are documented in accessible formats by the*
9 *responsible office or generally accepted by the broader science and technology community. Due*
10 *to the time critical nature of these products, individual best judgment may be introduced.*
11

12 *NOAA identifies and tracks performance as a mechanism for evaluating accuracy of warnings,*
13 *forecasts, and advisories. Statistical analysis may be carried out for a subset of products for*
14 *verification purposes.*
15

16 **E. Experimental Products**

17 | Experimental products are either:

- 18 • disseminated for experimental use, evaluation or feedback, or
- 19 • used when, in the view of qualified scientists operating in an urgent situation where the
20 timely flow of vital information is crucial to human health, safety, or the environment,
21 and when the danger to human health, safety, or the environment will be lessened if every
22 tool available is used.

23
24 *Objectivity of experimental products is achieved by using the best science and supporting studies*
25 *available, in accordance with sound and objective scientific practices, evaluated in the relevant*
26 *scientific and technical communities, and peer-reviewed where feasible.*
27

28 *Through an iterative process, provisional documentation of theory and methodology are*
29 *prepared, including the various assumptions employed, the specific analytic methods applied, the*
30 *data used, and the statistical procedures employed. Results of initial tests are available where*
31 *possible. The experimental products and capabilities documentation, along with any tests or*
32 *evaluations, are repeatedly reviewed by the appropriate NOAA units. Such products are not*
33 *moved into non-experimental categories until subjected to a full, thorough, and rigorous review.*
34

35 *Where experimental products are disseminated for experimental use, evaluation or feedback in*
36 *the form of comment or criticism, the products are accompanied by explicit limitations on their*
37 *quality or by an indicated degree of uncertainty.*
38

39 *Where experimental products are used by NOAA in support of other NOAA products in urgent*
40 *situations where the timely flow of vital information is critical, they are used by qualified*
41 *scientists in conjunction with accepted non-experimental scientific methods and tools, and taking*
42 *into account all available information. Such experimental products and capabilities are used*
43 *only after careful testing, evaluation, and review by NOAA experts, and then are approved for*
44 *provisional use only by selected field offices. This process is repeated as needed to ensure an*
45 *acceptable and reliable level of quality.*

1
2 **F. Natural Resource Management Plans**

3 *Objectivity of Natural Resource Management Plans (Plans) is achieved by adhering to published* |
4 *guidelines.* The development, content and format of Plans are prescribed by law and
5 implemented by sets of published standards. Links to the published standards for the Plans
6 disseminated by NOAA are provided below.
7

8 *Plans are based on the best available science.* A tension exists between managing natural
9 resources from a state of perfect knowledge and implementing management measures in a timely
10 manner. Plans are based on best available science and information available, giving proper
11 weight and credence with respect to their reliability.
12

13 *Information used in Plans is referenced.* To allow the reader to review and evaluate supporting
14 materials, information, data and analyses used within the Plan are properly referenced.
15

16 *Scientific information is clearly distinguished from policy choices within the Plan.* Natural
17 resource management plans often rely upon scientific information, analyses and conclusions for
18 the development of management policy. Clear distinctions are drawn between policy choices and
19 the supporting science upon which they are based.
20

21 *Plans are presented in an accurate, clear, complete and unbiased manner.*
22

23 *Plans are peer reviewed to ensure that the content and presentation meets these standards of*
24 *quality.*
25

26 Links to Natural Resource Management Plan Guidelines
27

28 Operational Guidelines for Fishery Management Plan Process

29 http://www.nmfs.noaa.gov/sfa/domes_fish/GUIDELINES.PDF
30

31 Essential Fish Habitat provisions

32 <http://www.nmfs.noaa.gov/habitat/habitatprotection/efhfinalrule.pdf>
33

34 Associated Laws and Guidelines (e.g., E.O. 12866, NEPA Guidance, Regulatory
35 Flexibility Act)

36 http://www.st.nmfs.gov/st1/econ/cia/laws_links.html
37

38 National Environmental Policy Act

39 <http://www.nepa.noaa.gov/>
40

41 Protected Species Take Reduction Plans
42

43 Coastal Zone Management Plans

44 <http://www.ocrm.nos.noaa.gov/cpd/welcome.html>
45

- 1 National Marine Sanctuary Plans
- 2
- 3 National Estuarine Research Reserve Plans
- 4 None available – see 16 USC § 1461
- 5

6 **G. Corporate or General Information**

7 Information disseminated by NOAA is presented in a clear, complete, and unbiased manner, and
8 in a context that enhances usability to the intended audience. The sources of the disseminated
9 information are identified to the extent possible, consistent with confidentiality, privacy, and
10 security considerations and protections, and taking into account timely presentation, the medium
11 of dissemination, and the importance of the information, balanced against the resources required
12 and the time available.

13

14 Information disseminated by NOAA is reliable and accurate to an acceptable degree of error as
15 determined by factors such as the importance of the information, its intended use, time
16 sensitivity, expected degree of permanence, relation to the primary mission(s) of the
17 disseminating office, and the context of the dissemination, balanced against the resources
18 required and the time available. A body of information is considered to be reliable if experience
19 shows it to be generally accurate. Accurate information, in the case of non-scientific, non-
20 financial, non-statistical information, means information which is reasonably determined to be
21 factually correct in the view of the disseminating office as of the time of dissemination.

22

23 Pre-dissemination review of information disseminated by NOAA is incorporated into the normal
24 review processes for each type of information to take advantage of inherent quality checks that
25 are part of the process of formulating the information. This review is at a level appropriate to the
26 information, taking into account the information's importance, balanced against the resources
27 required and the time available. Department operating units treat information quality as integral
28 to every step of an agency's development of information, including creation, collection,
29 maintenance, and dissemination.

30

31 Pre-dissemination review can be accomplished in a number of ways, including but not limited to
32 combinations of the following:

- 33 a. Active personal review of information by supervisory and management layers, either
34 by reviewing each individual dissemination, or selected samples, or by any other
35 reasonable method.
- 36 b. Use of quality check lists, charts, statistics, or other means of tracking quality,
37 completeness, and usefulness.
- 38 c. Process design and monitoring to ensure that the process itself imposes checks on
39 information quality.
- 40 d. Peer monitoring during information preparation.
- 41 e. Use of management controls.
- 42 f. Any other method which serves to enhance the accuracy, reliability, and objectivity of
43 the information.
- 44
- 45

1 **ADMINISTRATIVE CORRECTION MECHANISM(S)**

2
3 (a) Requests to correct information. Any *affected person* (see “Definitions” below) may request,
4 where appropriate, timely correction of disseminated information that does not comply with
5 Office of Management and Budget (OMB) or NOAA information quality guidelines. An affected
6 person would submit a request for such action directly to: NOAA Section 515 Officer, NOAA
7 Executive Secretariat, Herbert C. Hoover Building – Room 5230, 14th and Constitution Avenue,
8 N.W., Washington, D.C. 20230. Requests to correct information contained within a Natural
9 Resource Management Plan is made during the public comment period for the Plan according to
10 the instructions provided when it is posted for comment.

11
12 (b) Appeals of denials of requests. Any person receiving an initial denial of a request to correct
13 information made under paragraph (a), may file an *appeal* of such denial, which must be
14 received by the NOAA Section 515 Officer (address as in (a) above) within 30 calendar days of
15 the date of the denial of the request. The appeal must include a copy of the original request, any
16 correspondence regarding the initial denial, and a statement of the reasons why the requester
17 believes the initial denial was in error. No opportunity for personal appearance, oral argument, or
18 hearing on appeal is provided.

19
20 (c) Savings clause. This administrative mechanism applies to all requests for correction based
21 on NOAA information quality standards except where a different procedure is prescribed in the
22 NOAA standard for a particular category of information.

23
24 (d) Definitions.

25
26 (1) affected person means a person who meets each of the following three criteria:

- 27 (i) The person must have suffered an injury — harm to an identifiable legally-
28 protected interest; and
29 (ii) There must be a causal connection between the injury and the disseminated
30 information — the injury has to be fairly traceable to the disseminated
31 information or decisions based on such information, and not the result of
32 independent or unrelated action; and
33 (iii) It must be likely, as opposed to merely speculative, that the injury will be
34 redressed by a favorable decision.

35
36 (2) person means an individual, partnership, corporation, association, public or private
37 organization, or State or local government; and

38
39 (3) responsible office means a sub-organization of NOAA responsible for carrying out
40 specified substantive functions (i.e., programs) that is designated to make the initial
41 decision on a request for correction based on NOAA information quality standards.

42
43 (e) Procedures for initial request for correction.

44
45 (1) An initial request for correction of disseminated information must be made in writing

1 and addressed to the NOAA Section 515 Officer, at the address in (a) above. The NOAA
2 Section 515 Officer will transmit the written request to the responsible office. Any
3 NOAA employee receiving a misdirected request may make a reasonable effort to
4 forward the request to the responsible office.
5

- 6 (2) (i) No initial request for correction will be considered under these procedures
7 concerning:
8 (A) a matter not involving “information,” as that term is defined in
9 OMB’s Section 515 guidelines;
10 (B) information that has not actually been “disseminated,” as that term is
11 defined in OMB’s Section 515 guidelines; or
12 (C) disseminated information the correction of which would serve no
13 useful purpose. For example, correction of disseminated information
14 would serve no useful purpose with respect to information that is not
15 valid, used, or useful after a stated short period of time (such as a
16 weather forecast). This limitation would not, however, preclude a
17 request for correction alleging a systemic problem resulting in
18 consistent errors in the dissemination of such information.
19 (ii) Such a request will be accounted for in the Department’s report to OMB.
20

- 21 (3) At a minimum, initial requests must include:
22 (i) the requester’s current home or business address, telephone number or
23 electronic mail address (in order to ensure timely communication);
24 (ii) a statement that the request for correction of information is submitted under
25 Section 515 of Public Law 106-554;
26 (iii) an accurate citation to or description of the particular information
27 disseminated which is the subject of the request (including the date and
28 information source from which the requester obtained the information, and
29 the point or form of dissemination and any other details that will help to
30 ensure that NOAA can identify the specific information which is the subject
31 of the request and how it was disseminated; and
32 (iv) an explanation of:
33 (A) how the requester is an affected person;
34 (B) how the requester believes the office that disseminated the
35 information failed to follow its applicable information quality
36 standards; and
37 (C) why the requester believes that the subject information is not correct;
38 and
39 (D) an indication of which NOAA office or program disseminated the
40 information.
41

- 42 (4) (i) NOAA has established internal procedures that ensure that, if a request is
43 received by the NOAA Section 515 Officer from an affected person meeting the
44 requirements of paragraph (e)(4) (hereinafter called “a proper request”), either a
45 decision on the request, or a statement of the status of the request and an

1 estimated decision date, will be communicated to the requester, usually within 60
2 calendar days after receipt by the NOAA Section 515 Officer.

3
4 (ii) No action will be taken regarding a request failing to meet the requirements
5 of paragraph (e)(4), including a request made by a person unaffected by the
6 dissemination of the information. The submitter of any such request will be
7 notified, usually within 60 calendar days, of this disposition. Such a request will
8 be accounted for in the Department's report to OMB.

9
10 (iii) A proper request made concerning information disseminated as part and
11 during the pendency of the comment period on a proposed rule, including a
12 request concerning the information forming the record of decision for a proposed
13 rule, will be treated as a comment filed on that proposed rulemaking action, and
14 will be addressed in issuance of any final rule. A proper request filed after the
15 close of the comment period on any proposed rule may be considered to the same
16 extent as any other late-filed comment or may be addressed through the
17 procedures established in this guideline.

18
19 (5) (i) Upon receipt of a proper request, the head of the responsible office will make a
20 preliminary determination whether the request states a claim. A request for
21 correction will be preliminarily determined to state a claim if it reasonably
22 demonstrates, on the strength of the assertions made in the request alone, that the
23 information disseminated was based on a misapplication or non-application of
24 NOAA's applicable published information quality standards.

25
26 (ii) A determination that a request does not state a claim will be communicated to
27 the requester usually within 60 calendar days of receipt. There is no appeal from a
28 decision that a request does not state a claim.

29
30 (6) (i) If a request is preliminarily determined to state a claim, the responsible office |
31 will objectively investigate and analyze relevant material, in a manner consistent
32 with established internal procedures, to determine whether the disseminated
33 information is in compliance with NOAA's published information quality
34 standards. The head of the responsible office will make an initial decision
35 whether the information should be 1) corrected because it does not comply with
36 NOAA's published information quality standards (granted request) or 2) not
37 corrected because it does comply with NOAA's published information quality
38 standards (initial denial) or, 3) not corrected because, even if it does not comply
39 with NOAA's published information quality standards, the results would have
40 been substantially or statistically the same (initial denial). No opportunity for
41 personal appearance, oral argument, or hearing on appeal is provided.

42
43 (ii) The head of the responsible office will communicate his/her initial decision or
44 the status of the request to the requester, usually within 60 calendar days after it is
45 received by the NOAA Section 515 Officer. The initial decision or status update

1 must contain the name and title of the person communicating the decision, the
2 name of the NOAA Line or Staff office of which the responsible office is a part,
3 the name and title of the head of that office, and a notice that the requester may
4 appeal an initial denial to the named head of that Line or Staff office (hereinafter
5 "Appeal Official") within 30 calendar days of the date of the initial denial. An
6 initial denial will become a final decision if no appeal is filed within 30 calendar
7 days.
8

9 (iii) The head of the responsible office may determine to grant the request and
10 not correct the disseminated information if to correct the information would
11 require a commitment of resources unavailable to that official. The head of the
12 responsible office will communicate such a determination to the requester and
13 will consider, in consultation with the NOAA Administrator, including a request
14 for sufficient funds to undertake the correction in the next budget cycle.
15

16
17 (f) Appeals from initial denial.
18

19 (1) An appeal from an initial denial must be made within 30 calendar days of the date of
20 the initial decision. Such appeal must be in writing and addressed to the NOAA Section
21 515 Officer (address as in (a) above). At a minimum, an appeal of an initial denial must
22 include:

23 (i) the requester's current home or business address, telephone number or
24 electronic mail address (in order to ensure timely communication);

25 (ii) a copy of the original request and any correspondence regarding the initial
26 denial; and

27 (iii) a statement of the reasons why the requester believes the initial denial was in
28 error. In describing why the requester believes the initial denial was in error, the
29 requester must provide detailed reasons why:

30 (A) the failure to follow NOAA's information quality standards led the
31 office that disseminated the information to disseminate information that is
32 not within an acceptable degree of imprecision or error;

33 (B) the disseminated information is not within an acceptable degree of
34 imprecision or error regardless of whether the office that disseminated the
35 information correctly followed its information quality standards; or

36 (C) the standards covering the dissemination of the information at issue
37 were so flawed that, even if they had been followed, they would lead to
38 the dissemination of incorrect information.
39

40 (2) The Appeal Official will decide whether the information should be corrected based
41 on all the information presented in the appeal and the evidence collected pertaining to
42 that appeal. No opportunity for personal appearance, oral argument, or hearing on appeal
43 is provided. The Appeal Official will communicate his/her decision to the requester
44 usually within 60 calendar days after receipt by the NOAA Section 515 Officer. The
45 decision of the Appeal Official will constitute a final decision by the Department.

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(3) The Appeal Official may determine that an appeal meets one of the criteria in paragraph (f)(1)(iii) and not correct the disseminated information or the Department's guidelines if to do so would require a commitment of resources unavailable to that official. The Appeal Official will communicate such a determination to the requester and will consider, in consultation with the NOAA Administrator, including a request for sufficient funds to undertake the correction in the next budget cycle.