

# **BUREAU OF LAND MANAGEMENT**

## **INFORMATION QUALITY GUIDELINES**

Updated April 2, 2018

*Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of  
Information Disseminated by the Bureau of Land Management.*

## Table of Contents

<b>1. Overview, Scope, and Applicability</b>	<b>3</b>
a. Purpose	3
b. Background	3
c. Applicability	3
d. Scope and Definitions	3
e. Types of Information Not Covered	4
<b>2. Information Quality Standards</b>	<b>7</b>
a. Quality Defined	7
b. Guidelines for “Influential” Information Disseminated	7
c. Transparency and Reproducibility	8
d. Quality of Information from External Sources	9
e. Objectivity of Data	9
f. Utility of Data	9
g. Data Integrity	10
<b>3. Pre-dissemination Review</b>	<b>10</b>
<b>4. Information Correction Requests (ICR)</b>	<b>10</b>
a. Administrative Mechanisms for Information Correction	10
b. ICR Requirements	10
c. ICR Processing	11
d. ICR Responses	12
e. Requests for Reconsideration	12
f. Annual Reporting	13
<b>5. Appendix A: Administrative Process Diagram</b>	<b>14</b>

## 1. Overview, Scope, and Applicability

### a. Purpose

These guidelines specify the Bureau of Land Management’s (BLM) processes for reviewing and ensuring the quality of information it disseminates. These guidelines also detail the process that allows persons to request correction of information disseminated by the BLM that they believe may be in error or not in compliance with Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554, HR 5658)—known as the *Information Quality Act*. These guidelines are designed to supplement the U.S. Department of the Interior’s (DOI) Information Quality Guidelines<sup>1</sup> for use in the BLM.

### b. Background

In December 2000, Congress required 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.” OMB published guidelines for Federal agencies in the Federal Register (67 FR 8452) on February 22, 2002. On May 24, 2002 in the Federal Register (67 FR 36642), DOI directed bureaus and offices to develop and implement guidelines for their bureau or office.

### c. Applicability

These guidelines apply to BLM information disseminated to the public for conducting BLM business. OMB and DOI guidelines and standards are incorporated for reference in these guidelines. These guidelines are not designed to create new regulations nor impose any new legally binding requirements or obligations on BLM or the public or otherwise affect other available judicial review of BLM action. Decisions regarding a particular case, matter, or action will be made based on applicable statutes, regulations, and requirements. Interested parties are free to raise questions and objections regarding the substance of the guidelines and the appropriateness of using them in a particular situation. The BLM welcomes comments on the guidelines at any time and will consider comments in future revisions.

### d. Scope and Definitions

These guidelines apply to information disseminated on or after October 1, 2002. An information product, which was disseminated by BLM prior to October 1, 2002 and maintained in BLM files—or in publications that BLM continues to distribute on its website—is not subject to these guidelines if the information is archival in nature.

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<sup>1</sup> Available at: <https://www.doi.gov/ocio/policy-mgmt-support/information-and-records-management/iq>

- i. “Information,” for purposes of these guidelines generally includes any communication or representation of knowledge such as facts or data, in any medium or form, and generally includes material that BLM disseminates on the Internet.
- ii. “Dissemination,” for purposes of these guidelines, includes written publication (both electronic and physical form) that BLM initiates or sponsors, and distributes to a community or audience. BLM may clarify whether distributions of information are initiated or sponsored by BLM by using disclaimers or notices to explain the status of the information. Communication which is not directed to a community or audience (e.g., correspondence to and from an individual) is not considered “disseminated.”
- iii. *BLM-sponsored information* is information prepared and distributed to support or represent BLM's viewpoint to the general public. Where the BLM is relying on third party information in a manner that reasonably suggests that BLM endorses or agrees with it, BLM will notify the public of the source of the information and the basis for BLM to rely upon it. While third party information may be challenged under the IQA, BLM will provide the basis for relying on the data and direct those challenges to the party that collected or maintains the data.

**e. Types of Information Not Covered**

Based on the DOI’s guidelines, the following types of information are not specifically subject to the Information Quality Guidelines:

- i. Internet hyperlinks and other references to information disseminated by others.
- ii. *Opinions*--where BLM's presentation makes it clear that what is being offered is someone's opinion rather than fact or BLM's views.
- iii. *Press Releases*--Press releases, fact sheets, press conferences or similar communications in any medium that announce, support the announcement, or give public notice of information BLM has disseminated elsewhere.
- iv. *Public Filings*--Public filings of information (such as public comments received by DOI in a rulemaking proceeding), except where DOI distributes information submitted by a third party in a manner that suggests that BLM endorses or adopts the information, or indicates in its distribution that it is using or proposing to use the information to formulate or support a regulation, guidance, or other DOI decision or position.
- v. Exclusion for Agency Employed Scientist, Grantee or Contractor. Dissemination of information by a BLM-employed scientist, grantee, or contractor is not subject to the guidelines, namely, those situations in which they publish and communicate their research findings in the same

manner as their academic colleagues, therefore not implying official BLM endorsement of their views or findings.

- vi. Testimony and Other Submissions to Congress. Information presented or submitted to Congress, which is simultaneously disseminated or previously disseminated to the public is exempt from these Information Quality Guidelines.
- vii. Inadvertent or Unauthorized Disclosure of Information intended only for Inter-agency and/or Intra-agency Use or Communication. Documents in working form which are generated in day-to-day internal conduct of BLM and other Government business are exempt from these guidelines.
- viii. Correspondence with Individuals. An exchange of information between two individuals is not considered dissemination.
- ix. Records Covered by Other Laws. Responses to requests for BLM records under the Freedom of Information Act, the Privacy Act, the Federal Advisory Committee Act, or similar laws are not included in these guidelines.
- x. Archived Records and Information Disseminated Prior to October 1, 2002. Archived records are exempt from these guidelines. Information disseminated prior to October 1, 2002 but not archived and still being used in a decision making process is not exempt.
- xi. Adjudicative Proceedings. Information contained in subpoenas or documents intended to be limited to adjudicative proceedings, including BLM adjudicatory orders, opinions, amicus and other briefs are exempt from these guidelines.

Examples of public filings submitted to the BLM include:

- i. *Electronic submissions through the Internet under mandates or requirements, such as filings required by statutes, regulations, orders, permits, or licenses.* This information includes submissions by applicants for a permit, license, approval, authorization, grant, or other benefit or permission.
- ii. *Information submitted voluntarily to BLM.* Examples of this type of information include information in submissions relating to a BLM program, process or activity, such as public comments submitted in a rulemaking; information submitted by a participant in a voluntary program; and other information voluntarily provided to BLM by third parties, such as data, studies, analyses, and other types of comments or input.
- iii. *Distribution intended to be limited to subpoenas or adjudicative processes.* Distributions of information intended to be limited to subpoenas or adjudicative process are not covered by these guidelines. Adjudication is a matter involving specific parties that determines the rights and liabilities of

the parties to the action. Adjudications have well-established procedural safeguards and rights to address the quality of adjudicatory decisions and provide persons with an opportunity to contest decisions. This includes:

1. Distribution of information in documents filed in a judicial case in any court.
  2. For enforcement purposes, distribution of information in documents developed during the conduct of any criminal or civil action or administrative enforcement action, investigation, or audit involving an agency against specific parties.
- iv. *Distribution of information in documents intended to be limited to any formal or informal administrative action determining the rights and liabilities of specific parties, including documents that provide the findings, determinations, or basis for such actions.* Examples of this type of information include the processing or adjudication of applications for a permit, license, registration, waiver, exemption, or claim; actions to determine the liability of parties under applicable statutes and regulations; and determination and implementation of remedies to address such liability.

If a particular distribution of information is not initially covered by these guidelines, the guidelines may still apply to a subsequent distribution of the information in which BLM adopts, endorses or uses the information to formulate or support a regulation, guidance, or other BLM decision or position. For example, if BLM simply makes public a third party filing, these guidelines would not apply to that distribution of information. However, if BLM later includes the data in a background document in support of a rulemaking, these guidelines would apply to that later dissemination of information in that document. The BLM would need to provide its rationale and basis for relying on that data and refer the public to the source of that information.

## 2. Information Quality Standards

### a. Quality Defined

The BLM is issuing these guidelines to comply with the standard of quality by ensuring and maximizing objectivity, utility, and integrity of disseminated information. In accordance with the OMB guidelines, *objectivity*, *integrity*, and *utility* are defined as follows: "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 the protection of information from unauthorized access or revision, to ensure that the information is not compromised through corruption or falsification. "Utility" refers to the usefulness of the information to the intended users, including the public.

### b. Guidelines for "Influential" Information Disseminated

The BLM ensures and maximizes the quality of information by complying with policies and procedures appropriate to the information product. There are many tools that the BLM uses, including Quality System review, senior management oversight and controls, peer reviews, communications, product reviews, and error corrections. These tools and BLM's graded approach for determining the quality of information are based on the intended use of the information and the resources available. In the case of influential information, BLM recognizes that the data should meet a higher standard of quality.

When information is defined as influential, there is an added level of scrutiny applied, including the need to ensure it is reproducible. At BLM, *influential information* is that which is expected to have a clear and substantial impact at the national level for major public and private policy decisions as they relate to Federal public lands and resources issues. The accuracy of this information is significant due to the critical nature of these decisions. A clear and substantial impact is one that has a high probability of occurring. If it is merely arguable that an impact will occur, or if it is a close judgment call, then the impact is probably not clear and substantial. To determine that there is a clear and substantial impact, the BLM must have greater certainty than would be the case for many, ordinary, factual situations.

For the purposes of the BLM Information Quality Guidelines, BLM will generally consider the following classes of information to be influential, and—to the extent that they contain scientific, financial, or statistical information—that information will adhere to a higher standard of quality. Examples of this type of information are:

- i. Information disseminated in support of top BLM actions (i.e., substantive notices, policy documents, studies, guidance) that demand the ongoing involvement of the Director's office.

- ii. Information used in cross-bureau issues that have the potential to result in major cross-bureau policies and highly controversial information that is used to advance the BLM's priorities.

The BLM may make determinations of what constitutes "influential information" beyond those classes of information where the disseminated information will have or do have a clear and substantial impact (i.e. change or effect) on important public policies or important private sector decisions.

### **c. Transparency and Reproducibility**

The BLM recognizes that influential information should be subject to a high degree of transparency about data and methods to facilitate the reproducibility of such information by qualified third parties and to an acceptable degree of precision. It is important that analytic results have a high degree of transparency and include: (1) citations to the source of the data used, (2) the various assumptions employed, (3) the analytic methods applied, and (4) the statistical procedures employed. It is also important that the degree of rigor with which each of these factors is presented and discussed be scaled as appropriate, and that all factors be presented and discussed. In addition, if access to data and methods cannot occur due to compelling interests such as privacy, trade secrets, intellectual property, and other confidentiality protections, BLM will use commonly accepted scientific, financial, or statistical standards, apply robustness checks to analytic results, and document what checks were taken, to the extent practicable. Original and supporting data may not be subject to the high and specific degree of transparency required of analytic results; however, BLM will apply relevant policies and procedures to achieve reproducibility to the extent practicable, given ethical, feasibility, and confidentiality constraints.

The BLM has several bureau-wide, program-specific policies and processes which are used to ensure and maximize the quality of influential information. The policies and processes to ensure the quality, objectivity, and transparency of influential information are the Peer Review Policy and public comment periods. Many influential information products may be subject to more than one of these processes.

The BLM applies the principle of using the "best available" data in making its decisions. In applying this principle, "best available" refers to the availability of the information at the time an assessment was made weighed against the needed resources and the potential delay associated with gathering additional information in comparison to the value of the new information in terms of its potential to improve the substance of the assessment. The BLM will rely on older information where the conditions of the land and/or resources have not substantially changed or where collection of more recent information would not be cost-justified. Where appropriate, the BLM will seek input from appropriate stakeholders and the scientific community.

#### **d. Quality of Information from External Sources**

The BLM recognizes that third party information use issues are complex and requires more thought and collaboration. Consultation is needed to best ascertain and address how these guidelines may apply to external sources, and to ensure the guidelines are sufficiently flexible to encourage the appropriate use of external information while also ensuring and maximizing the quality of information BLM disseminates. Therefore, BLM will ensure that the quality and transparency of data and information provided by external sources is sufficient for the intended use.

For information that is either voluntarily submitted to BLM in hopes of influencing a decision or that BLM obtains for use in developing a policy or regulatory decision, BLM will disclose what it knows of the quality of this type of information and why it is being relied upon.

#### **e. Objectivity of Data**

Objectivity is defined according to two distinct elements: presence and substance. Objectivity includes whether disseminated information is being presented in an accurate, clear, complete, and unbiased manner. The BLM is also committed to ensure accurate, reliable, and unbiased information. Much of the influential information BLM disseminates is and will be subject to public review and comment prior to its final publication. In a scientific, financial, or statistical context, the original and supporting data will be generated, and the analytic results will be developed, using sound statistical and research methods.

The BLM operates on the principle of collecting or acquiring timely information that it judges to be the best available consistent with its mission requirements, which includes using third party data both to conserve costs and to ensure non-redundancy of the data collection process. The BLM takes steps to ensure that the quality and transparency of data and information provided by external sources are sufficient for intended use but recognizes that the ultimate source of data quality in those cases is the data provider. The BLM's metadata or disclaimer statement will reference third party data sources, which will describe the source of information and the "who," "what," "when," "where," "why," and "how" of the data being documented.

#### **f. Utility of Data**

It is BLM's policy that, to the extent possible, all of the information it distributes meets a basic standard of information quality and utility to the public that relies on the data. Utility of information is achieved by ensuring that the information collection guidelines adopted by OMB and DOI are adhered to and by submitting information collection submissions to OMB for review and approval prior to using. When transparency of information is relevant for assessing the information's usefulness from the public's perspective, BLM will ensure that transparency has been addressed in its review of the information.

**g. Data Integrity**

The integrity of the information is maintained by following the guidance provided by the National Institute of Standards & Technology (NIST) and DOI, and by establishing security controls on the data to ensure that it cannot be compromised or contaminated.

**3. Pre-dissemination Review**

The information quality provisions published by OMB and DOI provide administrative mechanisms for pre-dissemination review. Before disseminating information to members of the public, the originating office must ensure that the information is consistent with OMB and DOI guidelines and must determine that the information is of adequate quality for dissemination. If the information is influential, financial, scientific, or statistical information, then the BLM will provide a higher level of review of conclusions of the program offices; and the program managers and senior management will be responsible for ensuring accountability for reviewing information to be disseminated to the public.

**4. Information Correction Requests (ICR)**

**a. Administrative Mechanisms for Information Correction**

The BLM seeks public and stakeholder input on a wide variety of issues, including the identification and resolution of discrepancies in BLM data and information. The BLM uses a variety of methods to ensure that affected persons can seek and obtain correction of information (that it maintains or disseminates) where it does not comply with BLM, DOI, or OMB Information Quality Guidelines. These methods include soliciting written public comments, attending public meetings, and providing opportunities to comment through BLM's web page or similar medium. Where BLM has the ability to correct information easily, it will do so quickly. In most cases where the information is already published, BLM will correct the information through an amendment process so that the record of decision is understood and consistent. Where necessary, BLM may accelerate its review process, taking into account the significance of the data in influencing policy.

The offices or programs sponsoring the information are the responsible parties designated by management to ensure the quality, objectivity, utility, and integrity of the information product or data disseminated by BLM.

Any individual or person may request a correction of information from the BLM, if that individual or person is an "affected person." For the purposes of these guidelines, "affected persons" are persons who may use, be benefited by, or be harmed by the disseminated information.

**b. ICR Requirements**

Persons requesting a correction of information must include the following information in their requests:

- i. A statement that the person is seeking correction of information disseminated by BLM that the person believes does not comply with BLM, DOI, or OMB Information Quality Guidelines.
- ii. Name and contact information.
- iii. A description of the information the person believes does not comply with BLM, DOI, or OMB guidelines, including specific citations.
- iv. An explanation of how the requester is affected by the subject information and, if possible, a recommendation of corrective action.

**c. ICR Processing**

The program office or region responsible for the subject information will receive and process the ICR. The program office or region will immediately notify and coordinate with the Bureau Records Officer (in the Business, Fiscal, and Information Resources Management Directorate) regarding all requests and responses. The program office or region will notify the requester of receipt within 10 business days.

In addition to submitting an ICR to the program office or region, the requester must send a copy to:

Bureau Records Officer  
Business, Fiscal, and Information Resources Management Directorate  
Bureau of Land Management  
1849 C Street, NW, Mailstop 20M  
Washington, DC 20240

Or by e-mail: [BLM\\_WO\\_Information\\_Quality\\_Guidelines@blm.gov](mailto:BLM_WO_Information_Quality_Guidelines@blm.gov)

**ICR Review**

The BLM will review every ICR under these guidelines and consider it for correction unless: (1) the request is deemed *frivolous* (including those made in bad faith or without justification, or deemed inconsequential or trivial); (2) a response would be duplicative of existing processes, unnecessary, or unduly burdensome on BLM; or (3) the information is exempt from the IQA.

**Duplicative, Unnecessary, or Unduly Burdensome Requests**

A separate process for information that is already subject to a public comment process would be duplicative, burdensome, and disruptive to the orderly conduct of the business (and efficiency of government service). Therefore, the BLM may not consider a separate request for correction of information if it pertains to BLM actions which already provide a mechanism by which comments can be submitted. For example, BLM rulemaking under the National Environmental Policy Act (NEPA) includes a comprehensive public comment process and imposes a legal obligation on

BLM to respond to comments on all aspects of the action. These procedures ensure a thorough response to comments on information quality. The BLM believes that the thorough consideration required by this process covers information correction requests and therefore would be duplicative.

In the case of rulemaking and other public comment procedures—where the BLM disseminates a study, analysis, or other information—the following types of requests for correction will be considered prior to the final agency action or information dissemination.

- i. The BLM determines that an earlier response would not unduly delay issuance of the agency action or information.
- ii. The requester has shown a reasonable likelihood of suffering actual harm from the agency’s dissemination if the agency does not resolve the information correction request prior to the final agency action or information product.

If BLM cannot respond to an ICR in the response to comments for the action (for example, because the ICR is submitted too late to be incorporated with other comments or because the ICR is not germane to the action), BLM will consider whether a separate response to the ICR is appropriate. The BLM may consider *frivolous* any ICR which could have been submitted as a timely comment in the rulemaking or other action but was submitted after the comment period.

#### **d. ICR Responses**

If a request for correction of information is deemed appropriate for consideration, the BLM will make a decision on the basis of the information in question. If a request is approved, BLM will take corrective action. If a request is not approved, BLM will explain its reasoning for denying the request. The program office or region will send a response with an explanation to the requester no later than 60 calendar days after the request is filed. If the request requires more than 60 calendar days to resolve, the Bureau Records Officer will notify the requester.

#### **e. Requests for Reconsideration**

If requesters are dissatisfied with a BLM decision regarding their request, they may seek reconsideration. Reconsideration requests must contain the following information:

- i. A statement that the person is seeking an appeal of a BLM decision on a previously submitted request for a correction of information, including the date of the original submission and date of BLM decision.
- ii. Name and contact information.
- iii. An explanation of why the appealing entity disagrees with the BLM decision, and if possible, a recommendation of corrective action.

## **Reconsideration Processing**

The requests for reconsideration should be directed to the Bureau Records Officer. Appeals must be submitted within 45 calendar days of receiving an information correction request decision from the program office or region. Requests for extension to appeal may be submitted for consideration to the Bureau Records Officer. Extensions will be considered on a case-by-case basis by examining the circumstances.

The Bureau Records Officer will notify the requester of receiving their appeal within 10 business days. Appeals will be coordinated with the appropriate BLM program office or region that has responsibility for the information in question. A panel will be chaired by the Assistant Director, Business, Fiscal, and Information Resources Management (AD-BFIRM) or their designee. A decision on the appeal will be made within 60 calendar days of receipt. If the appeal requires more than 60 calendar days to resolve, the Bureau Records Officer will notify the requester.

A further appeal of this panel's recommendation and subsequent AD-BFIRM decision can be made to the BLM Director. Appeals must be submitted within 45 calendar days of receiving an AD-BFIRM decision. An executive panel will be convened. The responsible official, informed by the executive panel's recommendation, will make the final decision on the appeal. The final decision on the appeal will be made within 60 calendar days of receipt. If the appeal requires more than 60 calendar days to resolve, the Bureau Records Officer will notify the requester.

For timely processing, requesters must submit all appeals, by certified mail, to:

Assistant Director, Business, Fiscal, and Information Resources Management  
Bureau of Land Management  
1849 C Street, NW  
Washington, DC 20240

Or by e-mail: [BLM\\_WO\\_Information\\_Quality\\_Guidelines@blm.gov](mailto:BLM_WO_Information_Quality_Guidelines@blm.gov)

Using both physical mail and electronic submission is highly recommended. Requesters are encouraged to contact the BLM if receipt of appeal isn't received within 15 days.

### **f. Annual Reporting**

In accordance with DOI IQA Guidelines, a department-wide consolidated annual report will be submitted to OMB. The annual reports contain information such as the number, nature, and resolution of IQA requests received.

## 5. Appendix A: Administrative Process Diagram

