
III. The FTC’s Commitment to Quality Information Dissemination

In carrying out its functions, the FTC strives to ensure that the information it disseminates reflects a level of quality appropriate to the nature and timeliness of the information. Consistent with applicable disclosure restrictions, the FTC seeks to disseminate information, including relevant supporting data or analyses, in as broad and prompt a manner as possible for the public to benefit from the FTC’s efforts and expertise. This general commitment to quality extends to all information disseminated by the FTC, whether or not the activity constitutes the “dissemination” of “information” for purposes of these guidelines. See para. V. of these guidelines below (definitions).

IV. Information Quality Principles

In accordance with OMB Guidelines, paragraph III.1., the FTC intends:

- A. to ensure that the information the FTC disseminates, including factual or statistical data, meets basic standards of quality, including objectivity, utility, and integrity;
- B. to treat information quality as a performance goal, and to take appropriate steps to incorporate information quality criteria into its information dissemination practices; and
- C. to adopt specific quality standards that are appropriate for the categories of information disseminated in particular cases.

The remainder of these guidelines explains how the FTC strives to achieve information quality, objectivity, utility, and integrity, and outlines the administrative mechanism (see para. XI. below) by which affected persons shall be able to seek and obtain appropriate correction of information maintained and disseminated by the FTC that does not comply with the OMB or FTC guidelines.

V. Definitions

For purposes of these guidelines, the definitions set forth below shall apply, consistent with the OMB Guidelines, paragraph V. (definitions), which shall also apply. Unless otherwise stated, information dissemination products and activities that fall outside the scope of these definitions are not subject to these guidelines.

- A. “Information” means 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 the agency 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 agency’s presentation makes it clear that

what is being offered is someone's opinion rather than fact or the agency's views (i.e., "views" officially approved or adopted by the agency in an agency-initiated or -sponsored "dissemination," as defined below).

B. "Dissemination" means agency-initiated or -sponsored distribution of information to the public. It does not include, for example:

1. Distribution limited to government employees or agency contractors or grantees;
2. Government information intended merely for intra- or inter-agency use or sharing;
3. Responses to requests for agency records under the Freedom of Information Act, the Privacy Act, the Federal Advisory Committee Act or other similar law;
4. Other correspondence with individuals or persons, including, but not limited to, written agreements with particular entities or parties, responses to specific requests for advisory opinions or other advice, etc.;
5. Press releases, unless they contain new substantive information not covered by a previous information dissemination subject to the guidelines;
6. Archival records (e.g., library materials);
7. Public filings, including, but not limited to, submissions in rulemakings or other FTC proceedings or matters, requests, petitions, applications, supporting materials, etc., except to the extent the agency disseminates the data or information in a manner reasonably suggesting that the agency endorses or agrees with it, or adopts, endorses, or cites the data or information as support for an agency regulation, guidance, or other agency decision or position;
8. Subpoenas, including, but not limited to, civil investigative demands and other administrative subpoenas or compulsory process, subpoenas or discovery orders issued in adjudicative proceedings or court litigation, etc.;
9. Information dissemination products relating to or arising from adjudicatory processes, including, but not limited to, factual allegations made, evidence submitted, analyses prepared, findings and determinations made, and rulings or opinions issued in any administrative or judicial litigation or other adjudicatory matter;

10. Disclosures, notices, or other information disseminated by persons or entities other than the FTC, where the text of such disclosures, notices, or information is not explicitly prescribed or specified by the FTC itself (e.g., statutorily mandated text of warning labels on cigarette packages, disclosure language developed and used by regulated entities in order to satisfy legal standards established under FTC regulations, orders, or agreements); and
 11. Studies, statements, or other issuances or publications by FTC employees, officials, contractors, consultants, or others who may be or have been paid, employed, or retained by the FTC, where the issuance or publication is not represented as being an official position of the agency or used by the agency in support of its official position.
- C. “Information dissemination product” means any books, paper, map, machine-readable material, audiovisual production, or other documentary material, regardless of physical form or characteristic, the agency disseminates to the public. This definition includes any electronic document, CD-ROM, or Web page.
- D. “Quality” is an encompassing term comprising utility, objectivity, and integrity.
- E. “Utility” refers to the usefulness of the information to its intended users, including the public. When transparency of information is relevant for assessing the information’s usefulness from the public’s perspective, transparency is addressed to the extent practicable and appropriate in the FTC’s review of the information, as discussed below in paragraph VIII. of these guidelines. There may be legal limitations, however, on the FTC’s ability to make publicly available the data or methods underlying a particular information dissemination product, and persons seeking access to such data or methods must comply with certain FTC requirements and procedures for requesting such access.
- F. “Objectivity” involves two distinct elements, presentation and substance.
1. “Objectivity” includes whether disseminated information is being presented in an accurate, clear, complete, and unbiased manner, including whether the information is presented within a proper context and identifying the source of the disseminated information to the extent possible in light of confidentiality protections, if any. In a scientific, financial, or statistical context, hdu Tc-012 37f5y(we q3 -1.pekng access to r context and)

2. “Objectivity” also involves a focus on ensuring accurate, reliable, and unbiased information. In a scientific, financial, or statistical context, original and supporting data are normally generated, and the analytic results are normally developed, using sound statistical and research methods.
 3. To ensure “objectivity” in cases, if any, where the FTC is responsible for disseminating “influential scientific, financial, or statistical information,” the FTC shall provide the highest practicable degree of transparency about data and methods to facilitate the reproducibility of such information by qualified third parties, consistent with legal restrictions or limitations on disclosure. See OMB Guidelines, para. V.3.b.ii.A, B & C, and paras. V.I. (reproducibility) & VIII. (transparency) of these guidelines below.
- G. “Integrity” refers to the security of information, i.e., protection of the information from unauthorized access or revision, to ensure that the information is not compromised through corruption or falsification.
- H. “Influential,” when used in the phrase “influential scientific, financial, or statistical information,” means that the agency can reasonably determine that dissemination of the information will have or does have a clear and substantial impact on important public policies or important private sector decisions. Whether a particular FTC information dissemination product is “influential” will depend on the nature and multiplicity of issues for which the FTC is responsible and the breadth and intensity of the impact, if any, that the information

3. Analysis of risks to human health, safety, and the environment disseminated by the agency, if any. The FTC will apply, as appropriate and feasible, the standards set forth in OMB Guidelines, paragraph V.3.b.ii.C. Any such risk assessments shall adhere to the standards set forth in the FTC's guidelines at paragraph V.F. to ensure that the assessments are objective and unbiased.
- J. "Affected persons" are people who may benefit from, be harmed by, or otherwise be affected by, the disseminated information.

VI. Pre-Dissemination Information Quality Review

- A. Internal agency review. To the greatest extent practicable and appropriate, information disseminated by the FTC is internally reviewed for quality--including objectivity, utility, and integrity--before such information is disseminated.
 1. Information disseminated to the public by the FTC is normally subject to one or more levels of internal staff, supervisory, or Commission review for quality before such information may be disseminated.
 2. The number of levels of internal quality review applied in a particular case depends on the nature, scope, and purpose of the information to be disseminated. For example, routine reports that may be prepared by staff about the agency's activities or operations may be subject to one or two levels of staff or supervisory review for basic accuracy and completeness before such reports are released to the general public. Additional levels of internal review, supplementation, clarification, or approval by agency management and/or the Commissioners may be appropriate, however, to the extent such a report may be intended as the basis for more complicated budgeting decisions or legislative reporting purposes (e.g., to satisfy a need for greater statistical detail or explanation).
- B. Public comment. In rulemakings and certain other agency matters (e.g., workshops, conferences, etc.), information or data may also be subject to public comment or exposure before such information or data may be approved or adopted by the agency. This public comment process provides an opportunity for interested parties, including persons who may be most affected by the

C. Peer review.

IX. Integrity of FTC Information and Data

- A. To preserve the integrity of information and data that the FTC may ultimately disseminate, the FTC takes appropriate measures to ensure that the security of information and data is not compromised while it is being collected, maintained, or used by the agency. OMB Guidelines, para. V.4. These measures are intended to be consistent with legal requirements such as the Computer Security Act, the Government Information Security Reform Act, the Privacy Act, the FTC and Clayton Acts, and any other applicable laws, regulations, orders, agreements, or guidance.
- B. These measures extend to FTC contractors, consultants, experts or others to the extent such information or data are shared with them on a non-public basis.

X. Documentation

- A. Where necessary or appropriate, the agency substantiates the quality of the information it has disseminated through documentation or other means appropriate to the information. OMB Guidelines, para. III.2.
- B. With respect to pre-dissemination review, this documentation may include intra- or inter-agency memoranda or communications, or other records or materials, including, where applicable, underlying data or methods, demonstrating that the information has been reviewed internally by appropriate agency staff or officials before it is disseminated to the public.
- C. With respect to the administrative mechanism for seeking and obtaining the correction of information disseminated by the agency, the FTC will submit annual fiscal-year reports each January 1, beginning in 2004, to OMB. See para. XII. below. The FTC will also make copies of requests for correction and the agency's responses publicly available.

XI. Administrative Mechanism for Seeking and Obtaining Correction of Information

- A. The Commission shall provide and maintain a mechanism by which affected persons may seek and obtain, where appropriate, timely correction of information maintained and disseminated by the agency that does not comply with OMB or agency guidelines.
- B. This administrative mechanism shall be flexible, appropriate to the nature and timeliness of the disseminated information, and incorporated into agency information resources management and administrative practices.
- C. The administrative mechanism shall specify appropriate time periods for agency decisions on whether and how to correct the information, and how affected persons shall be notified of the corrections made, if any.

D. If the person who requested the correction does not agree with the agency's

- B. The FTC shall respond to complaints in a manner appropriate to the nature and extent of the complaint, as described above in paragraph XI. of these guidelines above. Examples of appropriate responses include personal contacts via letter or telephone, form letters, press releases or mass mailings that correct a widely disseminated error or address a frequently raised complaint.
- C. The FTC shall submit (and, where required, post on its Web site, publish in the Federal Register, or otherwise make available) all reports, or notice thereof, required by section 515 and the OMB Guidelines. Such reports shall include an annual fiscal-year report submitted to the Director of OMB on the number and nature of complaints, if any, received by the agency regarding agency compliance with the OMB Guidelines and how the agency resolved such complaints. This annual report is to be submitted no later than January 1 following the end of the relevant fiscal year, with the first report due January 1, 2004.
- D. Effective Date. Pursuant to section 515 and paragraph III.4. of the OMB Guidelines, these agency guidelines shall become effective October 1, 2002.
1. To the extent these guidelines prescribe procedures for the pre-dissemination quality review of FTC information, such procedures shall apply only to information that the agency first disseminates on or after that date.
 2. To the extent these guidelines prescribe an agency administrative