FS Policy 901-1, Open Data Policy

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Executive Summary

Provides policy and procedures regarding whether and how Fiscal Service data should be made public.

Purpose

Sets forth the Fiscal Service approach to determining which data should be made publicly available and how those data are to be published.

Scope

Applies to any data that is created and maintained by the Fiscal Service, as well as data that is created by the Fiscal Service customers and submitted for maintenance[1]. This policy does not include data that is created by customers and maintained by the Fiscal Service through a shared service[2]. Furthermore, it does not include data collected pursuant the Federal Funding Accountability and Transparency Act or the Digital Accountability and Transparency Act, given that such data are already governed by existing legislation and policies.

Definitions

A. <u>Open Data:</u> Data available to the public.

B. <u>Dataset</u>: A collection of data structured to address a unique body or topic.

C. <u>Fiscal Data</u>: The website FiscalData.Treasury.gov.

D. <u>Metadata</u>: Data that describes data. For purposes of this policy, metadata refers to business terminology data and definitions, as opposed to more technical information (e.g. data models, data flow diagrams).

E. <u>Machine Readable</u>: Data in a format that can be easily processed by a computer without human intervention while ensuring no semantic meaning is lost.[3]

F. <u>Open Source Data</u>: Data which is free to use and download and in a format that is readable to the public.

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[1] See the Data Governance Council Charter for examples.

[2] Responsibility for the publication of this data resides with federal agency customers.

[3] See 44 USC § 3502(18)

G. <u>Business Areas</u>: Refers to any program area managing data including, but not limited to, Assistant Commissioner areas, individual portfolios, and data owners across the bureau.

References

A. M-13-13, Open Data Policy-Managing Information as an Asset
   1. OMB Memorandum M-13-13 encourages federal agencies to make data and resources easily accessible, discoverable, and usable to the public to help fuel entrepreneurship, innovation, and scientific discovery. The memo also provides a framework for effective data management to make open data usable and accessible. This policy aligns with M-13-13, notably in its focus on making data easily accessible and usable.

B. Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act) and M-19-23, Phase 1 Implementation of the Foundations for Evidence Based Policymaking Act of 2018: Learning Agendas, Personnel, and Planning Guidance
   1. The Evidence Act requires the creation of enterprise-wide data governance to carry out unified data functions and policies and establishes that federal agency data should be "open by default". M-19-23 provides implementing guidance and sets forth that agencies should focus on the use of data to support decision makers both internal and external to government and promoting civic engagement and transparency. This policy serves to implement the Evidence Act's requirement to make data open by default by providing specific guidance on the decision-making process related to disclosing new data.

C. Freedom of Information Act (FOIA) and Privacy Act of 1974
   1. FOIA establishes the criteria by which federal records, requested by members of the public, may be released. The Privacy Act defines and establishes a code of fair information practices that governs the collection, maintenance, use, and dissemination of information about individuals, particularly data that includes personally identifiable information (PII) that is maintained in systems of records by federal agencies. This policy scaffolds on the existing framework for FOIA and the Privacy Act, including relevant case law, for making determinations about which data should be made available to the public.

D. Treasury's Information Quality Guidelines
   1. Treasury's Information Quality Guidelines provide data quality standards which open data should adhere to. This policy incorporates those standards and emphasizes them with requirements related to ensuring data quality.

E. Fiscal Service's Data Governance Council (DGC) Charter
   1. The charter establishes the authority for the DGC to develop policies and procedures relating to data management, including approving and operationalizing enterprise-wide data policy. It further allows authority for the DGC to adjudicate issues related to standards and quality of data made available.

Responsibilities

A. The **Office of the Chief Data Officer (OCDO),** is responsible for:
   1. Developing Standard Operating Procedures (SOPs) to provide clarity regarding specific procedures associated with this policy;
   2. Providing consultation to business areas to ensure that data are published at the most granular level of detail possible;
   3. Providing consultation to business areas to ensure that data are published in a machine-readable format;
   4. Working with business areas to ensure that datasets are provided in a timely manner and establish consistent and standard times for the publication of datasets;
   5. Working with business areas to automate the production and publication of datasets to the maximum extent possible;
   6. Determining whether a technical approach (e.g. aggregation, data element deletion, data transformation) can be applied to cure the issue preventing its release according to FOIA rules; and
   7. Working with the OCC and other stakeholders to consider revising relevant SORNs to allow for appropriate disclosure.

B. The **Data Governance Council (DGC)** is responsible for:
   1. Identifying the data to be made public;
   2. Granting exemptions from the requirement that data must be published
      a) on Fiscal Data;
      b) in a machine-readable format; and/or
      c) in an open source, nonproprietary format.

C. The **Analytics Committee** is responsible for:
   1. Identifying the accepted nonproprietary formats that may be used for publishing data.

D. The **Office of the Chief Counsel** is responsible for:
   1. Providing guidance about whether data has previously been released or would be releasable in response to a request made through FOIA; and
   2. Providing guidance about whether data is protected under the Privacy Act of 1974, as amended by the Computer Matching and Privacy Protection Act of 1988, or section 6103 of the Internal Revenue Code of 1986 [26 U.S.C. 6103].
   3. Providing other legal guidance, as appropriate.

E. The **Chief Privacy Officer** is responsible for:
   1. Providing guidance on whether data has previously been released or would be releasable in response to a request made through FOIA

Policy

The policy is informed by the critical importance of providing data on the financial operations of the federal government, which is necessary for the proper functioning of markets, the efficient management of the government, and ensuring the trust of the American people. Further documentation in the form of SOPs will be developed by the OCDO to provide clarity regarding specific procedures associated with this policy.

A. **The Fiscal Service provides high quality, timely public data in a manner that is easy to understand and use.** The Fiscal Service will follow the standards below for all datasets that the DGC determines will become public.

- *Websites:* The Fiscal Service will make all public datasets[4] and associated metadata available on Fiscal Data unless an exemption is granted by the DGC. Exemptions will be valid for one year and must be renewed by the DGC upon expiration. In support of the government-wide effort to catalogue public data, the Fiscal Service will publish all metadata for public datasets on Data.gov, ensuring that it is complete and current.

- *Quality:* Given the importance of Fiscal Service data as outlined in the purpose section above, business areas will ensure that published datasets meets a high standard of data quality, following best practices as established by the DGC and as specified by the Treasury Department's Information Quality Guidelines. Business areas will ensure that complaints or critiques of data quality by consumers of our data are adjudicated and prioritized for action, as appropriate.

- *Granularity:* Business areas will ensure that the maximum amount of data is made available. Following this principle, all disclosable data (see Section 2) will be made available at the most granular level of detail possible. Business areas will work with the OCDO to ensure that datasets follow this principle.

- *Structure and Machine Readability:* Business areas will ensure that datasets follow data design and management best practices when structuring datasets for public consumption. In addition, business areas will work with the OCDO to ensure that all datasets are published in a machine-readable manner. The Fiscal Service recognizes the statutory definition of machine readability, as set forth in the Evidence Act, whereby machine readability is characterized as "data in a format that can be easily processed by a computer without human intervention while ensuring no semantic meaning is lost."[5] Datasets published in such a format should be readable by systems and software that process data, enabling easy storage and analysis of the dataset. Exemptions can be granted by the DGC. Exemptions will be valid for one year and must be renewed by the DGC upon expiration.

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[4] Applicable to datasets selected by the DGC

[5] See 44 USC § 3502(18)

- *Open Source:* Datasets will be published exclusively in a limited number of nonproprietary formats, as determined by the DGC's Analytics Committee. Exemptions may be granted by the DGC on an annual basis.

- *Metadata:* Business areas will work with the appropriate stakeholders to ensure that all metadata and data dictionaries for Fiscal Service open datasets will adhere to the minimum standards set forth in the appendix. Additional standards may be established by Fiscal's data management bodies[6].

- *Timeliness:* Business areas will work with the OCDO to ensure that datasets are provided in a timely manner and establish consistent and standard times for the publication of datasets to meet the schedule for publishing data set forth on Fiscal Data.

- *Automation:* Business areas will work with the OCDO to automate the production and publication of datasets to the maximum extent possible.

B. The Fiscal Service adopts the standard of making data open by default, in accordance with the Evidence Act. Upon enactment of this policy, the DGC will review high-potential datasets maintained by the Fiscal Service to determine whether data that are not currently publicly available should be released. Datasets should be evaluated using criteria, to be developed later in an associated SOP, that includes the potential benefit to members of the public, government stakeholders (e.g., federal agencies, Congress), financial professionals, and researchers, among other stakeholders. The DGC will conduct periodic reviews to determine whether any new data assets should be released, and such datasets will remain open until rescinded by the DGC. If a business area wishes to remove a dataset from the list of open data, a request must be made to the DGC which shall review the case. In conducting reviews of data to be made open, the DGC will consider the following:

- *FOIA:* The DGC will solicit the opinion of OCC, which will consult with the Chief Privacy Officer as necessary on whether data has previously been released or would be releasable in response to a request made through FOIA. In making its determination, OCC will observe appropriate principles established in statute, regulation, and case law. If OCC finds that the data in question is subject to an exemption in FOIA, and therefore is not releasable, it will provide a written record indicating this to the DGC for consideration.

- *Privacy Act of 1974:* The DGC will also solicit the opinion of OCC on whether data is protected under the Privacy Act of 1974, as amended by the Computer Matching and Privacy Protection Act of 1988, or section 6103 of the Internal Revenue Code of 1986 [26 U.S.C. 6103]. This will include consideration of whether the data contains PII or is otherwise restricted by an existing System of Record Notification (SORN).

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[6] The data management body which will adjudicate such issues is currently the Enterprise Data Advisory Committee (EDAC)

Following practices established in response to FOIA, the DGC will seek to cure specific issues with data that might prevent its release.[7] The DGC will seek the advice of the OCDO to determine whether a technical approach (e.g. aggregation, data element deletion, data transformation) can be applied to cure the issue preventing its release, with a presumption that most datasets can be partially cured of sensitive data and be released publicly. The DGC will adjudicate whether proposed curing approaches are sufficient for releasing the data publicly.

If the DGC discovers the existence of any published SORN that prevents the publication of data that would otherwise be releasable under this policy and federal law and regulation, it will request that the OCDO work with the OCC and other stakeholders to consider revising relevant SORNs to allow for appropriate disclosure.

C. **The Fiscal Service will make this policy publicly available on Fiscal Data, including any future amendments or revisions.** The DGC will also publish the charter for the Data Governance Council on Fiscal Data.

Approval:

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D. Michael Linder
Assistant Commissioner, Fiscal Accounting

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Justin Marsico
Chief Data Officer, Office of the Chief Data Officer, Fiscal Accounting

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[7] As an example, federal agencies commonly redact information that is not releasable under FOIA or the Privacy Act, instead of opting to hold back any document that contains protected information.

Appendix 1

Metadata Standards for Open Data
Metadata is, strictly speaking, data that describes data. For purposes of this policy, metadata refers to business terminology and definitions. When making datasets public through Fiscal Data, the business areas are responsible for providing the following key metadata to the OCDO along with the datasets:

- Information about the dataset:
    - Title
    - Description
    - Update frequency and cadence
    - Notes and known limitations
    - Source
    - Key terms
- Information to be made available to the public as necessary, as determined by the OCDO:
    - Point of contact
    - Point of contact email address
    - Known errors in the dataset or other known inaccuracies or integrity issues
- A data dictionary made available to the public through Fiscal Data. For each field in the dataset, the data dictionary should include:
    - Element Name
    - Element Description
    - If the field contains codes, a map of the codes (e.g. A =Agency, B = Bureau)
    - An indicator if the field can be null
- The business areas are responsible for providing all the business names of all fields in the dataset described above to the OCDO with fully spelled out nomenclature (e.g. "_amount" instead of _"amt", "_name" instead of _"nm", "_count" instead of "_cnt")