

Insider's Guide to Using Information in Government



Strategy



Policy



Data



Cost



Skills



Technology

Topic

Policies guide action

Devise policies to guide balanced decisions about why, how, when and who uses information

Insider's Guide to Using Information in Government



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- [Policy principles](#)
- [Stewardship](#)
- [Usefulness](#)
- [Practical examples](#)
- [Policy links](#)

Information policies have been vital components of government for decades. Some policies are codified in law or regulations; others are official statements, executive orders, or agency directives. No matter their form, information policies guide action by specifying what and how information is used.

Today, rapid technological advancements challenge traditional policies and generate new questions. The Internet in particular has fueled policy debates that were unimaginable a decade ago. While the World Wide Web contributes mightily to the free flow of information, it presents new dilemmas for protecting children and consumers, and for the competitive position of traditional businesses. These questions of appropriateness, privacy, ethics, and economic fairness all stem from this new information technology and the way we use it. More than ever, policies are needed to guide decisions about how, why, when, and who uses information in public organizations.

Key Points

Information policies...

- guide decisions about use of information
- rest on fundamental democratic principles
- regard information as a public good
- encourage use of information to improve services
- should ensure quality and availability

Policy principles

Information policy principles rest on fundamental democratic principles including:

- freedom of expression
- free flow of information in society
- right to privacy in your personal affairs
- right of public access to government records
- right to profit from your own inventions or ideas

Insider's Guide to Using Information in Government



These broad rights are not always complementary. One person's right to privacy may conflict with someone else's right of access. There is no single best way to balance these rights, so policies help guide public managers in handling specific situations.

Information policies address many different subjects, but they all fall into two main categories:

- policies that promote information stewardship
- policies that promote information use

Stewardship

Stewardship is a conservative principle that recognizes that government information is a public "good" like clean air and safe streets. It is concerned with accuracy, integrity, preservation, and protection of information.

The stewardship principle does not imply "ownership," but rather a trusted relationship in which information is handled with care regardless of its original source or collector. Policies that promote stewardship address:

- personal privacy
- confidential treatment of sensitive information
- records management and disposition
- information and system security
- data definition, quality, and integrity
- long term preservation of information with enduring social, legal, or historical value.

Some examples of stewardship policies:

- The **US Privacy Act** rests on principles of fair information use, including the right to know about and correct personal information in government records. Many states, like New York, have similar privacy laws.
- There are many specific confidentiality provisions in laws that authorize government programs, especially ones pertaining to health, human services, and education. One law that is the topic of much current attention is the [Health Insurance Portability and Accountability Act](#), (HIPAA) which specifies stringent requirements that health care providers, insurers, and government agencies must follow in order to assure patient confidentiality and federal funding.
- The privacy notices included on government forms and Web sites attempt to put privacy policies into plain language for citizens. The [CTG privacy notice](#) is a simple example because we make very little use of personal information. The popular [financial aid application at the US Department of Education](#) Web site presents a much more detailed notice due to the nature of the program and the need for personal information to provide benefits.
- [Data and meta data standards](#) govern how data elements are described, defined, and represented in systems. These standards contribute to data quality and to the ability to use data

Insider's Guide to Using Information in Government



for more than one purpose. They exist at government-wide, agency, and program levels. [HIPAA](#) also mandates stringent data standards for information exchange in the health care sector.

- **Records management, retention, and disposition rules** specify the reasons and manner in which public records are to be created, maintained for active use, and preserved for future generations. Both the National Archives and Records Administration and state and local governments have these policies.
- **Security policies** which help assure that both information and systems are protected from unauthorized use. They are becoming increasingly important as networks of all kinds are being put to use in government settings.

Usefulness

The usefulness principle recognizes that government information is a valuable government-wide asset that can generate real benefits through active use and innovation. These policies promote the use of information to improve the quality or lower the cost of services. They encourage agencies to use information to create new services or to devise better ways of doing traditional business.

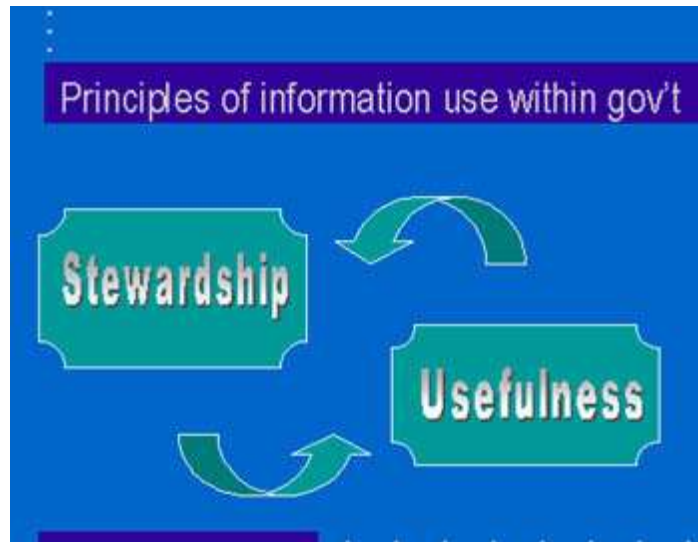
Policies that promote usefulness often address:

- interagency and intergovernmental information sharing
- public access
- public-private information partnerships
- reuse of information for new purposes

Examples of these kinds of policies:

- There are government-wide policy foundations for information use and innovation. The United States, [Canada](#), and a number of other countries have adopted such policies. New York and other states have done the same, especially with respect to e-government services.
- [The US Freedom of Information Act](#) and [Electronic Freedom of Information Act](#) and similar state laws guarantee citizens a right of access to government records. Several government and nonprofit [organizations](#) have a mission to promote the use of government information.
- Policies promote and guide interagency information sharing. New York State's policy encourages sharing to support operations, better serve customers, avoid duplication, and improve accuracy. The Government Information Sharing Project at Oregon State University helps users find government information.
- US Digital Signature Legislation gives digital signatures the same legal basis as handwritten signatures. Similar state laws, such as New York's Electronic Signature and Records Act, provide authority to use this new form of identity to conduct government business within New York State.

Insider's Guide to Using Information in Government



These two kinds of policies are complementary. Policies of stewardship help produce better, more reliable, more useable information and tested rules for using it in different situations. This leads to more use and more reliance on policies that promote use. These experiences then increase the demand for stewardship in the form of better information and clear, consistent rules.

The Center for Technology in Government (CTG) has studied the effect of information policies as part of our Using Information in Government (UIG) Program. The issues of stewardship and usefulness have played out in different ways in the seven projects that participated in the program, and in many other projects at CTG and elsewhere. We summarized information policy lessons in a seminar called "[Rules for Using Information](#)."

Insider's Guide to Using Information in Government



Practical Examples

Handling confidential information

Confidentiality of personal information was a major policy consideration in the effort to prototype an information system to help manage and evaluate services to homeless people. The concerns of direct service workers for the privacy of their client relationships had to be balanced against the State's need for client information to understand the outcomes of program expenditures. The [Bureau of Shelter Services](#) handled this policy issue, and several others, in the Homeless Information Management System project.

"Confidentiality...was a non-issue to me but a big issue to my shelter providers."

**Robert Dawes, Director
Bureau of Shelter Services
NYS Office of Temporary &
Disability Assistance**

Policy-driven information to support decisions

Investment decisions always require information. The kind of information you use, and the kinds of people who use it, make a big difference in the final choices. The NYS Department of Transportation made an important policy shift in both areas when looking at its IT investment process. The information used in its IT procurement process was once considered in isolation from overall agency strategies. Today [DOT](#) links this information process to key business goals of the agency, and the participants include program managers who work together with IT experts to make recommendations to a leadership council.

Laying the information groundwork for fast action

The more you rely on information for quick action, the more you need policies that ensure good quality and ready availability. That could not have been clearer during a severe ice storm when Geographic Information System (GIS) information from many organizations was used to re-establish communications, repair power grids, supply food and water, establish shelters, and direct National Guard troops to emergency areas. When there was an immediate need for the information, it was there and ready for use, thanks to New York State's GIS Cooperative Program's policies.

The GIS Cooperative illustrates well how stewardship and usefulness work together—it operates under policies of broad information sharing and reuse, supported by data sharing agreements and a readily accessible inventory of GIS data and meta data. This policy-driven resource allowed dozens of organizations to respond to the ice storm emergency in an informed and coordinated way.

Insider's Guide to Using Information in Government



Clear policies and strong governance for a shared information resource

In developing the Kids Well-being Indicators Clearinghouse (KWIC), the 13 member agencies of the NYS Council on Children and Families supplied child health and well-being data to a Web-based repository of information. Each agency has its own mission, goals, and operating structure. While the technical work is a big part of the job, the agencies know they must also come together and develop shared policies in order for the KWIC site to work.

Policies for management, operation, maintenance, and oversight will be essential to [KWIC](#)'s ability to provide timely information to program planners and decision makers in state and local agencies.

Security policy shapes technology choices

The New York City Department of Information Technology and Telecommunications stringent Internet security policy had a strong effect on its efforts to create a shared information resource for IT professionals. Since few workers are allowed direct access to the Internet, the project team made [maximum use of the city's secure intranet](#) to bring useful information to the agencies.

Policy Links

The United States Privacy Act of 1974

The Privacy Act of 1974 can "generally be characterized as an omnibus code of fair information practices which attempts to regulate the collection, maintenance, use, and dissemination of personal information by federal government agencies. This biennial

Insider's Guide to Using Information in Government



overview of the US Privacy Act is a discussion of the Act's disclosure provisions, its access and amendment provisions, and the agency record keeping requirements."

Personal Privacy Protection Law

This document lists pertinent questions that citizens may ask about access to their personal information as it relates to New York State agencies. Answers to questions such as, "Is there a central source or one state agency that keeps all the information about me?" are detailed in this document from the Committee on Open Government.

Technology Policy 97-4 Use of a Social Security Number

This document, from the NYS Office for Technology, discusses the policies developed to protect privacy as it relates to an identifier most often used in government and in business-your social security number (SSN). You will learn the history of the SSN and how it relates to the Privacy Act, the Tax Reform Act, the Omnibus Act, the Social Security Act, and the Welfare Reform Act within NYS. Most importantly, this document explains NYS government agency responsibilities when using social security numbers as part of their data.

[Health Insurance Portability and Accountability Act of 1996 \(HIPAA\)](#)

This Act, to amend the Internal Revenue Code of 1986, "was created to improve portability and continuity of health insurance, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term care services and coverage, and to simplify the administration of health insurance, and for other purposes."

[Center for Technology in Government \(CTG\) privacy notice](#)

CTG's Web site privacy notice provides information about the use of user's personal information collected on this site.

[Free Application for Federal Student Aid](#)

This Web site, developed by the US Department of Education, allows students to fill out an online form for federal student aid. The site includes a Privacy Act and Security Information that describes the security features of the site, the risks of filling out an online form and the technologies used to ensure privacy.

[Meta Data Standards and Registries: An Overview](#)

This paper (in PDF format), generated by the US Environmental Protection Agency and the US Bureau of Labor Statistics, discusses the work that is being done to reach consensus on standardizing meta data and registries for organizing that meta data. It provides information about meta data and also goes in-depth on the impact a meta data registry can have on a statistical agency.

Insider's Guide to Using Information in Government



[Dr. Tom's Meta-Data Primer](#)

This paper, written by Dr. Thomas Wason, provides a basic understanding of meta data, how it is structured, what it means, and how it is represented. It also describes when there is sufficient meta data, and how meta data is scaleable and interoperable with other systems.

New York State GIS Data Sharing Cooperative

The NYS GIS Data Sharing Cooperative was created to encourage public agencies in NYS "to share in the creation, use, and maintenance of GIS data sets at the least possible cost." This site provides information on the policies that govern the cooperative and data sharing in general.

National Archives and Records Administration — Electronic Records Management Regulation

This NARA regulation "establishes the basic requirements related to the creation, maintenance, use, and disposition of electronic records. Electronic records include numeric, graphic, and text information, which may be recorded on any medium capable of being read by a computer and which satisfies the definition of a record."

New York State Records Retention and Disposition Schedules for State Agencies and Local Governments

The General Schedule provides authorizations for state and local agencies within NYS to dispose of common administrative records following a minimum retention period. The schedule covers records series found in administrative activities ranging from affirmative action programs, to fiscal, personnel, and training programs. It covers records in all media, including paper, electronic, and microforms.

Technology Policy 97-1 Information Security Policy

This document, established by the NYS Office for Technology, discusses the "minimum security policies required by New York State to protect assets-information, computers, and networks in state agencies." Information custodianship and security are clearly defined. Information about copyright, records retention, privacy and confidentiality laws, classification of information, and information security functions are detailed.

[EarthLink Acceptable Use Policy](#)

An example of Acceptable Use Policy that delineates the acceptable uses of the EarthLink network.

The US Office of Management and Budget's Management of Federal Government Information Resources Policy

This report established a "uniform, government-wide information resources

Insider's Guide to Using Information in Government



management (IRM) policy." The policy covers all facets of IRM-strategic planning, information collection and dissemination, records management, and IT acquisition. And they are applied to electronic and printed documents. The policy encompasses all information activities of Federal executive branch agencies. You may be able to apply various sections or principles to your agency's IRM strategy.

[The Treasury Board of Canada's Blueprint for Renewing Government Services](#)

This document presents an integrated approach to using information technology to renew government services on an enterprise-wide basis in Canada. The plan sets forth a vision to create government services that are affordable, accessible and responsive. It describes some goals including direct services to clients, standardized and interactive tools, and shared solutions and information. The descriptions of these goals can be useful to agencies that are redesigning services for the Web.

The NYS Office for Technology's "Managing New York State's Technology: The Strategy for the Future"

This plan sets forth a strategy for using technology to improve the business of government in New York State. The document covers several goals: statewide policy and direction, statewide projects, data partnering, coordinated technology purchasing, and statewide network. The policy area covers such timely issues as standards, use of the Internet, and electronic data interchange. Government agencies in New York should be well-versed in these topics, since the direction the Office establishes will affect everyone.

New York State's Governor Pataki's E-Government Initiative

At the e-Commerce Kick-off meeting, Governor George E. Pataki signed the first electronic proclamation using a digital signature, declaring June 12, 2000 the official commencement of his e-Commerce Initiative in the creation of a digital "government without walls" in the Empire State. Read many articles and polices related to NYS's E-Government Initiative.

The State of Texas: Electronic Government Strategic Plan

This plan, "should assist state agency and local government planning efforts in achieving a more Internet enabled and customer-centric delivery of services with technology." "The vision, goals, and objectives outlined in this plan are designed to improve the coordination, planning, and implementation of electronic government services in Texas."

[US Freedom of Information Act](#)

Enacted in 1966, the Freedom of Information Act (FOIA) "generally provides that any person has a right, enforceable in court, to obtain access to federal agency records,

Insider's Guide to Using Information in Government



except to the extent that such records (or portions of them) are protected from disclosure by one of nine exemptions or by one of three special law enforcement record exclusions."

Electronic Freedom of Information Act

All amendments to the statute made by the "Electronic Freedom of Information Act Amendments of 1996" are listed in this document. It includes all the information listed in the FOIA but includes electronic records. Updates to the Act are made in bold typeface.

Freedom of Information Law

This policy, developed by the NYS Department of State, discusses the societal need for an open government where the public is aware of governmental actions. It details policies for New York State agencies to follow to be in accordance with this law. It profiles agency requirements regarding records retention, dissemination, and accessibility.

Committee on Open Government

The New York State Committee on Open Government is "responsible for overseeing and advising with regard to the Freedom of Information, Open Meetings and Personal Privacy Protection Laws. The Committee and the laws it oversees have gained national and international recognition as models for other jurisdictions."

[Electronic Frontier Foundation \(EFF\)](#)

EFF is a non-profit, non-partisan organization "working in the public interest to protect fundamental civil liberties, including privacy and freedom of expression in the arena of computers and the Internet."

[New York State Government Information Locator Service \(NYS GILS\)](#)

"The NYS GILS provides a single point of access to information services provided by New York State Government agencies, the State Legislature and the Judiciary." The New York State Library hosts the GILS site.

[Global Information Locator Service](#)

The Global Information Locator Service (GILS) adopts a mature international standard for searching labeled information. This standard developed primarily in the library and information services communities. Today, it is in worldwide use on the Internet and other networks, making GILS interoperable with the largest and most valuable information resources available anywhere.

Insider's Guide to Using Information in Government



NYS Office for Technology's Technology Policy 96-19 Data Sharing Among Agencies

This document describes steps that NYS agencies should follow when considering sharing data electronically. In addition, this policy helps ensure a standard process of data sharing among NYS agencies. Each step describes a key component in data sharing and includes questions that can help an agency prepare and complete that step. Also included is a sample case study that describes one agency's initiative through each step.

NYS Office for Technology's Technology Policy 97-6 Geographic Information Systems (GIS) Data Sharing

This policy discusses how electronic geographic data can be shared among federal, state, and local agencies. It reviews provisions that have been made to ensure that GIS data is shared in an appropriate and consistent manner. Custodianship, standards, maintenance, pricing, requests, and submissions are outlined.

Government Information Sharing: Calls to Action

In March 2005, the National Association of State Chief Information Officers issued this report as a follow-up to their 2000 report "Toward National Sharing of Government Information." This report takes a different approach in that it covers a variety of lines of business and levels of government. The intention here is to look at the current state of information sharing, identify and discuss the major issues and outline the "calls to action" required to move forward.

Federal Digital Signature Guideline: Tutorial

Brief tutorial of the American Bar Association regarding the nature and purposes of digital signatures.

Federal Digital Signature Legislation

This article offers guidance on implementation of the Electronic Signatures in Global and National Commerce Act (E-Sign) law that grants electronic signatures and documents equivalent legal status with traditional handwritten signatures and was written in order to unify e-signature standards across all levels of government.

New York State Electronic Signatures and Records Act

The New York State Legislature passed the Electronic Signatures and Records Act (ESRA) on August 4, 1999. This legislation, which was signed by the Governor on September 28, 1999, establishes a new body of State law for technology. "It also provides a mechanism for state and local government agencies to develop government electronic commerce and other information technology-based systems that rely on electronic signatures and electronic documents, and gives these mechanisms the same

Insider's Guide to Using Information in Government



force in law as paper-based signatures and records. This law provides that "signatures" made via electronic means will be legally binding just as hand-written signatures now are. The law also enhances and clarifies the authority of government to create and retain records in computer produced electronic form."

[CTG Seminar Summary Report - What Rules Govern the Use of Information?](#)

This seminar summary report details the third seminar in the Using Information in Government Program Seminar Series at the Center for Technology in Government. It summarizes the seminar's presentations and panel discussion, which "focused on the comprehensive policies that public sector agencies use to govern how, why, when, and by whom information is used." Presenters addressed such issues as ownership, stewardship, liability, privacy, and confidentiality as they relate to internal, cross agency, and public use of information. The summary report details principles of information use along with examples from projects in two state agencies.