

DEPARTMENT OF JUSTICE

INTERIM OPEN DATA IDENTIFICATION & RELEASE GUIDANCE

(Revised November 2013)

To promote compliance with the OMB Open Data Policy defined in Memorandum M-13-13 of May 9, 2013, the following interim guidance is provided regarding the process for identifying and releasing Department information and data to the public and posting that information to the public via the Department's public website at <http://www.justice.gov/data> and to www.Data.gov.

- Consistent with OMB's *Open Government Directive*, Memorandum M-10-06 of December 9, 2009, and the Department's [Open Government Plan 2.0](#), Department components shall adopt a presumption in favor of openness to the extent permitted by law and subject to privacy, confidentiality, security, or other valid restrictions.
- Department of Justice components shall routinely and regularly evaluate data created and/or collected during the course of normal business and mission operations for release to the public, in whole or in part. Any determination to release data shall include appropriate data content and context review by business and mission owners, Office of General Counsel, FOIA office, Privacy, and Information Security officials to ensure that the release will be in compliance with applicable laws and regulations, as well as any applicable privacy, confidentiality, security or other valid restrictions. Specifically:
 - Datasets must not expose any sensitive information including personally identifiable information, national security information, or data otherwise restricted by law or binding agreement. NOTE: Information categorized as Sensitive But Unclassified / Controlled Unclassified Information, including For Official Use Only or Law Enforcement Sensitive, are considered sensitive in this regard and will not be included in the public catalog.
 - Datasets must meet Department/Agency/Bureau Information Quality Guidelines as they relate to information made available through high profile Presidential Initiatives.
 - Datasets should be useful for target audiences including data analysts, data aggregators and web developers.
 - Datasets shall be [machine-readable](#), and made available under an [open license](#) that places no restrictions on reuse whenever possible. However, datasets with reuse limitations may be released under defined terms appropriate to the license/use restrictions.
 - Datasets in the context of open and transparent government are preferred.
 - Authoritative datasets from Systems of Record are preferred.
 - Non-proprietary data formats are preferred. More details on Open Data format guidelines are available at the OMB Project Open Data site, <http://project-open-data.github.io/principles/>
- Specific steps for identifying and reviewing datasets for release include:
 - **Mission / Business Review:** Identify candidate high value datasets based on frequency of internal use, external requests for dataset information and/or extracts, and significance to historical and/or ongoing organizational operations.

- **Legal Review:** Determine if data contained in the data set is restricted from release by statute or precedent, or contains deliberative information that is not approved for release.
- **Privacy Review:** Determine if the dataset contains any personally identifiable information or information protected under the Privacy Act or other statute.
- **FOIA Review:** Determine if the dataset conforms to the department's guidelines for information appropriate for public release.
- **Security Review:** Determine if release of the dataset will create or increase (through aggregation with other public information) any threat to the security of agency information or operations, or to other organizations.
- **External Affairs Review:** Consult with the Office of Public Affairs to determine the kind of information that may be of general interest to the public.