

Information Quality and the Endangerment Finding

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Provisos, caveats, limitations, etc.

- This presentation is limited to information quality principles, procedures and methods.
 - Information quality can be part of a successful policy strategy, but not all policy strategies benefit from high-quality information.
 - Applying information quality principles to the EF is complex and requires great care.
 - Success may come in many different forms, some of them unexpected and/or counterintuitive.
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Cliff Notes on information quality: Timeline

- 2000: Congress directed OMB to issue government-wide guidelines that agencies must follow.
 - 2002: OMB issued final guidelines, gave agencies an October 1 deadline to issue their own guidelines.
 - 2002: Most agencies (including EPA) complied.
 - 2010: Empirical Review
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Cliff Notes on information quality: OMB Guidelines (1)

- Principles
 - Transparency confirmed by reproducibility
 - Integrity
 - Utility
 - Objectivity
 - Substantive
 - Procedural
 - Pre-dissemination review to minimize error
 - Administrative error correction procedures sufficient to 'seek and obtain' correction
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Cliff Notes on information quality: OMB Guidelines (2a)

- Information: 'any communication or representation of knowledge such as facts or data, in any medium or form'
 - Reproducibility: 'capable of being substantially reproduced, subject to an acceptable degree of imprecision'
 - Integrity: 'protection ... from unauthorized access or revision, to ensure that the information is not compromised'
 - Utility: 'usefulness of the information to its intended users, including the public'
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Cliff Notes on information quality: OMB Guidelines (2b)

- Substantive objectivity: ‘accurate, reliable, and unbiased’
 - Presentational objectivity: ‘presented in an accurate, clear, complete, and unbiased manner’
 - Agency administrative error correction procedures must ‘allow[] affected persons to seek and obtain correction of information maintained and disseminated by the agency that does not comply’
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Cliff Notes on information quality: Agency guidelines (1)

- Generally follow principles in OMB Guidelines and commitments to comply, but also may include attempts to evade.
- Administrative error correction procedures are universally problematic.
 - Substantial failure to respond at all, or to respond unresponsively, unless it's in the agency's interest.
 - Endemic failure to meet deadlines, unless it's in the agency's interest.
 - Putatively 'independent' appeal procures aren't.

Cliff Notes on Information Quality: Agency guidelines (2)

- The responsible agency may be murky
 - Agency A information disseminated by Agency B
 - Non-agency dissemination (e.g., U.S. Global Climate Change Program)
- Third-party information
 - Peer-reviewed journals
 - Public comments
 - NAS
 - IPCC

Cliff Notes on information quality: Administrative error correction procedures



Applying information quality principles to the Endangerment Finding (1)

- Information is covered, policy choices are not
- Mixed information and policy:
 - ‘Cause or contribute’
 - ‘May reasonably be anticipated’
 - ‘Endanger public health or welfare’
 - ‘Threaten the public health and welfare of current and future generations’
 - Pose a ‘significant risk of harm’
- Where information and policy are blended, information must be separated to be challenged.

Applying information quality principles to the Endangerment Finding (2)

- Petitions under the Administrative Procedure Act are legal, not scientific, documents.
 - They can effectively summarize scientific issues, or summarize the importance of logical and factual errors in scientific reasoning.
 - They cannot resolve scientific issues.
- The IQG establishes the preferred procedure for seeking and obtaining the correction of scientific error.
- Petitioning for the repeal of the EF on scientific grounds should follow, not precede, the clear demonstration of material scientific error.

Ways to overcome rebuttable presumption of objectivity granted to peer-reviewed information

- Publication has a nonscientific mission
- Publication does not support academic freedom
- Peer review did not meet OMB standards
- Verifying information quality was not part of the peer reviewers' charge
- Reviewers' not qualified to conduct information quality review
- Peer review failed to address information quality
- Peer review produced new error

Questions?

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