

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
 - Administrative error correction procedures sufficient to 'seek and obtain' correction
 - Pre-dissemination review to minimize error
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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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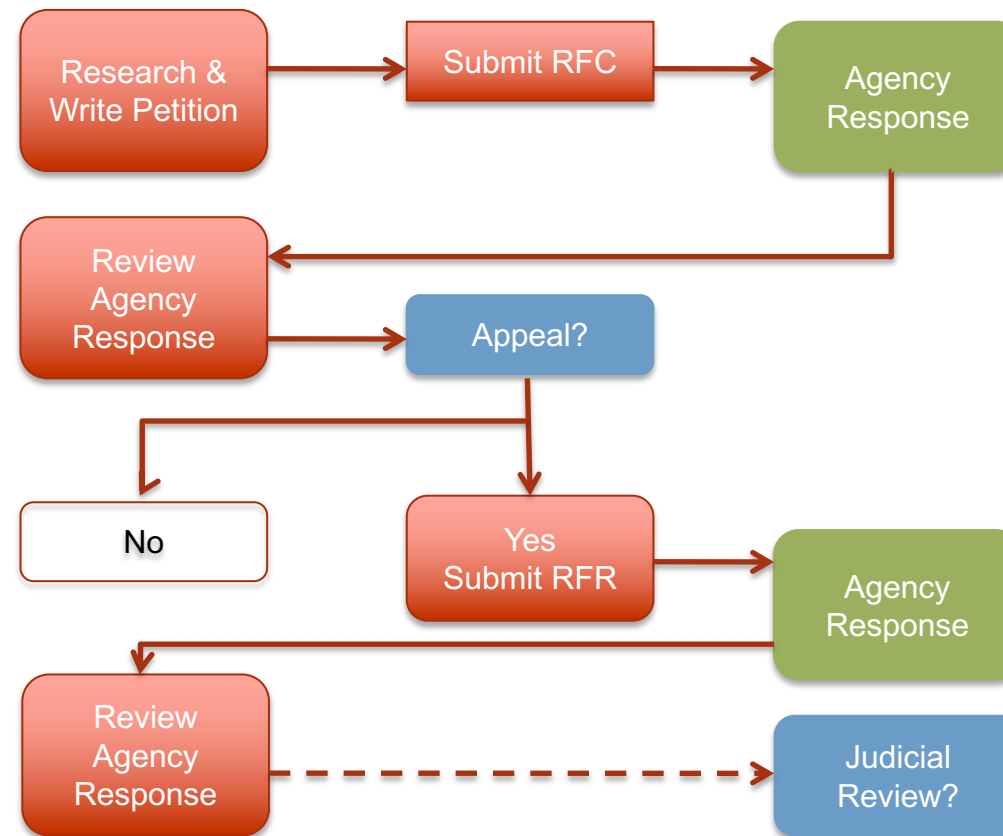
Cliff Notes on information quality: Agency guidelines (1)

- 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.

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 and they do not displace deference to agency expertise.
- 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 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' lacked sufficient expertise in information quality to conduct such a review
- Peer review failed to address the errors alleged

Questions?

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