

August 13, 2001

Ms. Brooke Dickson  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
New Executive Office Building  
725 17<sup>th</sup> Street, NW  
Washington, DC 20503

Re: Proposed Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies; 66 Federal Register 34489-34493 (June 28, 2001)

Dear Ms. Dickson:

The Edison Electric Institute (EEI) welcomes the opportunity to submit comments on the Office of Management and Budget's (OMB) *Proposed Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies* ("Guidelines").

EEI is the association of U.S. shareholder-owned electric companies, international affiliates and industry associates worldwide. The Institute's U.S. members generate about three-quarters of all the electricity in the United States and service roughly 70 percent of all ultimate customers in the nation.

The electric utility industry is affected by a broad scope of federal and state statutes and regulations, and is one of the most regulated industries in this country. In 1999, EEI member companies spent more than \$6 billion on compliance with federal environmental regulations alone. There are many additional regulations our industry must comply with on the federal, state, and local levels.

EEI and its members are pleased that OMB has issued proposed Guidelines that set quality thresholds for information disseminated by the federal government. We recognize the importance of the data quality program, particularly with respect to ensuring that objective, unbiased, and scientifically sound information is the foundation of federal regulations and policies designed to protect public health, safety, and the environment. We also recognize the importance of federal agencies using data of the highest quality possible in communicating and disseminating information to state and local authorities and the general public via such mechanisms as the Internet.

EEI and its members share a common interest in improving how the government collects, manages, uses and disseminates environmental, health and safety (EH&S) information. We support public policies that encourage data quality, governmental accountability, efficient data collection, alignment of data with strategic goals, and consistent management of EH&S information resources.

The request for comment specifically asked, "Should the OMB guidelines devote particular attention to specific types of information or information dissemination products? If so, please identify the areas where specific focus should be directed, explain why the focus is needed or is desirable, and describe any guidelines that you recommend for those areas."

We recommend that special attention be given to information intended for use in decision-making about: (1) human and environmental health, and (2) financial viability of businesses. Examples of the former would include risk assessments of pharmaceuticals, pollutants, and stressors on biota. A specific example is the TRI program. In a February 1998 report to Congress, EPA concluded that utility "hazardous air pollutant" releases, though high in volume, present very little risk to the public. This finding was supported by the Harvard Center for Risk Analysis, which reported in April 1999 that, "Although this industry will report large quantities of emissions, the resulting risk to public health is minimal. This example illustrates why TRI should be revamped to consider risks as well as emissions."

Examples of the latter would be financial and economic reports, whether retrospective (business trend analyses) or prospective (economic forecasts), that companies or individuals might reasonably use to plan future actions. Business viability is of critical importance to the electric utility industry; the industry's financial health depends on thriving customers, and businesses make up a significant portion of revenues.

In both cases, the information should be based on sound and replicable science and/or long experience. If such is not available, there should be a statement of the probable uncertainty inherent in the information. If it is speculative or based on untested theory, some sort of disclaimer should state that fact. When government agencies make information available to the public, they should strive to explain the basis for that information (how it was developed) and its limitations (weaknesses in the information, what it should not be used to say).

With respect to the Guidelines, EEI offers the following overall comments:

**DEFINITION OF DATA QUALITY:** The Guidelines should maintain a broad definition of data quality. Data quality means different things to different stakeholders and federal policies should foster each of these viewpoints. A narrow definition of data quality is too

**CONTEXT:** The Guidelines should emphasize the need to ensure that publicly disseminated data is placed in appropriate context with other relevant information. Proper context is necessary to prevent the public from drawing inaccurate conclusions.

**DEGREE OF QUALITY ASSURANCE REQUIRED:** In paragraph III.1 of the Guidelines, OMB states that “Quality is to be ensured and established at levels appropriate to the nature of the information to be disseminated.” The nature of the data should drive the level of the data quality effort. For example:

**Source Documents**

Agencies managing original source documents have minimum data quality responsibilities.

**Material Compilation**

Agencies that consolidate data from individual source documents into databases used by government employees and/or the public have more significant data quality responsibilities. They are responsible for accurately moving the data from the source document to the data base, explaining the limits of the original data collection activity, and defining and explaining what is appropriate usage of the data.

**Interpretive Documents**

Some agencies develop more sophisticated information resources, such as Web sites. When they consolidate different types of information to convey messages or interpretation, the obligation to ensure quality increases dramatically. The potential influence of these products requires rigorous evaluation of data quality before the product is issued.

**CORRECTIVE ACTION PROCEDURES:** In paragraph III.3 and Section IV of the Guidelines, OMB proposes a series of procedural requirements for agencies to follow. These include mechanisms for citizens to seek correction of information and agency reporting to OMB on how complaints about data quality have been resolved. Under the proposed Guideline language, these mechanisms and reports to OMB address complaints about whether the agencies have complied with the OMB Guidelines.

We suggest that any information correction mechanisms or reporting obligations be tied to the data quality standards in agency policies and regulations, not the OMB Guidelines themselves.

**PUBLIC COMMENT ON AGENCY POLICY AND REGULATION:** OMB Guidelines do not specify that agencies are required to seek public comment on policies and regulations established to implement the OMB Guidelines.

To satisfy the interest of a wide variety of stakeholders, EEI recommends that OMB explicitly request public comment on proposed regulations and policies that individual agencies develop to implement the OMB Guidelines.

EEI offers the following comments specifically

Section IV. "Agency Reporting Requirements," paragraph 4. The Guidelines state that agencies must submit a draft report to the OMB for review annually, but do not provide guidance for a reasonable time by which that OMB review should be completed. We suggest that the Guidelines include some time period by which OMB should complete its review.

Section V. "Definitions," paragraph 5, "dissemination." It seems inappropriate that the Guidelines for information "quality, objectivity, utility, and integrity" would not apply to information shared within and between departments, with federal employees, and similar excluded groups. The Guidelines should apply to all parties within, among, and external that may benefit from information disseminated from federal agencies.

The proposed Guidelines address EEI's primary public information concern improving the quality of EH&S information that the federal government offers to the public. We support OMB and agency efforts to systematically address data quality concerns.

Thank you for the opportunity to comment on this important public policy issue. Please contact Michael Rossler at (202)508-5516 (or at [mrossler@eei.org](mailto:mrossler@eei.org)) if you have any questions about EEI's comments.

Sincerely,

/s/

Quinlan J. Shea, III

Vice President, Environmental Affairs (Acting)