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Good morning, Madame Chairman and Members of this Subcommittee. I am Kimberly T. Nelson, Assistant Administrator for the Office of Environmental Information (OEI), and Chief Information Officer at the Environmental Protection Agency (EPA). Thank you for the opportunity to testify about EPA's implementation of the Information Quality Act (IQA).

The collection, use, and dissemination of information of known and appropriate quality are integral to ensuring that EPA achieves its mission. Information about human health and the environment -- environmental characteristics; physical, chemical, and biological processes; and chemical and other pollutants -- underlies all environmental management and health protection decisions. The availability of, and access to, information and the analytical tools to understand it are essential for assessing environmental and human health risks, designing appropriate and cost-effective policies and response strategies, and measuring environmental improvements.

For these reasons, EPA takes implementation of the Information Quality Act very seriously as an important component of the Agency's overall approach to ensuring the use and dissemination of high quality information.

EPA Implementation of the Information Quality Act

In 2001, the IQA[1] directed the White House Office of Management and Budget (OMB) to issue government-wide guidelines for all federal agencies (by October 1, 2001) that provide policy and procedural guidance to federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information, including statistical information, disseminated by federal agencies. OMB issued its final guidelines in February 2002. The IQA and OMB's guidelines directed EPA and other agencies to do three things:

(1) Issue our own information quality guidelines ensuring and maximizing the quality, objectivity, utility, and integrity of information, including statistical information, disseminated by the agency by October 1, 2002;

(2) Establish administrative mechanisms allowing affected persons to seek and obtain correction of information maintained and disseminated by the agency that does not comply with the EPA or OMB guidelines; and

(3) Report to the Director of OMB the number and nature of complaints received by the agency regarding agency compliance with the OMB guidelines concerning the quality, objectivity, utility, and integrity of information and how such complaints were resolved.

In October 2002, EPA published the *Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Environmental Protection Agency* (Information Quality Guidelines or IQGs). The

[1] Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554; H.R. 5658)

Information Quality Guidelines contain EPA's policy and procedural guidance for ensuring and maximizing the quality of information we disseminate. The IQGs also provide a summary of EPA's existing policies and procedures that ensure and maximize information quality and create an administrative mechanism to enable affected persons to seek and obtain corrections from EPA regarding disseminated information that they believe does not comply with EPA or OMB guidelines.

EPA views the IQGs as an opportunity to reaffirm our commitment to the use and dissemination of high quality information as well as a mechanism for strengthening the quality and sound science frameworks already in place at EPA into a cohesive Agency-wide information quality program.

Experience to Date in Implementation of the Corrections Process

To date, EPA has received 30 Requests for Correction (RFC) and 10 Requests for Reconsideration (RFR) from a diverse set of requestors as part of the new administrative mechanism outlined in the IQGs. EPA has received requests from private citizens, industry, non-profit organizations, government environmental agencies, and members of Congress. The requests have challenged the quality of information disseminated as part of a rulemaking, distributed in our internal policies, found in several EPA databases, contained in hazard and risk assessments, and made available on the EPA Web site.

Our goal is to respond within 90 calendar days when we receive a new request for correction. My office manages the corrections process and, as a first step, identifies the responsible information owner at EPA for the information that is the subject of the request. The information owner may be a program office, a region, or a combination of

more than one organization. My office then works with the information owner to evaluate the merits of the request and this evaluation forms the basis for the Agency's response.

Responses are developed by a cross-Agency team and are reviewed thoroughly by senior management at EPA. A final draft is reviewed by OMB in its IQA oversight role to ensure consistent implementation across the federal government. EPA posts all communications – the original request, the response, interim responses, and pertinent related correspondence – on the Agency's Information Quality Guidelines Web site at http://epa.gov/quality/informationguidelines/iqg-list.html.

If the requestor is not satisfied with our response, he or she may submit an appeal known as a Request for Reconsideration within 90 days in accordance with the administrative mechanism described in our Guidelines. The executive panel is comprised of the Science Advisor/Assistant Administrator (AA) for the Office of Research and Development (ORD), Chief Information Officer/AA for OEI, and the Economics Advisor/Associate Administrator for the Office of Policy, Economics and Innovation (OPEI.). The 3-member executive panel is chaired by the Chief Information Officer/AA for OEI. If the subject of the RFR originated from a panel member's office, that panel member would be replaced by an alternate AA or Regional Administrator. This panel assesses the RFR and issues a decision.

EPA's process for responding to Requests for Correction allows for a robust, careful and thorough consideration of each Request for Correction or Reconsideration. In response to requests for correction and reconsideration, EPA has taken actions to improve

the quality and transparency of the challenged information. Examples of corrective actions EPA has committed to undertake include the following:

- *Challenge to the oral reference dose for Barium derived in the Barium and Compounds Substance File in the EPA Integrated Risk Information System (IRIS):* In response to a Request for Correction, Request for Reconsideration, and related correspondence from a requestor, the Toxicological Review and IRIS Summary for Barium and Compounds was revised to include a more explicit and transparent analysis of data from animal studies. As part of the response, EPA commissioned an independent external peer review to evaluate matters raised by the requestor and Agency scientists. This revision led to a change of the reference dose that EPA relies upon and disseminates on our IRIS web page.
- *Challenge regarding the transparency of information in an EPA stormwater runoff fact sheet:* In response to concerns raised by the requestor, EPA revised statements made in the fact sheet and also added improved end-notes referencing the sources of information supporting the information disseminated.
- *Challenge regarding the "2002 Latest Findings on National Air Quality" on the EPA Web page*: The requestor wanted information corrected in the 2002 Air Trends Web page due to concerns that the language lacked adequate specificity and was overly general. EPA determined the information was of appropriate detail for its intended use and noted in the response to requestor that the document was designed for the general public so that they may read about and understand air quality trends across the U.S. EPA did however provide some clarifying changes to the EPA Air Trends Web page and agreed to consider the

requestor's comments in the development of future issues of the Air Trends booklet.

These are just some of the examples of the types of requests we have received and ensuing actions taken by the Agency. I think these examples demonstrate our diligence in reviewing our requests and our ability to take important actions when deemed necessary and appropriate.

EPA seeks to foster the continuous improvement of existing information quality activities and programs while ensuring full and appropriate implementation of the IQA. In doing so, we are learning from the requests for correction received and taking proactive steps to ensure that information disseminated to the public is consistent with the provisions of the OMB and EPA Guidelines for information objectivity, utility and integrity.

Thank you for the opportunity to testify. I would be happy to answer any other questions you may have.