Letter to the Editor of JAMA in response to the Commentary article by Linda Rosenstock, MD, MPH, titled “Protecting Special Interests in the Name of ‘Good Science’”, in the May 24, 2006, issue of JAMA

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To the Editor:

Rosenstock's "Commentary" on the Data Quality Act ("DQA") in the May 24 issue contains, ironically, major inaccuracies and distortions, together with inappropriate innuendo. The Commentary discussing the Data Quality Act (DQA) by Dr. Rosenstock contains what I believe to be significant inaccuracies. The Commentary—Rosenstock depicts the DQA as primarily a weapon for industry to silence and politicize science. But however, the DQA is entirely neutral in its terms and can be used by any "affected person", including Rosenstock, who believes information disseminated by Federal agencies is to be inaccurate, biased, or lacks utility. The DQA has been used by Numerous diverse
non-industry entities have taken advantage of the DQA, including environmental groups, State and local governments, Members of Congress, and private individuals. [AU: Please support the preceding with references.] Contrary to the commentary, DQA petitions are reported on agency websites at the direction of OMB. [AU: Please clarify where in the commentary the opposite is conveyed.]

A central assertion by Rosenstock asserts that the DQA was covertly inserted into an appropriations bill by a single member of Congress without any hearing or debate. This is pure fiction inaccurate. The DQA plainly and simply implemented the information dissemination provisions of the Paperwork Reduction Act of 1995 ("PRA") by directing OMB to follow specific PRA mandates within a definite time.\(^1\) The PRA provisions implemented by the DQA were the subject of numerous hearings, reports, and debate beginning as early as 1989. [AU: Please give the specific number of hearings, reports, and debates.] And the DQA itself was preceded by Congressional report language, hearings, and public communications between Congress and OMB.\(^2\) The DQA was enacted in 2000 only after OMB had resisted implementing the 1995 PRA mandates. [AU: Please provide a reference documenting OMB resistance to the mandates, or remove the preceding.]

Rosenstock is particularly critical of the CRE petitions by the Center for Regulatory Effectiveness concerning atrazine, but again her facts are. However, the information that she conveys is inaccurate. The scientific evidence of potential endocrine disruption in frogs by atrazine was determined by EPA's independent external peer reviewer is to be too unreliable to support causal conclusions or risk assessment, as determined by EPA's independent external peer reviewers.\(^3\) Contrary to Rosenstock, the European Union is not phasing out atrazine due to
evidence of endocrine disruption, but rather under its policy of restricting any pesticide found in
groundwater above 0.1 ppb. Moreover, atrazine has not been classified as a "possible human
carcinogen" by IARC the International Agency for Research on Cancer. To the contrary,
Monograph 73 (1999) concluded that atrazine was "not classifiable" as to human carcinogenicity,
and that there was "strong evidence" that the animal evidence was not relevant to humans. [AU:
the preceding must be a reference, and page number given for the quotations.] The CRE
Center for Regulatory Effectiveness petitions were based on the need to correct inaccuracies on
such points.

I believe that Rosenstock’s assertions that the DQA is being used to "invent" or "foster"
scientific uncertainty and delay regulations and release of valid scientific information are
unsupported, and her characterizations of the comments from the scientific community on
the OMB guidance are distorted not reflected the public statements of 3 presidents of the
National Academies.5

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1. Rosenstock L. Protecting special interests in the name of "good science". JAMA.
The Office of the Law Revision Counsel has placed the DQA in the United States Code only as a note to one provision of the PRA that required OMB to issue data quality guidance. 44 U.S.C. § 3516, note. The citation in the Rosenstock commentary is incomplete and inaccurate.


See, e.g., the April 15, 2004, public statement by the three Presidents of the National Academies complimenting OMB on its DQA peer review guidelines. Available at: