



August 13, 2001

Ms. Brooke Dickson
Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, DC 20503

Dear Ms. Dickson

I am writing to communicate the views of the Council of Graduate Schools (CGS) on the proposed guidelines for implementing Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (P.L. 106-554) published in the *Federal Register* on the June 28, 2001. Section 515 requires the Office of Management and Budget (OMB) to issue government-wide guidelines that “provide policy and procedural guidance to Federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) by Federal agencies.”

CGS represents 443 graduate schools at U.S. colleges and universities. We are concerned about funding for research and student financial aid policies. It is the former concern for federal research policy and funding that generates this response.

CGS believes the agencies should have the flexibility to develop mechanisms for assuring data quality and most have already done so. We applaud the proposed guidelines for encouraging that flexibility. However, there are certain provisions of the proposed guidelines that raise a number of issues that cause concern.

CGS also would like to be noted as supporting the comments submitted by the Association of American Universities (AAU) and the National Association of State Universities and Land Grant Colleges (NASULGC) submitted on August 10, 2001.

CGS is concerned that the proposed guidelines may cause delays or roadblocks to information dissemination. Allowing challenges to agency information releases based on a notion that the data are not “useful to all users” or that they are presented in an “unbiased manner” creates the opportunity for frivolous challenges based on ideology or policy disagreements, neither of which helps the cause of disseminating information to the public. What is “useful” to one person may be useless to another based on whether you agree or disagree with the information promulgated. Who decides whether there is “bias?” The PRA’s notion of “practical utility,” while not perfect, would be better here.

AFFILIATES

Conference
of Southern
Graduate Schools

Northeastern
Association
of Graduate Schools

Midwestern
Association
of Graduate Schools

Western
Association
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- 2) CGS is concerned that the guidelines attention to scientific research is too stringent, and may be unnecessary. CGS believes the peer or merit review process used by agencies conducting science provides sufficient safeguards to ensure the quality and integrity of the data. To require that information cannot be disseminated unless "the results are substantially reproducible upon independent analysis of the underlying data," diminishes the agency's ability to present to the public the knowledge it could use, in a timely way.

A major question is unanswered in the proposal policy. Who will do these "independent" analyses? Will they be subject to the same peer or merit reviews that the original scientific research received? To ensure quality means not just for the product, but also for the processes that produce the product. Peer review does this for scientific research. What will do it for the "independent" analysis?

CGS believes the whole section referring to scientific information needs rethinking, if not outright elimination before the requirements are published in final form.

- 3) Finally, the reporting requirements for the agencies, particularly the annual report detailing the number, nature and resolution of complaints received by the agency raises questions about how these reports will be interpreted. Will agencies be penalized for a large number of complaints even though it may simply reflect the controversial nature of the agency's agenda? The guidelines should suggest that number of complaints does not necessarily correlate with failure to comply.

Thank you for your time and attention. If you have any questions or need more information, please let me know. Please keep CGS informed of additional changes in policy that may be developed from the sum of these comments.

Sincerely,



Thomas J. Linney, Ph.D.
Vice President of Federal Relations