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Theodore O. Poehler
Vice Provost for Research

August 14, 2001

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

Subject Proposed Guidelines for Ensuring and Maximizing
the Quality, Objectivity, Utility and Integrity of Information
Disseminated By Federal Agencies. (66 FR 34489)

Dear Ms. Dickson:

The Johns Hopkins University is hereby responding to the Office of Management and Budget request for comment on the subject proposed guidelines, published in the Federal Register on June 28, 2001.

The Office of Management and Budget has requested that commenters address the following three specific questions. 1. Has OMB struck the appropriate balance between ensuring that the public can justifiably have confidence in the information that Federal agencies disseminate and that affected persons will have administrative mechanisms for identifying problems and having the agencies take corrective action? 2. Should the OMB guidelines devote particular attention to specific types of information or information dissemination products? 3. Should OMB develop specific guidelines to address information that Federal agencies disseminate from a web page?

We understand that these guidelines are directed toward agencies and not directly toward recipients of federal support. However, research universities generate much of the scientific information that is critical to federal agencies in the material they distribute. Under the proposed guidelines, some agency dissemination of scientific information arising from research conducted at universities has the potential to be treated in a manner that could affect the government-university research partnership by discouraging the sharing of qualified research information and thereby potentially denying the public and others the ultimate benefit of the information. With this comment letter, the Johns Hopkins University highlights areas of concern that may also be of concern to other



research universities, and urges OMB to consider our arguments for revising the guidance prior to final publication.

The Johns Hopkins University is America's largest research university, measured by the dollar value of research sponsored by the Federal Government.

As an overall comment, we applaud OMB's basic philosophy that the agencies should adopt common sense systems and procedures that minimize the burden of implementation by relying as much as possible on established agency procedures and processes.

With respect to the first question, concerning OMB's balance between the quality of information and the rights of redress, we are concerned that proposed guidelines do not define an "affected person." Consequently, we believe that there is unnecessary exposure to the risk that agencies or scientists who provide information to agencies may be victimized by unwarranted claims. We encourage OMB to define "affected person" in such a way that it would discourage harassment and unwarranted claims.

It is also the case that some scientific research information provided to agencies by universities and disseminated by agencies for research purposes is preliminary in nature, and may well be changed in the ongoing research process. We believe that the OMB guidelines should acknowledge that fact.

With respect to the second question, in which OMB asks whether the guidelines should devote particular attention to specific types of information, we believe that information provided to agencies by research scientists does require a different treatment than information generated by the agency itself.

The scientific community traditionally and effectively employs objectivity, reproducibility, the clarity of presentation and integrity of data as standards by which the community judges itself. Many research-supporting agencies currently rely on the peer review process for the consideration of projects to fund and to renew. There is intensive peer review competition prior to agency funding of research projects and scrutiny of ongoing projects prior to renewal. The same standards are applied ultimately in the assessment of programmatic productivity. Journals are strengthening their review prior to publication to assure that only the best projects with the most promising research results are disseminated. This peer review process sets the highest standards for quality, objectivity, utility and integrity. The most effective way for agencies to implement the statute is to recognize and adopt these traditional scientific standards as the exclusive basis for disseminating peer-reviewed information.

OMB should direct that all federal agencies involved in the dissemination of scientific information generated by research universities accept the peer review process as equivalent to or prior validation of quality standards.

The proposed guidelines, at V.B.ii.a, require that scientific research information must be substantially reproducible upon independent analysis of the underlying data. Unless the agencies rely on the existing peer review process, validation of reproducibility could be an expensive and time-consuming process for agencies. Under such a regime, there could be substantial delays in making information publicly available, and the cost of replication may direct funding away from further progress.

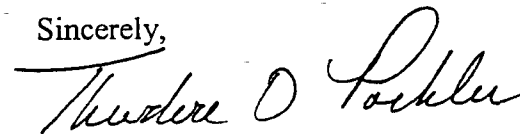
Additionally, in regard to the question of separate guidelines for scientific research information, we believe that the standards of quality, utility, objectivity and integrity as they relate to research data are of a different kind than those for other types of data disseminated by government agencies.

Finally, related to this question, we are concerned that as regards scientific research information the determination of utility and the selection of material to be disseminated not be delegated solely to the agency's chief information officer. In these matters, program managers who are familiar with the science must participate in these decisions.

With respect to the third question, the Johns Hopkins University does not have an opinion on the question of whether OMB should develop specific guidelines to address information that Federal agencies disseminate from a web page.

We appreciate the opportunity to comment on the proposed guidelines and hope that our comments will be viewed as helpful in supporting the continuation of a strong and positive relationship between the Federal Government and the university research community.

Sincerely,

A handwritten signature in black ink that reads "Theodore O. Poehler". The signature is written in a cursive style with a large, sweeping initial "T".

Theodore O. Poehler
Vice Provost for Research