



August 9, 2001

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

Dear Ms. Dickson

This letter is submitted in response to the Federal Register announcement of June 28, 2001, inviting comments on the "Proposed Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility and Integrity of Information Disseminated by Federal Agencies."

We are writing on behalf of Vanderbilt University, a research-intensive university that participates extensively in federally-funded research projects. Our federal research expenditures are approximately \$125 million annually. These projects produce reports and other information that is submitted to the sponsoring federal agencies, which in turn may disseminate it to the public.

Our fundamental concern about the proposed guidelines is that they could serve to facilitate bad-faith challenges to objective, scientific information by parties who – for any reason, including political or philosophical differences – do not agree with the uses or interpretation of such information. This kind of challenge would trigger unwarranted and expensive delays in reproducing or re-evaluating the underlying data and would not well serve the public interest.

We recommend that the guidelines include some form of caveat against bad-faith or frivolous challenges by affected persons, perhaps limiting challenges to instances where the affected person could adequately demonstrate that the data may be flawed. We also note that the proposed guidelines do not define or clarify the term "affected persons" who would be allowed to seek and obtain correction of information.

Further, the proposed guidelines would unnecessarily disrupt the normal rigorous process of scientific inquiry and validation. The existing controls and standards in the scientific community for the integrity of information (e.g., peer review of grant applications, professional codes of ethics, joint authorship on most reports and articles, editorial boards for publications, as well as the oversight by federal agencies prior to public dissemination) are well-established and provide sufficient mechanisms for accomplishing the goals of the proposed guidelines.

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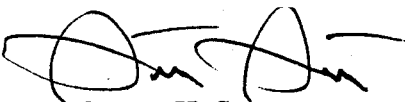
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The Federal Register notice requested comments on the question of whether the OMB guidelines should devote particular attention to specific types of information. The proposed guidelines include, in the definitions section, specific reference to scientific research information (Section V.B.ii.a.), where it states that "the results must be substantially reproducible upon independent analysis of the underlying data." We would ask that further clarification be inserted to indicate that it is not the scientific research itself that would need to be reproduced, but rather the analysis of the data.

Better still would be a provision in the scope of these guidelines with respect to scientific research information, limiting it to "research data relating to published research findings produced under an award that were used by the Federal Government in developing an agency action that has the force of law." (cf. OMB Circular A-110 \_\_.36 (d))

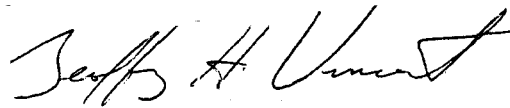
Thank you for the opportunity to submit these comments. We would be pleased to hear from you if you need further elaboration on any of the above points.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven H. Smartt". The signature is stylized with large loops and a long horizontal stroke at the end.

Steven H. Smartt

Director, Sponsored Research

A handwritten signature in black ink, appearing to read "Geoffrey H. Vincent". The signature is written in a cursive style with a prominent "G" and "V".

Geoffrey H. Vincent

Director, Federal Relations