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

**Re: Proposed Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies**

Dear Ms. Dickson:

The Federal Register of Thursday, June 28, 2001, published OMB's response to the statutory requirements of Public Law 106-554, Section 515 as proposed Guidelines, cited above. The focus of Section 515 is on the Federal Government's information dissemination activities. As a major recipient of federal research and training funds, the University of Chicago is concerned with the potential impact these Guidelines could have on the creation, dissemination and access to university-created research data and results, particularly when the research outcomes are further disseminated directly by government agencies.

The actual influence of the Guidelines on university-conducted research is not clearly evident from the document. The underlying principles described by OMB seem to advise the agencies to use existing agency responsibility to assure information quality but further direct agencies to develop information resources management procedures. Clearly, objectivity and integrity, identified as important concepts in these Guidelines, undergird the conduct of all scientific research. Much of the discussion around which OMB has framed its proposed language is equivalent to the tradition of "peer review" in the conduct, evaluation and dissemination of scientific information. Agencies, which have employed peer review in the selection of funded projects, the evaluation of continuing work, and the assessment of productivity should be recognized by OMB as having already met the standards for quality information.

However, some academic research is shared with agencies by investigators in the course of their funded research, when it is still premature and often an indicator of promising results. We urge that OMB advise agencies to use appropriate disclaimers and qualifiers when such information is further disseminated to the public by the agency. Otherwise, we fear the mandate of the standards could have a chilling or dampening effect on dissemination of promising scientific research.

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Because we are unable to judge the consequences of nonexistent guidelines, we must warn about potential unintended consequences and urge OMB to assure that these do not occur. First, a proper balance must be maintained between accountability to the public for government-disseminated information, and disruption of government-funded research for reasons of bad faith or political disagreement with the nature of the research or its outcomes. Second, OMB should assure that the definitions of sources of disseminated information protect the intellectual property rights as well as the privacy/confidentiality rights of researchers and research participants. Third, we are concerned that the standard that disseminated information should be substantially reproducible by independent means may impose a substantial financial burden on agencies and the research community which will not be adequately compensated by a public benefit. While ultimately reproducibility is a standard which must judge scientific data, it needs to be balanced against the benefit of prompt dissemination of early results.

The question of "opinion" in disseminated information is problematic in the context of scientific research. Scientific data and outcomes that meet all the standards of quality, objectivity and integrity may still be subject to differences of opinion among reasonable people. Flexibility of interpretation and the normalcy of differences of opinion must make its way into agency guidelines. Further, the utility of the information for a peer group of scientists may be vastly different from the utility to a nonscientist.

Ultimately, the agencies' Guidelines will demonstrate how OMB's definitions will impact the academic community. We request that OMB avoid imposing additional burdens on the scientific community in the course of setting standards for and overseeing agency implementation of these requirements. For a more detailed discussion of the concerns of the research community, we request OMB consider the comments submitted by the Council on Governmental Relations.

We thank you for the opportunity to comment on the proposed Guidelines.

Very truly yours,

  
Mary Ellen Sheridan, Ph.D.