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The Honorable Darrell E. Issa
Chairman, House Committee on Oversight
and Government Reform

The Honorable James Lankford
Chairman, House Subcommittee on Technology,
Information Policy, Intergovernmental Relations,
and Procurement Reform

The Honorable Elijah Cummings
Ranking Mbr, House Committee on
Oversight and Government Reform

The Honorable Gerald E. Connolly
Ranking Mbr, House Subcommittee on Technology,
Information Policy, Intergovernmental Relations,
and Procurement Reform

Dear Chairman Issa and Chairman Lankford, Ranking Members Cummings and Connolly:

On behalf of the American Association for the Advancement of Science (AAAS), we are writing to express our concerns surrounding the Grant Reform and New Transparency Act of 2011 (H.R. 3433). For more than 150 years, we have been actively supporting the peer-review process and the research enterprise as a whole, and it is with this perspective that we write to you today. AAAS is the world's largest general scientific society and publisher of the premier journal, *Science*.

The overall principle of the GRANT Act—to provide greater transparency through standardization and access to information—is laudable. However, we are concerned that the Act, as currently written, would result in unintended consequences that could hurt the scientific research enterprise and our nation's innovative capacity.

We are especially concerned with the requirements to make publicly available a copy of each full research proposal, application or plan. AAAS believes that such information should be considered much in the same way that we view research manuscripts sent to *Science* for publication. Research proposals, applications or plans should be considered privileged communication between the institution or private investigator and the funding agency, and must be treated as confidential documents. In fact, at *Science* we ask that all peer reviewers destroy copies of manuscripts after review in order to respect the intellectual property of the researcher(s). This also extends to the personal or professional use of any data that may be included in a research proposal. This is the current practice in federal agencies, such as the National Institutes of Health and the National Science Foundation; it is done to preserve confidentiality and protect intellectual property. Furthermore, it is embraced at the state government level; although states are governed by sunshine laws, they still regard full proposals as proprietary and post only abstracts of proposals and final reports.

We are also concerned about the requirement to provide information about the peer reviewers themselves. Even with the amended language allowing for unique identifiers, we believe such a policy could create a negative backlash and impede the peer-review process. Peer reviewers are typically volunteers who commit their expertise and time to support the advancement of scientific research, and they expect to be anonymous to the grant applicant. Such anonymity fosters full candor, and we fear that its loss will be a disincentive for potential reviewers. Again, to cite an example from our journal, *Science*, it is our policy that reviews be conducted anonymously, and we never reveal the identity of reviewers to authors or anyone else. In addition, while the review itself is shared **only** with the author, it is never publicly posted, to respect the privacy of the reviewer and the intellectual property of the author, since those reviews frequently comment in some detail on the investigator's proposal. We realize there are journals that engage in a more open review process, but that is far from the norm in scientific publishing, and there is evidence that this approach leads to a decline in the willingness of people to serve as reviewers (Elizabeth Walsh, Maeve Rooney, Louis Appleby, Greg Wilkinson (2000). "Open peer review: a randomised controlled trial". *The British Journal of Psychiatry* 176 (1): 47-51).

Finally, we encourage the Members of the Committee to weigh carefully the added financial burden that would inevitably fall to the federal agencies that must implement the bill's requirements. The federal government and Congress are currently looking to reduce discretionary spending, and we urge caution before creating any additional unfunded mandates that will affect agencies or institutions that conduct research.

AAAS stands ready to assist you in any way we can.

Sincerely,



Alan I. Leshner