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To: OMB_peer_review@omb.eop.gov
cc: Karlglasener@cs.com
Subject: Comments on OMB Revised Bulletin on Peer Review

May 28, 2004

Dear Dr. Schwab:

Embedded in the text of this electronic message (scroll down) and attached as a MS Word document please find the comments drafted by and submitted on behalf of the American Society of Agronomy, Crop Science Society of America, and Soil Science Society of America (ASA/CSSA/SSSA) in response to the Office of Management and Budget's (OMB) Revised Bulletin on Peer Review. We appreciate the opportunity to assist OMB to enhance the quality and credibility of scientific information that is disseminated to the public. Should you have any questions or require additional information please do not hesitate to contact me.

Thank you for your consideration.

Sincerely,

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- OMB Bulletin Comments Karl Glasener.doc



OMB Bulletin
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The American Society of Agronomy, Crop Science Society of America, and Soil Science Society of America (ASA/CSSA/SSSA) applaud OMB for significantly improving upon the original draft of the Bulletin on Peer Review. Our scientists have spent some time reading and reviewing the document above as OMB requested. It is clear that OMB spent a substantial amount of time in preparing the document and that many of the comments submitted by the scientific community were incorporated into this revised bulletin. Overall, ASA/CSSA/SSSA like the formal requirement of peer review spelled out as it is presented. Given that various government agencies use a wide range of methods for peer review and requirements for peer review, this document would seem to formalize and standardize it.

The Information Quality Law, which is the motivating force for these Peer Review Guidelines, is a controversial and problematic piece of legislation. Many scientists were concerned that the intention of the Law was to allow regulated industries to delay and derail regulations that the current administration does not favor and that University researchers were being deliberately excluded from the process. The revised Guidelines appear to address the two most egregious flaws of the first draft:

1. As originally designed, the peer review guidelines were highly flawed in that they allowed industry scientists to review agency science while limiting participation of agency-funded experts, i.e. University researchers (ASA/CSSA/SSSA members!). The revised guidelines have corrected this major, major problem.

2. A second point important to ASA/CSSA/SSSA members is that the revised guidelines clarify that they do not cover information products that do not represent the official view of a department or agency. So, basic research carried out with NSF or USDA NRICGP funding would not be covered by these guidelines.

The authors of the document have done a very good job of preparing a document with some excellent rules and guidelines where peer review is necessary and also where some latitude in this requirement is needed. In general, the definitions of when a review is necessary and exclusions for when it is not, are fairly well spelled out. In the opinion of the of American Society of Agronomy, Crop Science Society of America, and Soil Science Society of America it is imperative that agencies have some latitude in this requirement and the document appears to allow that. Specifically ASA/CSSA/SSSA see a value in recommending or collecting the names of potential reviewers that the Department of Agriculture or other agencies that affect the various industries, the agricultural industry for example, could tap into when necessary. This approach would be similar to what the American Society of Mechanical Engineers does for the Department of Energy (as noted on page 16 of the document). This type of approach would ensure that experts in the various fields and from the corresponding scientific societies would have a loud and clear voice in these types of peer review activities that affect science and policy.

Again, as stated earlier, in general the report is well written and it addresses the many issues related to peer review of scientific information. In this context, the bulletin avoids the use of "controversial" and instead uses "influential scientific information" as the term to describe some aspects of the review process. The main problem is that this is a subjective term and, depending upon the individual, an issue that is controversial to one person may not be to another person. The subjective matter of this issue needs to be addressed. Furthermore, who determines what is "influential scientific information"? Is this determined by the "administrator" of the office of Information and Regulatory Affairs in the OMB? Again, the document covers "influential scientific information," which it defines but may not always be clear. We are not sure how to specify it more precisely, but agencies could avoid this process if they deemed reports/results non-influential.

Continuing the discussion of "influential scientific information", ASA/CSSA/SSSA feel that the guidelines contained within this bulletin pertain to the review of "influential scientific information" before dissemination to the public. The definition of "influential scientific information" applies to scientific information that will or does have an impact on public policy or private sector decisions (Definition 4). This bulletin nor the process described does not apply to the peer review process in use by scientific societies to

determine the quality of review and peer review for agency purposes can adopt a number of styles that are often used by scientific societies. The peer review process being proposed is not the sole criterion for the dissemination of information and considerable latitude is left to individual agencies in developing a process for peer review and this process can be modified over time.

One of the interesting features of this proposal is that agencies would be required to post on their websites all planned and ongoing “influential scientific information” peer reviews and the process for obtaining peer reviews. These plans are subject to public comment. The bulletin is very elaborate in detailing adequate peer review processes and makeup of the peer reviewers and potential alternatives through interactions with the National Academy of Science.

The positive aspect of this process is potential increase in the documentation of the science-base for many public policy decisions pertaining to regulatory actions. Agencies would be required to certify how peer review was used as part of a regulatory action based on influential or highly influential scientific information.

This bulletin has the potential underpinning of the quality of the peer review in scientific societies and this may increase the potential utilization and acknowledgement of the role of scientific information and the synthesis of scientific information into public policy and regulatory actions. Scientific societies need to be aware of this process and not alter their individual process but be aware of the increased potential for interactions with public policy areas through the recommendations for peer reviewers and scientific input into policy.

The main impact of this bulletin is on Federal employees. For example, what happens when a Federal Employee, e.g., soil scientist, writes in a peer reviewed journal that the level of C sequestered by the soil is less than previously reported? Is this employee expressing his views or those of his agency, e.g., USDA-ARS. Is a disclaimer needed?

Peer review often results in varied opinions regarding the value of the product. Reviewers rate proposals (excellent, good, fair, poor) or manuscripts (acceptable as is; acceptable with revisions; unacceptable), and then justify these assessments with written comment. The document does not provide guidelines as to how peer reviewers should judge the products they review; and how these judgments should be used by the agency soliciting the input. Some input on this aspect of the peer-review process could be helpful. Another area that is not mentioned is the process of revision. What are the options for the agency if peer reviewers feel that the product is substandard? What is the revision process likely to entail? Should it be re-reviewed if the suggested changes are substantial? How is this decision made and by whom? If a product fails to pass peer review, what are the options for the originator of the product? Can the deficiencies be corrected, and the product re-reviewed? If so, are the same reviewers used? If the product owners do not agree with the decision to reject a product, to whom do they appeal? With a manuscript, a decision by an decision editor to reject a submission may be appealed to the editor or editor-in-chief, serving as a checks/balances system on fairness. Finally, should confidentiality of

product content be discussed? It is important that information contained in manuscripts/proposals not be released by peer reviewers, nor used to their advantage (hard to stop this).

SPECIFIC COMMENTS

Several sections are vague regarding choices and decisions. Specific comments are provided below.

1. Page 3, line 5: Add “the aptness of the objectives” to the list.
2. Page 3, line 24: Add “or objectives” after “hypotheses”.
3. Page 10, line 10: Who makes the decision regarding the intensity of the review and the significance of the information being disseminated?
4. Page 14, line 1: Why are reviewers not asked to provide advice on policy? What if the policy is not based on scientific evidence or is a political expediency? These statements in the document beg the question, what is the real purpose of the review?
5. On page 14 inviting reviewers with competing views on the science is described as leading to a sharper, more focused peer review. This may be true in some cases, but only if the person with the competing views is an established, published, and credible scientist. There is no doubt that scientists can have different view of the same data, but all must be credible. There are many “scientists” who are not credible (lack of publications, not cited in the literature, funded by organizations with questionable funding) that often offer up competing views that the media grabs a hold of. These are not the types of reviewers that should be sought out, and some additional language about being a credible scientist might be included.
6. On pages 18 and 19 where disclosure of reviewer information is discussed, we suggest that the reviewers be asked to sign a waiver on the confidentiality of their reviews. The agency requesting the reviews should make it clear before the review process begins whether the comments or the reviewers’ identity will be revealed. Divulging this information without the reviewers’ permission is unscrupulous.
7. On page 19 the disposition of reviewer comments is discussed. It is stated that all comments should be given reasonable consideration and be incorporated where relevant and valid. This is a critical point and it really should be elaborated on. An agency could indicate that any comment it doesn’t like is not relevant or valid. We would suggest some further language about what “reasonable consideration” is and how to determine if a comment is relevant and valid. We are not sure what this should be, but some thought should be given to make this more explicit. Otherwise, an agency has an easy out for any comment it doesn’t want to address.
8. Page 21, line 3: Just considering barring participation by scientists with a conflict of interest it too weak. Anyone with a conflict of interest should be barred without question.

Again, the American Society of Agronomy, Crop Science Society of America, and Soil Science Society of America appreciate the opportunity to assist OMB to develop a more scientifically sound basis for enhancing the quality and credibility of scientific information that is disseminated to the public. Should you have any questions or require additional information please do not hesitate to contact us through out Director of Science Policy, Karl Glasener.