



February 24, 2015

The Honorable Lamar Smith
Chairman, House Science, Space, and
Technology Committee
U.S. House of Representatives
Washington, DC 20515

The Honorable Eddie Bernice Johnson
Ranking Member, House Science, Space,
and Technology Committee
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Smith and Ranking Member Johnson:

I am writing on behalf of the American Association for the Advancement of Science (AAAS) to once again express our concerns regarding the Secret Science Reform Act of 2015. We encourage you and your colleagues to take additional time to evaluate the unintended consequences of this bill before marking it up in committee.

The research community is concerned about how some of the key terms in the bill could be interpreted or misinterpreted, especially terms such as “materials,” “data,” and “reproducible.” Would the Environmental Protection Agency (EPA) be excluded from utilizing research that involved physical specimens or biological materials that are not easily accessible? How would the agency address research that combines both public and private data?

With respect to reproducibility of research, some scientific research, especially in areas of public health, involves longitudinal studies that are so large and of great duration that they could not realistically be reproduced. Rather these studies are replicated, utilizing statistical modeling. The same may be true for scientific data from a one-time event (e.g., Deepwater Horizon Gulf oil spill) where the data are being gathered in real time. We could foresee a situation whereby the EPA would be constrained from making a proposal or even disseminating public information in a timely fashion.

Finally, the legislation could impose additional uncompensated burdens of cost and effort on those recipients of federal research grants where the research results are expected to be “relied on to support a covered action.” The bill is not clear on whether it is the EPA’s or the research institution’s responsibility to cover the costs associated with sharing and archiving this information.

The America COMPETES Reauthorization Act of 2010 required that the Office of Science and Technology Policy (OSTP) work with federal agencies to establish access to data policies that relate “to the dissemination and long-term stewardship of the results of unclassified research, including digital data and peer-reviewed scholarly publications.” Agencies are beginning to issue their data access policies, and given the complexities associated with access to research data as outlined above we suggest that Congress wait to review the agency policies before imposing new statutory requirements via legislation such as the Secret Science Reform Act.



A similar letter (attached) was endorsed last year by 43 scientific societies, universities, and higher education associations. AAAS stands ready to work with you.

Sincerely,

Geraldine Richmond
AAAS President

Presidential Chair in Science and Professor of Chemistry
University of Oregon