



Coalition for National Science Funding

February 15, 2012

Dear Representative:

We write in opposition to the Grant Reform and New Transparency (GRANT) Act of 2011 (H.R. 3433) because as written this bill could have unintended adverse effects on the continued development of the scientific and engineering research enterprise and compromise the U.S. innovation system.

We are concerned about the provision in the GRANT Act that would require the posting of a complete copy of a funded grant proposal to a new government-wide website. Granting agencies, such as the National Science Foundation (NSF), receive proposals in confidence and protect the often proprietary nature of their contents. Reviewers are obligated to maintain the confidentiality of the proposal being reviewed and the review itself. Requiring a complete copy of a funded grant proposal to be available on a public website would seriously limit the ability of grant recipients to reap benefits from their own research. A proposal can contain intellectual property of the researcher and the institution that employs the researcher. The ideas and directions of research outlined are, in most cases, based on years of work. These ideas can also be the basis for other research performed by the proposer, including research that may not be funded by the federal government.

The recently passed America Invents Act (P.L. 112-29) has changed the patent process from a first-to-invent basis to a first inventor-to-file basis, which rewards the first person to file for a patent instead of the first person to think of the idea behind the patent. Posting grant applications will jeopardize researchers' patent opportunities thereby reducing incentives for technology transfer. Additionally, the public posting of U.S. researchers' ideas would enable competitors (including foreign scientists and industries) to steal cutting-edge American intellectual property – eroding our ability to stay at the forefront in critical scientific and engineering fields and of commercial production.

Instead of mandating the posting of funded grant proposals to a government website, we recommend that agencies require the posting of abstracts of funded proposals to the website. This would protect intellectual property while providing useful information about the research to taxpayers. In the case of a Freedom of Information Act (FOIA) request of a proposal, agencies should be required to contact the researcher and her/his institution to allow for appropriate

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redacting of proprietary and other legitimately confidential information before making a copy of the funded grant proposal available. This practice has been employed by NSF and other agencies in the past.

We also oppose disclosure of peer reviewers, either by name or unique identifier. As written, the provision would allow identification of peer reviewers at the individual grant level in areas of research in which there are small numbers of scientists and engineers. An important characteristic of the current peer-review process is the anonymity of the reviewers. This process has helped to foster many seminal discoveries throughout all science, engineering, and mathematics disciplines and has contributed to the development of a significant cadre of first-rate researchers in all disciplines. The success of the peer-review process depends on the willingness of qualified reviewers to be candid and critical as needed in the evaluation of research proposals and, in fact, without the anonymity provided in the current process, many researchers would not be willing to review proposals.

Increased accountability and transparency are worthy goals, and we believe the federal science and engineering research grants process is currently very accountable and transparent, while also encouraging the best in our country to participate. H.R. 3433 would disrupt this balance and ultimately be detrimental to the U.S. science and engineering research enterprise. Thank you for considering our concerns.

Sincerely,

American Association for the Advancement of Science
American Association of Anatomists
American Association of Physics Teachers
American Astronomical Society
American Chemical Society
American Educational Research Association
American Geophysical Union
American Geosciences Institute
American Institute of Biological Sciences
American Institute of Physics
American Mathematical Society
American Physiological Society
American Society for Biochemistry and Molecular Biology
American Society for Engineering Education
American Society for Microbiology
American Society for Nutrition
American Society for Pharmacology & Experimental Therapeutics

American Society of Agronomy
American Society of Plant Biologists
American Sociological Association
American Statistical Association
ASME
Association for Psychological Science
Association for the Science of Limnology and Oceanography
Association of American Geographers
Association of American Medical Colleges
Association of Environmental & Engineering Geologists
Association of Population Centers
Biophysical Society
Columbia University
Computing Research Association
Consortium for Ocean Leadership
Consortium of Social Science Associations
Consortium of Universities for the Advancement of Hydrologic Science
Cornell University
Crop Science Society of America
Ecological Society of America
Federation of American Societies for Experimental Biology
Federation of Associations in Behavioral and Brain Sciences
Geological Society of America
IEEE-USA
Indiana University
Kent State University
Linguistics Society of America
Materials Research Society
Mathematical Association of America
Medical College of Wisconsin
Michigan State University
National Association of Marine Laboratories
National Ecological Observatory Network
National Postdoctoral Association
New York Medical College
North Carolina State University
Oregon State University
Penn State University
Population Association of America
Rensselaer Polytechnic Institute

Society for Industrial and Applied Mathematics
Society for Pediatric Research
Soil Science Society of America
SPIE, the International Society for Optics and Photonics
State University of New York
Stevens Institute of Technology
The American Association of Immunologists
The Ohio State University
The Optical Society
The Ornithological Council
University of California System
University of California, Berkeley
University of California, Davis
University of California, Irvine
University of California, Los Angeles
University of California, Merced
University of California, Riverside
University of California, San Diego
University of California, San Francisco
University of California, Santa Barbara
University of California, Santa Cruz
University of Delaware
University of North Carolina at Chapel Hill
University of Oregon
University of Wisconsin-Madison
Wayne State University
Woods Hole Oceanographic Institution