



August 14, 2023

VIA Email: public-access@nist.gov

Katherine Sharpless
National Institute of Standards and Technology
100 Bureau Drive, Stop 4701
Gaithersburg, MD 20899-4701

ATT: APLU's Response to the *National Institute of Standards and Technology Plan for Providing Public Access to the Results of Federally Funded Research*

Dear Dr. Sharpless,

The Association of Public and Land-grant Universities (APLU) appreciates the opportunity to provide comments to inform NIST's *Plan for Providing Public Access to the Results of Federally Funded Research*. APLU is a research, policy, and advocacy organization dedicated to strengthening and advancing the work of public universities. With a membership of more than 250 public research universities, land-grant institutions, state university systems, and affiliated organizations, APLU's agenda is built on the three pillars of increasing degree completion and academic success, advancing scientific research, and expanding engagement. Annually, our U.S. member campuses enroll 4.2 million undergraduates and 1.2 million graduate students, award 1.2 million degrees, employ 1.1 million faculty and staff, and conduct \$48.7 billion in university-based research.

Public research universities are committed to sharing their research findings, whenever possible, with the public as this is essential to ensure rigorous science and to maximize the impact of scholarship. To assist our member institutions in developing responses to public access policies, APLU, with the Association of American Universities (AAU) and supported by grants from the National Science Foundation (NSF#1837847 and #1939279) as well as the National Institutes of Health, convened workshops engaging researchers, senior research officials, librarians, chief information officers, and advocacy groups on advancing public access to research data and publications. These collaborative dialogues played a pivotal role in shaping our responses to this RFI from NIST, as well as informing our input regarding public access strategies for NIH and NASA.

We appreciate that NIST, as a recognized leader in setting standards, has provided invaluable guidance to the academic community on how to create a system of support for sharing research data in their *Research Data Framework*. They have been critical partners as the community of institutions, federal agencies, disciplinary societies, and publishers have grappled with key

challenges in creating a robust and equitable system of public access to research. NIST's *Plan for Providing Public Access to the Results of Federally Funded Research* further demonstrates its commitment. APLU provides feedback below on NIST's *Plan*.

APLU supports NIST's harmonized definition of scientific data as defined by OSTP

APLU supports that NIST uses OSTP's definition of scientific data, which defined scientific data as that which underlies peer-reviewed scholarly publications resulting from federally funded research. This definition of data creates clarity for researchers and institutions in determining when and what data must be shared.

Appreciate flexibility in where and how to publish

APLU appreciates that NIST's *Plan* allows researchers to share peer-reviewed and author's accepted manuscripts and that the *Plan* allows for reasonable publication costs, including submission, curation, and management of data, to be included in the grant.

Recommend expanding access to NIST's Public Data Repository to all NIST-funded researchers

NIST could further support its extramurally-funded researchers by allowing them to deposit their data in NIST's Public Data Repository. In the *Plan*, it is unclear if extramural researchers will be able to use this resource, and the *Plan* would be strengthened by including this clarification. Being able to deposit research data in NIST's Public Data Repository would help reduce costs and would address many of the equity concerns related to publishing research data funded by NIST.

Recommend clarifying mechanisms to comply after the award period

NIST's *Plan* should address how institutions and investigators may share research outcomes that are finalized after the close-out of the award when funds are no longer available. The lack of funds could impede researchers from sharing their findings in peer-reviewed academic journals or repositories, leading to reduced visibility and the potential marginalization of researchers from emerging research institutions. To ensure equitable dissemination, we suggest NIST explore options to 1) permit pre-payment of publication expenses, 2) allow institutions to retain allocated publication funds post-award for these required dissemination activities, or 3) provide supplementary funding for publication costs.

Recommend clarifying what scientific data is required

Under the "Requirements" section on line 77, it is not clear what scientific data must be shared. The plan could be made more clear by adding "NIST will also promote that" to "Other federally funded scientific data that is not associated with peer-reviewed scholarly publications but is expected to be useful to interested parties is similarly shared." As it is currently written, it is not clear that this will be encouraged but not necessarily required.

Thank you for providing the opportunity for the community to respond to the *National Institute of Standards and Technology Plan for Providing Public Access to the Results of Federally Funded Research*.

Sincerely,

Kacy Redd

Kacy Redd
Associate Vice President, Research and STEM Education Policy at the Association of Public and Land-grant Universities