



This response to the “NIH Plan to Enhance Public Access to the Results of NIH-Supported Research” request for public input is submitted on behalf of the Open Research Funders Group. The Open Research Funders Group (ORFG) is a partnership of 25 philanthropic organizations committed to the open sharing of research outputs. We believe openness is better for philanthropy, better for research, and better for society. Open research accelerates the pace of discovery, reduces information-sharing gaps, encourages innovation, and promotes reproducibility. Collectively, the ORFG members hold assets in excess of \$250 billion, with total annual giving in the \$12 billion range. Members’ interests range the entirety of the disciplinary spectrum, including life sciences, physical sciences, social sciences, and the humanities. This response has been prepared by Greg Tananbaum and Dr. Erin McKiernan, Director and Community Manager (respectively) of the ORFG, in conjunction with representatives of the ORFG membership.

The Open Research Funders Group applauds both the substance of the NIH’s draft plan and the added step of making it available for public comment. From a process perspective, the NIH’s approach reinforces the federal government’s stated desire to co-develop practical public access strategies in a transparent and inclusive manner. The plan itself identifies practical mechanisms for the timely sharing of scholarly publications and research data. The draft plan wisely builds upon the lessons learned by NIH through both their long-term stewardship of PubMed Central and their recent rollout of the 2023 Data Management and Sharing Policy. In this regard, the plan articulates clear, easy-to-follow guidance for grantees.

The NIH has requested feedback on four specific areas, which the ORFG provides below. Our perspective is that this guidance should be considered by all federal agencies and departments as they draft plans to address the OSTP’s “Ensuring Free, Immediate, and Equitable Access to Federally Funded Research” memorandum at scale. Consistency across federal funding bodies with respect to best practices and standards will make it easier for (a) adjacent sectors (including private philanthropies and higher education institutions) to align their incentive structures to reinforce the key principles of the OSTP memo; and (b) funded researchers to understand and adhere to emerging research sharing norms and good practices.

- **Equity in Publication Opportunities.** The proposed NIH guidance promotes compliance via the archiving of articles in agency-designated repositories (PubMed Central, in the case of NIH). This guidance wisely balances the broad freedom that funded researchers enjoy in deciding where to publish their results with the taxpayers' interest in ensuring federal funds don't inadvertently exacerbate research ecosystem inequities. Paywalls limit access to knowledge, limit replication and reproducibility, and stifle civic engagement in science. Replacing paywalls with exorbitant open access article processing charges (APCs) would potentially trade one set of inequities for another, creating a two-tiered system in which authors outside of well-funded R1 institutions lack the financial wherewithal to publish in some prestigious, brand-name journals. A repository-mediated ("green") route to federal policy compliance, as NIH allows/supports through manuscript deposit in PubMed Central, is an effective way to reduce the impact on younger researchers, women, scholars at minority-serving institutions, and others who are more likely to be disadvantaged by an APC-dominant publishing system (see, for example, the AAAS survey "[Exploring the Hidden Impacts of Open Access Financing Mechanisms](#)"). Note that this input is also intended to address the "Monitoring Evolving Costs & Impacts" request for information proffered by NIH. We also encourage the NIH to explore strategies to support preprints as a mechanism for ensuring equitable, low-cost, and timely access to federally funded research.

Additionally, the NIH should consider providing funded researchers clear guidance on rights retention, building on guidance developed by other funder groups (e.g., [cOAlition S](#)) and the larger academic community. Expecting scientists to be experts not only in biomedicine, but also in the labyrinthine world of copyright law, presents an undue burden. The NIH should make it as easy as possible for grantees to retain sufficient rights to make copies of their papers available and reusable in PubMed Central. We appreciate NIH's inclusion of rights retention considerations in this RFI as a signal of this issue's centrality to a comprehensive public access strategy.

- **Equity in Access and Accessibility of Publications.** One area of potential improvement for the NIH's draft plan is with respect to reuse rights for shared research, which the OSTP guidance includes as an important consideration. While the draft plan does say, "NIH will continue to promote the broadest possible reuse of its supported articles", it does not include an open licensing requirement that would

codify and maximize reuse rights. This lack of specificity means researchers could potentially deposit both articles (and data) under a variety of licenses or conditions that could significantly restrict how these materials can be built upon by researchers and the broader community. A [CC BY license](#) or functional equivalent is the best way to enable text and data mining computational uses, and educational reuse.

Importantly, from an inclusivity standpoint, this form of licensing is the best way to ensure content accessibility via assistive devices. The ORFG also appreciates the NIH's expansive definition of "accessibility" to emphasize that a range of individuals and communities - including those needing assistive devices and community members not well-versed in scientific jargon - are not presently able to fully engage with federally funded research. We would be pleased to engage with the NIH to identify practical solutions to these limitations.

- **Increasing Findability and Transparency of Research.** The NIH should include specific, actionable guidance on persistent identifiers (PIDs) and metadata to its funded researchers. The ORFG encourages the NIH and other federal agencies to embrace de facto community standards where they exist. These include digital object identifiers (DOIs) for articles, datasets and data management plans, ORCIDs for authors, and RORs for institutions. In the interest of making policy compliance as easy as possible for individual researchers, the NIH should coordinate with other agencies and the National Science and Technology Council's (NSTC) Subcommittee on Open Science, to align on PID and metadata best practices. The ORFG would welcome the engagement of the NIH and other federal agencies in the community we have nurtured since fall 2022 [to improve research output tracking](#). This group is uniquely positioned - with its cross-sector expertise drawing from funders, higher education, technology providers, publishers, standards bodies, and international organizations - to provide such guidance on best practices.

The Open Research Funders Group wishes to again express our gratitude and support for the work of the NIH, the OSTP, and other federal agencies to advance a more open, equitable, and inclusive research ecosystem. We appreciate the opportunity to comment on this draft plan, and we are eager to assist in its eventual rollout.