



U.S. Repository Network

August 19, 2024

Lawrence A. Tabak
Principal Deputy Director
National Institutes of Health

Submitted via online [comment form](#)

Re: Docket Number: 2024-13373

Dear Dr. Tabak:

The U.S. Repository Network (USRN) is grateful for the opportunity to comment on the NIH request for information regarding the NIH plan to enhance public access to the research it funds. The USRN is an inclusive community committed to advancing repositories in the U.S. through advocacy, good practices, and community building. The organization is propelled by the community-driven strategic vision that an interoperable network of repositories is an essential component of our national research infrastructure, offering rapid and open access to research and plays a crucial role in collective efforts to transform global research communications, leading to a more open, inclusive, and equitable system.

Our comments align with the sections outlined on NIH's online portal: 1) Draft Public Access Policy; 2) Draft Guidance on Government Use License and Rights; and 3) Draft Guidance on Publication Costs.

1) Comments on the Draft Public Access Policy

The USRN unequivocally supports repository deposit as the primary compliance mechanism for NIH's Public Access Policy. NIH-funded investigators must recognize that they can achieve full compliance with the NIH Public Access Policy by depositing their author's accepted manuscripts into PubMed Central (PMC). This deposit remains free for authors, and any fees requested for submission to PMC (e.g., "article development charges" or similar) are not allowable costs. Ensuring authors do not encounter financial barriers such as publication costs to comply with the agency's new requirements will promote equity among NIH's grantees and make compliance more accessible for all researchers.

To further strengthen this aspect of NIH's draft policy, we encourage the agency to allow other

no-cost compliance options such as depositing in an institutional or subject repository.

Repositories are essential institutional tools that ensure access to and reuse of valuable research outputs. They support preservation, facilitate reproducibility of research, research assessment, and compliance workflows, afford new publishing opportunities, and increase individual and institutional visibility. By enabling rapid and open access to research outputs, repositories accelerate the pace of scholarship and the social impact of research for the public good.

Over the past few years, the U.S. Repository Network (USRN) has been working to increase the technical readiness of repositories, improve their ease of use, and increase interoperability, and facilitate the critical link between research articles and the data underlying their conclusions. To help educate the community, the USRN recently released a document outlining “[Desirable Characteristics of Digital Publication Repositories](#).”

We recognize that technical developments to fully support deposit in other repositories—not just PMC—are ongoing, and would welcome an opportunity to work with NIH to develop a pathway for identifying additional repositories for authors to deposit their manuscripts into.

We also strongly support the OSTP Memorandum’s explicitly-stated requirement that agencies should make articles immediately available in formats that enable machine-readability. This ensures that these articles are broadly accessible via assistive devices, and also that they are readily available for state of the art computational uses. We appreciate the NIH’s consistent use of standards that promote this, including the NISO 39.96-2015 JATS XML standard.

2) Draft Guidance on Government Use License and Rights

In our feedback on the draft policy, we recommended that NIH add specific language that states that the agency authorizes the public to reuse the research articles resulting from its funded research entirely. A clear statement of reuse will enable authors to distribute the outcomes of their federally funded research in any open-access repositories for greater dissemination and accessibility. Additionally, the research can be tested for reproducibility.

In addition to adding the recommended language to the policy itself, we recommend adding language in two additional places in the guidance to explicitly authorize the public to reuse publications. This will not only clarify the rights of the public but also empower authors to distribute their work more widely, thereby increasing the visibility and impact of their research.

It is crucial to include language explicitly permitting public reuse in these two areas as a critical aspect of policy implementation. This will help ensure that both the authors and users of the publications recognize that the public is free to reuse the work widely.

3) Draft Guidance on Publication Costs

It's important to note that as the costs of fee-based Open Access options, particularly article processing charges (APCs), [continue to rise](#), it becomes increasingly crucial for funding recipients to have clear guidance to make informed decisions. This will help avoid the inequity stemming from business models that require authors to pay for publication.

To foster a robust, inclusive, and fair research environment, we propose that NIH incorporate language that explicitly allows for coverage of publication costs for models that produce outputs with a broader impact than traditional journal articles. The current language restricts allowable costs to models based on APCs.

As previously mentioned, USRN fully supports repository deposit as the primary compliance method for NIH's Public Access Policy. We are apprehensive that compliance mechanisms reliant on APCs perpetuate and exacerbate disparities within the research communication system. For example, APCs are excessively costly for individuals and their institutions, and [studies](#) have demonstrated that APC expenses disproportionately affect younger researchers, female researchers, and less well-funded institutions. Additionally, APCs necessitate reallocating funds from the research process; researchers often must use funds initially intended for materials and equipment, support for postdocs, and professional development opportunities, such as presenting research findings at conferences. Streamlining compliance through efficient, accessible repository deposit mechanisms will offer a crucial avenue for reducing the reliance on such costly and unsustainable fees.

We thank NIH for centering equity in its planning process and for valuing our input by allowing us to submit these comments.

Sincerely,

Jennifer Beamer Ph.D.
Visiting Program Officer
U.S. Repository Network