



AMERICAN
PSYCHOLOGICAL
ASSOCIATION

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Lawrence A. Tabak, DDS, PhD
Acting Director, National Institutes of Health

Submitted electronically at <https://osp.od.nih.gov/nih-plan-to-enhance-public-access-to-the-results-of-nih-supported-research/>

RE: NIH Plan to Enhance Public Access to the Results of NIH-Supported Research (Notice Number NOT-OD-23-091)

Dear Dr. Tabak:

The American Psychological Association (APA) applauds NIH for its efforts to enhance public access to the results of the research the agency funds, and we appreciate the opportunity to respond to this request for information.

APA is a scientific and professional organization composed of more than 146,000 members, affiliates, and students. APA's mission is to promote the advancement, communication, and application of psychological science and knowledge to benefit society and improve lives. Among the organization's aims are to elevate the public's understanding of, regard for, and use of psychology and to prepare the discipline and profession of psychology for the future.

As a means of achieving these goals, APA has built a reputable publishing program. Through the program's output as a nonprofit society publisher, APA balances the needs of scholars, members, and the organization while seeking to apply psychology broadly in society. APA's publishing program is dedicated to producing high-quality, evidence-based content that informs the discipline of psychology; the program also publishes the journals of many other scholarly societies in psychology and related disciplines. APA creates publishing standards through its collaboration with the community the publishing program serves. APA's publishing program supports psychologist members and funds the work of the organization, which applies the scholarship of psychology to improve everyday life.

Given the APA publishing program's frequent publication of research funded by NIH, we have a number of recommendations regarding NIH's plan to enhance public access to the research NIH funding supports. Those recommendations include the following:

- Continue to protect researchers' freedom to publish where they choose to do so, without payment. As we said in our letter of April 17, 2020, in response to the request for information titled [Public Access to Peer-Reviewed Scholarly Publications, Data, and Code Resulting From Federally Funded Research](#), protecting researchers' freedom to publish without payment is imperative. Federal intervention that privileges a mandatory pay-to-publish model (e.g., gold open access) disadvantages researchers from historically excluded groups and those without access to funding, particularly early-career researchers and those from historically excluded groups.
- Ensure sufficient funding for research and discovery; for sharing both the elements necessary to validate and replicate the results of this research; and for metadata and infrastructure required to label, host, and link these elements.
- Protect against the misuse of research that is harmful to the public and to public trust in science.

Next, we offer comments on and questions regarding each of the topics identified in your request for information.

1. How to best ensure equity in publication opportunities for NIH-supported investigators.

We are glad to see that NIH is retaining the policy of allowing authors to choose where to publish. APA supports the academic freedom to publish in researchers' chosen venues without payment, because requiring payment to publish disadvantages underfunded researchers. Given this freedom to publish without payment, we wonder what "reasonable publishing costs" would be considered allowable in research budgets. NIH proposes to require that the peer-reviewed manuscript be made available without embargo, but the costs of managing peer review; providing additional author and reader services, such as the creation and preservation of a permanent record; and providing the infrastructure necessary to provide metadata, machine-readability, and interoperability are not delineated in the [Code of Federal Regulations](#) or in the [NIH Grants Policy Statement](#).

Because APA is a member organization, we are concerned about additional burdens for researchers, especially those who now expect to share data, code, and materials. We appreciate that NIH allows research funds to be allocated for data deposit and publication fees. Without a corresponding increase in allocated funds, though, this represents a transfer of funds away from research and discovery and could perpetuate known inequities. It is likely that researchers at well-funded institutions will be the ones paying article processing charges (APCs); moreover, researchers who pay APCs are likely to be White men at advanced stages in their careers (Olejniczak & Wilson, 2020).

Assessing the costs of publication is difficult. NIH's proposed plan seems to imply that the burdens of reporting and tracking these costs will fall on publishers and NIH, respectively.

Evolving infrastructure requirements and changes arising from new policies might encourage more publishers to move toward pay-to-publish or read-and-publish open access models. In addition, pressure to lower publication costs could compromise quality and standards, thereby undermining public trust. One example of a potential threat to trust in science is articles being published after going through fraudulent peer review. This threat is arguably looming: Hindawi [recently retracted](#) more than 500 articles because of fraudulent peer review; IOP Publishing, approximately 500 articles; and PLOS, 100 articles (Kincaid, 2022).

2. Steps for improving equity in access and accessibility of publications.

We applaud NIH's steps to improve accessibility; we share the agency's commitment to equity in access to publications by diverse communities of users.

Public access policies should protect researchers' freedom to choose the licenses that are appropriate for their specific works.

We are concerned about the protection of research outputs from misuse that could harm the public and damage trust in science. The request for information promises that, for articles with permissive licenses, NIH will "continue to promote the broadest possible reuse of its supported articles, while limiting inappropriate uses, such as redistribution of PMC content for sale" (Section III.C.2). How will NIH limit reuse of material shared under permissive licenses (e.g., CC BY)? Will use limitations extend to artificial intelligence products like ChatGPT or applications that purport to offer medical or mental health advice but inappropriately cull that advice from research articles? We are concerned that clinical data and research conclusions provided out of context in a diagnostic setting by unqualified practitioners could produce negative and harmful results.

How will reuse in service of misinformation and/or misappropriation be prevented?

We also note that the plan specifies that machine-readable text will be provided by publishers, but the costs of providing such text are not accounted for in the proposed plan. As we detail next, APA distributes metadata to facilitate the linking and interoperability of research artifacts, but the existing infrastructure that enables this distribution relies on funding from larger publishers.

3. Methods for monitoring evolving costs and impacts on affected communities.

We share and commend NIH's commitment to equity in fees, policies, and publication opportunities. APA is committed to promoting diversity and to advancing equity and inclusion. To eliminate structural barriers and scientific practices that have prevented the full participation of those who are societally marginalized and historically underrepresented in the field of psychology, APA focuses on finding ways to encourage and enable representation, fair treatment, access, opportunity, and advancement.

In reference to the NIH plan, we call attention to the importance of defining how equity will be determined. What inequities will NIH identify and what steps will NIH consider to remedy them? For example, will NIH be assessing outcomes such as who publishes where and who accesses publicly available material? Among the equity concerns we have are the consequences of increasing the number of open access articles being published and attracting both readers and citations. Will publishers be asked to report statistics on these metrics?

Allowing researchers to choose where they publish means that equity will be assessed across multiple publishing models. Will NIH look at models in which publication fees are reapplied to transformative agreements (e.g., read-and-publish agreements wherein journal subscription fees are reallocated for open access publishing)? We note also that society publishers who move to open access models may lose revenues that would have funded other scientific activities.

And, finally, as a member organization, we note that it is important for researchers to have clear expectations as they navigate NIH's revised plan. Will there be limits on publication fees? How many publications may be paid for under one grant? Can the funds to cover publication costs be requested from the agency that awarded the grant after the grant is no longer active? Practices differ among scientific communities, and psychological science is an especially diverse discipline whose practitioners range from researchers doing basic experimental and observational studies to therapists engaging in clinical interventions.

4. Early input on considerations to increase findability and transparency of research.

We support this first step in developing an updated plan for persistent identifiers and metadata. APA already recommends linking practices through our publishing program's journals and through [APA Style](#) and uses identifiers such as researcher IDs, grant numbers, data set IDs, article DOIs, and institution IDs. In our publishing program, we consider the linking and interoperability of these research artifacts to be important, and we distribute metadata to facilitate these connections. Managing metadata standards and interoperability is difficult, however, and requires resources that are not available to all institutions and publishers. Has NIH analyzed these difficulties alongside potential compliance costs to researchers, publishers, and the agency? Existing infrastructure relies on funding from large publishers, and developing new standards and approaches will be expensive.

Compliance with identification and metadata standards presents additional administrative burdens for authors, and this will likely have the largest effect on researchers who are already underresourced. How will NIH monitor, for example, access via persistent identifiers outside of posting in PubMed or open access status if not deposited?

Finally, APA encourages NIH to continue to allow NIH-supported researchers to choose appropriate repositories for their data, code, and materials provided that agency criteria are met, consistent with 2020's [Supplemental Information to the NIH Policy for Data Management and Sharing: Selecting a Repository for Data Resulting From NIH-Supported Research](#). As we noted in our March 6, 2020, letter, written in response to the draft titled [Desirable Characteristics of Repositories for Managing and Sharing Data Resulting From Federally Funded Research](#) (Document Number 2020-00689), psychologists work with a wide range of data from surveys, laboratory experiments, government statistics, administrative records, imaging, genomics, social media, and other sources (Alter & Gonzalez, 2018), and these data are suited to different types of repositories. Guidance on how to pay for these repositories is needed, given the costs of curating protected data sets and storing large data sets.

Closing Comments

APA supports NIH's goal of enhancing public access to the results of and data from federally funded research. The ultimate objective of funders, researchers, and publishers should be advancing the quality and pace of scientific research. APA also shares NIH's aim of encouraging greater scientific integrity and enabling future inquiry, discovery, and translation.

Improving the availability of peer-reviewed articles, data, and code is one of many means to those ends, but care must be taken to avoid potential unintended consequences that could diminish the quality and pace of scientific research. Continuing to protect the freedom to publish without payment is crucial, because inequities will disproportionately affect the researchers who are less likely to have sufficient funding, namely, those who are members of historically excluded groups (e.g., racial or ethnic minorities), early-career researchers, researchers at underfunded universities, and researchers in the Global South with whom American researchers collaborate to advance science.

We agree that transparency increases scientific integrity and bolsters public trust in scientific research. At the same time, we also maintain that funding is needed for all phases of the research life cycle, not just research and discovery. The sharing of data and results entails costs, and metadata and infrastructure necessary to link and make them accessible, enable machine-readability, and ensure interoperability.

In keeping with APA's mission to promote the advancement and communication of psychological science to benefit society and improve lives, we end this letter by highlighting the need to protect against misuse of research that is harmful to the public and to public trust in science.

APA thanks NIH for this opportunity to share comments on the *Plan to Enhance Public Access to the Results of NIH-Supported Research*. If you have any questions or if we can provide any further information, please contact us at kmcguire@apa.org or jsimons@apa.org.

Sincerely,



Katherine B. McGuire
Chief Advocacy Officer



Jasper Simons
Chief Publishing Officer

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