

Access to NIH Grant and Application Data For Scientific Research

In keeping with the President's Open Government Directive

(<http://www.whitehouse.gov/open/documents/open-government-directive>), NIH provides statistics and data about its applications and grants through the Research Portfolio Online Reporting Tools (RePORT) website (<http://report.nih.gov/>). NIH also makes the RePORT Expenditures and Results (RePORTER) database available for download at <http://projectreporter.nih.gov/ExPORTER>. If you are looking for grant or application data beyond what is available through RePORT, please follow the procedures listed below.

- A. For **any member of the public** interested in acquiring NIH data beyond that available in RePORT, a request should be made in accordance with the Freedom of Information Act (FOIA) as outlined at <http://www.nih.gov/icd/od/foia/>.
- B. For NIH funded research projects¹ that would benefit from access to NIH grant and application data kept and maintained by the NIH Office of Extramural Research (OER), NIH Principal Investigators should follow these procedures:
 1. If you intend to submit a research proposal that will require NIH grant or application data or if you are a Principal Investigator of a currently funded NIH grant that requires NIH grant or application data to complete the proposed aims of the project, it is strongly encouraged that you discuss this with your Institute's or Center's Program Official. You want to ensure that your Program Official and the funding Institute or Center will agree that access to NIH data is required for completion of the project and is not otherwise reasonably available.
 2. At the time of award (or as soon as possible if you hold a funded award), send a request for the NIH data needed for your research project to the NIH OER Freedom of Information Act Coordinator (FOIA) <http://www.nih.gov/icd/od/foia/coord.htm>.
 3. The OER FOIA Coordinator will review your request and determine if any of the requested data can be released or if any of the data are protected from release under FOIA.
 - If the FOIA office and/or the OER FOIA Coordinator determine that some or all of the requested data are protected from release under FOIA, you may ask the Program Officer responsible for your grant about the possibility of becoming an NIH Guest Researcher in order to access the NIH data. See the NIH Manual Chapter 2300-308-1 <http://oma.od.nih.gov/manualchapters/person/2300-308-1/>.
 - To become an NIH Guest Researcher and access OER grant and application data, an NIH Office, Institute, or Center must agree to sponsor you and to work with you to file the necessary agreements and documents including: a Confidentiality Agreement, and acknowledgement that data access and use is subject to all of the

same rules, regulations and procedures that apply to NIH employees, including a background check, security clearance, and disclosure/resolution of any financial conflicts of interest.

- As a Guest Researcher, you will be required to provide the sponsoring NIH Office, Institute, or Center with a summary of the findings that involve NIH data that you accessed as a NIH Guest Researcher and pre-publication copies of such papers or other documents to be made publicly available (e.g., commentaries, news articles, blog postings, etc.) for review and approval.

C. For grantees, employees, or contractors of other federal agencies, state/local agencies, or charitable organization/foundations with approved and funded research projects¹ (where NIH is not the funding agency) who would benefit from access to non-public NIH data on grants and applications that are not available on the RePORT Website:

1. If the federal agency, state/local agency, or charitable organization/foundation *has established a formal relationship with NIH* then you may request access to NIH data as an NIH Guest Researcher.
2. If the state/local agency, or charitable organization/foundation *does not have or cannot establish a formal relationship* with NIH, then data can be obtained through a request to the FOIA office.
3. If the federal agency *does not have or cannot establish a formal relationship* with NIH in order for the investigator to become an NIH Guest Researcher, the only data which may be provided are publicly available data.

¹Please be aware that research conducted with identifiable grant and application data qualifies as human subjects research and will generally require that the requester provide NIH with a statement from an Institutional Review Board (IRB) that the study has been reviewed and approved prior to release of NIH data.