

NATIONAL SCIENCE FOUNDATION

4201 Wilson Boulevard
ARLINGTON, VIRGINIA 22230



OFFICE OF THE
ASSISTANT DIRECTOR
FOR GEOSCIENCES

July 28, 2004

Dear Mr. McIntyre:

Thank you for writing to the National Science Foundation (NSF) about the important issue of public access to data resulting from scientific research supported by U.S. federal funds. Dr. Arden Bement, Acting Director of the NSF, has asked me to respond to your letter in my capacity as the Assistant Director for Geosciences at the NSF.

The general premise of your letter is to underscore the importance of public access to scientific data obtained with public funds. We could not agree with you more on this important principle. The NSF takes seriously its role in encouraging researchers to share their data with the wider scientific and civil communities. At the NSF, we believe such cooperation is the hallmark of a healthy scientific culture and we actively promote compliance with this ethic. Partly as a result of such efforts, researchers supported by the U.S. taxpayer have a strong record of complying with federal guidelines in this area.

To clarify the situation, some scientific data is archived on both government and private institution websites and is available to the public from multiple web portals prior to completion of the project. In certain instances, cooperative agreements between the U.S. and other countries to conduct scientific research allows for data to be released upon completion of the project. In many cases, researchers have archived data early in a project and then have updated the data as their collection and analysis evolves. In general, we allow researchers the freedom to convey their scientific results in a manner consistent with their professional judgment.

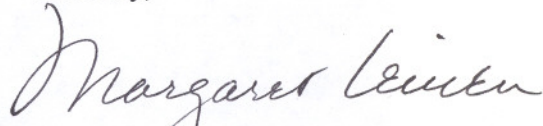
To address your specific concerns, the investigators you mention in your letter (i.e., Drs. Thompson, Crowley, Jacoby, Hughes, and Mann) have been responsive to the NSF policy on access to data. I understand that their data has been sent directly to you, in some instances, via electronic means. In other cases, the data is archived in the publicly accessible World Data Center (WDC) that is managed by the National Oceanic and Atmospheric Administration (NOAA) and from which you are free to download information of interest. This facility houses a wealth of paleoclimatic data that is organized by scientific subspecialty involving biological, sedimentological, and chemical proxies from terrestrial and marine environments.

In an instance for which you may not yet be aware, a 'Corrigendum' written by Dr. Mann et al. (and based upon some of the data that you seek from those individuals mentioned in your current message) will be included in the July 2004 issue of *Nature* that addresses concerns raised by you about which data sets were included in their 1998 publication. In this case, the situation regarding which data was used in their analyses is clarified. The issue of data access, however, remains the same in that the data they used is accessible and archived in the International Tree Ring Data Bank (ITRDB) within the WDC.

On the question of computer source codes, investigators retain principle legal rights to intellectual property developed under NSF awards. This policy provides incentives for the development and dissemination of inventions, software, and publications that can enhance their usefulness, accessibility, and upkeep. Dissemination of such products is at the discretion of the investigator.

It is the opinion of the NSF that the researchers in question have complied with the policy guidelines set out by the U.S. government, and the NSF in particular, regarding access to data from publicly funded research.

Sincerely,

A handwritten signature in dark ink, appearing to read "Margaret Leinen". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Margaret Leinen
Assistant Director

Cc: Dr. Arden Bement