

February 24, 1999

MEMORANDUM TO: NATIONAL SCIENCE BOARD MEMBERS AND  
CONSULTANTS

SUBJECT: Preliminary Report of the February 17-18, 1999 Meeting

The major actions of the Board at its 351<sup>st</sup> meeting on February 17-18, 1999, held at the J. Paul Getty Center, Los Angeles, California, are summarized for the information of those members and consultants absent and as a reminder to those present.

1. The Board approved the report on mathematics and science achievement *Preparing Our Children: Math and Science Education in the National Interest* (NSB/TIMSS 98-21), fourth revised, Board Book Tab C) and requested an executive summary of the report be prepared.
2. The Board approved a statement on scientific research data access under the Freedom of Information Act (FOIA), urging a repeal of recent legislation that relies on FOIA to compel premature access to research data (NSB-99-24, copy attached).
3. The Board approved the proposed planning process (copy attached) for revising the NSF Strategic Plan, as proposed by the NSF Director.
4. The Chairman established two Committees:
  - a. The 1999 Vannevar Bush Award Committee chaired by Dr. Greenwood, with Drs. Jones, Tapia and Washington as members.
  - b. The International Issues in Science and Engineering Committee chaired by Dr. Natalicio, with Drs. Gaillard, Jaskolski and Sequeira as members.

Marta Cehelsky  
Executive Officer

Attachments

**NATIONAL SCIENCE BOARD**

**STATEMENT ON THE  
SHARING OF SCIENTIFIC RESEARCH DATA**

**ADOPTED AT THE 351<sup>ST</sup> MEETING  
FEBRUARY 18, 1999**

Recent legislation permits individuals to use the Freedom of Information Act (FOIA) to compel access to raw, partially processed research data. The premature release of raw research data disrupts the process of discovery; it:

- Creates a mechanism that allows research to be misinterpreted, or unfairly and inappropriately delayed or attacked;
- Interferes with the publication of researchers' work in peer reviewed journals through compulsory and premature disclosure of research data;
- Discourages participation of research subjects because of the legitimate fear that their responses might not ultimately be confidential;
- Undermines public-private cooperative research efforts by breaching the protections for participants' proprietary rights and information;
- Jeopardizes researchers' ability to obtain international patent protection for discoveries; and
- Imposes significant administrative and financial burdens on research institutions with no clear means of recouping such costs beyond drawing from research funds.

This country's science and technology research policies and partnerships have contributed to robust innovation, unprecedented increases in productivity, improvements in the quality of life, and understanding of our world. The conduct of the Nation's science and engineering enterprise requires publication of research results, as well as timely and wide sharing of data. Current sharing practices promote free and open exchange of research data in a context that supports the rapid creation of knowledge, widespread evaluation of research results, and the entry of highly talented individuals to research.

For all these reasons, the Board urges the repeal of the provision in recent legislation that relies upon FOIA to obtain premature access to research data.

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**The National Science Board, the governing board of the National Science Foundation, is charged with advising the President and Congress on science and engineering policy.**

# Suggested Schedule: Interaction with NSB

## **NSB Meeting:**

- February 1999
- March 1999
- May 1999
- July 1999
- November 1999
- March 2000

## **Action**

- Introduce plans
- Share annotated outline
- Share early draft
- Draft for NSB comment
- Final draft
- Transmission to OMB