



**Department of Energy  
Financial Assistance Regulations**

**No. FAL 2026-01  
Date: December 2, 2025**

## **FINANCIAL ASSISTANCE LETTER**

This Financial Assistance Letter is issued under the authority of the Senior Procurement Executives of DOE and NNSA. It is intended for use by the procurement professionals of DOE, primarily Contracting and Grants Officers, and other officials of DOE that participate in the acquisition process. Other parties are welcome to its information, but definitive interpretation of its effect on DOE solicitations, Notice of Funding Opportunity Announcements, Awards, and other related procedures and actions may only be made by DOE Contracting and Grants Officers.

### **Subject: Data Management and Sharing Plan (DMSP) Requirements**

#### **References:**

The National Science and Technology Council, [Desirable Characteristics of Data Repositories for Federally Funded Research](#), May 2022

Office of Science and Technology Policy (OSTP) Memo Ensuring Free, Immediate, and Equitable Access to Federally Funded Research ([OSTP Public Access Memo](#)), August 25, 2022

[DOE Public Access Plan](#), June 2023

#### **When is this Financial Assistance Letter (FAL) Effective?**

This FAL is effective immediately upon issuance.

#### **When does the FAL expire?**

This FAL remains in effect until canceled or superseded.

#### **Who is the intended audience?**

Department of Energy (DOE) and National Nuclear Security Administration (NNSA) Grants Officers (GOs). Any reference in this guidance to the DOE should be understood to include the NNSA, unless otherwise indicated.

## **Who are the Points of Contact?**

For DOE questions, please contact the Contract and Financial Assistance Policy Division at [DOE\\_OAPMPolicy@hq.doe.gov](mailto:DOE_OAPMPolicy@hq.doe.gov).

NSA personnel may contact the Acquisition Policy and Oversight Division, Policy & Oversight Branch (NA-PAS-111), at (505) 845-5639.

## **What is the purpose of this FAL?**

The purpose of this FAL is to provide information and guidance regarding DOE's implementation of the Data Management and Sharing Plan (DMSP) requirements developed in response to the OSTP Public Access Memo and included in the DOE Public Access Plan. DMSP requirements update and replace the Data Management Plan requirements.

## **What is the background information?**

The DMSP requirements and the reporting of scientific data at the time the data are shared publicly as a result of an approved DMSP are described in the 2023 DOE Public Access Plan. Additional background may be found on the DOE Requirements and Guidance for Digital Research Data Management webpage here: <https://www.energy.gov/datamanagement/doe-requirements-and-guidance-digital-research-data-management>.

## **What are the instructions/guidance of this FAL?**

### **Sections**

- A. Applicability
- B. Definitions
- C. Requirements
- D. Implementation

## **A. Applicability**

The FAL applies to all DOE and NNSA notices of funding opportunities (NOFOs), financial assistance agreements and any financial assistance agreements resulting from unsolicited proposals that support research and development (R&D) activities that generate scientific data, a type of scientific and technical information (STI), that are issued on or after the effective date of this FAL.

If a NOFO or financial assistance award permits submission of R&D applications from another federal agency, a federally funded research and development center, or a National Laboratory, those institutions must comply with these same requirements.

## **B. Definitions**

**Scientific Data** - The term scientific data includes the recorded factual material commonly accepted in the scientific community as of sufficient quality to validate and replicate research findings. Such scientific data do not include laboratory notebooks, preliminary analyses, case report forms, drafts of scientific papers, plans for future research, peer-reviews, communications with colleagues, or physical objects and materials, such as laboratory specimens, artifacts, or field notes. The definition of “scientific data” is similar to but broader than the term “research data” defined by 2 CFR 200.315 (e) and 45 CFR 75.322 (e). Classified or CUI data and research will not be made publicly available.

**Validation and replication of results** - In the context of DMSPs, validation and replication are means to support, corroborate, verify, or otherwise determine the legitimacy of the research findings. Validation or replication of research findings could be accomplished by reproducing the original experiment or analyses; comparing and contrasting the results against those of a new experiment or analyses; or by some other means.

**Research and Development**– All basic and applied research activities and all development activities performed by a recipient or subrecipient. The term research also includes activities involving the training of individuals in research techniques where such activities use the same facilities as other research and development activities and where such activities are not included in the instruction function. “Research” is the systematic study directed toward fuller scientific knowledge or understanding of the subject studied. “Development” is the systematic use of knowledge and understanding gained from research to produce useful materials, devices, systems, or methods, including designing and developing prototypes and processes ([2 CFR 200.1](#)).

**Scientific and Technical Information** - STI are the results of knowledge arising from R&D activities. STI is produced by those funded or supported by DOE, including federal researchers. When deciding whether the type of work that is funded or supported by DOE includes or excludes R&D, refer to the R&D definitions identified by the pertinent laws and/or federal-wide policies and guidance for the sponsoring program and/or procurement instrument.

**A Glossary of DMSP related terms may be found here:**  
<https://www.energy.gov/datamanagement/glossary>

### **C. Requirements for Applicants and Recipients**

Requirements for public access to [scientific data](#) in digital formats apply to unclassified and otherwise unrestricted digital scientific data arising from R&D activities undertaken with DOE funds, whether in whole or in part, unless otherwise prohibited by law, regulation, or policy.

All DOE-funded R&D awards are subject to a DOE-approved DMSP. The DMSP will address validation and replication of results, timely and fair access, data repository selection, data management resources, and data sharing limitations. A DMSP may include, but is not limited to, what data will be publicly shared, the data or metadata standards that will be used, any related tools, software, or code, how data will be shared and preserved, and any necessary data protections. While a DMSP is created by a funding applicant or recipient and is specific to their scope of work, it will be reviewed and may be updated, if and when appropriate, to maintain strategic DOE program alignment, respond to reviewer feedback, and/or to reflect the progress of the supported research. If applicable, proposals may include the cost of implementing the DMSP in the proposed budget.

Detailed requirements for the NOFO and Award are identified in Attachments 1a and 1b below.

### **D. Implementation**

Following the instructions in Attachments 1a and 1b, Grants Officers must include the DMSP Requirements text in NOFOs and awards that support and fund R&D activities that produce scientific data, a type of STI.

As a reminder, STI reporting requirements for submission of metadata associated with scientific data must be identified in the Federal Assistance Reporting Checklist and Instructions.

**Attachment 1a**

**NOFO DMSP Requirements Text**

Grants Officers must include the DOE DMSP requirements provision in NOFOs that fund R&D projects that produce scientific data, a type of STI, and may do so in one of two ways: (1) by inserting the DMSP Requirements Full Text below, which may be adjusted to provide additional requirements or guidance specific to the sponsoring research program (see Option 1), or (2) by inserting the DMSP Requirements Reference Text that links to the relevant DOE webpage which identifies the DOE DMSP requirements (see Option 2). Text for Options 1 and 2 is provided below. Choose one of the provisions below to include in the NOFO.

**Option 1. DMSP Requirements Full Text:**

**DATA MANAGEMENT AND SHARING PLAN**

Data Management and Sharing Plans (DMSPs) must be provided for the proposed research following DOE and DOE sponsoring office guidelines. If needed, updates to the DMSP, through the course of the R&D, must be provided to DOE for review and approval. In general, a DMSP should address the following requirements:

**1. Validation and replication of results**

The DMSP should describe how scientific data generated in the course of the research project will be publicly shared and preserved in a timely and fair manner that enables validation and replication of results. If data will not be publicly shared and preserved (see “Data sharing limitations”), the DMSP should describe how results could be validated and replicated.

**2. Timely and fair access**

The DMSP should provide a plan for making all scientific data displayed in peer-reviewed scholarly publications resulting from the proposed research open, machine-readable, and digitally accessible to the public at the time of publication. This includes data that are displayed in charts, figures, images, etc. In addition, the underlying digital scientific data used to generate peer-reviewed scholarly publications should be made freely available and publicly accessible at the time of publication, in accordance with the principles stated above. The published article should indicate how these data can be accessed. The DMSP should also provide a timeline for sharing digital scientific data produced under the DOE-funded R&D effort not associated with peer-reviewed scholarly publications.

**3. Data repository selection**

The DMSP should specify the use of digital repositories that align, to the extent practicable, with the National Science and Technology Council document entitled “Desirable Characteristics of Data Repositories for Federally Funded Research,” by the Subcommittee on Open Science of the National Science and Technology Council, May 2022. In general, DOE does not endorse or require sharing in any specific repository and encourages researchers to select the repository that is most appropriate for their data type and discipline, though individual sponsoring research

offices may provide specific guidance or designate a specific repository.

#### **4. Data management and sharing resources**

The DMSP should describe the data management and sharing resources that may be available and used in the course of the proposed research. In particular, a DMSP that explicitly or implicitly commits data management and sharing resources at a facility beyond what is conventionally made available to approved users should be accompanied by written approval from that facility. In determining the resources available for data management and sharing at DOE scientific user facilities, researchers should consult the published description of data management resources and practices at that facility and reference it in the DMSP.

#### **5. Data sharing limitations**

The DMSP must address any limitations of scientific data sharing to facilitate the protection of confidentiality, privacy, business confidential information, and/or security; avoid negative impact on intellectual property rights, innovation, program and operational improvements, and U.S. competitiveness; consider maximizing appropriate sharing through risk-mitigated limited access; preserve the balance between the relative value of long-term preservation and access and the associated cost and administrative burden; and otherwise be consistent with all applicable laws, regulations, and DOE orders and policies. Depending on the DOE funding agreement, a recipient, subrecipient, or contractor may have the right to assert copyright to or protect from public release for certain scientific data products. When contractors or award recipients assert copyright of scientific data, the DMSP should address licensing requirements and any limitations for sharing the copyrighted data. When recipients, subrecipients, or contractors assert data protection, the scientific data will not be shared with the public during the data protection period.

To improve the discoverability of and attribution for datasets created and used in the course of research, DOE encourages the citation of publicly available datasets within the reference section of publications, including using the persistent identifiers associated with the dataset, such as a Digital Object Identifier (DOI).

In addition, scientific data made publicly available through the implementation of a DMSP are required to be reported under any applicable reporting requirements to DOE's Office of Scientific and Technical Information (OSTI). A DOI is a type of persistent identifier that may be assigned to a dataset prior to reporting to OSTI, e.g., by the repository hosting the data or by a publisher. When there is a DOI assigned to a dataset, it must be provided within the metadata record submitted to OSTI. In cases where a data record does not already have an associated DOI, OSTI will assign a DOI for the data record.

Applicants are encouraged to consult the DOE Requirements and Guidance for Digital Research Data Management website for further information and suggestions for how to structure a DMSP: <https://www.energy.gov/datamanagement/doe-requirements-and-guidance-digital-research-data-management>.

**Option 2. DMSP Requirements Reference Text:**

**DATA MANAGEMENT AND SHARING PLAN**

Data Management and Sharing Plans (DMSPs) must be provided for R&D efforts following DOE and DOE sponsoring office guidelines. If needed, updates to the DMSP, through the course of the award, must be provided to DOE for review and approval. In general, a DMSP should address the requirements on the DOE Requirements and Guidance for Digital Research Data Management website: <https://www.energy.gov/datamanagement/doe-requirements-and-guidance-digital-research-data-management>.

**Attachment 1b**

**Award DMSP Requirements Clause**

Grants Officers must include the DOE DMSP requirements clause in the award Terms and Conditions and/or Federal Assistance Reporting Checklist. The DMSP requirements clause can be included in the award by using either the DMSP Requirements Full Text below (see Option 1) or (2) the DMSP Requirements Reference Text that contains links to the relevant DOE webpage with the DOE DMSP requirements (see Option 2). Text for Options 1 and Option 2 are provided below but may be adjusted to provide additional requirements or guidance specific to the sponsoring research program.

The Grants Officer, in consultation with the sponsoring research program, has the discretion to include the DMSP requirements clause using the text in Option 1 or Option 2 in the Terms & Conditions and/or the Federal Assistance Reporting Checklist and Instructions, as appropriate.

**Option 1. DMSP Requirements Full Text:**

**DATA MANAGEMENT AND SHARING PLAN**

**(a) Submission**

(1) If a Data Management and Sharing Plan (DMSP) was not provided by the time of award, the Recipient must provide the Grants Officer with a DMSP not later than 90 days after the effective date of the award. The DMSP must explain how the scientific data generated in the course of the research or work performed under an assistance award will be shared and preserved or, when justified, explains why data sharing or preservation is not possible or scientifically appropriate. A DMSP will address validation and replication of results, timely and fair access, data repository selection, data management resources, and data sharing limitations. Proposals may include the cost of implementing the DMSP in the proposed budget. The Grants Officer will provide any additional DMSP requirements that may be applicable to this award.

(2) In the event the Recipient fails to submit the DMSP within 90 days after award or DOE determines that the information provided by the Recipient in its DMSP does not meet the requirements in section (b), DOE may take one or more of the actions identified in 2 CFR 200.388, including, but not limited to, temporarily withholding payments to the Recipient pending correction of the deficiency, or wholly or partially suspending or terminating the Federal award.

(3) The status of DMSP implementation should be reported through any applicable reporting requirements for this award. If necessary, as the project progresses, any updates to the DMSP must be provided to the Grants Officer for review and approval.

## **(b) DMSP Requirements**

In order for a DMSP to be considered acceptable, the DMSP must address the following:

### **(1) Validation and replication of results**

The DMSP should describe how scientific data generated in the course of the research project will be publicly shared and preserved in a timely and fair manner that enables validation and replication of results. If data will not be publicly shared and preserved (see “Data sharing limitations”), the DMSP should describe how results could be validated and replicated.

### **(2) Timely and fair access**

The DMSP should provide a plan for making all scientific data displayed in peer-reviewed scholarly publications resulting from the proposed research open, machine-readable, and digitally accessible to the public at the time of publication. This includes data that are displayed in charts, figures, images, etc. In addition, the underlying digital scientific data used to generate peer-reviewed scholarly publications should be made freely available and publicly accessible at the time of publication, in accordance with the principles stated above. The published article should indicate how these data can be accessed. The DMSP should also provide a timeline for sharing digital scientific data produced under the DOE funded R&D effort not associated with peer-reviewed scholarly publications.

### **(3) Data repository selection**

The DMSP should specify the use of digital repositories that align, to the extent practicable, with the National Science and Technology Council document entitled “Desirable Characteristics of Data Repositories for Federally Funded Research,” by the Subcommittee on Open Science of the National Science and Technology Council, May 2022. In general, DOE does not endorse or require sharing in any specific repository and encourages researchers to select the repository that is most appropriate for their data type and discipline, though individual sponsoring research offices may provide specific guidance or designate a specific repository.

### **(4) Data management and sharing resources**

The DMSP should describe the data management and sharing resources that may be available and used in the course of the proposed research. In particular, a DMSP that explicitly or implicitly commits data management and sharing resources at a facility beyond what is conventionally made available to approved users should be accompanied by written approval from that facility. In determining the resources available for data management and sharing at DOE scientific user facilities, researchers should consult the published description of data

management resources and practices at that facility and reference it in the DMSP.

**(5) Data sharing limitations**

The DMSP should address any limitations of scientific data sharing to facilitate the protection of confidentiality, privacy, business confidential information, and/or security; avoid negative impact on intellectual property rights, innovation, program and operational improvements, and U.S. competitiveness; consider maximizing appropriate sharing through risk-mitigated limited access; preserve the balance between the relative value of long-term preservation and access and the associated cost and administrative burden; and otherwise be consistent with all applicable laws, regulations, and DOE orders and policies. Depending on the DOE funding agreement, a recipient, subrecipient, or contractor may have the right to assert copyright to or protect from public release for certain scientific data products. When recipients, subrecipients, or contractors assert copyright of scientific data, the DMSP should address licensing requirements and any limitations for sharing the copyrighted data. When recipients, subrecipients, or contractors assert data protection, the scientific data will not be shared with the public during the data protection period.

**(c) Additional Guidance**

To improve the discoverability of and attribution for datasets created and used in the course of research, DOE encourages the citation of publicly available datasets within the reference section of publications, including using the persistent identifiers associated with the dataset, such as a Digital Object Identifier (DOI). A DOI is a type of persistent identifier that may be assigned to a dataset prior to reporting to OSTI, e.g., by the repository hosting the data or by a publisher. When there is a DOI assigned to a dataset, it must be provided within the metadata record submitted to OSTI. In cases where a data record does not already have an associated DOI, OSTI will assign a DOI for the data record. In addition, scientific data made publicly available through the implementation of a DMSP are required to be reported under any applicable reporting requirements to DOE's Office of Scientific and Technical Information (OSTI).

**(d) Definitions**

*Scientific Data*: The term scientific data includes the recorded factual material commonly accepted in the scientific community as of sufficient quality to validate and replicate research findings. Such scientific data do not include laboratory notebooks, preliminary analyses, case report forms, drafts of scientific papers, plans for future research, peer-reviews, communications with colleagues, or physical objects and materials, such as laboratory specimens, artifacts, or field notes. The definition of “scientific data” is similar to but broader than the term “research data” defined by 2 CFR 200.315 (e) and 45 CFR 75.322 (e). Classified or CUI data and research will not be made publicly available.

*Validation and replication of results:* In the context of DMSPs, validation and replication are means to support, corroborate, verify, or otherwise determine the legitimacy of the research findings. Validation or replication of research findings could be accomplished by reproducing the original experiment or analyses; comparing and contrasting the results against those of a new experiment or analyses; or by some other means.

**Option 2. DMSP Requirements Reference Text:**

**DATA MANAGEMENT AND SHARING PLAN**

The Data Management and Sharing Plan (DMSP) must follow DOE and DOE sponsoring office guidelines and should address the Data Management and Sharing Plan and Reporting of Data Products requirements on the DOE Requirements and Guidance for Digital Research Data Management website: <https://www.energy.gov/datamanagement/doe-requirements-and-guidance-digital-research-data-management>.

If a Data Management and Sharing Plan (DMSP) was not provided by the time of award, the Recipient must provide the Grants Officer with a DMSP not later than 90 days after the effective date of the award.

In the event the Recipient fails to submit the DMSP within 90 days after award or DOE determines that the information provided by the Recipient in its DMSP does not meet the requirements, DOE may take one or more of the actions identified in 2 CFR 200.388, including, but not limited to, temporarily withholding payments to the Recipient pending correction of the deficiency, or wholly or partially suspending or terminating the Federal award.

The status of DMSP implementation should be reported through any applicable reporting requirements for this award.

If necessary, as the project progresses, any updates to the DMSP must be provided to the Grants Officer for review and approval.