

July 7, 2005

Senator Arlen Specter  
United States Senate  
711 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Specter:

The undersigned nonprofit organizations that publish journals are long-term supporters of providing public access to medical and scientific information. Nevertheless, we have significant concerns about the National Institutes of Health duplicating private sector on-line publishing through the implementation of a new policy that took effect on May 2, 2005. Of further concern, is language included in the House Labor, HHS Appropriations Bill for 2006 Committee Report that prejudices the value of this policy and calls for more aggressive action to maximize participation. Our organizations are concerned that a full evaluation of the costs and impact of the NIH policy on private sector publishing has not occurred and therefore we seek the inclusion of language in the Senate Committee Report to accompany its FY 2006 Labor, HHS Appropriations Bill directing NIH to provide cost information and to determine the current availability of NIH research articles through existing private sector services. This evaluation by the Committee should be a prerequisite to implementation of any further NIH publication policy.

Effective May 2, 2005, the NIH requested that its grantees deposit research articles accepted for publication by a peer-reviewed journal to a database known as PubMed Central, which is a component of the National Library of Medicine (NLM). The new NIH policy instructs grantees to designate how soon the manuscript should be released to the public; but no later than one year after journal publication.

The leading journals in many medical and scientific fields are published by nonprofit societies. These journals provide independent peer review, as well as careful editing and composition of manuscripts, printing, and web hosting. These services entail significant human resources and costs. Nonprofit publishers reinvest income derived from journal publication into improvements in scientific publishing and supporting science through meetings, research grants, scholarships and education.

Nonprofit publishers have kept their journals affordable, and with the advent of electronic publishing, most now also provide free public access to articles within 12 months of publication. These articles are available today through links from NIH's existing MedLine database to the journals' websites.

Given Federal budget constraints, every effort should be made to avoid establishing a federally administered and funded program that would duplicate private sector publishing activities, particularly one that may undermine the activities of nonprofit peer-reviewed journal. Rather than create a publication/distribution system for articles already available in the private sector

from nonprofit publishers, NIH should use its limited resources to carry out its prime mission of funding biomedical research.

Further, we are skeptical about the wisdom and appropriateness of a federal agency entering into the scholarly publishing industry, in competition with and possibly to the ultimate detriment of non-profit private sector publishers.

A more thorough assessment of the necessity of establishing a database of NIH funded research manuscripts in light of the availability of research articles through private sector databases and journal websites is needed. The undersigned organizations ask that you include language in the Committee Report for the FY 2006 Labor-HHS Appropriations Bill requesting that NIH provide information on the costs of carrying out its policy and the availability of NIH research articles through journal websites so that the Committee can fully evaluate the necessity of the NIH policy.

Thank you for your consideration. If you have any questions or would like more information, please contact Mila Becker, Director of Government Relations & Practice at the American Society of Hematology at [mbecker@hematology.org](mailto:mbecker@hematology.org) or 202-292-0264.

Sincerely,

**American Association for Cancer Research  
American Association for Clinical Chemistry  
American Association for Dental Research  
American Chemical Society  
American College of Chest Physicians  
American College of Physicians  
American Dairy Science Association  
American Dental Education Association  
American Geological Institute  
American Geriatrics Society  
American Institute of Biological Sciences  
American Psychiatric Association  
American Society for Biochemistry and Molecular Biology  
American Society for Clinical Nutrition  
American Society for Investigative Pathology  
American Society for Nutritional Sciences  
American Society for Pharmacology and Experimental Therapeutics  
American Society of Agronomy  
American Society of Animal Science  
American Society of Hematology  
American Society of Nephrology  
American Society of Plant Biologists  
American Society of Tropical Medicine and Hygiene  
American Thoracic Society  
Association for Molecular Pathology**

**Biophysical Society**  
**Botanical Society of America**  
**Crop Science Society of America**  
**Entomological Society of America**  
**Federation of American Societies for Experimental Biology**  
**Federation of European Biochemical Societies**  
**Health Affairs**  
**HighWire Press of the Stanford University Library**  
**Infectious Diseases Society of America**  
**Ornithological Council**  
**Poultry Science Association**  
**Society for Experimental Biology and Medicine**  
**Society for Leukocyte Biology**  
**Society for the Study of Reproduction**  
**Society of Surgical Oncology**  
**Society of Toxicology**  
**Society of Toxicologic Pathology**  
**Soil Science Society of America**  
**The American Association of Immunologists**  
**The American Physiological Society**  
**The Association for Research in Vision and Ophthalmology**  
**The Endocrine Society**  
**The Histochemical Society**  
**The Physiological Society**  
**The Protein Society**  
**The Rockefeller University Press**