

Senate, House include NIH public access provision in spending bills

Both the U.S. Senate and House of Representative have included provisions regarding the National Institutes of Health (NIH) public access policy in spending bills for 2008. The language in both versions of the legislation—the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act—reads:

“The Director of the National Institutes of Health shall require that all investigators funded by the NIH submit or have submitted for them to the National Library of Medicine’s PubMed Central an electronic version of their final, peer-reviewed manuscripts upon acceptance for publication, to be made publicly available no later than 12 months after the official date of publication: Provided, That the NIH shall implement the public access policy in a manner consistent with copyright law.”

The House passed its version on July 19, 2007, with a vote of 276 to 140. As of press time, the Senate had not voted on its appropriations bill.

This language comes in response to criticism of NIH’s current policy, which only requires voluntary submission to PubMed Central. Under the voluntary policy, fewer than 4 percent of eligible manuscripts have been deposited in PubMed Central.

Background

The federal government spends more than \$55 billion dollars annually to fund a wide variety of research in health, scientific, and other fields. Research sponsored by NIH alone results in more than 60,000 peer-reviewed articles per year.

NIH currently has a policy in place designed to encourage NIH-funded researchers to deposit the final peer-reviewed manuscripts of their articles in PubMed Central, the digital library of the National Library of

Medicine. The policy calls on researchers to voluntarily make their research results openly accessible within one year of acceptance in a peer-reviewed journal. Both the Board of Regents of the National Library of Medicine and NIH Public Access Working Group have concluded, “The NIH Policy cannot achieve its stated goals unless deposit of manuscripts becomes mandatory.”


The present system of disseminating the results of publicly funded research is badly broken and severely limits access. The public pays for the research and very often the salary of the researcher, as well. Research articles are then published in peer-reviewed journals, which charge subscription fees or per-article access fees. The cost of subscriptions has risen three times faster than inflation for more than 20 years, and most subscriptions are unaffordable for most libraries. Journals typically demand to own copyright, as well.

Changes in federal policy and legislation for federally funded research have the potential to greatly increase research access for faculty, students and the general public, reversing to a substantial extent the loss in access that has resulted from journal price increases and subscription cancellations by libraries. If properly implemented, such policy changes will also protect the system of peer-reviewed journals.

To read the appropriations bills, visit the Library of Congress’ THOMAS Web site at <http://thomas.loc.gov>, and search for H.R. 3043 (the House version of the bill) and S. 1710 (the Senate version).

To learn more about this issue, listen to the ALA Washington Office’s District Dispatch Podcast #20, a conversation with Heather Joseph, executive director of the Scholarly Publishing and Academic Resources Coalition (SPARC).

The episode is available at blogs.ala.org/districtdispatch.php?cat=191.

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