February 6, 2012

House Committee on Oversight and Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, DC  20515

Dear Members of the House Committee on Oversight and Government Reform:

On behalf of the Association of American Universities (AAU) and the Association of Public and Land-grant Universities (APLU), whose combined memberships include most of the major public and private research universities in the United States, we write to express our strong opposition to H.R. 3699, the Research Works Act. This legislation would prohibit all federal research funding agencies from establishing public access policies providing free access to scientific and scholarly journal articles arising from federally funded research. In prohibiting such agency policies, H.R. 3699 would repeal the highly effective Public Access Policy of the National Institutes of Health (NIH), which provides free public access through PubMed Central to more than 2.3 million articles, editorials and manuscripts reporting on NIH-funded research and more.

There is increasing recognition of the importance of establishing such federal agency research repositories to provide both access to the public and a rich store of interoperable research information for the scientific community. Currently, eleven federal agencies provide $100 million or more in research funding to universities and other non-profit research institutions. If these agencies all build and interconnect public access repositories of the peer-reviewed articles developed from the research they fund, the peer-reviewed articles arising from the federal government’s $33 billion annual investment in university research could be freely accessed by the public and would provide an extraordinarily valuable, interoperable database of research findings for use by scientists and scholars across all disciplines.

We appreciate the essential work of publishers in developing and disseminating high-quality, peer-reviewed journal articles. NIH’s Public Access Policy provides for an embargo period of up to 12-months between the publication of an article in a peer-reviewed journal and the appearance of the final accepted manuscript of that article in PubMed Central. Both the 12-month embargo period and the required submission of the final accepted manuscript rather than the final published version of the paper recognize the appropriate domain of private sector publishing and the need for subscription journal publishers to recover their very real costs of publishing.

However, H.R. 3699 would extend far beyond these accommodations of publishers’ needs to preclude any feasible federal public access policies. Both the public interest and the interests of science and scholarship would be diminished.

This legislation also runs counter to the substance and spirit of Sec. 103 of the America COMPETES Reauthorization Act (P.L. 111-358), which creates an Interagency Public Access Committee and directs that committee to carry out a number of activities to coordinate federal agency policies governing the dissemination
and stewardship of research results, including collaborating with external stakeholders in the development of federal public access policies.

Because H.R. 3699 would move federal research policy backward rather than forward, we urge you to oppose this legislation and instead support balanced federal public access policies that promote the public interest and advance science and scholarship.

Sincerely,

Hunter R. Rawlings III
President
AAU

Peter McPherson
President
APLU