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American Association of Anatomists

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Association of Biomolecular Resource Facilities

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American College of Sports Medicine

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Federation of American Societies for Experimental Biology

---Quality Life Through Research---

Comments of the Federation of American Societies for Experimental Biology on the "Request for Information: NIH Public Access Policy" (NOT-OD-08-060)

May 6, 2008

The Federation of American Societies for Experimental Biology (FASEB) submits the following statement in response to the "Request for Information (RFI): NIH Public Access Policy" (NOT-OD-08-060). FASEB is a coalition of 21 scientific societies, representing more than 80,000 investigators. Our mission is to enhance the ability of scientists to improve, through their research, the health, well-being and productivity of all people.

FASEB and member societies collectively publish approximately 50 journals using a range of publishing models. They will be affected differently by the policy, and some of them will raise additional issues. All believe that the NIH public access policy does not represent the best method of achieving NIH's goals of public access, portfolio management, and archiving of manuscripts reporting on NIH-funded research. In addition; we believe the policy will duplicate private publishers' services using public funds, undermine the integrity of the scientific literature, and impose an unnecessary burden on investigators and institutions.

The NIH approach is inferior to innovations that publishers currently offer and continue to invest in improving. Most of our member society journals make their entire content available freely after 12 months or sooner, offer content at low subscription and pay-per-article fees, and provide enhanced functionality including integrated links to research databases. FASEB is proud that its member societies are in the forefront of electronic publishing and archiving. We believe that NIH should work collaboratively with publishers to encourage and promote these efforts, not attempt to duplicate or compete with them.

The NIH policy may cause confusion about the article of record. Changes made by NIH that will result in variations from the original manuscript are of considerable concern. NIH needs to identify precisely how manuscripts will be linked to databases and other resources to ensure the integrity of the underlying work.

The revised mandatory public access policy now calls for submission of review articles. NIH previously encouraged publishers to add review articles to journals as a way to sustain the subscription base under the voluntary policy. Editors commission the review articles based on the scientific expertise of scientists; they are not based on specific research projects supported by NIH research grants. Furthermore, requiring that

review articles be included will seriously undermine the many journals that publish review articles only.

The policy imposes an unnecessary administrative burden on researchers and their institutions. We question if this is the best use of investigators' time and public funds.

Given the magnitude of the policy, we remain concerned about the lack of rigorous analysis and public discussion of the cost involved. We request that NIH examine and publish the cost of this policy. We are concerned that the NIH publication policy will draw resources from other areas of critical research investment, particularly in this time of constrained budgets.

The RFI asks for recommendations for alternative implementation approaches. We continue to believe that a partnership between NIH and journal publishers would better achieve NIH's goals while also addressing our community's concerns about the policy as outlined above. Instead of NIH undertaking a whole new publishing venture that involves formatting and publishing unfinished manuscripts of authors, NIH should use existing links from NIH's highly respected PubMed to journals' websites for reader access to final, published articles. To address NIH's desire to create an archive of manuscripts reporting NIH-funded research, journals would provide to NIH immediate access to journal content for internal use. This mechanism has several advantages to the current implementation plan. It would relieve the administrative burden on NIH-funded scientists because they would not have to take any additional steps to comply. They would simply continue submitting manuscripts to journals, as they always have. The integrity of the scientific literature would be ensured because only the final, published version of the article would be publicly available and archived by NIH. Articles would be available at significantly lower cost since publishers are already publishing, editing, and posting articles at no additional charge to the public. The database of articles would be more comprehensive and accurate for NIH portfolio analysis and strategic planning. This proposal was put forward by 56 organizations and publishers on October 15, 2005, and we urge NIH to reconsider it. This proposal would fulfill the public access policy as enacted by the Consolidated Appropriations Act of 2008 and would also specifically address copyright law concerns expressed by Congress.

We are aware that there are calls for NIH to reduce the time of manuscript release to six months or less. This would seriously compromise the ability of most of the FASEB member society journals to provide quality peer review, editing, and publishing of NIH funded research results. We urge NIH to maintain the 12-month upper limit.

It is FASEB's recommendation that NIH efforts should focus on ways to work with publishers to achieve common goals, and we stand ready to work with NIH on this effort.