



71 Fifth Avenue  
New York, NY 10003-3004  
Tel (212) 255-0200  
Fax: (212) 255-7007  
[www.publishers.org](http://www.publishers.org)  
[www.pspcentral.org](http://www.pspcentral.org)

Professional & Scholarly  
Publishing (PSP) Division  
Executive Council 2006-2007

**Brian Crawford, Chair**  
*American Chemical Society*

**Michael Hays, Vice Chair**  
*McGraw-Hill*

**Paula Barker Duffy**  
*University of Chicago Press*

**Marc Brodsky**  
*American Institute of Physics*

**Bill Cook**  
*American Chemical Society*

**Maureen DeRosa**  
*American Academy of Pediatrics*

**Ellen Faran**  
*MIT Press*

**Nigel Fletcher-Jones**  
*Blackwell Publishing, Inc.*

**James Jordan**  
*Columbia University Press*

**Patrick Kelly**  
*John Wiley & Sons, Inc.*

**Thane Kerner**  
*Silverchair  
Science+Communications, Inc*

**Christopher Lynch**  
*New England Journal of Medicine*

**Alison Mudditt**  
*SAGE Publications*

**Brian Nairn**  
*Elsevier*

**James Pringle**  
*ISI Thomson Scientific*

**Lynne Rienner**  
*Lynne Rienner Publishers*

**Paul Weislogel**  
*Wolters Kluwer Health*

**Fran Zappulla**  
*IEEE*

**AAP/PSP Staff**  
**Barbara Meredith**  
*Vice President, PSP Division*

**Sara Brandwein**  
*Director, PSP Division*

November 3, 2006

The Honorable Arlen Specter  
Chairman, Subcommittee on Labor  
Health and Human Services  
Committee on Appropriations  
United States Senate  
184 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Tom Harkin  
Ranking Member, Subcommittee,  
Labor Health and Human Services  
Committee on Appropriations  
United States Senate  
123 Hart Senate Office Building  
Washington, DC 20510

Dear Chairman Specter and Ranking Member Harkin:

Our organizations are writing to urge that you retain the Senate's position on the National Institute's of Health (NIH) public access policy and not include any language that would change the policy in the final FY 2007 legislation that includes appropriations for NIH. As you know, the Senate did not include any language on the policy in its bill. However, the House version of the bill contains language changing the current voluntary policy to mandatory.

We represent both commercial and not-for-profit scientific publishers who manage and organize the editorial process of independent expert peer review and invest in diverse publishing activities that ensure the global publication of research studies funded by the NIH.

The NIH public access policy went into effect just last year. We feel it is premature to introduce major changes to the current policy that would transform the current voluntary NIH policy into an unfunded mandate. We believe that the NIH struck a reasonable balance with its 2005 public access policy which allows the public to freely access articles from NIH research 12 months after they are published. We support the concept of public access. However, as Dr. Zerhouni mentioned in his testimony before the House Energy and Commerce Committee during its consideration of NIH reauthorization on September 19th, it is important that it not harm publishers of peer-reviewed articles or non-profit society publishers that depend on subscription revenue for peer review and publishing scientific journals.

Since the policy was adopted, the rate of participation has been low. Accordingly, publishers have developed a set of principles to facilitate implementation of the policy and are working with NIH to increase the deposit of author manuscripts to PubMed Central. In addition, some publishers have begun depositing manuscripts on behalf of authors unless they opt out. These actions, along with a continuing

dialogue between publishers and NIH, will increase the rate of participation at PubMed Central without a legislative mandate.

We understand that as you and your House colleagues work on the FY 2007 Labor HHS Appropriations bill, numerous issues and differences between the House and Senate bills will need to be resolved. We respectfully ask you to ensure that the House language on the NIH public access policy be deleted in Conference. We truly appreciate your leadership on this issue and we look forward to working with you again in the future.

Sincerely,



Brian D. Crawford, PhD  
Chairman, PSP Executive Council, Association of American Publishers

The Undersigned

- American Association of Anatomists
- American Association for Cancer Research
- American Association for Clinical Chemistry
- American Association for Dental Research
- American Chemical Society
- American College of Chest Physicians
- American Dairy Science Association
- American Dental Association
- American Institute of Aeronautics and Astronautics
- American Institute of Physics
- American Physical Society
- American Physiological Society
- American Psychiatric Publishing, Inc.
- American Society of Animal Science
- American Society for Biochemistry and Molecular Biology
- American Society of Clinical Oncology
- American Society for Investigative Pathology
- American Society for Microbiology
- American Society for Nutrition
- American Society for Pharmacology and Experimental Therapeutics
- American Society of Plant Biologists
- The Biochemical Society
- The Biophysical Society
- BMJ Publishing Group
- Elsevier
- Emerald Group Publishing Limited
- Entomological Society of America
- Federation of American Societies for Experimental Biology (FASEB)
- The Gerontological Society of America
- The Histochemical Society

- Human Factors and Ergonomics Society
- Infectious Diseases Society of America
- John Wiley & Sons, Inc.
- Lippincott, Williams & Wilkins (Wolters Kluwer)
- The Ornithological Council
- The Physiological Society
- Poultry Science Association
- The Protein Society
- Protein Science
- Royal Society of Chemistry
- SAGE Publications
- Society for Biomolecular Sciences
- Society for Experimental Biology and Medicine
- Society for the Study of Reproduction
- Thieme Publishers
- The University of Chicago Press
- Woodhead Publishing Limited