

New Bill Would Put Taxpayer-Funded Science Behind Pay Walls

by Blog Admin

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*The Research Works Act threatens to prevent scientists in the US from making their research accessible to the public through a free digital archive. **Lena Groeger** of **ProPublica** writes that this effort by publishers could push back a policy of public access to medical research instituted by the US Congress in 2008.*

Right now, if you want to read the published results of the biomedical research that your own tax dollars paid for, all you have to do is visit the [digital archive](#) of the National Institutes of Health. There you'll find thousands of articles on the latest discoveries in medicine and disease, all free of charge.

A new bill in Congress wants to make you pay for that, thank you very much. The [Research Works Act](#) would prohibit the NIH from requiring scientists to submit their articles to the online database. Taxpayers would have to shell out **\$15 to \$35** to get behind a publisher's paid site to read the full research results. A Scientific American blog said it amounts to [paying twice](#).

Two members of Congress — Reps. Darrell Issa, R-Calif., and Carolyn Maloney, D-N.Y. — introduced the bill. [Rebecca Rosen](#) of [The Atlantic](#) finds it curious that Issa, a well-known champion of the open Internet whose own website displays the words “keep the web #OPEN,” would back a bill that appears to be the polar opposite of open access.

As [Michael Eisen](#), a University of California, Berkeley, biologist and open access supporter, notes, Maloney's support seems no less mystifying since she represents “[a liberal Democratic district in New York City that is home to many research institutions](#).”

Both Issa and Maloney have received campaign contributions from the Dutch company [Elsevier](#), which calls itself the world's leading publisher of scientific and medical information. According to [MapLight](#), a website that tracks political cash, Elsevier and its senior executives last year [made 31 contributions](#) to House members totaling \$29,500. Twelve contributions totaling \$8,500 went to Maloney; Issa received two for a total of \$2,000.

This isn't the first effort by publishers to push Congress to roll back the NIH's public access policy, which was [enacted in 2008](#) and applauded by doctors, patients, librarians, teachers and students. Under the policy, all research funded by the NIH was required to be made freely available to the public one year after publication on [PubMed Central](#). (The NIH also runs [PubMed](#), a biomedical research database that includes articles that aren't federally funded and cost money to access.)

In 2009, as [Eisen notes](#), the Association of American Publishers backed the [Fair Copyright in Research Works Act](#). That bill never left committee, but this new bill is essentially a shorter version of the same thing (and was [similarly praised by the AAP](#) for forbidding “federal agencies from unauthorized free public dissemination of journal articles”).

Two arguments in favor of the bill crop up regularly:

1. Publishers like Elsevier add value to every scientific journal article by overseeing the peer-review, editing and publishing process. Because of this contribution, they deserve exclusive rights to each article permanently, not merely one year after it has been published. [Tom Reller](#), vice president for global corporate relations at Elsevier, [comments here](#) that Elsevier and other commercial and nonprofit publishers invest hundreds of millions of dollars each year in managing the publication of journal articles.”
2. Publishing companies need this money to keep the industry going. As [the AAP states](#) :“At a time when

job retention, U.S. exports, scholarly excellence, scientific integrity and digital copyright protection are all priorities, the Research Works Act ensures the sustainability of this industry.”

In the recent commotion over the bill ([here's a roundup of recent posts](#)), the academic community has replied to both of these claims.

In response to the added value argument, Kevin Smith, scholarly communications officer at Duke University, [argues that publishers don't actually produce or add much themselves](#). The work comes from academics and from the [peer reviewers who volunteer their time to read and critique the work of their fellow academics](#). According to Eisen, although publishers might contribute a little something to the peer-review process (organization, supervision, etc.), this pales in comparison to the work done for free.

In response to the jobs and industry argument, Heather Morrison, a doctoral candidate at the Simon Fraser University School of Communication in Vancouver, B.C., points out that the top scientific, technical and medical publishers (Elsevier, Springer, Wiley, Informa) have seen [profit margins of 30 percent to 35 percent in the last year](#). Elsevier, part of a global multibillion-dollar information conglomerate with offices in New York City, publishes about 1,800 journals and last year made a profit of \$1.1 billion.

The Economist [makes the same point](#): The industry seems to be doing just fine. Furthermore, there is evidence that more jobs would come from open policies than from closed ones, says Peter Suber, an [open access advocate at Harvard University](#).

In his response to a recent [White House request for information](#) on public access in research, Harvard Provost Alan Garber calls the current situation an “access crisis.” He [argues that public access is crucial to growing businesses](#), which need access to cutting-edge research to stimulate innovation, develop new products, improve existing ones, and create jobs.

“If the NIH policy is flawed,” writes Garber, “it is for allowing needlessly long delays before the public gains access to this body of publicly funded research, and for allowing needless restrictions on the public use and reuse of this research.”

This article was originally published on the ProPublica news website and can be viewed [here](#).

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