

We have had much experience with the public asking government to increase access to public goods. Over time our government has changed the practice of essentially giving away the right to freely discharge effluent into the air and the water, to making available at little or no cost to industry mineral rights, timber rights, and grazing rights to public lands, and to distributing to broadcasters for nominal fees the rights to place their transmissions into the spectrum. Every proposed change in sales, lease, and use or allocation practice for goods in this category has been met by industry protest and prediction of disaster for the industry and the public if the changes under discussion were put in place. The protests of the industries affected by such changes are inevitable.

Those in the scholarly journal publishing industry, whether in private corporations or not-for-profit scholarly societies, may find this set of analogies uncomfortable, but it is apt. An important portion of the public is asking for improved access to goods that have been obtained largely through public funding. Some publishers who now own significant rights to those public goods are predicting grave consequences for themselves and for the public if the terms under which they currently acquire manuscripts and are permitted to use them are restricted. Legislators will have to sort through the contrasting claims and decide which claims have the greatest merit. I clearly believe that scholars and the public are on the right side of this matter. Cornyn/Lieberman should become law.

In previous remarks on this topic I have observed that our failure to address the major problems of the scholarly communications system was due to the unknowability of the potential gain from making the scholarly literature widely available. With passage of this act the problem of the subjunctive, I believe, is about to be overcome. Scientists at our less wealthy institutions in the US and in the many impoverished universities throughout the world will have six-month-old scholarship at their fingertips. Relatives desperately wanting to know about the diseases their loved ones have and about the range of treatments available will have that knowledge. I suspect the additional lives saved or extended and the additional scientific advances made ultimately will cause us to question how we could have permitted knowledge to be locked away by high-cost access indefinitely from those who could and would use it so productively.

Novel idea making information more freely available, isn't it?

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¹ AAU Intellectual Property Task Force, "Intellectual Property and New Media Technologies: A Framework for Policy Development at AAU Institutions," 1999, <http://www.aau.edu/reports/IPReport.html>.

² Federal Research Public Access Act of 2006 (Introduced in Senate), 109th Congress, 2nd Session, S2695 May 2, 2006, <http://thomas.loc.gov/cgi-bin/query/z?c109:S.2695>.

HIGHER EDUCATION AND LIBRARY LEADERS VOICE SUPPORT FOR FREE ACCESS TO FEDERAL RESEARCH

In remarks at a forum on "Improving Access to Publicly Funded Research," leaders of major higher education and library organizations voiced their support for the goals of recent measures to expand public access to research funded by the US Government. The forum was cosponsored by ARL, the Association of American Universities (AAU), CNI, the National Association of State Universities and Land-Grant Colleges (NASULGC), and SPARC.

The forum attracted 170 participants who were a representative mix of the different constituencies within the higher education, scholarly, and research library communities. As a result, the audience was well prepared to engage an impressive lineup of speakers on the many dimensions of the issues involved in expanding access to publicly funded research.

The access policies that garnered the most attention at the forum were the National Institutes of Health (NIH) Public Access Policy, which makes the results of NIH-funded research freely available, and the Federal Research Public Access Act (FRPAA). Introduced in May 2006, FRPAA (S2695) would require all US federal agencies that fund over \$100 million on external research to ensure that the resulting peer-reviewed research articles are available free on the Internet within six months of publication. FRPAA is sometimes called the Cornyn-Lieberman bill, named after its bipartisan Senator sponsors.

The forum also showcased practical strategies for facilitating the new access policies. Librarians from the Massachusetts Institute of Technology and the University of California described local efforts to aid faculty in retaining rights to deposit their works in open online archives. Librarians from Cornell University, Pennsylvania State University, and the California Digital Library described D-Pubs and e-Scholarship as strategies being used to enhance institutional publishing.

The presentations at the forum by David Shulenburg, Vice President for Academic Affairs of NASULGC, and Clifford Lynch, CNI Executive Director, are included elsewhere in this issue of ARL. Papers and slides from other speakers at the forum are available at <http://www.arl.org/forum06/>.