

SPARC (the Scholarly Publishing and Academic Resources Coalition) is very pleased that the revised NIH Public Access Policy is moving towards a timely implementation. We strongly believe that effective, immediate implementation of this policy will enhance researchers' ability to access, share, and use the results of the critical biomedical research funded by this agency.

As an organization of more than 220 academic and research libraries serving both public and private universities and colleges across the U.S., SPARC is committed to the promotion of policies that expand the dissemination of research results, reduce barriers to the use of those results, and leverage the networked digital environment in an efficient, cost-effective manner. We believe that the NIH Public Access Policy provides an important opportunity to further these aims.

SPARC has been strongly supportive of this policy since it was first proposed in 2004. The breadth of support for this policy was clear to us from the reaction of the American public to the first request for public comments on the policy published in the Federal Register in September of 2004, when the vast majority of the more than 6,000 individuals and organizations who weighed in did so support of the policy. We have been actively involved in the numerous public discussions and debates that have taken place at the NIH, and in the U.S. Congress, over the past 3 years, as the policy has worked its way, visibly and transparently, through the legislative process. We have participated in dozens of the meetings devoted to discussion of this policy convened by interested policy makers, universities, publishers, libraries and other stakeholder organizations. We have been pleased to see this issue receive prominent coverage, year in and year out, in national and international media outlets ranging from the Washington Post to the Wall Street Journal to NBC Nightly News.

This long and thorough vetting process, culminating in the passage of the policy by both Houses of the U.S. Congress, and ultimately, the signature of the President, strengthened our commitment to see this policy through to a successful implementation. Now that the policy has been signed into law, our focus, along with that of our member institutions, has been on creating programs to ensure effective enactment of the policy so that its benefits can begin to accrue to the public. We are pleased to see that most other stakeholders are also putting their resources into these efforts, rather than into costly and unnecessary campaigns designed to delay this crucial policy.

At SPARC, our efforts have centered around:

1. Raising awareness of the policy on our campuses;
2. facilitating deposit of manuscripts into PubMed Central; and
3. Ensuring authors understand the rights that they, as the original holders of the copyright on their manuscripts, need to retain in order to legally comply with the policy.

This third element is particularly important, as a small but vocal number of publishers continue to make the misleading and incorrect assertion that this policy will somehow put authors into conflict with copyright law.

We are very pleased to see, by contrast the growing number of publishers who understand that this is simply not the case, and whose publication policies encourage and facilitate compliance with this policy. The several hundred journals listed on the Pub Med Central web site who fall

into this category underscore that many in this stakeholder group understand that no conflict with copyright exists, and that deposit of an authors manuscript in PubMed Central compliments, rather than conflicts, with publication of a final article in a journal.

To further help provide clarity on this issue, SPARC and its partners recently published a widely distributed white paper outlining six options for copyright management strategies that campuses can adopt to guarantee that their researchers – and institution – effectively meet the policy's requirement for compliance with current copyright law.

And while our member libraries are playing central role in facilitating compliance with the policy, they are by no means acting alone. On many campuses, these efforts have involved close collaboration among librarians, researchers, research administrators, and university counsel. SPARC's members view the NIH policy as a welcome opportunity to work in concert with their campus colleagues and contribute directly to the mission of higher education– to promote and advance knowledge.

SPARC commends the NIH for issuing implementation guidelines in a timely manner and for being consistently responsive to queries about the process from our member organizations. Finally, SPARC applauds the NIH, Director Zerhouni, the U.S. Congress and the President for advancing this important policy, which will provide a rich and innovative suite of new resources – as well as access to critical biomedical research findings – to researchers on our campuses and beyond. Prompt implementation of this policy will accelerate the pace of research and discovery, fuel innovation, and serve the public good.