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Research Bought, Then Paid For

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THROUGH the National Institutes of Health, American taxpayers have long supported research directed at understanding and treating human disease. Since 2009, the results of that research have been available free of charge on the National Library of Medicine's [Web site](#), allowing the public (patients and physicians, students and teachers) to read about the discoveries their tax dollars paid for.

But a bill introduced in the House of Representatives last month threatens to cripple this site. [The Research Works Act](#) would forbid the N.I.H. to require, as it now does, that its grantees provide copies of the papers they publish in peer-reviewed journals to the library. If the bill passes, to read the results of federally funded research, most Americans would have to buy access to individual articles at a cost of \$15 or \$30 apiece. In other words, taxpayers who already paid for the research would have to pay again to read the results.

This is the latest salvo in a continuing battle between the publishers of biomedical research journals like Cell, Science and The New England Journal of Medicine, which are seeking to protect a valuable franchise, and researchers, librarians and patient advocacy groups seeking to provide open access to publicly funded research.

The bill is backed by the powerful Association of American Publishers and sponsored by Representatives Carolyn B. Maloney, Democrat of New York, and Darrell Issa, a Republican from California. The publishers argue that they add value to the finished product, and that requiring them to provide free access to journal articles within a year of publication denies them their fair compensation. After all, they claim, while the research may be publicly funded, the journals are not.

But in fact, the journals receive billions of dollars in subscription payments derived largely from public funds. The value they say they add lies primarily in peer review, the process through which works are assessed for validity and significance before publication. But while the journals manage that process, it is carried out almost entirely

by researchers who volunteer their time. Scientists are expected to participate in peer review as part of their employment, and thus the publicly funded salaries most of them draw through universities or research organizations are yet another way in which taxpayers already subsidize the publishing process.

Rather than rolling back public access, Congress should move to enshrine a simple principle in United States law: if taxpayers paid for it, they own it. This is already the case for scientific papers published by researchers at the N.I.H. campus in Bethesda, Md., whose work, as government employees, has been explicitly excluded from copyright protection since 1976. It would be easy to extend this coverage to all works funded by the federal government.

But it is not just Congress that should act. For too long scientists, libraries and research institutions have supported the publishing status quo out of a combination of tradition and convenience. But the latest effort to overturn the N.I.H.'s public access policy should dispel any remaining illusions that commercial publishers are serving the interests of the scientific community and public.

Researchers should cut off commercial journals' supply of papers by publishing exclusively in one of the many "open-access" journals that are perfectly capable of managing peer review (like those published by the Public Library of Science, which I co-founded). Libraries should cut off their supply of money by canceling subscriptions. And most important, the N.I.H., universities and other public and private agencies that sponsor academic research should make it clear that fulfilling their mission requires that their researchers' scholarly output be freely available to the public at the moment of publication.

These steps would not only accomplish an important public good — unlimited access to the latest scientific and medical findings — but they would also send a powerful sign of gratitude to the taxpayers, on whose continued support our research depends.

Michael B. Eisen, an associate professor of molecular and cell biology at the University of California, Berkeley, is a founder of the Public Library of Science, an organization devoted to making research freely available.

