

**Federal Research Public Access Act of 2006**  
**Update – September 7, 2006**  
**Prepared by Carol Pitts Diedrichs**

**Basics**

Here's the info on the bill introduced by Senators Cornyn (R-TX) and Lieberman (D-CT) – the Federal Research Public Access Act of 2006. This bill would require eleven federal agencies to make electronic manuscripts of peer-reviewed journal articles stemming from their research publicly available via the Internet. If passed, this bill would have wide-reaching implications for investigators in a broad range of disciplines. The ARL website with all the background can be found at <http://www.arl.org/sparc/resources/frpaa.html>. This is the next logical extension of the Open Access movement.

**Who Supports the Bill?**

The ARL position (and one I share) is that this is a good thing for libraries. I know you are aware of the issues we face in paying for journal price increases each year. Just this week, we “successfully” negotiated with *Nature* to reduce the increase for their journals down to 34% from 38%. It's hard to think of that as a “success.” We received an increase to our serials budget this year of less than 7%.

In July, the provosts of the CIC (Big Ten) and Greater Western Library Alliance (GWLA, basically the Big 12 plus other research institutions in the western and Midwestern states) wrote of letters to Senator Cornyn endorsing the bill. Those can be found at:

Committee on Institutional Cooperation (CIC – representing the Big Ten institutions and the University of Chicago)  
<http://www.cic.uiuc.edu/groups/CICMembers/archive/documents/FRPAAletterFinal7-24-06.pdf>

Greater Western Library Alliance (GWLA – representing the Big 12 institutions and others in the western and Midwestern states)  
<http://www.gwla.org/provostletter.html>

The Oberlin Group – 53 college presidents of liberal arts colleges --  
<http://www.taxpayeraccess.org/media/Advisory06-0906.html>  
<http://www.oberlingroup.org/about/frpaa.pdf>

Even the Student Senate at the University of Florida --  
<http://www.sg.ufl.edu/MeetingPDF%5C155.htm>

The American Association of Law Libraries, American Library Association, Association of Academic Health Sciences Libraries, Association of College & Research Libraries,

Association of Research Libraries, Greater Western Library Alliance, Medical Library Association, SPARC, and The Special Libraries Association encourage taxpayers and other stakeholders in the scientific process to add their support for this important legislation. Details are online at <http://www.taxpayeraccess.org/frpaa/>.

### **Who Opposes the Bill?**

As support for the bill has grown, opponents of FRPAA are now contacting provosts, presidents, and other leaders of higher education institutions to ask that they sign a letter opposing FRPAA. I've attached a review the key provisions of the legislation and the library community's response to specific concerns expressed by opponents of the legislation.

#### *On Campus opposition*

I am also aware that we have at least one person on campus who opposes the legislation. William A. Thomas, Hudnall Professor of Geology, and President of the Geological Society of America, has written a letter on behalf of his scholarly society opposing the legislation. The letter does reveal some misunderstandings of the potential implications of the bill on issues such as peer review. Professor Thomas states in his letter that "this legislation, as written, is unnecessary and would adversely impact the existing peer-review publication system ..." This legislation doesn't have an impact on peer review; scholarly work would still be reviewed and vetted by peers; published in scholarly journals; and then posted in the open access depositories. The Society's position can be found at <http://www.geosociety.org/aboutus/position.htm>. This perspective is reflective of many (but not all) scholarly societies whose organizational budgets are predicated on the sale of print and electronic journals.

#### *Additional issue*

It has also come to my attention – though not because anyone has asked me – that the Senate Council has been alerted to this issue and is discussing whether I (not you apparently) as Dean of Libraries has the right to take an official position on this issue if I haven't consulted with my faculty. And so it continues ...

### **University of Kentucky Position**

There has been no widespread campus conversation about legislation nor have I had any conversation with my faculty. I would expect a few of them to be aware of the issue because of their own professional involvement.

I am in favor of our taking a position supporting the legislation.

## **How to show support**

If you or the President wish to take a position on the matter, there are several routes to consider.

ARL provides a site for institutions to sign on in support

<http://www.arl.org/sparc/advocacy/frpaa/institutions.html>

Association of Southeastern Research Libraries (ASERL)

We are a member of ASERL which includes 37 university libraries in our regional including University of North Carolina, Duke, Emory, and University of Virginia. As of last count 4 of the provosts from ASERL participants have endorsed the legislation.

Southeastern Conference Academic Consortium Initiative (SECAC)

This consortium modeled on the CIC was formed in 2004. It has not accomplished much but support for this legislation is just the sort of thing it could be doing.