

EDOLPHUS TOWNS, NEW YORK,  
CHAIRMAN

PAUL E. KANJORSKI, PENNSYLVANIA  
CAROLYN B. MALONEY, NEW YORK  
ELIJAH E. CUMMINGS, MARYLAND  
DENNIS J. KUCINICH, OHIO  
JOHN F. TIERNEY, MASSACHUSETTS  
WM. LACY CLAY, MISSOURI  
DIANE E. WATSON, CALIFORNIA  
STEPHEN F. LYNCH, MASSACHUSETTS  
JIM COOPER, TENNESSEE  
GERALD E. CONNOLLY, VIRGINIA  
MIKE QUIGLEY, ILLINOIS  
MARCY KAPTUR, OHIO  
ELEANOR HOLMES NORTON,  
DISTRICT OF COLUMBIA  
PATRICK J. KENNEDY, RHODE ISLAND  
DANNY K. DAVIS, ILLINOIS  
CHRIS VAN HOLLEN, MARYLAND  
HENRY CUELLAR, TEXAS  
PAUL W. HODES, NEW HAMPSHIRE  
CHRISTOPHER S. MURPHY, CONNECTICUT  
PETER WELCH, VERMONT  
BILL FOSTER, ILLINOIS  
JACKIE SPEIER, CALIFORNIA  
STEVE DRIEHAUS, OHIO  
JUDY CHU, CALIFORNIA

ONE HUNDRED ELEVENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051  
FACSIMILE (202) 225-4784  
MINORITY (202) 225-5074

[www.oversight.house.gov](http://www.oversight.house.gov)

DARRELL E. ISSA, CALIFORNIA,  
RANKING MINORITY MEMBER

DAN BURTON, INDIANA  
JOHN L. MICA, FLORIDA  
JOHN J. DUNCAN, JR., TENNESSEE  
MICHAEL R. TURNER, OHIO  
LYNN A. WESTMORELAND, GEORGIA  
PATRICK T. McHENRY, NORTH CAROLINA  
BRIAN P. BILBRAY, CALIFORNIA  
JIM JORDAN, OHIO  
JEFF FLAKE, ARIZONA  
JEFF FORTENBERRY, NEBRASKA  
JASON CHAFFETZ, UTAH  
AARON SCHOCK, ILLINOIS  
BLAINE LUETKEMEYER, MISSOURI  
ANH "JOSEPH" CAO, LOUISIANA  
BILL SHUSTER, PENNSYLVANIA

June 28, 2010

The Honorable John P. Holdren  
Director  
Office of Science and Technology Policy  
Executive Office of the President  
725 17th Street Room 5228  
Washington, DC 20502

Dear Director Holdren:

We write today regarding your office's involvement in formulating public access policies for science and technology funding agencies across the federal government, and to share our concerns with respect to any policy that would mandate free public access for all published materials about federally funded research.

The Office of Science and Technology Policy (OSTP) began the rulemaking process regarding public access policies with Notice and Request for Public Comment published in the Federal Register on December 9, 2009. If promulgated, a rule to require free access to peer-reviewed science journal articles after just a short period of exclusivity would be detrimental to researchers, editors, publishers and scientific societies. In 2008, the National Institutes of Health instituted a policy requiring that "all investigators funded by the NIH submit or have submitted for them to the National Library of Medicine's PubMed Central an electronic version of their final, peer-reviewed manuscripts upon acceptance for publication, to be made publicly available no later than 12 months after the official date of publication."<sup>1</sup> This mandate has the potential to harm the viability of health-related scientific journals.

As you go forward with the rulemaking process, we would urge you to consider a public access policy similar to that used by the National Science Foundation, which expands access to the results of federally funded research while protecting the value added by publishers of such research. It is important to note the distinction between federally funded research and the published product of that research, and strike a balance between giving the American people access to research paid for by their tax dollars while

---

<sup>1</sup> Consolidated Appropriations Act, 2008, Pub. L. 110-161.

The Honorable John P. Holdren  
June 28, 2010  
Page 2

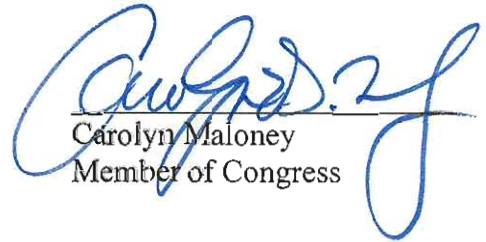
still protecting the intellectual property and copyright protected material that belongs to the publishers.

Thank you in advance for your consideration. If you have any questions, please do not hesitate to contact Molly Boyd of the minority staff at (202) 225-5074.

Sincerely,



Darrell Issa  
Ranking Member



Carolyn Maloney  
Member of Congress

Cc: The Honorable Edolphus Towns, Chairman