**ACTION ALERT  
March 12, 2014**

**Contact the House Science Committee Today  
Urge them to Oppose H.R. 4186**

**NOTE: The House Science Committee is scheduled to mark up H.R. 4186 on Thursday morning at 9 a.m. If you representative is a member of this committee, please contact them immediately. Committee members are listed at the end of this document.**

**Background Information:**

On March 10, House Science Committee Chair Lamar Smith (R-TX) and Representative Larry Bucshon (R-IN) introduced the Frontiers in Innovation, Research, Science and Technology (FIRST) Act (HR 4186). The primary motivations of the bill are to reauthorize certain programs in NSF, NIST, the DOE Office of Science, and OSTP. Section 303 of the bill would establish public access policies, but it would take a step backward from initiatives (NIH and OSTP) that the medical library community have been supporting, and potentially could threaten the progress accomplished by the NIH Public Access Policy.

**What You Can Do Now:**

**Please contact your member of Congress if they sit on the** [**House Science Committee**](http://science.house.gov/about/membership) **(**[**http://science.house.gov/about/membership**](http://science.house.gov/about/membership)**). Urge them to oppose Section 303 of H.R. 4186. You may wish to use some of the following talking points\* in your message:**

* The medical library community supports federal initiatives and legislation that will provide meaningful public access to the results of federally funded science. Improved access will enable researchers to realize new discoveries more quickly, facilitate scientific collaboration, accelerate the exchange of information among the research community, and enhance the affordability and distribution of scientific and scholarly research. Implementation by federal agencies of the White House Directive and the bipartisan, bicameral Fair Access to Science and Technology (FASTR) Act (H.R. 708/S. 350) accomplish these goals, while FIRST is counterproductive to these goals.   
    
  Section 303 of H.R. 4186 threatens to slow the pace of scientific discovery by restricting public access to articles reporting on federally funded research for up to *three years* after initial publication.  Many policies in use around the world call for maximum embargo periods of no more than six to 12 months.   
    
  Section 303 also fails to support provisions that allow for shorter embargo periods to publicly funded research results and would only permit extensions to embargoes. These provisions seem unnecessarily restrictive and ignorethe potential harm to stakeholders that can accrue through unnecessarily long delays.   
    
  The medical library community maintains that having increased access to federally funded research strengthens the biomedical research enterprise and improves patient care.Public access to NIH funded research has proven extremely beneficial to the medical library community and to its users. As an organization (MLA) whose members constitute a large percentage of the subscribers to medical journals, we can attest that the availability of NIH-funded research articles in PubMed Central with a maximum 12-month embargo has not led libraries to cancel journal subscriptions. Further, we support even shorter embargoes such as those in use around the world which call for maximum embargo periods of no more than six to 12 months. Because research in other disciplines that support medical research (e.g., Veterans Administration) is increasingly relevant to biomedicine, broadening public access policies across agencies will enable the medical library community to support better patient care, biomedical research, education and health information technology. But the results of other agency research should not be restricted from public access for up to 3 years  
    
  FIRST could threaten to turn back the clock on the significant accomplishments of the NIH Public Access Policy to further research, education, and support better patient care.
* The medical library community believes it is important to preserve health information for researchers, students, educators, and the public for generations to come.   
    
  By not requiring agencies to obtain a copy of any article resulting from their funded research, FIRST fails to ensure that federal agencies have full text copies of their funded research articles to archive and provide to the public for full use, and for long-term archiving.  This provision puts the long term accessibility and utility of federally funded research articles at risk. Section 303 also imposes unnecessary costs on federal agency public access programs by conflating access and preservation policies as applied to articles and data. The legislation does not make clear enough what data must be made accessible, nor adequately articulate the location of where such data would reside, or its terms of use.
* The medical library community supports implementation of the White House Directive that calls for federal agencies to develop public access policies. Section 303 wastes time and taxpayer dollars by calling for an additional 18-month delay while agencies “develop plans for” policies.This is a duplication of federal agency work that was required by the White House Directive and has, in large part, already been completed with input from a wide range of stakeholders.

**Communication Tips:**

**If your member of Congress sits on the** [**House Science Committee**](http://science.house.gov/about/membership) **please contact them via fax, phone, or email before Thursday, March 13.** Fax, email, or phone calls work best.

* Identify yourself as a constituent and ask to speak with the House member’s Health Care Legislative Assistant.
* Tell the aide that you are a health sciences librarian who understands and benefits of public access to health and science information.
* Ask the senator to oppose H.R. 4186, “Frontiers in Innovation, Research, Science and Technology (FIRST) Act”.
* Briefly explain why the policy is important to you.
* Give the aide your contact information and ask to be informed about the actions of the legislator on these key issues.

**House Committee on Science, Space and Technology**

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| **Republican Members (22)** | **Democratic Members (18)** |
| [Lamar Smith](http://lamarsmith.house.gov/), Texas\* [Dana Rohrabacher](http://rohrabacher.house.gov/), California\*\* [Ralph M. Hall](http://ralphhall.house.gov/), Texas+ [F. James Sensenbrenner](http://sensenbrenner.house.gov/), Wisconsin [Frank D. Lucas](http://www.house.gov/lucas/), Oklahoma [Randy Neugebauer](http://www.randy.house.gov/index.html), Texas [Michael T. McCaul](http://mccaul.house.gov/), Texas [Paul Broun](http://broun.house.gov/), Georgia [Steven Palazzo](http://palazzo.house.gov/), Mississippi [Mo Brooks](http://brooks.house.gov/), Alabama [Randy Hultgren](http://hultgren.house.gov/), Illinois [Larry Bucshon](http://bucshon.house.gov/), Indiana [Steve Stockman](http://stockman.house.gov/), Texas [Bill Posey](http://posey.house.gov/), Florida [Cynthia Lummis](http://lummis.house.gov/), Wyoming [David Schweikert](http://schweikert.house.gov/), Arizona  [Thomas Massie](http://massie.house.gov/), Kentucky [Kevin Cramer](http://cramer.house.gov/), North Dakota [Jim Bridenstine](http://bridenstine.house.gov/), Oklahoma [Randy Weber](http://weber.house.gov/), Texas [Chris Collins](http://chriscollins.house.gov/), New York VACANCY  \*Full Committee Chair +Chairman Emeritus \*\*Vice Chair/Committee | [**Eddie Bernice Johnson**](http://ebjohnson.house.gov/)**,** Texas++ [Zoe Lofgren](http://lofgren.house.gov/), California [Daniel Lipinski](http://www.lipinski.house.gov/), Illinois [Donna Edwards](http://donnaedwards.house.gov/), Maryland [Frederica Wilson](http://wilson.house.gov/), Florida [Suzanne Bonamici](http://bonamici.house.gov/), Oregon [Eric Swalwell](http://swalwell.house.gov/), California [Dan Maffei](http://maffei.house.gov/), New York [Alan Grayson](http://grayson.house.gov/), Florida [Joe Kennedy](http://kennedy.house.gov/), Massachusetts [Scott Peters](http://scottpeters.house.gov/), California [Derek Kilmer](http://kilmer.house.gov/), Washington [Ami Bera](http://bera.house.gov/), California [Elizabeth Esty](http://esty.house.gov/), Connecticut [Marc Veasey](http://veasey.house.gov/), Texas [Julia Brownley](http://juliabrownley.house.gov/), California [Mark Takano](http://takano.house.gov/), California [Robin Kelly](http://robinkelly.house.gov/), Illinois      ++Full Committee Ranking Member |

If you have questions or need additional information, contact Mary Langman at [langman@mlahq.org](mailto:langman@mlahq.org).

\*Talking points adapted from those developed by SPARC.