



*Office of the Chair*  
*PHONE: (510) 987-9303*  
*FAX: (510) 763-0309*  
*E-MAIL: george.blumenthal@ucop.edu*

*Assembly of the Academic Senate*  
*Academic Council*  
*1111 Franklin Street, 12th Floor*  
*Oakland, CA 94607-5200*

7 June 2005

The Honorable Ralph Regula  
Chairman, Subcommittee on Labor, Health and Human Services,  
Education, and Related Agencies  
Committee on Appropriations  
United States House of Representatives  
Rayburn House Office Building, Room 2358  
Washington, DC 20515-6024

Dear Chairman Regula:

I am writing on behalf of the University of California's Academic Council and its Special Committee on Scholarly Communication. We want to express our enthusiastic support for continuation of **PubChem**, an immensely useful project underway at the National Center for Biotechnology Information (NCBI) in the **National Institutes of Health** (NIH). It has come to our attention that during the markup of the FY 2006 Labor-HHS Appropriations bill the Subcommittee may consider language that would restrict PubChem.

In discussion with colleagues at the University of California and elsewhere we have come to understand that PubChem represents a vital next step for NIH in leveraging its investment in the human genome project, filling in the picture of small molecules. It is a powerful tool that enables medical researchers to harness NIH-funded and other public resources about chemical structures so that they can advance development of new medications. By simply clicking on links, researchers navigate through the range of information resources—for example, searching on a chemical name, viewing its structure in PubChem, and finding articles that refer to it in PubMed Central. By ensuring that publicly financed knowledge is broadly accessible on the Internet in this way, NIH is enhancing the return on public investment in research and stimulating further innovation by public and private scientific enterprises. As you may know Nobelist Richard Roberts and other renowned chemists have spoken in detail about these benefits of PubChem (see [http://osc.universityofcalifornia.edu/news/acs\\_pubchem.html#positions](http://osc.universityofcalifornia.edu/news/acs_pubchem.html#positions)).

Equally important, we believe that PubChem is an important initiative in the NIH's program to provide broad access to scholarship. The NIH is providing much needed leadership to accelerate the advancement of knowledge through experiments in the rapid delivery of the results of science and scholarship to the widest audience at the lowest cost possible.

It is our understanding from press reports that the American Chemical Society (ACS) has called for NIH to unreasonably restrict PubChem. ACS claims that PubChem competes with its Chemical Abstracts Service (CAS), a well-known, high-quality, and expensive database, to which only about 1,000 U.S. universities can afford to subscribe. However, there is evidence that PubChem and the CAS databases are, and can continue to be, complementary, not duplicative.

As you know, PubChem is a critical component of NIH's Molecular Libraries initiative, which in turn is a lynchpin of the NIH strategic Roadmap to enhance health care and speed delivery of new medical treatments. Indeed, the directors of the NIH institutes unanimously rank the Molecular Libraries initiative as the highest priority of the NIH Roadmap. It is a mistake to endanger the promise of the Roadmap by imposing restrictions on PubChem that fundamentally undermine its utility. There is simply too much at stake.

We also are worried about the chilling effect that the ACS campaign might have on creative attempts to increase access to science. We wonder whether the Society's position has been thoroughly vetted with its membership. A number of eminent library and public interest organizations have expressed their belief that science and the American public are well served by continued development and maintenance of PubChem.

University of California faculty members have authored or co-authored over 2,300 articles in ACS publications in the last 2 ½ years alone. Seventy-two UC faculty hold ACS journal editorial positions and a number serve on ACS committees and sections. We are encouraging these faculty members to discover the facts, discuss the issue with colleagues, and let ACS know their preference.

Meanwhile, we are grateful for your leadership on the recent NIH Public Access Policy, which offers immense potential to advance science. In the same vein, we encourage you to support PubChem and the broader Molecular Libraries initiative at NIH.

Thank you for the opportunity to share our perspectives with you.

Sincerely,



George R. Blumenthal, Chair  
UC Academic Council

Copy: Academic Council