

Introduction

The Association of Academic Health Sciences Libraries (AAHSL) consists of libraries at accredited U.S. medical schools and major American academic health centers. Founded in 1977, AAHSL collectively represents some of the largest purchasers of biomedical journals and other health sciences resources in the country.

The Medical Library Association (MLA) represents over 3,000 health sciences librarians and information professionals across the United States working in hospitals, academic medical centers, research institutions, government agencies, pharmaceutical companies, and other healthcare organizations. Founded in 1898, MLA provides professional development, certification programs, and advocacy for health information access throughout America.

Together, our organizations bring decades of combined expertise in health sciences information management, scholarly publishing, and biomedical research support. MLA and AAHSL members serve on the front lines of healthcare information delivery, working directly with physicians, researchers, students, and patients and their caregivers to ensure access to critical health information. Our members possess deep knowledge of academic publishing models, subscription management, and the evolving landscape of article processing charges (APCs). We have long championed open access to scholarly literature as essential for advancing American health sciences knowledge and improving the health of the American people.

The Office of Management and Budget's (OMB) justification for the proposed revisions to title 2 of the Code of Federal Regulations is to increase the transparency, accountability, and oversight of Federal awards and reduce burden on grant recipients. However, several of OMB's proposed changes impact libraries' ability to disseminate and provide broad access to validated, peer-reviewed scientific research results and fail to align with OMB goals. The proposed changes also do not align with the administration's "Restoring Gold Standard Science" initiative established by Executive Order 14303, which includes tenets on making federally funded research transparent and reproducible. Without further consideration and clarification, the OMB's proposed changes will introduce new administrative burdens across the research lifecycle. In this comment, we will discuss § 200.454 (b) and § 200.461 and provide informed recommendations to clarify and improve these regulations based on our extensive experience as medical and health sciences librarians.

§ 200.454 (b) Memberships, subscriptions, and professional activity costs.

SUMMARY: OMB proposes introducing language that would make the costs of the recipient's or subrecipient's subscriptions to business, professional, academic, and technical periodicals unallowable.

DISCUSSION: Researchers' access to the results of research in their field is foundational to scientific discovery, the generation of new knowledge, and the responsible use of research funding. We are concerned that the proposed changes to [200.454] limit researchers' ability to

access and participate in scientific communication by placing restrictions on a researcher's or library's ability to subscribe to journals.

Traditionally, the allowance for purchase of subscriptions to business, professional, academic, and technical periodicals was provided for titles, works, or reports as direct costs. These titles may not have broad applicability within an institution but include content essential for the work of a specific lab or to research a specific grant. In cases where it may not be fiscally responsible for the library to purchase a subscription for the institution, allowing researchers to use grant funds for this purpose ensures they have access to the scientific conversation on their research topic. Allowing researchers to purchase journal subscriptions for individuals or their research labs is essential to achieving the objectives of their award and to avoid wasting federal funds on duplicating previously published scientific findings.

Further, as written, it is unclear whether [200.454] affects only direct costs of grants or also indirect costs. Should this provision affect indirect costs, it would be very damaging to libraries that rely on indirect grant support for their collection budgets and, in turn, would weaken the scientific underpinning of research and science funded by federal research grants.

Journal subscriptions are a shared resource and part of the indirect costs of conducting research, similar to the costs of power and infrastructure required to maintain lab facilities and specialized equipment. When libraries steward subscriptions centrally, it leads to efficient, data-driven expenditures that increase organizational purchasing power and the ability to negotiate favorable terms with publishers, while also stewarding resources responsibly. Libraries have the tools and resources to determine for their institution when a subscription to a title or collection of titles is no longer a sound purchasing decision.

RECOMMENDATION: We strongly advocate for continued use of federal funds to support access to published literature through all mechanisms, including direct subscriptions from researchers and institutional subscriptions funded through indirect costs. Continuing to allow subscriptions would reflect the importance of researcher access to journals and validated literature in ensuring a strong and efficient scientific ecosystem in the US. A number of Gold Standard Science tenets emphasize the importance of communication and peer review of research results, which generally rely on scientific publishing and dissemination in research journals. We believe it is important for grant funds to continue supporting researchers' access to scholarly literature so they can continue to produce Gold Standard Science.

§ 200.461 – Publication and printing costs.

SUMMARY: OMB proposes making publication costs, such as page charges and Article Processing Charges (APC), unallowable under Federal awards, with exceptions requiring statutory authorization or advance case-by-case agency approval.

DISCUSSION: We are concerned that the OMB proposal for [200.461] is contrary to the stated objectives of the rules revision, which seeks to increase transparency, accountability, and

oversight, while reducing recipient burden for Federal awards. This rule change also runs counter to the "Restoring Gold Standard Science" initiative that federally funded research is transparent, reproducible, and impactful by imposing additional financial burdens on researchers to share their results.

Research publication is required to advance knowledge in every scientific discipline. This knowledge establishes a foundation for other scientists to build upon. Publications play a crucial role in communicating new research results, enhancing reproducibility, and exposing research to the scrutiny of peers, funders, and the tax-paying public. A robust publication record of federally funded research enables validation of prior research and prevents duplicate research. This is how science advances. Federal funding of the American scientific enterprise is the reason that it has been unrivaled by other countries for decades. Publishing is also a key component in making grant applications competitive, as reviewers look for a strong publication record. Underfunded and early-career researchers benefit from building publication records in highly impactful journals, which often have the highest publication costs. Making publishing costs unallowable could give established researchers an unfair advantage over early-career researchers.

The proposed rule change states that publication costs are not inherently necessary to meet the objectives of most Federal awards. On the contrary, publishing rigorous, high-quality scientific literature incurs costs (e.g., infrastructure, preservation, editorial staff, production), and all publishing models rely on some entity paying for these. In the legacy subscription model, publication costs were largely paid through individual and library subscriptions. However, even in that model, authors were charged fees, including submission fees, page charges, color image charges, and permission charges. The more recent APC model has shifted the cost of open access publishing from subscriptions to author fees. While we agree that journals' publishing fees can be unreasonably high and lack transparency, prohibiting the use of grant funds for these fees will not lead to a decrease in costs; instead, it will shift fees toward institutions and researchers, and there will be a risk of valuable research results being unavailable to the larger public. If authors are unable to use grant funds for APCs, this rule will also limit where clinicians, researchers, faculty, postdocs, and students can publish research findings.

The proposed change separates dissemination from the research process. However, disseminating the results of federally funded research to the larger scientific community and the tax-paying public is central to making research transparent, accountable, and reproducible. The most common way scientific findings are communicated to the public is through journal articles, which is why we have supported the NIH's zero-embargo Public Access policy for federally-funded literature.

RECOMMENDATION: We advocate for § 200.461 to retain the current phrasing and continue to state that page charges, article processing charges (APCs), or similar fees are allowable charges. We are concerned that, as written, this rule does not account for the importance of dissemination of validated research results to the public as a critical investment and fails to consider the potential unintended consequences on library budgets and the multiplicity of

journal publishing models that may ultimately reduce the breadth of academic choice and freedom in determining where to publish research results. We therefore urge OMB to adopt a rule that permits maximum flexibility to federal research funding agencies.

We also recommend that federal agencies engage with institutions and authors more actively on the prior license of the government to the works that it funds under the Government Use License (2 CFR 200.315) to ensure well-supported pathways to ensuring the public can reap the benefits of its investment in the research through broad access at no additional cost to the author(s) or institution(s).