



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

Madeleine Jacobs, Executive Director
William F. Carroll, Jr., President
James D. Burke, Chair of the Board
Robert D. Bovenschulte, President, Publications Division
American Chemical Society
1155 Sixteenth Street, NW
Washington DC, 20036

Robert J. Massie, President
Chemical Abstracts Service
2540 Olentangy River Road
PO Box 3012
Columbus, OH 43210

Dear Ms. Jacobs & Messrs. Carroll, Burke, Bovenschulte, and Massie:

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 concern about recent ACS actions seeking to constrain the NIH's PubChem project.

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 by providing data on 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 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 and chemical engineers have expressed themselves in detail about these public benefits associated with PubChem (see http://osc.universityofcalifornia.edu/news/acs_pubchem.html#positions).

It is our understanding both from press reports and from your website (http://www.cas.org/acsnih/acscas_statement.pdf) that the American Chemical Society is actively calling for NIH to eliminate or restrict PubChem. ACS claims that PubChem competes with its Chemical Abstracts Service. We appreciate that CAS is a well-used, high-quality database, whose ongoing support depends upon a reasonable business model. However, we are convinced through discussions with and analyses by colleagues that PubChem does not represent an imminent threat to

CAS, that indeed science and the public are well-served by continued development of PubChem and, further, that ACS is missing an opportunity to work creatively and collaboratively with NIH and others to create complementary, affordable services in direct support of its charter of “encouraging the advancement of chemistry; promoting research in chemical science and industry; increasing and diffusing chemical knowledge; and promoting scientific interests and inquiry through its meetings, reports, papers, and publications.”

At the University of California, as elsewhere, faculty are carefully considering the challenges and opportunities to strengthen scholarly communication systems. It is well understood that current systems for the dissemination of scholarship are economically unsustainable. We believe that scholars, universities, societies, research funders, and publishers must work together to address the economic dysfunctions and reinvent scholarly publishing systems that are healthy, equitable, and sustainable.

We are concerned that the ACS is not providing the leadership toward sustainable scholarly communication systems that we might expect of our best scholarly societies. In addition to the unwarranted action against PubChem, your explicit declaration that “the principle sources of funding for the Society's activities include net revenues generated by the Publications Division and the Chemical Abstracts Service Division,” and the associated hyperinflationary 9% annual price increases of your publications and services, leads us to believe that revenue generation is a higher priority than “increasing and diffusing chemical knowledge.”

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. In addition to expressing our concerns to you directly, we are encouraging these faculty members to discover the facts, discuss the issue with colleagues, and let ACS know their preferences. In the meantime we sincerely hope you will work with the society's membership to rethink your position on PubChem and to establish ACS as a proactive and creative contributor to the evolution of economically sustainable scholarly communication systems.

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

Sincerely,



George R. Blumenthal, Chair
UC Academic Council

Copy: Academic Council