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NCLA Suit Demands NIH Change PubMed Name-Change Policy that Harms Women Authors in Science

Marsha Reyngold, M.D., Ph.D. v. National Institutes of Health, National Library of Medicine, Department of Health and Human Services

Washington, DC (August 28, 2024) – Today, the New Civil Liberties Alliance filed a [Complaint](#) in the U.S. District Court for the Southern District of New York in *Reyngold v. NIH*, aimed at forcing the National Institutes of Health and the National Library of Medicine to allow all versions of scientific researchers’ names to appear in searches on its PubMed search engine. When PubMed users search for publications by NCLA client Dr. Marsha Reyngold or another scientist who changed their name, only articles authored using the searched version of the name are found, excluding the author’s works written under different names. NCLA asks the Court to require a correction of this systematic violation of accomplished researchers’ constitutional rights.

A physician at the globally renowned Memorial Sloan Kettering Cancer Center, Dr. Reyngold has conducted extensive medical research and speaks at scientific conferences around the world. She has co-authored dozens of publications in academic journals. She was known as Marsha Laufer from 2004 to 2011 after legally changing her name when getting married. She has since reverted to using the last name Reyngold when publishing.

While Dr. Reyngold can link multiple names to her Open Researcher and Contributor Identifier in PubMed, users are generally not aware of this unique identifier and only search by last name. The PubMed search engine does not advise users that a unique identifier for a given author even exists. PubMed’s failure to show Dr. Reyngold’s full scientific contributions by omitting articles written under another surname makes it more difficult for her to obtain grants and speaking engagements. This same problem impacts millions of scientists who have changed their names for reasons of marriage or divorce. The policy has a particular negative effect on women who are much more likely to change their names following a change in marital status.

NIH’s refusing to cross-reference PubMed-catalogued studies by authors who have published under multiple names violates Fifth and Fourteenth Amendment guarantees to equal protection under the law. The agency is also depriving Dr. Reyngold and others of due process under the Fifth Amendment, which protects the fundamental right to marry or divorce. The policy is arbitrary and capricious as well, which is another reason for setting it aside under the Administrative Procedure Act.

NCLA released the following statements:

“Congress required the National Institutes of Health and the National Library of Medicine to organize materials pertinent to medicine and science by ‘appropriate cataloging, indexing, and bibliographical listings.’ Refusing to recognize the reality that people often change their name makes PubMed’s cataloging and indexing not ‘appropriate.’ And given the disproportionate negative effect this policy has on women, it runs not only contrary to the Congressional command, but also to the Constitution. We look forward to correcting this problem.”

— **Greg Dolin, Senior Litigation Counsel, NCLA**

“NCLA does not often encounter government policies that are this blatantly and blithely sexist. It should not take a federal lawsuit to force NIH to see the error of its ways, but apparently the government will keep discriminating against physician scholars like Dr. Reyngold until a federal court tells them to stop.”

— **Mark Chenoweth, President, NCLA**

For more information visit the case page [here](#).

ABOUT NCLA

[NCLA](#) is a nonpartisan, nonprofit civil rights group founded by prominent legal scholar [Philip Hamburger](#) to protect constitutional freedoms from violations by the Administrative State. NCLA’s public-interest litigation and other pro bono advocacy strive to tame the unlawful power of state and federal agencies and to foster a new civil liberties movement that will help restore Americans’ fundamental rights.

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