



January 12, 2012

National Science and Technology Council  
Task Force on Public Access to Scholarly Publications  
c/o Office of Science and Technology Policy  
Attn: Open Government Recommendations  
725 17th Street  
Washington, DC 20502

Re: ***Public Access to Digital Data Resulting From Federally Funded Research; Request for Information [FR Docket No. 2011-32947]***

Dear Task Force Members:

The American College of Rheumatology, representing over 8500 rheumatologists and health professionals, welcomes the opportunity to comment on the Administration's approach to public access components of the scientific research enterprise.

Rheumatologists treat patients with arthritis and other rheumatic and musculoskeletal diseases. These conditions can be painful, debilitating, life threatening and costly. Biomedical research plays a pivotal role in advancing diagnostics, treatments, and prevention strategies for patients with chronic diseases. Advancements in arthritis-related research have helped to prevent disabilities, allowing patients to continue working or return to work and contribute to their communities and the economy.

The ACR believes that federal policy to promote access to digital scientific data produced in the federal and federally-funded realms should produce a climate of equitable access while protecting intellectual property rights. This climate provides a dynamic and healthy environment for basic and applied research that will enable the United States to continue as a leader in discovery and innovation.

**We contend that federal partnership with publishers of scholarly articles on scientific research will deliver results to taxpayers with minimal economic burden to taxpayers.**

Publishers have a strong interest in long-term stewardship and improved public access to the results of federally funded research. These publishers have long been stewards of the literature and increasingly the data related to the associated research, which is usually delivered as supplementary material.

It is important to note that federal agencies are not always aware of existing technologies and solutions in the marketplace, which can result in unnecessary spending and allocation of taxpayer dollars, particularly when the government duplicates and competes with products and services provided by the private sector. For example, the NIH did not proactively seek collaboration with journal publishers as it developed its procedures and policies for the deposit of NIH-funded researchers' manuscripts into its central repository. Consequently, NIH created an unnecessary separate archive and tagging system at considerable expense and with minimal interoperability with existing data repositories.

**The ACR believes that federal agencies should collaborate closely with publishers, scholarly associations, universities, and other research entities** to achieve the full potential of publicly accessible, interoperable databases. Increasingly, investigators are being asked to share, or provide plans regarding how they will share with other researchers, the primary data and other supporting materials created or gathered in the course of their work. As publishers respond to increasing author demand to making research data available they are currently focusing on: (1) establishing cross-publisher best practices to make data available and retrievable in a persistent way; (2) collaboration with publicly endorsed community archives to make data and publications interlinkable; (3) presenting data in more sophisticated formats to increase reuse.

STM publishers, including learned societies, make significant amounts of this material available as supplementary material to published articles and are already participating in a number of initiatives designed to facilitate the sharing of data. Publishers should be willing to work with funders, as well as database and repository operators, to develop recommended practices for assigning Digital Object Identifiers to data sets and supplementary material, so that datasets can be linked to primary research articles.

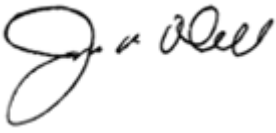
**We contend that mandating a single approach to public access could actually stifle innovation in today's rapidly changing environment**, by decreasing the amount that the private sector is able to invest and by reducing their incentive to try new approaches to managing and preserving data. In laying appropriate policy foundations, agencies should consider all components of a comprehensive agency data policy, such as preservation and access guidelines; assignment of responsibilities; information about specialized data policies; provisions for cooperation, coordination, and partnerships; and means for updates and revisions.

**The federal government should devote its efforts to providing public access to the information that it already controls and has a right to distribute, such as research summary reports.** As the federal government considers complex issues surrounding data access and dissemination, agencies can take action now to deliver substantive public access to research outputs. Many research funders require research progress reports on all grants. The government, through its funding agencies, supports the research enterprise that generates outputs such as experimental data, technical reports, grant reports, and conference papers. Consequently, government has an important interest in ensuring that research data and technical reports are accessible to the public whose taxes funded their production.

The ACR believes that this approach would adhere to President Obama's pledge in his Transparency and Open Government memorandum to "take appropriate action, consistent with law and policy, to disclose information rapidly in forms that the public can readily find and use." Such policy measures would maintain copyright protection for private-sector investments, consistent with other priorities of the President for strengthening economic growth and job creation, cooperation with the private sector, innovation, and protection of intellectual property rights.

The ACR appreciates the task force's review of recommendations for ensuring long-term stewardship and broad public access to unclassified digital data that result from federally-funded scientific research. We stand ready to assist you further on these issues that affect the conduct of scientific research related to rheumatology and the broader rheumatology community, including the health and quality of life of our patients. If we can be of assistance to you in any way, please contact Adam Cooper, ACR director of government affairs, at [acooper@rheumatology.org](mailto:acooper@rheumatology.org) or (404) 633-3777.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. O'Dell". The signature is written in a cursive style with a large, looping initial "J".

James R. O'Dell, MD  
President  
American College of Rheumatology