

**Subject: Input on question of Public Access to funded research results (8 comments)**

**Date:** November 22, 2011 3:30:45 AM EST

This input is from:

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Each of the 'comment areas' has a lot of separate questions, some with leading questions that make a lot of assumptions with respect to values. I will try to address each of these separately.

1a. Yes there are ways to grow markets, but I don't know what interest the public would have in 'growing new markets.' The meaning of this question is impossible to fathom.

1b. The part about 'growing the economy' makes no sense at all. And, improving the productivity of the scientific enterprise? If journals were open access, people could share information more freely, and access information that is presently too expensive to access. This improves public participation in science. After all, Einstein was an amateur in 1905.

1c. Relative costs and benefits? Academicians generally don't get paid by publishers for their writing, they get paid by the government if the work is publicly funded. So, if libraries and individuals don't have to pay to read their work, everyone saves. The change is simple- it cuts out the profit-minded corporations that are trying to create scarcity out of abundance, so that people will pay them to access information that they have already paid (through taxes) to produce. The game only works because academics are afraid that their work will not be recognized if it does not appear in these journals, to the point where they give their copyright away to them for no compensation at all. But if the public paid for the work, they are giving away something that the public paid for, to a private party. Costs and benefits? Obviously, open access reduces costs for all, and can eliminate an unneeded middle-agency that is no longer needed. But then, what about ethics? Is the present system fair at all?

1d. Maximize economic growth? Is this a goal shared by people, or just one that is widely publicized by corporations and agencies that want to grow their budgets? As Robert F. Kennedy said, more crime, and more prisons, and the GNP goes up. Charge people for air, the GNP goes up. The measurement means nothing.

1e. Improve productivity of the 'scientific enterprise': Open-access allows a wider community to participate, not just those with access to university libraries. Isn't this what democracy is all about? Less time and effort spent trying to obtain material to read, and more time reading it. For-profit publication by its nature reduces readership, to maintain revenues.

2. 'Intellectual property interests' represent an important area to consider, but one that can be resolved easily. We already have copyright laws to protect intellectual property, and they are sufficient. However, when someone is writing on the taxpayer's dime, whether as an employee of a federal agency, or a person paid by a federal agency, then that work belongs in the Public Domain. It's as simple as that. It does not belong in the asset list of a private publisher, to be certain. As noted above, publishers take copyright wherever authors are foolish enough to give it away. Authors give it away, but it should not be theirs to give if the work was paid for by the public. For older works, publishers routinely and illicitly assume copyright (e.g., for works of old or deceased authors), when none was originally given. What a person does on their own time, on their own money, is their own and they can have copyright. That is fair. It's not complicated. Anyway, you can't copyright facts or ideas, just presentations.

3. You can do both. There is no reason why private archives should not mirror public archives of open-access documents. The cost of data storage and retrieval is now so small that this is not an issue at all. It will cost far less in the near future. Centralized administration of a national resource can ensure that it is done well and reliably, but this can also be supplemented by decentralized libraries or archives of on-line documents. The centralized administration can provide universal indexing services, to help everyone find relevant documents, and it can take this role out of the 'obligate cost' mix of other groups, for example public university libraries. At the same time, the presence of distributed libraries and related private indexing services can also help people to find and use these resources, but it should not be an obligate function.

4. We have seen the highest degree of innovation in non-profits like Wikipedia and Internet Archive. Publishers of print publications have no financial interest in furthering public access to publications, unless they can charge high prices for that access to maintain their position with university libraries that pay high subscription fees. Some companies like Google, with revenues not derived from print publication, have tried to facilitate access, as part of an advertising-based business model. Publication standards are presently rooted in the PDF, based on an Adobe standard that is available, and electronic document standards need to evolve to do a better job with recorded media, video, etc. The government can help with recognition of standards, and encouragement of the private sector to develop these. As noted, print publishers have no financial interest in promoting and enhancing these standards.

5. One of the best things the government could do would be to recognize and to promote new standards for early publication in advance of review, followed by continuous review of published work. Some open access publications have been very innovative in this area. Presently, peer review is of little use other than to keep a lid on the size of printed publications, and to delay access to all but a few who share manuscripts. So, putting out versioned manuscripts and adding comments as time passes is the way to go, and reflects what people really do, outside of the time constraints of the publishing systems. Likewise, the government just has to put published 'metadata' (e.g., gene sequences) into the same category and written text.

6. I think this question has already been answered. Since the solution that reduces costs to the public, and costs to public institutions like libraries, is the best one, there is no advantage for for-profit publishers to accept these obvious solutions. Cost of electronic publications is cut drastically because authors can format these, and they don't need to be printed and distributed, reducing our use of fossil fuels. This will reduce the GNP, but a point that I made earlier is that the GNP is not a useful measure of anything. I hope the government of this country does not exist to maximize its own tax revenues by raising costs.

7. The criterion needs to be, if the work was funded by the public, then it belongs to the public. If an author's writing is funded by the public, that work belongs to the public. If an author's research is funded by the public, but that author writes something else on his/her own time, then that author has the same right to use the publicly-funded work than anyone else, but cannot restrict access to it by others.

8. Embargo periods, like delayed publication in general, are against the interests of academicians who want to share their current work with the larger community. They simply restrict communication of timely work in a relevant time-frame. These are only useful to publishers that want to guarantee a revenue stream by restricting access. There is no secret about this. Some societies are very explicit in saying that they embargo to keep their revenues coming in. My personal view is that, you want to embargo your work for 12 months, fine, I won't

read it for 12 months. This has actually been a reality for me, except where I have been able to get authors to send PDFs and work around the system (almost all do). So, the embargo just keeps the 'casual reader' out, that person who the author would really like to communicate with to share his discoveries more widely, outside of the predictable audience. Delayed access is just that, it restricts readership and maintains revenue streams collected from those who think they have to be 'current'.

(9). Other issues. The heart of this 'problem' lies in the fact that, from the perspective of authors, academic publishing has always been a non-profit exercise. Publishing and distribution used to represent limited and costly services, and since people would not pay for the results, authors had to find ways to pay for the publishing directly. Over the last 30 years, societies have turned their publishing programs over to 'for profit' companies in the private sector, and these companies have taken advantage of the professional 'need' of academicians to 'get published.' They now routinely require that authors give them all copyright to their work, something that was not done many years ago, because they now see a continuing revenue stream can be obtained through direct sales, by preempting the public library goal of public access. The current situation represents a lot of 'conflict of interest' impacting the oft-stated goal of communication. And, regardless of actions taken by the US government, this situation is falling apart. Academicians really don't want it to continue.

(10) The US government could greatly facilitate certain areas of scientific research by creating or recognizing open-access repositories, such as a repository of chemical formulas, or scientific names. In Zoology, with only a few gigabytes of data in all to be concerned with (at 5 cents a gigabyte storage costs!), the ICZN can't seem to get its act together on an on-line repository of scientific names. It's just a political stalemate that print publishers would like to maintain as long as possible, as silly as this situation is. The government could help us to move out of the dark ages in this area.

(11) It is important to recognize, honestly, that there are serious conflicts of interest here. The bottler wants to own the well, to sell bottled water, and the taxpayer wants government employees to drink the tap water that they already paid for. It's that kind of problem.