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Subject: Response to RFI for public comment
Date: December 16, 2011 9:26:34 AM EST

(1) Are there steps that agencies could take to grow existing and new markets related to the access and analysis of peer-reviewed publications that result from federally funded scientific research? How can policies for archiving publications and making them publically accessible be used to grow the economy and improve the productivity of the scientific enterprise? What are the relative costs and benefits of such policies? What type of access to these publications is required to maximize U.S. economic growth and improve the productivity of the American scientific enterprise?

Yes! Encouraging journals to make their back-catalogs available (in many cases these articles are more than 50 years old and therefore standard copyright coverage has lapsed). A significant barrier to research productivity is obtaining scientific journal articles that are only in print form and not online. Some journals are doing a great job of making their archives available. Others not so.

(2) What specific steps can be taken to protect the intellectual property interests of publishers, scientists, Federal agencies, and other stakeholders involved with the publication and dissemination of peer-reviewed scholarly publications resulting from federally funded scientific research? Conversely, are there policies that should not be adopted with respect to public access to peer-reviewed scholarly publications so as not to undermine any intellectual property rights of publishers, scientists, Federal agencies, and other stakeholders?

I disagree with the term "intellectual property rights" applied to the publisher. The publisher has no intellectual property rights because they did not expend any intellectual energy; the scientists did! The scientists and the funding agencies own the rights to intellectual property. All the journals own is copyright over the presentation of the material. A big part of the problem involves pricing... I don't think anyone has a problem with the journals charging for access, since they have to invest significant resources in making the material available online. The problem is the actual price point. For many scientific journals, access to a single article is \$25-45. This is daylight robbery! A good policy would be to **set limits on the prices journals are allowed to charge for access to articles (say \$2 per article)**. They would actually make more money, because people would not try to bypass the system as they do now (getting the paper from a friend at another University whose library has access, or paying for interlibrary loan transfer).

(3) What are the pros and cons of centralized and decentralized approaches to managing public access to peer-reviewed scholarly publications that result from federally funded research in terms of interoperability, search, development of analytic tools, and other scientific and commercial opportunities? Are there reasons why a Federal agency (or agencies) should maintain custody of all published content, and are there ways that the government can ensure long-term stewardship if content is distributed across multiple private sources?

NCBI is great. PubMed is fantastic. Please please keep on funding what they do. It is amazing.

(4) Are there models or new ideas for public-private partnerships that take advantage of existing publisher archives and encourage innovation in accessibility and

interoperability, while ensuring long- term stewardship of the results of federally funded research?

no answer.

(5) What steps can be taken by Federal agencies, publishers, and/or scholarly and professional societies to encourage interoperable search, discovery, and analysis capacity across disciplines and archives? What are the minimum core metadata for scholarly publications that must be made available to the public to allow such capabilities? How should Federal agencies make certain that such minimum core metadata associated with peer-reviewed publications resulting from federally funded scientific research are publicly available to ensure that these publications can be easily found and linked to Federal science funding?

Big problem is **scientist IDs**. There are sometimes many scientists with the same name, and this makes searching very difficult. Same thing when someone moves institution - their contact email on a paper might be out of date. There really needs to be a centralized ID system, where everyone is assigned an ID # when they enter science (say, in graduate school), and it stays with them for life. Then, when I read a paper by someone from 10 years ago, I can find who they are, where they are now, and their contact details, just by clicking on their universal scientist ID #. I believe EMBO is starting to do this now, and Thompson Reuters also (www.researcherid.com)

(6) How can Federal agencies that fund science maximize the benefit of public access policies to U.S. taxpayers, and their investment in the peer-reviewed literature, while minimizing burden and costs for stakeholders, including awardee institutions, scientists, publishers, Federal agencies, and libraries?

ETHICS ETHICS ETHICS! I'll say it again... ETHICS! There is an absolutely scandalous amount of dodgy data in the peer-reviewed literature, from faked western blots to made up graphs and manipulated microscope images. ALL of this stuff is very easy to detect using simple software. ALL journals should be running every paper they receive through plagiarism software. ALL figures submitted should be subject to forensics to determine if they have been "altered". Just this last week, I reported a case to the NIH Office of Research Integrity (ORI), wherein a prominent cancer researcher has over 120 examples of faked data in more than 50 publications! This person has a program project grant and has been sucking up millions of dollars from the research funding pool for decades. Clearly, simple **ethics enforcement by journals** would have stopped this person in their tracks. It should not take the (unpaid) actions of a diligent scientist such as myself, to detect this sort of thing. Please, please, **increase funding to the ORI**, so they have the resources needed to detect and eliminate scientific fraud. Simple enforcement measures would get the journals to comply.... e.g. 1 point knocked off the impact factor, for every paper that gets retracted.

(7) Besides scholarly journal articles, should other types of peer- reviewed publications resulting from federally funded research, such as book chapters and conference proceedings, be covered by these public access policies?

No. Often these types of material are worked on outside of normal "office hours", so it is difficult to claim they were actually federally funded.

(8) What is the appropriate embargo period after publication before the public is granted

free access to the full content of peer-reviewed scholarly publications resulting from federally funded research? Please describe the empirical basis for the recommended embargo period. Analyses that weigh public and private benefits and account for external market factors, such as competition, price changes, library budgets, and other factors, will be particularly useful. Are there evidence-based arguments that can be made that the delay period should be different for specific disciplines or types of publications?

Current policy of 1 year embargo seems to be working well. Don't see any reason to change it.

Other comments... Scientific Journal Publishing is one of the most profitable enterprises in the world today. In the same manner that the administration has made it clear they do not like profiteering by the pharmaceutical industry, I think it would be reasonable to impose profit limits on the big publishing houses (Elsevier, Nature Publishing Group). Finally, **a distinction MUST be made between journals that are for-profit, and those which subsidize a scientific society**. Many scientific societies use revenues from their society journal to fund important educational and other activities. This is very different from publishing houses which simply keep all the revenue and plow it back into advertising and marketing and other initiatives. A 2 tier system, whereby society-backed journals would be allowed some leeway in pricing models, while private journals are held more accountable, would be great.

END OF RESPONSES