

Subject: Request for Information Response

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On behalf of the American Society for Laser Medicine and Surgery, and the Editorial Board of Lasers in Surgery and Medicine (ISSN0196-8092) please find our response to the RFI. We do not have an ID number

December 21, 2011

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Managing Editor Lasers in Surgery and Medicine
American Society for Laser Medicine and Surgery

Comment 1

The NIH public access policy is well intentioned but seriously flawed. Surely, the public has a right to access meaningful information on health-related research funded by federal dollars.

But, we would argue that simply making our publications available to the public fails to accomplish this while at the same time imposing a significant administrative burden on authors, journals, and publishers. The key point that seems to have been lost to the policy makers is this - the vast majority of the public cannot read or interpret scientific/medical research articles, which are written for a highly technical audience of specialists.

Comment 2

If we really wanted to make our federally funded research findings available to the public, it would be necessary for some entity to prepare frequent review articles on a rather vast range of subjects written for a lay audience. A more productive approach may be to require federal grant Principle Investigator (PIs) to write short summaries of their research, written for non-specialists, at the end of each 3-5 year funding cycle. These summaries could be posted somewhere and made freely available to the public.

Comment 3

There is indeed an implication by government that "public" access will result in more rapid access to research content. Yes, some groups do provide immediate and free access to their content, particularly in electronic forms. This is a business decision on their part and there is a cost in doing so, which must be borne by members of the group, patrons or other sponsors. There is a cost involved in producing the material including review, editing, formatting and cataloging the material, among other details that cannot and do not happen without the involvement of several individuals. While reviewers are uncompensated, it is unreasonable to assume that the entire scientific publishing enterprise should be uncompensated.

The mandates do infringe upon copyright laws and processes and it is unreasonable to single out science and scientific literature.

Comment 4

There is a sense that the implementation of the regulations as currently promulgated would actually serve to undermine and promote the collapse of the publishing enterprise, as we understand it today. This would result in less material being brought to scientific peer review and publication and decrease availability.

Arguably, the public does have access to the content free or pay-per-view. Most if not all publishers will sell reprints, access or license content they own, and content is indexed and available through several sources including PubMed and others.