

Subject: RFI, Section 103, America COMPETES Act

Date: January 2, 2012 9:16:00 PM EST

Dear Madam or Sir:

I am a federally funded research scientist working for Sandia National Laboratories. (These comments represent my own views only and not necessarily those of my employer.) I am responding to the Request for Information (RFI) issued by the White House Office of Science and Technology Policy in partial fulfillment of Section 103 of the 2010 America COMPETES Act:

<http://www.gpo.gov/fdsys/pkg/FR-2011-11-04/html/2011-28623.htm>

Today, many peer-reviewed publications are not openly accessible to taxpayers. Federally funded scientists at universities and national laboratories spend dozens of hours a year reviewing publications. Peer review is a necessary public service that keeps scientists honest and ensures quality research. However, many of these publications disappear behind extraordinarily expensive paid journal subscriptions -- in some cases, millions of dollars a year for a single publisher. Public universities and national laboratories must devote their tax-funded revenue to paying these subscriptions, in order to remain competitive and avoid lawsuits due to their frustrated, not legally trained employees struggling to access the publications they need.

Many journals have restrictive copyright agreements that force scientists to take down publicly accessible links to their publications. Laws being considered, such as SOPA (the so-called "Stop Online Piracy Act"), will give publishers more power to intimidate authors and restrict legitimate fair use, even to the point of taking down an entire website (such as the incredibly valuable arXiv (arxiv.org) preprint service) due to a single infringement. Today's scientists are responsible for almost all typesetting and visual layout of their publications, so most journals add little if any value.

Taxpayers deserve immediate free and open taxpayer access to and reuse of federally funded publications. If an author received federal funding, the resulting publication should be accessible to all taxpayers. There should be no embargo period on open access. Information inevitably leaks abroad rapidly to countries in direct competition with the U.S. where copyright laws cannot be enforced. An embargo would put U.S. researchers at a disadvantage. Furthermore,

all federally funded publications should be covered under this policy, not just journal publications. Journal articles may appear only a year or more after their publication (one of my journal articles was finished in 2008 and may only appear this year), whereas conference and workshop proceedings typically appear much sooner. An embargo on the latter would only delay the dissemination of in-progress research.

I am writing this e-mail from my personal e-mail address rather than my work address, because I am currently out of the country on personal business and do not have easy access to my work e-mail. This issue is of deep concern to me and I felt I had to respond, even at risk of using an unofficial e-mail address.

Many thanks for your consideration of these matters.

Respectfully yours,
Dr. Mark Hoemmen
Sandia National Laboratories, New Mexico