

Below are a few comments to some of the questions in your recent RFI. PLEASE NOTE: while I live in Canada, I am a USA Citizen.

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(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 do not believe additional steps are needed to protect the interests of publishers, scientists, etc. However, mandating release of information immediately would remove protections. Specifically, the intellectual property of the scientists is developed through Federal funding, but should not be “owned” by such funding. Similarly, the value added to publications by a publisher must receive some protection. It requires considerable investment to maintain the highest standards for peer-reviewed scientific publication and sustainable mechanisms are required. This is threatened by access policies that do not take these costs into account, and it is critically important that any new policies do not damage the publishing institutions on which the Federal Government and science depend.

(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?

The one pro is that there would be consistency. This is counterbalanced by many cons including cost of creating something new when what we have is working well. In fact, 97% of researchers in the USA are happy with access to journal articles. A federal agency should not maintain custody of all published content – except perhaps as a secondary/backup archivist. The publisher has a responsibility in this field and should meet that responsibility. On the other hand, creating federal standards so there is inter-publisher consistency would be very useful.

(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?

Simply (well, I am sure it will not be simple) require publishers to provide access after the defined embargo period.

(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? Peer-reviewed work is the ONLY work that should be covered by public access. Anything else will have no quality standard. Furthermore, book chapters and conference proceedings lag rather significantly the publication of original data and duplicate such data and are thus not necessary to be covered.

(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?

I believe the appropriate embargo period should be 6 months. This is the period chosen by many publishers already, and provides sufficient time for “new” information to be available at a higher cost (like a patent) while making it available to all in plenty of time for everyone to benefit.