

OSTP Request for Information: Public Access to Peer-Reviewed Scholarly Publications Resulting from Federally Funded Research

Response from Oxford University Press, USA

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Introduction

The world's largest university press, Oxford University Press (OUP) is an international publisher of scholarly and educational material with offices across the globe including major centers in New York City and in Cary, NC. OUP furthers the University's objective of excellence in research, scholarship, and education by publishing worldwide.

OUP publishes 270 peer reviewed scholarly journals (most of which are published in partnership with learned societies) and circa 2,000 research monographs a year. OUP is an innovative and forward-thinking publisher and was one of the first university presses to publish a fully open access journal (*Nucleic Acids Research*) and the first to introduce 'hybrid' open access on its journals. OUP therefore welcomes the opportunity to respond to the Office of Science and Technology Policy consultation on Public Access to Peer Reviewed Scholarly Publications.

Question 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?

Scholarly publishing is international in nature. Researchers based in the US need access to the latest scholarship from around the globe and not just that produced by fellow Americans. Indeed unilateral action by US agencies potentially makes US federally funded work available for other nations to use while not making the research funded by foreign nations available for US researchers, which actually disadvantages the US.

Recent research published by the Publishing Research Consortium¹ found that 97% of researchers in North America report having easy access to research journals and a number of industry initiatives² have emerged to facilitate free or very low-cost access to the trust-worthy Version of Record for the general public, including many

¹ www.publishingresearch.net

² For example DeepDyve (www.deepdyve.com); patientINFORM (www.patientinform.org/); Emergency Access Initiative (<http://eai.nlm.nih.gov/docs/captcha/test.pl?url>)

millions of articles that are made freely available through delayed open access models³ and other open access modes of publishing.

It should be noted that there is a scarcity of reliable research into the costs and benefits of open access, particularly specific to the US. The often cited work by Houghton *et al*⁴ is based on a number of assumptions by the authors that were at best questionable⁵ but a more recent (April 2011) and more representative report released by the Research Information Network and commissioned by a cross-stakeholder group including publishers, research funders, and library groups examined the costs and benefits of a transition to open access⁶.

Question 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?

OUP has a commitment to ensure the long-term sustainability of our journals in order to fulfill our mission of promoting research, education, and scholarship. To do so, we believe we need to be in a position to determine which business models best support this goal.

We believe that publishers, in consultation with authors, learned societies, and appropriate sponsoring institutions, are best placed to make the decision whether and when to make content freely available and to determine the length of any embargo periods. In doing so, publishers can respond to the needs of the academic communities they serve and protect their intellectual property and the intellectual property of their authors.

Question 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?

We believe that a centralized approach would duplicate efforts and costs – at the expense of the public purse - which have already been developed, largely by

³ See, for example, the DC Principles Coalition - www.dcprinciples.org/signatories.htm

⁴ <http://www.jisc.ac.uk/publications/reports/2009/economicpublishingmodelsfinalreport.aspx>

⁵ [Review of 'Open Access -what are the economic benefits? A comparison of the United Kingdom, Netherlands and Denmark'](#) (Michael Jubb, 2010, *Learned Publishing* 23: 169-170)

⁶ [Heading for the open road: costs and benefits of transitions in scholarly communications](#) -

www.rin.ac.uk/news/press/heading-open-road-costs-and-benefits-transitions-scholarly-communications

private enterprise. In any event many research publications do not arise from government funding and so a distributed approach will always be required in order to ensure effective access to the literature (a point that was acknowledged by the 2009 Scholarly Publishing Roundtable group convened by the House of Representatives Committee on Science and Technology in coordination with OSTP⁷).

The publishing industry has, for example, invested in the development of the Digital Object Identifier (DOI) to enable persistent linking to online content. Further, publishers work closely with generic search engines such as Google and Bing to maximize discoverability, and a number of specific search services and other discovery tools have been, and continue to be, developed. Further efforts to ensure interoperability should be dealt with via the development and implementation of robust standards, e.g. by NISO.

Publishers and libraries together provide stewardship of the scholarly record both in terms of physical and digital preservation⁸ (for example through initiatives like Portico and CLOCKSS) and in terms of curation at considerable cost and we see no benefit by this being replicated by federal agencies.

In addition, recent studies^{9, 10} have confirmed that researchers prefer to access the publisher generated 'Version of Record' from authoritative journals that provide the definitive version of an article. In addition to increasing cost, the proliferation of different copies of articles held in different places creates needless complexity around version control.

Question 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?

Scholarly publishers are proactively working with government agencies¹¹ to develop projects that would enhance the public access, utility, and preservation of materials that report on federally funded research for the benefit of both the research community and the public.

The disambiguation of authors' identities is a persistent problem embedded in the scholarly publishing system and the Open Researcher and Contributor ID project (ORCID¹²) is a public-private partnership of 275 organizations which is addressing the issue with the benefit of \$2 million of loans from publishing partners.

⁷ Report and Recommendations from the Scholarly Publishing Roundtable (www.aau.edu/WorkArea/DownloadAsset.aspx?id=10044)

⁸ For an overview see the PARSE.insight final project report (www.parse-insight.eu)

⁹ D4.2 PEER Behavioural Research – Final Report (www.peerproject.eu/reports)

¹⁰ Research Publication Characteristics and Their Relative Values (<http://www.publishingresearch.net/projects.htm>)

¹¹ For example the National Science Foundation

¹² www.orcid.org

For the reasons outlined in our answer to question 3, we believe that it is preferable for publishers to maintain the 'Version of Record' and to remain responsible for the stewardship of scholarly material. Should access be required to a collection of articles from a single portal, other organizations or agencies should link to publisher sites using persistent DOI linking to minimize duplication of effort, cost, and confusion arising from poor version control.

Question 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?

All online scholarly material is already exposed to, and indexed by, search engines and publishers invest heavily via search engine optimization and other initiatives to ensure that their content is discoverable. In addition, CrossRef DOI linking has already revolutionized the way that the research literature is navigated, with a consequential improvement in researcher productivity. Publishers are already experimenting with persistent linking at a more granular level than the research article or scholarly monograph chapter – for instance by assigning DOIs to data sets, supplementary material, individual data tables and figures.

We do believe that there is an opportunity for better, more standardized descriptions of research funding sources and we note the project underway involving publishers, CrossRef and the Department of Energy investigating ways that funding information can be collected and included in article metadata.

We also note initiatives¹³ being undertaken by the scholarly publishing industry to make information regarding copyright status, licensing, and re-use terms machine readable and available in metadata.

Question 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?

The key principle here is not to duplicate actions already being undertaken elsewhere. It is appropriate to let private enterprise (publishers) provide access, and for them to work with libraries and other bodies to ensure curation and preservation of scholarly material.

¹³ For example the [Automated Content Access Protocol \(www.the-acap.org\)](http://www.the-acap.org)

Publishers add great value to scholarship by the validation and authority bestowed through peer-reviewed scholarly journals and we do not believe that government restrictions of business models is likely to add to our successful pursuit of our mission.

Every federally funded research project is required by law to provide a detailed final report but not all agencies make these reports available. It is this report – and not the peer reviewed material produced by publishers – that has been publicly funded and that should therefore be made publicly available. Making these reports publicly available and discoverable would ensure public access to the results of publicly funded research, and in advance of peer reviewed publication, in a manner which respects copyright and the intellectual property rights of publishers and authors.

Federal agencies should help to fund the development and deployment of standards to enable the exchange of metadata and other information about scholarly material, e.g. via NISO.

Open Access Publishing (also known as 'gold' open access or author-side funded open access) is already established as a mainstream business model in some areas of scholarly endeavor but is unlikely to become the dominant business model in the foreseeable future or to figure at all in some areas of scholarship. Key to the viability of this model are adequate funds and transparent mechanisms to support this mode of open access publication and government agencies may have a role to play in ensuring an environment conducive to this model.

Question 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?

Any public access policies should not result in the appropriation of scholarly publications without rightsholder permission and, where appropriate, compensation. With this in mind, however, it should be noted that different types of scholarly material have different importance depending on the academic discipline / sub-discipline and the same principles should apply to all. In scholarly book publishing for instance, publishing models range from works that are important but not commercially viable and that therefore require publication subventions on the one hand to explicitly commercial works sold at auction via agents to the highest bidder. We find it difficult to envision how public access policies can usefully encompass such a wide range of publishing models.

Naturally, specific details in practice will vary due to differing research characteristics and business models used for scholarly publishing.

Question 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?

Different areas of scholarly endeavor have different requirements and utilize different modes of research. It is clear, for example from different publishing profiles, citation rates and citation half-lives, that "one size does not fit all". There is therefore no single appropriate embargo period.

Rather, embargos should be set by publishers at levels that meet the needs of the communities that they serve but which do not harm current business models.

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