



American Psychiatric Publishing, Inc.
Publisher for the American Psychiatric Association

1000 Wilson Blvd, Suite 1825, Arlington, VA 22209
(703) 907-7322 • Fax (703) 907-1092

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Re: FR Doc. 2011-28623

I am writing to respond to the Office of Science and Technology Policy's November 3, 2011 request for information regarding "Public Access to Peer-Reviewed Scholarly Publications Resulting from Federally Funded Research." I very much appreciate the opportunity to provide recommendations on approaches for ensuring long-term stewardship and broad public access to the peer-reviewed scholarly publications that result from federally funded scientific research.

I lead the Publishing Division of the American Psychiatric Association, a medical organization representing 36,000 physician leaders in mental health. American Psychiatric Publishing is the world's premier publisher of books and multimedia on psychiatry, mental health, and behavioral science. We offer authoritative, up-to-date and affordable information geared toward psychiatrists, other mental health professionals, psychiatric residents, medical students and the general public. A critical part of our publishing operations is our vibrant journals program, led by the APA's flagship publication, *The American Journal of Psychiatry*.

The main purpose of a scholarly journal is to publish articles that analyze and interpret original research or experimentation in order to make such information available to the global research community, thereby advancing the knowledge base. As a scholarly publisher, our goal is to promote the latest scientific research and developments in academic thought to as wide an audience as possible. Now the core publishing activities of research validation (i.e., peer review) and dissemination do not come without costs and ongoing investment, so any public access policy with long-term sustainability that maximizes benefits to researchers and the public at large will need to function as a balanced public-private partnership. With that in mind, scholarly publishers are uniquely positioned to help the federal government in expanding public access to publications that describe and interpret federally funded research, ensuring the long-term stewardship of these publications, and supporting innovation and economic development derived from scholarly discovery.

In addition to the general observations above, I would like to comment specifically on the questions put forth.

(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?

Publishers have been investing significantly in support of expanding accessibility, improving interoperability, and fuelling innovation. Our investments have created digital platforms with the latest and continually evolving Web capabilities and provided researchers with faster and more robust delivery of scholarly information, including new ways to present data and scientific articles. We have improved interoperability through new metadata standards and pilot projects, which are driving innovation and providing for better information discovery and expanded use of research results. U.S. publishers provide a robust, innovative market for peer-reviewed publications around the world that has led to multiple channels of access to and analysis of research across a broad array of social and scientific disciplines. For example, publishers have led in technological developments that promote the value of

content and its dissemination. They have likewise been active in assisting the formation of library consortia, both in the United States and globally. These and other publisher initiatives have helped accelerate and broaden access to the peer-reviewed literature.

Options to broaden access to materials that analyze and interpret research for scientists and the public include developing standards for data and metadata to make research more readily searchable and discoverable. Publishers are already working in partnership to develop standardized information and collections through initiatives like CrossRef and use of the NLM DTD. Federal agencies can also definitively stipulate to grant awardees that a portion of funds should be earmarked toward publication fees to support payment for open access to published articles. Several research funders already do this (Howard Hughes Medical Institute, The Wellcome Trust, Max-Planck Institutes). Publishers can customize licenses to meet specific or specialized user needs, including those of government agencies, and have the ability to ensure the availability of their content with existing infrastructure.

(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 would recommend against having the peer-reviewed accepted manuscript being made publicly available, as post-acceptance work performed in preparing a paper for publication could lead to versioning issues and differences in quality due to lack of standardization of information reported. I would be in favor of Federal agencies working with individual publishers to establish agreed-upon embargo periods, after which unfettered access to content would be offered to allow broad dissemination of the government-funded materials.

(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?

Centralized, government-controlled custody of publications carries significant downsides and few upsides. Long-term stewardship of content carries significant costs that are already being borne by publishers. In an era of dwindling federal resources, central federal repositories are duplicative and an unnecessary expense and recurring burden that may not be viable for long-term stewardship when Internet search engines, abstracting services, and other tools do an excellent job of ensuring the discoverability of research. In addition, the publishing community (professional associations, commercial publishers, and university presses) has introduced new technologies that meet researchers' demands for faster and more user-friendly delivery of scholarly information. For instance, over the past decade publishers have developed the "Digital Object Identifier" (DOI)--a unique identifier for each piece of content in a scholarly publication. We are also continuing to innovate in the creation and standardization of metadata to make it easier for researchers and the public to find and use scientific research information. Finally, publishers have collaborated with librarians and database providers to establish COUNTER (Counting Online Usage of NeTworked Electronic Resources) which has produced an international set of standards and protocols governing the recording and exchange of online usage data. This enables libraries to better understand how digital collections are being used and allows publishers to better understand the usage patterns of their digital content.

(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?

Our flagship publication, *The American Journal of Psychiatry*, dates back to 1844. Recent efforts to scan and upload the voluminous back catalogue have resulted in a veritable treasure trove of valuable content for both researchers and medical historians alike. But such initiatives are dependent on continued funding to offset substantial costs of

implementation and maintenance, which should be recognized within any partnership model promoting accessibility. Since the work of ensuring availability and accessibility of content has already been undertaken by publishers, efforts to promote public access to such content can be negotiated via licensing or subscription sponsorship deals.

(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?

Federal agencies should work with publishers and other stakeholders who have expertise in developing and promulgating metadata to ensure standardization across disciplines and share best practices.

Partnerships are already underway to determine, develop, and include appropriate metadata in publications. Examples of such metadata initiatives include:

- a. Standardizing and facilitating funding agency information. Publishers are collaborating with agencies to create a pilot initiative to clearly indicate the funding agency responsible for research described and analyzed in a scholarly publication or an associated dataset, giving the research community and public easy links to a variety of access options on the publishers' site. Working with the publishing community to gather and link this information will save agencies considerable effort and expense compared with producing or maintaining such information or services on agency websites.
- b. DOIs for data sets and article supplementary material. There is considerable opportunity for strengthening the multiple organizational partnerships that already exist to promote the identification, discoverability and archiving of data, including Datacite (www.datacite.org) and the NISO/NFAIS Working Group on Supplementary Journal Information (www.niso.org).
- c. Author and institution disambiguation. Name ambiguity and attribution are persistent, critical problems embedded in the scholarly research ecosystem. The Open Researcher & Contributor ID (ORCID) project (www.orcid.org) is a successful public-private partnership with 275 participating organizations, funded by \$2M in loans from publishing partners and building on successful investments by publishers in the past. A pilot demonstration began earlier this year and is on schedule, and institutional IDs will be addressed in a second stage.

Partnerships are also underway to develop discovery tools to facilitate journal content mining, access dark archives, and improve data management. Content mining projects could be developed as collaborations between publishers and federal funders. For many years, publishers have produced and archived data-specific journals, and they are maintaining and updating such data sets with DOIs and semantic tagging.

(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?

An excellent mechanism to ensure public access to materials that analyze and interpret research funded by the taxpayer is already partially implemented. By law every federally funded research project is required to provide a detailed final report. Some science funding agencies make these reports freely available via the Web, but others do not. Making them all available would solve the access problem. Other agencies such as NSF are exploring alternate means of providing public access to researcher-supplied reports. Agencies should seek productive and mutually beneficial projects and partnerships that ensure greater availability of both taxpayer-funded research directly from the government and peer-reviewed, value-added publisher content. For example, publishers are ready to partner with Federal agencies to provide easy links between progress reports detailing research results, perhaps including lay summaries, and the peer-reviewed version of record, including complete access to the abstract or summary. Such projects would result in interoperability between funding agencies and publisher content, ensuring more timely and complete availability of scientific communication related to federally-funded research, as well as better reporting on the results of taxpayer funding for research.

(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?

Publishers also invest in these other types of content used by researchers, often by conceptualizing the project, commissioning the content and investing heavily in its development. As with any kind of content published by a nongovernmental entity at its own initiative, government-mandated access to books, proceedings or other such materials is an expropriation of private property.

(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?

Peer-reviewed papers are not the direct result of the expenditure of taxpayer funds; conversely, they result from a significant publisher investment. The ability to recoup that investment enables innovation, allows infrastructure to be developed (including archives and metadata), and provides incentives to try new approaches. For accepted author manuscripts and published journal articles, both of which publishers have invested in heavily, publishers should determine the business models on which their publications operate and this should include the time, if any, at which the final peer-reviewed manuscript or final published article are made publicly available.

Again, I greatly appreciate the opportunity to contribute to this conversation and welcome any requests for additional information or clarification.

Sincerely,

Rebecca D. Rinehart
Publisher
American Psychiatric Publishing
A Division of the American Psychiatric Association

Cc: James R. Scully, MD, Medical Director
Michael Roy, Editorial Director, Journals