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Office of Science and Technology Policy
National Science and Technology Council's Task Force on Public Access to
Scholarly Publications
727 17th Street
Washington, DC 20502
Via Email: publicaccess@ostp.gov

Re: Federal Reserve Document 2011-28623

The American Society for Pharmacology & Experimental Therapeutics welcomes the opportunity to submit comments in response to the Office of Science and Technology Policy November 3, 2011 Request for Information (RFI) concerning "Public Access to Peer-Reviewed Scholarly Publications Resulting from Federally Funded Research."

ASPET is a professional society of 4,700 pharmacologists conducting research in academia, industry, and government. ASPET is the leading scientific society of pharmacologists. We publish five journals covering a wide range of pharmacological topics. ASPET is supportive of public access but believes that the business and publishing needs of organizations like ours should not be mandated by Federal funding agencies. Our comments are below.

JPET (The Journal of Pharmacology & Experimental Therapeutics) is a leading research journal in the field of pharmacology, and has been named by the Special Libraries Association as one of the "100 most influential journals of biology and medicine over the 100 years of the association's existence". Additionally, ASPET publishes *Drug Metabolism and Disposition*, *Molecular Pharmacology*, and *Pharmacological Reviews*.

- 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 already engage in many efforts to promote their journals and expand the dissemination of their content, including content that results from federally funded scientific research. Many scientific journals have made their content freely accessible either immediately or after a relatively short period of time for the last 10 years.

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At the end of 2011, publishers hosting their content through HighWire Press, a nonprofit online hosting service that is part of the Stanford University Libraries, made available more than 2.1 million free full-text research articles. Mandatory deposit of federally funded research in PubMed Central began in 2009. There appears to be no evidence showing a correlation between public access to scientific content and economic growth as a result of this public access.

Government duplication of publisher efforts to expand dissemination of content is not likely to be effective and may undercut publishers, thereby harming not just the publishing industry but the primary means of distributing the results of scientific research.

Publishers have invested in long-term archiving solutions that anticipate changes in technology. Government support for not-for-profit archiving systems such as CLOCKSS, which are already in place and operating successfully, would be better than creating a new duplicate system. The existing systems archive all content, which is also better than limiting archiving and access solutions to only federally funded research.

A duplicate federal archiving system could undermine publishers. ASPET, for example, is able to generate a modest amount of online advertising income that helps defray the costs of its publications program. Since 2000, ASPET has made all of its content freely available after 12 months. However, duplicate copies of content from ASPET's journals that are hosted by PubMed Central draw readers away and negatively impact advertising revenue for ASPET. Expanding government hosting of content at taxpayer expense could further erode the advertising revenue stream with no additional benefit to the public. The scientific research is already freely accessible and easily found on ASPET's web sites.

- 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?**

Except for federal government employees, all authors who publish in ASPET's journals transfer the copyright to their manuscripts to ASPET upon acceptance for publication. ASPET performs copyediting and formatting services for all authors as well as preparing articles in Extensible Markup Language (XML) files in compliance with the National Libraries of Medicine Document Type Definition (DTM). These files are coded to make them fully searchable and to add functionality in an online environment for a worldwide audience. ASPET pays to have its content hosted online by a reliable service that is accessible to all. ASPET also pays to ensure that that content is archived for long-term preservation. ASPET allows content from its journals to be republished in research articles and books and to be reused for other noncommercial purposes at no cost and allows articles to be used in classrooms at no cost to students. ASPET supports the use of copyright to recover its costs and continue publication of its journals, which after a short time are made freely available to all. ASPET does not support government mandates that deny authors and publishers the benefits of their copyrights by dictating how and in what form their works are distributed.

- 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?**

ASPET supports a decentralized approach to managing public access to peer-reviewed scholarly publications. A centralized, federally funded approach will capture only a portion of the scholarly literature. ASPET's journals and those of other publishers include content from authors from around the world, funded by many sources. Even if all articles resulting from federally funded research were put into one repository, the majority of the world's scientific output would be missing.

Publishers have already put in place means of linking articles using Digital Object Identifiers (DOIs), and have invested in archiving solutions for the long-term preservation of online content. Anything the federal government does in this regard is wasteful duplication of efforts that have proven successful.

Putting copies of federally funded articles in a government repository will lead to multiple versions of articles. Any government collection of funded articles should instead link to the article of record on the publisher's web site. This guarantees that readers will see any corrections, updates, retractions, or other actions taken with regard to a research article after its original date of publication. Housing duplicate copies of articles opens the scientific record to errors that could have serious consequences for the public.

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?

There are existing and successfully operating models of partnerships among publishers, librarians, commercial entities, and others to maintain and preserve online archives of scientific research articles. These include the vast array of output from worldwide funding sources, both public and private, and go far beyond federally funded research. Examples include LOCKSS (Lots of Copies Keep Stuff Safe), CLOCKSS (Controlled LOCKSS), Portico, and JSTOR. The federal government could help support these existing efforts rather than try to create a duplicate system that would cover only federally supported research.

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?

ASPET provides metadata for all of the content it publishes to various abstracting and indexing services and databases, including PubMed. Those services are best able to answer this 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?

Freely accessible and widely used internet search engines such as Google, Yahoo, and others already make peer-reviewed scientific literature discoverable to U.S. taxpayers with little to no burden on stakeholders. The federal government could increase public awareness of scientific findings by translating those findings into language that can be understood by the general public and providing that information on government web sites with links to the original research articles.

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?

Book chapters generally rely on previously published literature, and research presented in conference proceedings is usually developed into full research articles later on. ASPET does not believe that these materials need to be covered by public access policies.

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?

ASPET believes, based on over ten years' experience in making articles freely accessible after 12 months, long before the federal government instituted a public access policy, that a 12-month embargo period is necessary. A shorter embargo period will likely result in cancelled subscriptions. Publishers rely heavily on subscription revenue to maintain their publishing programs. A significant decrease in this revenue could lead to journals ceasing publication.

Publishers are in the best position to determine the correct embargo period for their content. Embargo periods will vary among subject areas and will differ for primary research articles and review articles.

ASPET published a review journal named *Molecular Interventions* from 2001 to 2011. It received high impact factors (a generally accepted measure of a journal's quality and value) and was widely read online and in print. Review articles in general are used long after 12 months. In the interest of widely disseminating its content, ASPET made *Molecular Interventions* freely available after 12 months. Many articles from the journal had to be deposited into PubMed Central because they resulted from federal funding. We believe that free access to this content after a relatively short period of time contributed to the journal getting very few institutional subscriptions. Its review articles were considered very useful well beyond the 12 months following publication, and so institutions may have decided they could wait instead of subscribing. After 10 years of consistent financial losses despite the journal being very favorably received and widely cited, ASPET had to cease publication. This could be the fate of other journals if the federal government mandates embargo periods that are too short.

ASPET appreciates the OSTP National Science and Technology Council's Task Force on Public Access to Scholarly Publications review of these comments. ASPET would be pleased to offer any assistance with OSTP as it develops its policy. Please contact Richard Dodenhoff, ASPET Journals Director at 301-634-7997 or rdodenhoff@aspnet.org for any additional information ASPET may provide.

Sincerely,



Lynn Wecker, PhD
President



James E. Barrett, PhD
Chair, ASPET Board of Publications Trustees