



American Society for Nutrition
Excellence in Nutrition Research and Practice

December 19, 2011

Office of Science and Technology Policy
National Science and Technology Council's Task Force on Public Access to Scholarly Publications
725 17th Street
Washington DC 20502

Via Email To: publicaccess@ostp.gov

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

Dear OSTP Task Force on Public Access to Scholarly Publications:

The American Society for Nutrition (ASN) appreciates the opportunity to provide information to the Office of Science and Technology Policy (OSTP) National Science and Technology Council's Task Force on Public Access to Scholarly Publications regarding public access to peer-reviewed scholarly publications resulting from federally funded research. Founded in 1928, ASN is a nonprofit scientific society with over 4,300 members in more than 75 countries working in academia, practice, government, and industry. ASN is dedicated to bringing together the world's top nutrition research scientists to advance our knowledge and application of nutrition. ASN publishes peer-reviewed research publications *The American Journal of Clinical Nutrition (AJCN)*, *The Journal of Nutrition (JN)*, and the 2010-launched review journal *Advances in Nutrition*. *AJCN* and *JN* are the two of the top peer-reviewed scientific journals in the areas of nutrition science and dietetics.

ASN supports the principle of increased public access to scientific information that stimulates innovation, and voluntarily has taken the following significant steps to accomplish this:

- Since 1997, the Society has included free access to the online journal collection as a membership benefit.
- ASN has offered free public access to articles 12 months after publication on its website since 2000.
- ASN's entire journal collection, including over 110 years of archival content, has been online through Stanford University's High Wire Press since 2006. Approximately 98% of online journal content is freely accessible to both subscribers and non-subscribers.
- The content of all ASN journals is indexed in the National Library of Medicine PubMed/Medline database, and articles resulting from National Institutes of Health (NIH)-funded research are accessible from the online NIH open access repository PubMedCentral after an embargo period of 12 months.

9650 Rockville Pike | Bethesda, MD 20814

T: 301.634.7050 | F: 301.634.7892

info@nutrition.org | www.nutrition.org

ASN responses to select questions from the RFI:

- (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?

Certain changes to the existing open access system may harm publishers, and therefore the U.S. economy. Any money and energy that would be put towards federal efforts to archive peer-reviewed publications, including those that result from federally funded scientific research, and to develop interoperability among multiple repositories would duplicate the archival efforts of many publishers.

ASN does not consider it advisable for the federal government to duplicate existing databases of published scientific information by establishing separate repositories for this information at multiple federal agencies or to invest time and resources to ensure the interoperability of these new systems. All final versions of scientific articles are available on publisher websites; these articles can be and are made publicly accessible after a suitable embargo period. Current search engines, such as Google Scholar, allow ready identification of and access to research articles published in scientific journals.

Federal efforts and funds could be better spent providing funding for and advancing new research, expanding efforts to translate research findings for the general public, specifically patients, and finding ways to help the U.S. public use this vast resource of scientific information to lead healthier lives.

- (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?

Typically the intellectual property right of copyright is transferred from authors to publishers, who make content freely available via their publisher platform and other databases 12 months after publication. Publishers and editors provide added

value such as peer review, editing and formatting to improve clarity, accuracy, readability, and discoverability of published research findings, and they ensure that content is archived on safe, reliable, and multiple sites. Copyright allows publishers and editors to produce journals and other publications to share federally funded and other research findings with a worldwide audience in both print and online versions which are indexed via multiple search engines and databases to enable the broadest access possible. Although ASN holds copyright, ASN provides authors with generous rights to reuse their material. ASN supports policies that allow publishers to retain copyright while giving privileges to authors. ASN also supports clearly identifying copyright holders in open access databases such as PubMedCentral. ASN does not support blanket requirements in grant contracts which have the potential to deny authors and publishers the benefits of their copyrights, such as 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?

ASN supports decentralized approaches to managing public access to peer-reviewed scholarly publications that result from federally funded research. To avoid significant and unnecessary costs for the government, any potential federal repository should link to the published research article on the publisher's site rather than post a duplicate copy in a federal repository. By developing and supporting search engines such as PubMed, the Federal government has already contributed greatly to the discoverability and accessibility of published research findings. ASN opposes publication of multiple versions of the same manuscript as this will confuse, and in some cases even corrupt, the scientific record. To minimize administrative tasks for authors, publishers, and the government, papers should be posted to and made publicly available via a single site such as a publisher's platform, rather than multiple repositories for different agencies or disciplines. We urge the government to work with publishers to provide public access directly from the article of record in the journal by providing links back to the content. In addition, the Federal government should not duplicate existing efforts supported by publishers and others to archive peer-reviewed scholarly publications, including those that result from federally funded research.

- (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 models of collaborative efforts amongst librarians, publishers, commercial entities, and others to maintain online archives of peer-reviewed scholarly publications, including those that result from federally funded research. Some examples of existing archives include LOCKSS (Lots of Copies Keep Stuff Safe); CLOCKSS (Controlled LOCKSS); Portico; and JSTOR; as well as others. Federal support for the archiving efforts already underway by public-private partnerships is critically important to maintain existing publisher archives. Federal support could also encourage innovation in accessibility and interoperability of these archives, while ensuring long-term stewardship of the results of federally funded 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?

ASN provides metadata to various journal content aggregators and databases, such as PubMed, to ensure searchability and accessibility of open access materials. ASN believes journal content aggregators are best suited 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?

Federal agencies can help to optimize search capabilities to allow the public to better access and understand federally funded research findings. Federal agency assistance in increasing public awareness and understanding of these findings will maximize the benefit of public access policies to U.S. taxpayers and their investment in the peer-reviewed literature.

- (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?

ASN does not believe that other types of peer-reviewed publications resulting from federally funded research, such as book chapters and conference proceedings, should be covered by public access policies. Typically these types of peer-reviewed publications do not contain original research that has not been or will not be published in a journal article already covered by public access policies. ASN supports covering book chapters and conference proceedings with public access policies only when they share original research findings that have not been or will not be published in open access journal articles.

- (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?

ASN believes that the appropriate embargo period before the public is granted free access to the full content of peer-reviewed scholarly publications resulting from federally funded research should be no less than 12 months after publication. This is in line with NIH policy which stipulates that all NIH-funded research must be made publicly accessible 12 months after publication. A shorter embargo period in public access policies devalues journal subscriptions, and therefore subscription revenue which many publishers rely heavily on to support publishing operations, including the costs of collecting, reviewing, editing, composing, disseminating, and archiving manuscripts. Two 2006 articles, “Self-Archiving and Journal Subscriptions: Co-existence or Competition?” (Publishing Research Consortium, http://www.publishingresearch.net/self_archiving2.htm) and “ALPSP Survey of Librarians on Factors in Journal Cancellation” (The Association of Learned and Professional Society Publishers, alpsp.org), demonstrated that an embargo period of 6 months or less would increase the likelihood that librarians may decide to cancel a journal subscription. A shorter embargo period can also more easily compromise the business models of small publishers, including many not-for-profit publishers, who publish scientific journals on a bimonthly or quarterly basis only.

Certain changes to public access policy may undermine the value of subscriptions and threaten subscription revenue, thereby interfering with the ability of publishers to recover costs for the peer review and distribution of published research. If publishers are unable to cover basic operating costs and/or sustain the rigor of peer review, this could easily lead to fewer journals and, thus, fewer routes for publication of scientific research findings. Consideration should be given to the potential economic impacts of any public access initiative on publishers, particularly not-for-profit publishers, and the fundamental roles and services scientific societies provide to their membership and the scientific community at-large. When ASN has implemented policies to improve public access to the research it publishes, the economic impact of these new policies was carefully considered. Considerations that influence how soon free public access is economically feasible for a particular journal include revenue sources, production costs, utilization patterns, time needed for cost recovery, and frequency of publication. For example, publishing costs are on average \$3,500 to publish an article in *AJCN* or *JN*. Certain changes to public access policy could lead some journals to greatly increase author fees in an effort to recover lost revenue from subscriptions. If these costs are covered by grant funds, this would reduce the amount of funding available for direct support of scientific research and could ultimately lead to fewer scientists sharing research findings in a timely manner. Before implementing a broad public access policy it is important to consider these factors so as to not negatively impact scientists, not-for-profit publishers, and others who already provide some form of open access.

ASN appreciates the opportunity to provide comments regarding public access to peer-reviewed scholarly publications resulting from federally funded research to the OSTP National Science and Technology Council's Task Force on Public Access to Scholarly Publications. We look forward to continued dialogue on this important issue and the opportunity to assist OSTP and other federal agencies in any other way deemed appropriate. We urge OSTP to fully involve publishers in the implementation of any public access policy. Please contact Karen King, Vice President for Publications, at 301.634.7053 or kingk@nutrition.org if ASN may provide further assistance.

Sincerely,



Sharon M. Donovan, Ph.D., R.D.
President, American Society for Nutrition