Sharpless, Katherine E.

From: public-access-bounces@nist.gov on behalf of Huftalen, Adam (REI-WAS) <Adam.Huftalen@relx.com>
Sent: Friday, August 21, 2015 8:42 AM
To: public-access
Subject: [Public-Access] RELX Group Comments on NIST Public Access Plan
Attachments: RELX Group NIST Public Access Plan Comments FINAL.pdf; ATT00001.txt

Hello – please find RELX Group's comment letter attached, and please feel free to contact me should you have any questions.

Adam Huftalen
Senior Manager, Federal Government Affairs
RELX Group
1150 18th St. NW
Suite 600
Washington, D.C. 20036
202.857.4644 (Direct)
202.320.3816 (Mobile)
adam.huftalen@relx.com

August 21, 2015

Dr. Willie E. May
Director
National Institute of Standards and Technology
100 Bureau Drive Stop 4701,
Gaithersburg, MD
20899-4701

Re: Comments on the National Institute of Standards and Technology's Public Access Plan

Dear Dr May:

RELX Group (formerly Reed Elsevier) welcomes the opportunity to comment on the National Institute of Standards and Technology's (NIST) Public Access Plan. RELX Group is one of the world's largest providers of professional information solutions, with more than 13,000 U.S. employees and more than 28,000 employees worldwide.

Elsevier, a RELX Group company, is a world-leading provider of scientific, technical and medical information products and services. We serve 30 million scientists, students and health and information professionals worldwide. We help advance science and health by providing world-class information and innovative tools that help customers make critical decisions, enhance productivity, and improve outcomes

Elsevier publishes more than 2,000 journals, including *The Lancet* and *Cell*, and a growing portfolio of open access titles. We also publish close to 20,000 book titles, including major reference works such as *Gray's Anatomy* and titles from Mosby and Saunders. Elsevier's online solutions include ScienceDirect, Scopus, Reaxys, ClinicalKey and Mosby's Nursing Suite, which enhance the productivity of science and health professionals by providing quick and efficient access to published research, and the SciVal suite and MEDai's Pinpoint Review, which help research and health care institutions deliver better outcomes more cost-effectively.

Elsevier is an integral partner to the scholarly research community in the United States. Our US Elsevier workforce includes about 3,000 people spread across 15 offices in 10 states. We publish about 350,000 journal articles each year, many of which are authored by US researchers and of which approximately 35,000 acknowledge support from the US government. We are the single largest publisher of journal articles that report on research funded by the Department of Energy. In addition, we publish over 250 journals in partnership with US scholarly societies, such as The Combustion Institute, Hydrogen Energy Publications and The International Energy Initiative. Elsevier publishes 18% of articles which report on research funded by the U.S. Department of Health & Human Services (HHS) each year.

RELX Group 1150 18th St. NW, Suite 600 Washington, DC 20036 Telephone: 202.857.9112 Fax: 202.857.8294 www.relxgroup.com

RELX Group and Elsevier support the principle that the public should be able to access publicly-funded research and we demonstrate this support through a broad array of sustainable public access options in our 2000+ journals, and through our universal access initiatives. We provide free or very low-cost access to hundreds of medical journals via patient information services such as Patient Inform and patientACCESS. In addition, through a program called Research4Life, we provide free or low-cost access to Elsevier journals and books to more than 6,000 institutions in more than 100 developing countries.

Elsevier also participates in the NIH's Emergency Access Initiative. This important initiative provides temporary free access to full text articles from major biomedicine titles to healthcare professionals, librarians, and the public affected by emergencies and disasters such as the ebola outbreak and the aftermath of the Nepal earthquake.

We also welcome the collaborative public-private partnership with federal agencies in the Clearinghouse for Open Research of the United States (CHORUS), a multi-publisher portal to provide access to journal articles reporting on government-funded research.
The principle of ensuring access to published research by means of public access is one that we entirely support. What is at issue is not the principle of public access, but the form that it should take in order to make it work in a sustainable fashion.
RELX Group is pleased to provide the following comments on the NIST Public Access Plan.

1. Sustainable Public Access Policies with Variable Embargoes Are Essential to Scientific Research and High-Quality Scholarly Communication

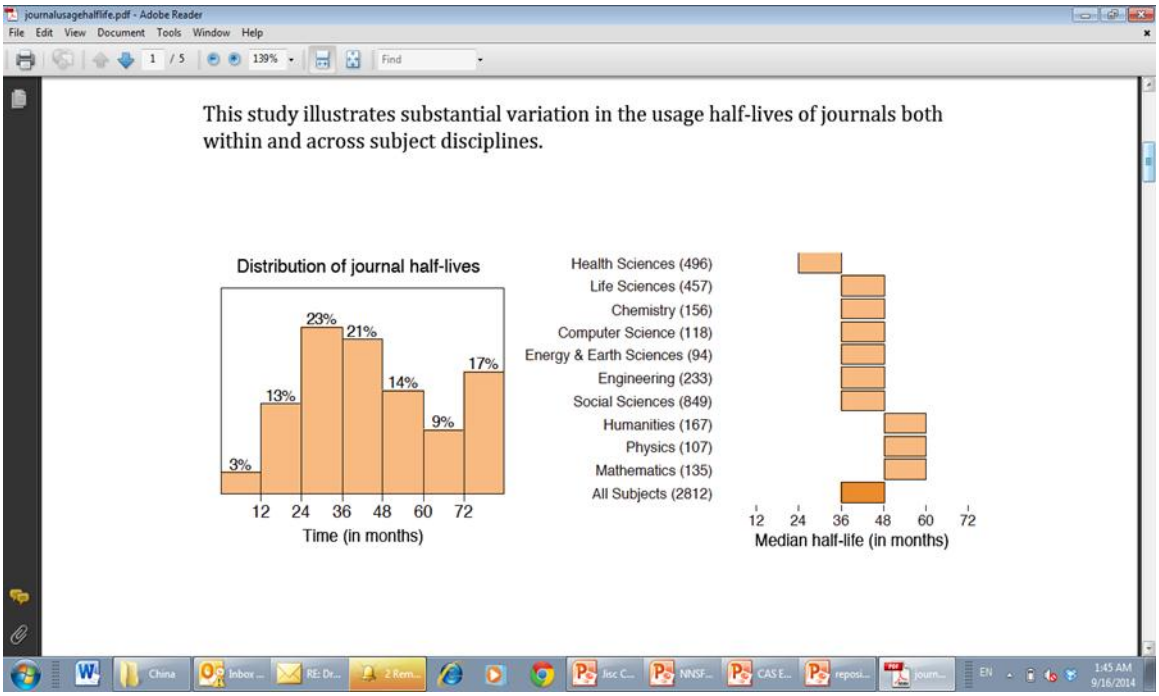
We are very concerned that NIST's public access plan includes a "one-size-fits-all" twelve-month post-publication embargo for journal articles in all disciplines. Embargo periods are necessary because the subscription business model is relied on to support the making available of versions of articles outside of a subscription. Selling subscriptions enables publishers to recoup a return on investment in our journals and to continue to reinvest to support the scholarly communications system. When versions of articles are made available too early, this reduces the incentive for our customers to subscribe to journals and therefore makes it difficult for us to secure a return on our investment. Embargo periods therefore need to be set according to the usage patterns we see in journals, specifically not too early so that it is worth a customer continuing to subscribe.

Setting embargos at the optimum level requires careful consideration and the aim is to strike a balance between making a version of an article publically available but not too early so as to undermine the continuing viability of a journal. Studies have shown that when embargo periods are set too low, the incentive to buy a journal decreases. Studies have similarly shown that usage patterns, which help determine the time at which it becomes viable for a version of an article to become publically available, vary between disciplines, but also within different disciplines. This was a key conclusion of a comprehensive usage study of over 2800 journals across 10 disciplines, conducted by Dr. Philip M. Davis.[1] Looking across all

[1] *Journal Usage Half-Life* By Philip M. Davis, Ph.D. Phil Davis Consulting; http://www.publishers.org/_attachments/docs/journalusagehalflife.pdf

disciplines, Davis found that the majority of journals had a usage half-life of 3 years or more, and that only 3 percent of journals had half-lives of less than 12 months. Usage half-life is defined as the time taken for articles to reach half of their total number of downloads.

KEY FINDINGS FROM *JOURNAL USAGE HALF-LIFE* BY DR. PHILIP M. DAVIS



These results are consistent with previous studies on journal usage in different disciplines. For example, in their 2012 submission to the White House Office of Science and Technology Policy, the American Psychological Association (APA) noted that less than 16% of the usage of APA psychology journals occurs in the first year. Similarly, an analysis in 2009 by the American Mathematical Society found that only 10% of the citations in the mathematics literature were to articles published in the previous three years combined. Further, a study of journal publishing in the humanities and social sciences concludes that, given the comparatively long life of articles in those fields, the imposition of embargo periods that are being adopted for biomedical journals could threaten the sustainability of humanities and social science journals.[2]

These studies clearly demonstrate that a 12 month embargo period would be unsustainable in some disciplines and that variation in embargo periods are needed to take account of differences within and between disciplines. With this evidence in mind, we urge NIST to reconsider its approach and allow for variable embargo periods on a discipline-specific basis, using the evidence provided alongside other

[2] "The Future of Scholarly Journals Publishing Among Social Science and Humanities Associations," Report on a study funded by a Planning Grant from the Andrew W. Mellon Foundation (February 2009), available at: http://www.nhalliance.org/bm~doc/hssreport.pdf

relevant data. This will ensure the continuation of robust and dynamic, high-quality scientific and scholarly communication system.

Additionally, we are encouraged that NIST has included a process to allow publishers to petition for an exception to the established embargo where they can provide supporting evidence demonstrating that the established embargo is not viable. This is consistent with the February 22, 2013 OSTP memo on Increasing Access to the Results of Federal Funded Scientific Research that directs agencies to provide a mechanism for stakeholders to petition for changing an established embargo.

2. The NIST Plan Will Incur Unnecessary Costs by Duplicating Efforts Provided by the Private-sector, including the Clearing House for the Open Research of the United States (CHORUS).

RELX Group and Elsevier welcome opportunities to enhance delivery of public access through collaboration and strongly urge NIST to consider partnership approaches to public access which avoid duplication of effort and minimize both costs and administration for researchers and their institutions. One of the significant collaboration opportunities in facilitating public access is via the CHORUS service (http://www.chorusaccess.org/), which leverages existing infrastructure, tools, and services that support sharing, access, discoverability, reporting, and preservation.
CHORUS also reduces the compliance burden on authors, and in turn increases compliance with public access goals.

We are concerned that NIST has not given consideration to how this new approach presents opportunities for cost-savings within federal agency budgets and for institutions receiving federal agency research support. A planned collaboration with CHORUS would achieve this aim, and also the OSTP objective of leveraging existing infrastructure and fostering public-private partnerships with scientific journals relevant to the agency's research. One example of successful collaboration to date includes the partnership between the U.S. Department of Energy (DoE) and CHORUS, which is currently leveraging open standards, distributed networks, and established infrastructure to enable agency indexing of articles and advance access to publicly available research articles that acknowledge DOE funding (http://www.chorusaccess.org/us-department-of-energy-and-chorus-sign-participation-agreement-to-advance-public-access/). We would urge NIST, either independently or through its partnership with NIH and PMC, to explore the opportunities that the CHORUS service can provide for facilitating public access.

3. The NIST Plan Should Promote Public-Private Partnerships

We encourage NIST to look for additional opportunities to leverage public-private partnerships. We believe collaboration between our organizations to achieve shared goals could be significantly improved in the following ways:

i. Elsevier urges NIST to share COUNTER-compliant distributed usage statistics for manuscripts which report on NIST funded research in PMC so that publishers can continue to report on impact and usage to authors and to their institutions that subscribe to these publications and pay their publication costs.

ii. It is also critical that NIH cease reformatting and enhancing manuscripts to make them appear more like, and substitute for, the final version-of-record of articles. This duplicative process only adds cost to PMC and its partnering agencies like NIST.

iii. Finally, it is essential that PMC ensure readers are presented with the best version of the article available, which means that entitled users are transparently linked to the final published version of articles reporting on NIST funded research.

4. NIST's Approach to a Data Repository Solution Should Allow for Optimal Data Use

RELX Group and Elsevier support the principle that raw research data should be freely available, and have both a research data policy and a number of tools and services to support researchers who wish to share and access data. We therefore support NIST's vision for data sharing; however, we feel strongly that researchers should be free to deposit their data in repositories best suited for their research and where they feel their data can be most discoverable and accessible, best preserved, and analyzed using discipline-specific tools as often provided by discipline-specific repositories. Specifying where data should be deposited could limit the opportunity for flexible approaches to data submission, access, understanding, and use.

We would also welcome reassurance from NIST that federal research data repositories will be looking to collaborate with publishers and other stakeholders to help make data discoverable and interpretable in the context of associated publications. Some examples of Elsevier's collaborations with data repositories to date can be found here.

We appreciate the opportunity to provide you with our comments on the NIST Public Access Plan. We would welcome the opportunity to engage with NIST to discuss ways to determine appropriate and consistent implementation of administrative intervals for specific scientific fields, and how to maximize the effectiveness of CHORUS to ensure the full benefits, reduced costs and decreased administrative burdens to NIST.

Sincerely,

Steven M. Manzo
Vice President
Global Government Affairs Americas
RELX Group