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Budapest Open Access Initiative: Frequently Asked Questions (Excerpts)

- **Background**
 - [How did the Budapest Open Access Initiative \(BOAI\) arise?](#)
 - [What is the relationship between the Open Society Institute and the BOAI?](#)
 - [What is the difference between the BOAI and the Public Library of Science?](#)
 - [What is the difference between BOAI and the Open Archives Initiative?](#)
 - [What is the difference between BOAI and other initiatives to make various kinds of digital information free for users?](#)
 - [Will BOAI become a publisher?](#)
- **Research Literature**
 - [For which body of literature, exactly, does BOAI hope to secure open access?](#)
 - [Do all scientists and scholars really consent to give away their writings?](#)
 - [What about previously published research literature?](#)
- **Open Access**
 - [What does BOAI mean by "open access"?](#)
 - [Is open access compatible with copyright?](#)
 - [Is open access compatible with peer review?](#)
 - [Is open access compatible with print?](#)
 - [Is open access compatible with high standards and high quality?](#)
 - [Why doesn't the BOAI call on scholars to put their works into the public domain?](#)
 - [Must users ask the author \(or copyright holder\) for consent every time they wish to make or distribute a copy?](#)
 - [Isn't this wishful thinking? Do you really believe that online archives and journals are free?](#)
 - [If open-access publications are not free to produce, how can they be made free for readers?](#)
 - [How do we know that open-access publishing is economically sustainable?](#)

- [What is the difference between Open Access and Open Source?](#)
 - **Self-Archiving**
 - [What is self-archiving?](#)
 - [How can I or my institution create an Eprint Archive?](#)
 - [Who should self-archive?](#)
 - [What about copyright?](#)
 - [Is self-archiving legal?](#)
 - **New Journals**
 - [How do open-access journals pay their operating expenses?](#)
 - **Impact**
 - [What consequences do you foresee from this initiative?](#)
 - [What is the intended impact of BOAI on journals that do not offer open access to their contents?](#)
 - [Will BOAI harm the good causes subsidized by journal revenues?](#)
 - [What is the intended impact of BOAI on libraries that wish to acquire and curate all kinds of literature?](#)
 - [What is the intended impact of BOAI on researchers, teachers, consumers, and others who wish to buy, assign, or use priced literature?](#)
 - [What is the intended impact of BOAI on initiatives to make scholarly literature affordable rather than free?](#)
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Background

How did the Budapest Open Access Initiative (BOAI) arise?

On December 1-2, 2001, the Open Society Institute (OSI) called a meeting in Budapest of leading proponents of open access for scientific and scholarly journal literature. The goal was to see how far the many current initiatives could assist one another and how OSI could use its resources to help the cause.

What is the relationship between the Open Society Institute and the BOAI?

OSI convened the meeting that gave rise to the BOAI, and OSI is the first institutional signatory. OSI is committed to use its resources to advance this cause and to help recruit other institutions to join the effort.

What is the difference between the BOAI and the Public Library of Science?

The Public Library of Science (PLoS) asks existing science journals to provide open access to their contents, in public archives, within six months of print publication. It asks scientists to withhold their labor as authors, referees, or editors, and to withhold their subscription fees, from journals that do not comply. The BOAI differs in the following respects. (1) BOAI applies to all academic fields, not just to the sciences. (2) BOAI is equally committed to open-access journals and to self-archiving as a means to achieve open access. (3) BOAI does not demand that existing journals change their access policies, though it hopes they will. Instead, it will raise money to defray the transition costs for those journals willing to make the change, and to

create new journals committed to open access. (4) Signatories to the PLoS open letter are asking journals and publishers to make a certain change. Signatories to the BOAI are pledging to make changes within their own power. We are grateful to the PLoS for letting us adapt the signature-gathering software it wrote for its own web site.

What is the difference between BOAI and the Open Archives Initiative?

The Open Archives Initiative (OAI) is a protocol for collecting metadata about data files residing in separate archives. When the protocol is used by data services like search engines, they can process the data in separate archives as if they resided in just one archive. (In the technical jargon, the metadata harvesting protocol supports interoperability.) The BOAI supports OAI for all open-access literature, but BOAI is not part of OAI or vice versa.

What is the difference between BOAI and other initiatives to make various kinds of digital information free for users?

The BOAI is distinctive in its scope and its insistence on author consent. (1) BOAI focuses specifically on peer-reviewed research literature, and does not apply to software, music, movies, or anything else. (2) For BOAI, free access should depend on author consent, not just user need or desire. For more on the second condition, see our questions about consent and copyright below.

Will BOAI become a publisher?

No. BOAI will assist in the creation of open-access journals and open-access archives of articles published in other journals.

Research Literature

For which body of literature, exactly, does BOAI hope to secure open access?

BOAI only seeks open access for the scientific and scholarly research texts that authors give to publishers and readers without asking for any kind of royalty or payment. As the BOAI public statement puts it, "[p]rimarily, this category encompasses...peer-reviewed journal articles, but it also includes any unreviewed preprints that [scholars] might wish to put online for comment or to alert colleagues to important research findings." It does not include books from which their authors would prefer to generate revenue. It does not include any non-scholarly writings, such as novels or news.

While the BOAI does not specifically cover donated scholarship other than peer-reviewed journal articles and preprints, it could be extended quite naturally to all the writings for which authors do not expect payment. These include scholarly monographs on specialized topics, conference proceedings, theses and dissertations, government reports, and statutes and judicial opinions.

Do all scientists and scholars really consent to give away their writings?

No. BOAI makes an explicit and fundamental distinction between writings that scientists and scholars do and do not wish to give away for free. BOAI applies only

to the former. The objective is that when authors do wish to give away their writings, then readers should not have to pay access tolls to read them. There should be open access to such writings and only to such writings. The BOAI sees no need to estimate how many authors are in this category, and does not endorse attempts to provide open access to any work without its author's consent. Authors of textbooks typically hope to make money from them. Therefore this initiative does not apply to textbooks. Most authors of scholarly monographs hope to make money from them, regardless of the true sales prospects. Therefore this initiative does not apply to most scholarly monographs. But by contrast, most authors of peer-reviewed journal articles do not expect payment for them and willingly publish them in journals that pay no royalties or fees. Such articles form the core of the literature to which this initiative applies. Note that even authors who give away their writings in this sense may retain copyright and may find it important to do so. What's important is relinquishing payment, not relinquishing intellectual property rights or putting one's writings into the public domain. (Also see our question on how users ascertain author consent.)

What about previously published research literature?

This initiative is only about providing open access to future research literature. However, when the money, permissions, and standards can be arranged, then digitizing past literature and providing open access to it will be very desirable.

Open Access

What does BOAI mean by "open access"?

Here is the definition of "open access" from the BOAI: "By 'open access' to this literature, we mean its free availability on the public internet, permitting any users to read, download, copy, distribute, print, search, or link to the full texts of these articles, crawl them for indexing, pass them as data to software, or use them for any other lawful purpose, without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself. The only constraint on reproduction and distribution, and the only role for copyright in this domain, should be to give authors control over the integrity of their work and the right to be properly acknowledged and cited."

Is open access compatible with copyright?

Completely. The short answer is that copyright law gives the copyright holder the right to make access open or restricted, and the BOAI seeks to put copyright in the hands of authors or institutions that will consent to make access open. The long answer depends on whether we are talking about self-archiving or open access journals.

1. **Self-archiving.** Authors of preprints hold the copyright to them and may post them to open access archives with no copyright problems whatever. If the preprint is later accepted for publication in a journal that requires authors to transfer copyright to the publisher, then the journal may or may not give

permission for the refereed postprint to be posted to an open access archive. If permission is granted, then again there is no copyright problem. If permission is denied, then the preprint may remain in the open access archive because it is a different work from the postprint and the author never transferred the copyright on the preprint. Moreover, the author may post to the archive a list of corrigenda, or differences between the preprint and postprint. This is not quite as convenient for readers as seeing the whole postprint online, but it provides them with the equivalent of the full text of the postprint and is infinitely more useful than no free access at all. For more details, see the section on self-archiving.

2. **Journals.** Open access journals will either let authors retain copyright or ask authors to transfer copyright to the publisher. In either case, the copyright holder will consent to open access for the published work. When the publisher holds the copyright, it will consent to open access directly. When authors hold the copyright, they will insure open access by signing a license to the publisher authorizing open access. Publishers of open-access journals will have such licenses already prepared for authors. There are many ways to write such a license. For example, see the license written by the Public Library of Science.

The BOAI does not advocate open access for copyrighted literature against the will of the copyright holder or in violation of copyright law. Nor does it advocate any change in copyright law. It seeks to maximize open access within existing copyright law, in accordance with the wishes of the copyright holders. Also see our question on how users ascertain author consent.

Is open access compatible with peer review?

Completely. BOAI seeks open access for peer-reviewed literature. The only exception is for preprints, which are put online prior to peer review but which are intended for peer-reviewed journals at a later stage in their evolution. Peer review is medium-independent, as necessary for online journals as for print journals, and no more difficult. Self-publishing to the internet, which bypasses peer review, is not the kind of open access that BOAI seeks or endorses.

Is open access compatible with print?

Completely. Open access is online access, but it does not exclude print access to the same works. Open access is free of charge to readers, but it does not exclude priced access to print versions of the same works. (Because print editions are expensive to produce, they tend to be priced rather than free.) Open access does not exclude printouts by users or print archives for security and long-term preservation. For some publishers, print will exclude open access, but the reverse need never occur.

Is open access compatible with high standards and high quality?

Completely. The short answer is that the same factors that create high standards and high quality in traditional scholarly publications can be brought to bear, with the same effects, on open-access literature. The long answer depends on whether we are

talking about self-archiving or open-access journals.

1. **Self-archiving.** Scholars self-archive either unrefereed preprints or refereed postprints. Let's take these in order. (A) By calling preprints "unrefereed" we mean, of course, that they are not yet peer-reviewed. Their quality has not been tested or endorsed by others in the field. But this is because they are unrefereed preprints, not because an archive gives open access to them. As long as they are labelled as preprints, there is no misleading of readers and no dilution of the body of refereed or peer-reviewed literature. (B) Refereed postprints have been peer-reviewed by journals. The standards by which they have been judged and recommended are those of journals in the field, and these standards do not depend on a journal's medium (print or electronic) or cost (priced or free). The quality of the articles endorsed by these standards depends entirely on these standards, not on the fact that an archive provides open access to them.
2. **Journals.** The quality of scholarly journals is a function of the quality of their editors, editorial boards, and referees, which in turn affect the quality of the authors who submit articles to them. Open-access journals can have exactly the same quality controls working for them that traditional journals have. The main reason is that the people involved in the editorial process, and the standards they use, do not depend on the medium (print or electronic) or the cost (priced or free) of the publication. This is clearest in the case when the very same people who edit print or limited-access journals also edit open-access journals, either because their journal appears in two versions or because they resigned from a journal that didn't support open access and created a new open-access journal to serve the same scholarly community. Open-access journals do not differ from toll-access journals in their commitment to peer review or their way of conducting it, but only in their cost-recovery model, which has no bearing on the quality of the articles they publish.

If the real question here is whether those who call for open access are really calling for the abandonment of peer review, or for a kind of self-publication to the internet that bypasses peer review, the answer is no. See our direct answer to the latter question above.

Why doesn't the BOAI call on scholars to put their works into the public domain? Putting online works into the public domain is one way to create open access to them. But this method leaves authors with fewer rights than they might want, e.g. the right to prevent plagiarism or the publication of corrupted versions of their work, while using copyright law to protect authors' basic rights does not interfere with the kind of open access that matters for research and education. The primary purpose of BOAI is to enhance and accelerate research. Researchers do not need the right to publish mangled or misattributed versions of the work of other researchers. Hence, letting authors retain the right to control the integrity and proper citation of their work will not interfere with the kind of open access that BOAI endorses.

Must users ask the author (or copyright holder) for consent every time they wish to make or distribute a copy?

No. The author's consent to open access for a given article is manifested by self-archiving the article in an open-access archive, by publishing it in an open-access journal, or by some explicit statement attached to the article. Open-access archives and journals will help readers by making clear that they offer open access to all their contents, and they will respect authors by offering open access only to the works for which their authors have consented to open access. However, if a copyrighted work is on the internet but not in such an archive or journal, and there is no other indication of the copyright holder's wishes, then users should seek permission for any copying that would exceed fair use.

Isn't this wishful thinking? Do you really believe that online archives and journals are free?

"Free" is ambiguous. We mean free for readers, not free for producers. We know that open-access literature is not free (without cost) to produce. But that does not foreclose the possibility of making it free of charge (without price) for readers and users. The costs of producing open-access literature are much lower than the costs of producing print literature or toll-access online literature. These low costs can be borne by any of a wide variety of potential funders, among which BOAI has no preferences. For more detail, see our questions on how to provide free access to literature that isn't free to produce and how open-access journals pay their expenses.

If open-access publications are not free to produce, how can they be made free for readers?

Open access does not require the infusion of new money beyond what is already spent on journals, only a redirection of how it is spent. As it is currently spent, the money buys access only for the buyer, so that access is limited to those who can afford the price. If instead the money covers the costs of disseminating articles online, then the articles could be freely accessible to everyone. In short, the solution is to use existing funds to pay per outgoing article (dissemination), not per incoming article (access). The article charges to cover the costs of dissemination could be paid by the universities that employ the authors, the foundations that fund their research, or other possible sources.

The money already spent on journals will suffice. By one estimate, journal revenue from subscriptions and licenses averages \$4000 per article, while other estimates put the figure even higher. By contrast, the primary expense of open access journals is peer review, whose cost lies in or near the range of \$200-500 per article.

Moreover, there are good reasons to think that the money required to provide open access will be significantly less than the money now paid for restricted access.

How do we know that open-access publishing is economically sustainable?

Our confidence arises from (1) existing journals that give us hope, and (2) background reasons already evident to think that open-access publishing will be

economically sustainable.

The background reasons are of two kinds: first, evidence that the costs of open-access publishing are significantly lower than the costs of traditional publishing, and second, reasons to think that the money to cover these significantly reduced costs can be found, even if only by redirecting the sources now paying the higher costs of traditional publication. We enumerate both kinds of reasons in our answer to the question how open-access journals pay their expenses.

The open-access model is far more sustainable than the current model, under which journal prices have been rising faster than inflation and faster than library budgets for three decades. On the open-access model, journal costs will drop. Paying for them will be easier even if no additional money is found. The money already spent on scholarly literature will be more than adequate rather than increasingly inadequate.

What is the difference between Open Access and Open Source?

Open source software, like free software, is a kind of software, namely, software whose source code is freely available for inspection or modification. Open access is a kind of access or availability. This kind of access could apply to any digital content, such as software, music, movies, or news. But the BOAI only calls for open access to a certain kind of scientific and scholarly literature. Also see our question on how the BOAI differs from other initiatives to make digital information free for users.

Self-Archiving

See our Self-Archiving FAQ <<http://www.eprints.org/self-faq/>> for answers to a large number of questions. Here are some of the most basic.

What is self-archiving?

To self-archive is to deposit a digital document in a publicly accessible website, preferably an OAI-compliant Eprint Archive. Depositing involves a simple web interface where the depositor copy/pastes in the "metadata" (date, author-name, title, journal-name, etc.) and then attaches the full-text document. Software is also being developed to allow documents to be self-archived in bulk, rather than just one by one.

How can I or my institution create an Eprint Archive?

Free Eprints software (itself using only free software) has been designed so institutions or even individuals can create their own OAI-compliant Eprint Archives. Setting up the archive only needs some space on a web server. Installing the Eprints software is relatively easy, and being made easier with each successive release of the software. It requires a little webmaster time to set up, and a little webmaster time to maintain. This investment is very small. The real challenge is not creating or maintaining an Eprint Archive, but ensuring that it is promptly filled with its intended contents, which, for the BOAI, consist of pre-peer-review preprints

and peer-reviewed, published postprints.

Who should self-archive?

The Budapest Open Access Initiative is focussed specifically on the refereed research literature, across all disciplines. It is the authors of these articles who should self-archive them, in order to maximize the visibility, accessibility, uptake and impact of their work. The self-archiving itself, however, though rapid and simple, can be done by "proxy," by digital archivers in the researcher's institution or its library. It can also be done in bulk, by (free) software (under development).

What about copyright?

The author holds the copyright for the pre-refereeing preprint, so that can be self-archived without seeking anyone else's permission. For the refereed postprint, the author can try to modify the copyright transfer agreement to allow self-archiving, or, failing that, can append or link a corrigenda file to the already self-archived preprint. See "Is self-archiving legal?" [below] and "What if the publisher forbids self-archiving the preprint?" [in the Self-Archiving FAQ].

Is self-archiving legal?

Texts that an author has himself written are his own intellectual property. The author holds the copyright and is free to give away or sell copies, on-paper or on-line (e.g., by self-archiving), as he sees fit. For example, the pre-refereeing preprint can always be legally self-archived.

Self-archiving of one's own, non-plagiarized texts is in general legal in all cases but two. The first of these two exceptions is irrelevant to the kind of self-archiving BOAI is concerned with, and for the second there is a legal alternative.

Exception 1: Where exclusive copyright in a "work for hire" has been assigned by the author to a publisher-i.e., the author has been paid (or will be paid royalties) in exchange for the text-the author may not self-archive it. The text is still the author's "intellectual property," in the sense that authorship is retained by the author, and the text may not be plagiarized by anyone, but the exclusive right to sell or give away copies of it has been transferred to the publisher.

Exception 1 is irrelevant to BOAI, because BOAI is concerned only with peer-reviewed research, for which the author is paid nothing, and no royalty revenue is expected, sought, or paid.

Exception 2: Where exclusive copyright has been assigned by the author to a journal publisher for a peer-reviewed draft, refereed and accepted for publication by that journal, then *that draft* may not be self-archived by the author (without the publisher's permission).

The pre-refereeing preprint, however, has already been (legally) self-archived. (No copyright transfer agreement existed at that time.)

So in those cases where the publisher does not agree to modify the copyright transfer agreement so as to allow the self-archiving of the refereed final draft ("postprint"), a corrigenda file can instead be self-archived, alongside the already archived preprint, listing the changes that need to be made to make the pre-refereeing preprint conform to the refereed postprint.

New Journals

How do open-access journals pay their operating expenses?

The answer to this question has two parts. (1) First, open-access journals cost much less to produce than print journals or toll-access online journals. (2) Second, there are funding models that do not require limiting access by charging readers or their institutions. Let's take them in this order.

1. Open-access journals will realize significant savings by publishing online-only, rather than in print, and by dispensing with the costs of managing subscriptions and the expensive apparatus for distinguishing authorized users from unauthorized users and blocking access to the unauthorized. Moreover, there is now free and affordable software to automate nearly every operation of an online journal except the exercise of judgment by editors and referees.
2. Any funding model that does not charge readers or their institutions for access can work here. That means no subscription fees, no licensing fees, no pay-per-view. Where else could the money come from? There are many possible sources, and the BOAI does not favor one over another. As the BOAI puts it, "[t]here are many alternative sources of funds for this purpose, including the foundations and governments that fund research, the universities and laboratories that employ researchers, endowments set up by discipline or institution, friends of the cause of open access, profits from the sale of add-ons to the basic texts, funds freed up by the demise or cancellation of journals charging traditional subscription or access fees, or even contributions from the researchers themselves. There is no need to favor one of these solutions over the others for all disciplines or nations, and no need to stop looking for other, creative alternatives."

Impact

What consequences do you foresee from this initiative?

We expect to gather a large number of signatures from individuals and organizations. We expect that each signatory will work to advance this cause in at least some the ways that they can. We expect to see many more universities create institutional archives for self-archiving and adopt policies encouraging faculty to make their preprints and refereed postprints freely accessible through them. We expect to see new journals in every field committed to open access. We expect to raise a significant amount of money to expand the scope of self-archiving, to launch new open-access journals, and to convert existing journals willing to adopt open

access. We expect to see a steady growth in the open-access portion of the peer-reviewed research literature. We expect that younger scholars will enter the academy expecting open access as a matter of course, both for their own writings and the writings they wish to read for their research. We expect that taxpayers will demand open access to research funded by the government. We expect that the beneficiaries of research, such as medical patients, will demand the removal of unnecessary and artificial barriers to research so that the contributions to knowledge freely donated by their authors will be freely available for use by researchers everywhere.

What is the intended impact of BOAI on journals that do not offer open access to their contents?

Journals that do not wish to provide open access have nothing to fear from BOAI except competition. We do not endorse the piracy or expropriation of their intellectual property. We do not demand that they change their access policies and do not threaten them with boycotts or other sanctions if they do not change. We encourage them to offer open access, and will help find the money to defray the costs of the transition to open access for journals willing to make the change. We hope that journals not offering open access will at least cooperate with authors who want to self-archive their articles. We will also help to launch new open-access journals, which will compete with journals that do not offer open access. Our goal is not to put for-profit publishers out of business, but to provide open access to as much as possible of the peer-reviewed research literature. If publishers are willing to help this cause, we will welcome them. If they are unwilling, we will pursue our goal without their help.

Our project is constructive, not destructive. We will help launch new journals that test, refine, and take advantage of new cost-recovery models. At the same time, we will help provide immediate open access through self-archiving. Both methods are within reach of scientists and scholars themselves. For our constructive activity to succeed, no institution or business needs to change its policies. However, we welcome the assistance of all who share our vision.

Will BOAI harm the good causes subsidized by journal revenues?

No, in the sense that journals subsidizing the activities of professional societies or money-losing publishing projects of university presses (or other worthy causes) need not stop charging subscription fees.

Yes, in the sense that open-access journals will exert additional competitive pressure on all priced journals.

However, the downward pressure on journal revenues is occurring regardless of BOAI. As Association of Research Libraries data demonstrate, library budgets are not rising fast enough to keep pace with the rising costs, forcing libraries to cut back journal subscriptions. To many societies it has been clear for some time that they must become less dependent on institutional subscription revenue.

We believe that the opportunity created by the internet for open access to peer-reviewed research literature should be seized even if the revenue from priced editions of this literature supports good causes. If a significant public good can be made available free of charge, then it shouldn't be priced simply to subsidize another good. If the second good is worthy, there must be some other way to support it.

What is the intended impact of BOAI on libraries that wish to acquire and curate all kinds of literature?

We do not call on libraries to stop acquiring or curating priced literature of any kind. We do not call on libraries to change their serials policies, since they already take price into account alongside other criteria such as usage and impact. We do not call on libraries to cancel subscriptions based on price alone or to put price above other criteria. We do not ask libraries to boycott any kind of literature or any kind of publisher.

The BOAI is about a particular kind of access to a particular body of literature. It is entirely compatible with other kinds of access to other bodies of literature. Even for the body of literature that concerns us, much of it will not be accessible in the way we desire for some time. Libraries should serve their patrons today by offering them the literature they need, and support them tomorrow by helping us make more and more of that literature freely available. In addition to supporting open-access journals, libraries can advance this cause by assisting faculty in self-archiving their research articles and hosting the institutional archive.

What is the intended impact of BOAI on researchers, teachers, consumers, and others who wish to buy, assign, or use priced literature?

We do not ask researchers, teachers, consumers (or anyone else) to boycott any kind of literature or any kind of publisher. If the literature they need for their research, their courses, or their pleasure is not freely available online, then they should buy or borrow what they need. We ask them to help this cause by making their own writings freely available online, not by distorting their research projects or coursework by favoring open-access literature that doesn't meet their needs.

What is the intended impact of BOAI on initiatives to make scholarly literature affordable rather than free?

We hope these initiatives succeed, because their success will make scholarly literature more accessible than it is today. However, we believe that the specific literature on which BOAI focuses, the peer-reviewed research literature in all disciplines, can and should be entirely free for readers. If the initiatives working on affordable literature are persuaded by the case we have made, then we welcome them to join us. If they are not persuaded, then we wish them success in making progress toward wider access.

A more complete, and growing, BOAI FAQ document appears on the Web at <http://www.earlham.edu/~peters/fos/boaifaq.htm>.

[▲ Back to top](#)

"Budapest Open Access Initiative: Frequently Asked Questions (Excerpts) ." *ARL*, no. 220 (February 2002): 10-15.
<<http://www.arl.org/newsltr/220/boaifaq.html>>.

[Table of Contents for Issue 220](#) | [Other Current Issues Articles](#) | [Other Access Articles](#) | [Other Copyright Articles](#) | [Other Scholarly Communication Articles](#)



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