



## Issue Brief: AAP PR Campaign against Open Access and Public Access to Federally Funded Research

### Summary

In the last few days, amid growing criticism, broad attention has been directed to reports of a new public relations campaign sponsored by the Association of American Publishers (AAP) against public access initiatives concerning access to federally funded research and open access generally. Internal publisher documents leaked to reporters show that hundreds of thousands of dollars will be spent by publishers to “develop simple messages (e.g., public access equals government censorship)” that are aimed at key decision makers.

As news of this campaign spreads, it presents an opportunity to engage in conversations with members of your campus community concerning the changes to the scholarly communication system and how this may affect scholarly journal publishing. This memo provides talking points to assist you and your staff in working with members of your campus community with regards to the recently disclosed publishers public relations campaign against open/public access initiatives and legislation concerning access to federally funded research.

### Background

The story first broke in *Nature* on January 25, 2007 (<http://www.nature.com/nature/journal/v445/n7126/pdf/445347a.pdf>) and press coverage of the story continues to expand. Similarly the blogosphere has been lighting up over this discovery.

The AAP, on behalf of its Professional and Scholarly Publishing Division, (publishers cited in the leaked documents include Elsevier, Wiley and the American Chemical Society) has hired a public relations executive, Eric Dezenhall, to respond to what they perceive as the threat of the growing support for public and open access initiatives. Dezenhall has been characterized as the “pit bull of PR” and according to his website, Dezenhall Resources specializes in crisis management and “are skilled at helping companies play defense in the face of Attorneys General lawsuits, regulatory enforcement, congressional investigations, hostile legislation and other forms of government intervention.”

In a memo to the AAP, Dezenhall proposes a campaign to focus on simple messages such as “government [is] seeking to nationalize science and be a publisher.” One news article also included an e-mail exchange between the publishers with the comment that “media messaging is not the same as intellectual debate.”

In response to the coverage of this new anti-access campaign, Brian Crawford, Chair, Professional and Scholarly Publishing Division Executive Council and the AAP recently released statements acknowledging that this campaign was underway and stated that “private sector non-profit and commercial publishers serve researchers and scientists by managing and funding the peer review process, disseminating author’s work, investing in technology and preserving millions of peer-reviewed articles as part of the permanent record of science.”

Statements such as these are puzzling and raise questions concerning the actual role of publishers in the scholarly communication process. They present opportunities to engage in conversation with faculty, researchers and staff about the changing nature of scholarly communication and the contributions various communities make to the communication process. For example:

- the library community, not the publishing community, has been responsible for the preservation of the record of science.
- peer review is accomplished by members of the Academy.

Below are some of the “simple messages” proposed for the publishers’ campaign against open access/public access to federally funded research and possible responses to them when engaging members of your campus community.

***Equating public access to federally funded research and/or open access with the destruction of the peer review system.***

This is probably the most potent misconception – the assertion that only traditional journal publishing practices and business models can provide peer review. The peer review system is rightly seen as the central contribution journals have made to science.

- Peer review is already built into open access journals and to policies concerning access to federally funded research thus showing the fallacy of the predicted demise of peer review.
- The peer review system, based almost completely on the voluntary *free labor of the research community*, is independent of a particular mode of publishing, or business model.
- Publishers’ own studies have found that open access journals are peer reviewed as frequently as comparable subscription journals.
- The existing National Institutes of Health (NIH) policy and legislation concerning access to federally funded research called for submissions from only peer-reviewed journals and “includes all modifications from the publishing peer review process.”
- Finally, journal publishers do not create the content they publish, nor do they generally pay authors for that content or compensate reviewers for the time they spend ensuring the quality of published research through their contributions to the peer review process. The Academy supports and provides the peer review.

***Publishers are “preserving millions of peer-reviewed articles as part of the permanent record of science.”***

The library community, not the publishing community, has historically played the role of steward in preserving the permanent record of science. When JSTOR began digitizing back files of journals, they rapidly discovered that publishers rarely had complete sets of their own journals. Instead libraries served as the reliable source for these important records. Looking forward, libraries are actively maintaining their role in preserving peer reviewed science publications. Cooperative library programs like Ohiolink and the Ontario Council of University Libraries are collecting digital copies of licensed works and assuming full responsibility for their preservation. Third party projects like LOCKSS and Portico rely heavily on libraries for their support and are designed to compensate for the inability of publishers to guarantee ongoing access to their publications.

### ***Public access equals government censorship.***

The logic of this claim is perhaps impossible to parse. The NIH policy, “Enhanced Access to NIH Research Information” only affects NIH grant recipients and is a voluntary policy. The works included under this policy (<http://grants.nih.gov/grants/guide/notice-files/NOT-OD-05-022.html>) are deposited in PubMed Central by their authors and made freely accessible unless temporarily embargoed by their authors. PubMed Central is mirrored internationally and is managed by the National Library of Medicine. Public access to federally funded research policies proposed to date have all incorporated embargo periods to protect publishers from any rapid shifts in subscription revenues. PubMed Central includes information resources well beyond those placed on deposit resulting from this new policy. Two key drivers of the NIH policy are to make these federally funded research results widely available and to hold government accountable.

### ***The government is seeking to nationalize science and be a publisher.***

This is a specific attack on public access policies concerning access to federally funded research – existing and proposed. NIH’s public access policy calls for deposit of the final electronic manuscript after peer review and acceptance for publication. Works deposited in response to the policy are published by existing publishers, not the federal government. Proposed public access policies take this approach as well. The main financial contribution the Federal Government makes to science is through research funding. Policies concerning public access to federally funded research allow publishers to continue to benefit tremendously from the pool of content this funded research generates.

Legislation proposing to extend NIH-like access policies to other Federal agencies was introduced in 2006. Neither the legislation nor the NIH policy in any way affects peer review or the “quality, sustainability or independence of science,” (AAP Statement). Instead, these existing and proposed policies contain provisions protecting journals and the peer review process while improving access to publicly funded research.

### **Next Steps**

Important questions face researchers, their funding bodies, research institutions, libraries and publishers. Where these questions are discussed honestly on the basis of their own merits, there is the best opportunity to develop systems and strategies that fully leverage society’s investments in advancing knowledge and researchers’ efforts to create and apply new knowledge. Focusing on real risks and needed changes rather than defending established interests in the wake of change opens the path to meaningful dialog.

### **For more information contact:**

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