



March 29, 2012

The Honorable Paul Broun
United States House of Representative
2318 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Broun:

On behalf of these 7 national and regional library organizations, we write to thank you for conducting a hearing on the important issue of Public Access and Scholarly Publication Interests. We strongly believe that timely, barrier-free access to the results of federally funded research is an essential component of our collective investment in science, and that this information should be shared in cost-effective ways that take advantage of newly available technologies. This increased sharing will help to advance the pace of discovery, as well as to speed the translation of this knowledge into innovative new services and products – fueling economic growth and helping to create jobs.

We are writing in support of the testimony of Stuart Shieber, Director of the Office for Scholarly Communication at Harvard University. As library organizations committed to the equitable and cost-effective dissemination of knowledge, we have long advocated for federal policies that ensure that the public be guaranteed access to articles reporting on the results of publicly funded research.

We believe that the approach taken by the National Institutes of Health (NIH), the first U.S. agency to require public access to taxpayer-funded research, has resulted in an effective, working policy. Since its implementation nearly 4 years ago, the NIH policy has resulted in an average of 90,000 new biomedical manuscripts being made publicly available each year. With more than 500,000 unique users accessing material from this repository each day, it is clear that public demand for this crucial information is extremely high. Our libraries view access to this information as an important supplement to the journals we are financially able to subscribe to, and not as a replacement for them.

Because the NIH Public Access policy has provided such a rich new resource to the communities that we serve, we firmly support the expansion of this successful approach to other federal science agencies. We endorse the recently introduced legislation H.R. 4004, the Federal

Research Public Access Act (FRPAA), to achieve this expansion. This bill will provide an important mechanism to ensure that manuscripts of peer-reviewed scientific articles reporting on research funded by the U.S. Government can be freely accessed and used by all American taxpayers – including researchers, teachers, students and businesses.

FRPAA calls for the establishment of interoperable and open digital repositories containing publicly funded research. This will create an unprecedented, rich new resource for researchers – and all interested members of the public – to tap into. It will allow this critical layer of information to be linked, for the first time, to the wealth of other publicly accessible databases at federal agencies. As a result, maximum use of this research will be fully realized – opening the door for previously unobtainable connections and discoveries to be made.

The proposed bill recognizes that a one-size-fits-all approach to public access policy is impractical, and balances the needs of all stakeholders in the scientific research community. While creating opportunities for unprecedented access and use of research, it also provides important safeguards to protect the interests of those who contribute to the validity and quality of research results. Specifically, the inclusion of an embargo period provides an initial, exclusive distribution option for traditional publishers who may wish to maintain a subscription model for access.

Additionally, the requirement for deposit of the author's final manuscript, rather than the final published article, allows publishers the opportunity to continue to market a product that contains value-added enhancements beyond what is available in the public repositories. Finally, the flexibility for each agency to determine its own strategy for establishing a digital repository reflects an understanding that a location that works for one agency might not be appropriate for another.

Science is global. H.R. 4004 reflects the growing worldwide trend of funding agencies and higher education institutions – over 200 institutions worldwide – that work to maximize access to and sharing of research results, recognizing that increasing usage will help deliver an accelerated return on their investment in research. Dr. Shieber's home institution of Harvard University, along with Massachusetts Institute of Technology, Stanford University, Oberlin College, and the University of Kansas are but a few of the growing number of campuses that are adopting policies to retain their institutional research outputs through the deposit of research manuscripts in a digital repository. Indeed, the attached statement, "Values and Scholarship," authored by academic leadership from 11 large research universities, articulates the importance and value of open and public access policies to the Nation. "That research [\$5.6 billion in funded research] is directed at serving the public good through medical advances, improved defense systems, enhanced agricultural and industrial productivity, technological innovation, and reasoned social policy. In the aggregate, the outcomes of this research fuel America's global leadership, improve the quality of life in our communities, and enrich the educational experience of our students."

<http://www.insidehighered.com/views/2012/02/23/essay-open-access-scholarship>

Finally, the proposed bill is also consistent with the demonstrated interests of the Administration. As part of the Open Government Directive, the White House Office of Science and Technology Policy (OSTP) recently issued a call for public comment on the potential implementation of

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public access policies (like the one proposed in H.R. 4004) across all U.S. science agencies. This reflects the growing commitment to ensure that the public's investment in scientific research is transparent, that there are significant benefits to the scientific enterprise and the United States' scientific leadership globally, and that the return on this public investment is maximized.

We thank you again for your leadership in conducting this hearing on this very important and timely issue, and look forward to working with you to see that progress continues to be made.

Sincerely,

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Association of Research Libraries

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Greater Western Library Alliance

www.gwla.org

Contact: Joni Blake (913-370-4422)

SPARC (Scholarly Publishing & Academic Resources Coalition)

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(<http://www.insidehighered.com>)



Essay on open access scholarship ^[1]

Submitted by 11 Research University Provosts ^[2] on February 23, 2012 - 3:00am

We are the provosts of 11 large research universities that engage in over \$5.6 billion of funded research each year. That research is directed at serving the public good through medical advances, improved defense systems, enhanced agricultural and industrial productivity, technological innovation, and reasoned social policy. In the aggregate, the outcomes of this research fuel America's global leadership, improve the quality of life in our communities, and enrich the educational experience of our students.

While the collective portfolio of federally funded research undertaken by our universities incontrovertibly strengthens our country, the research process itself is strengthened by an academic culture that encourages the free and open exchange of ideas among scholars. Scholarship finds meaning through — and is continuously improved by — open sharing, critical assessment of peers, and incorporation into subsequent work.

As provosts and chief academic officers, we take pride in knowing that our campus colleagues are motivated, first and foremost, by the opportunity to advance the public good. Toward that end, our scholars seek to share information broadly as the most effective way to assure excellence — not just for themselves, or for a particular university, but for the relevance of their disciplines and the world-changing outcomes each can produce.

Because of our profound belief in the significance of the work being carried out by our nation's research universities, we are deeply committed to upholding and reinforcing long-cherished academic values of open communication, transparency, and collaboration. Through our university policies, the investments we make in infrastructure and outreach, and the partnerships we form — partnerships with each other, government agencies, corporate enterprises, and civic entities — our universities grow stronger by sharing knowledge.

Support for Open Access

Consistent with these deeply held academic norms, we provosts have advocated for taxpayer access to federally-funded research, writing, for example, a 2006 open letter ^[3] in support of the Federal Research Public Access Act, and supporting this Congressional session's proposed extension of the legislation ^[4] (HR 4004/S 2009).

More operationally, our universities have made substantial investments in the development of open institutional repositories, as well as adopting campus guidelines and procedures to ensure compliance with federally mandated requirements that funded research results be made accessible in open access repositories. As stated above, we believe that open access to such federally-funded research reports facilitates scholarly collaboration, accelerates progress, and reinforces our government's accountability to taxpayers and commitment to promoting an informed citizenry essential to the enduring stability of our democracy.

Because of our strong belief in open sharing of information, we were disturbed to see that recently introduced legislation (The Research Works Act, H.R. 3699) called for a rollback of the progress being made toward opening communication channels for sharing publicly funded research findings with the American people. Were this bill to pass, it would reverse a 2008 administrative mandate by the National Institutes of Health that grantees deposit the results of their funded research in a publicly accessible archive, and prohibit other agencies from issuing similar mandates going forward. We believe that this legislation would significantly undermine access to the new ideas that result from government-funded research, access that we encourage to the public at-large, to a worldwide network of leading scholars, and to future generations of scholars who are today's undergraduate and graduate students. In our view, ratification of the proposed legislation would represent a step backward in the ongoing enlightenment of society through research and education.

Beyond the ultimate legislative fate of HR 3699, we were disappointed to see that a number of commercial scholarly publishers have come out in support of this legislation. We expect these publishers, as partners to our universities, to provide services that optimize the dissemination of our scholars' work; we do not expect them to place the quest for excessive profit ahead of academic values and service to the public. For our partnership and support to be sustainable, these publishers will ultimately need to find a way to earn reasonable profits from products and services that strengthen our universities, scholars and values.

As the chief academic officers of our universities, we believe that a fundamental conflict around the value of open access to research was at the root of the recent call by university faculty worldwide to boycott Elsevier Publishing for practices that undermine the ability of scholars to share their work. We don't take any pleasure in our faculty turning away from trusted outlets for publishing their research, and neither do the faculty themselves. Nonetheless, when researchers feel that the channels of scholarly publishing are not enhancing scholarship, or serving the public good, they will act to recalibrate the balance between commerce and the broader goals to which they are dedicated. By pledging to withhold their services as authors, editors and peer reviewers, these several thousand faculty members have posted an important reminder to all of us that publishing is a means to social betterment, and not a goal unto itself.

While the market can sometimes strain the relationship between our universities and commercial scholarly publishers, the fact is that we share a common interest in maintaining a robust network for distributing research findings. Publishers and universities alike will benefit from strategies that enhance scholarly productivity, guarantee the accurate reporting of research findings, enable the widespread dissemination of scholarship, archive the scholarly record, and monitor the social impact of these endeavors. Beyond the expected push and pull of price negotiations, campus administrators and publishing executives could be collaborating on many mutually beneficial initiatives that would advance the interests of faculty authors and the society at large.

Local agendas for change

In addition to our concern about the impact external entities have in shaping the research and communication agenda of our universities, we are cognizant that senior campus administrators and faculty leaders could be working more effectively to ensure that their own campus policies are

aligned with professed campus norms. Some examples of how we might do more to influence campus behaviors include:

- Encouraging faculty members to retain enough rights in their published intellectual property that they can share it with colleagues and students, deposit it in open access repositories, and repurpose it for future research.
- Ensuring that promotion and tenure review are flexible enough to recognize and reward new modes of communicating research outcomes.
- Ensuring that our own university presses and scholarly societies are creating models of scholarly publishing that unequivocally serve the research and educational goals of our universities, and/or the social goals of our communities.
- Encouraging libraries and faculty to work together to assess the value of purchased or licensed content, and the appropriate terms governing its use.

While we were motivated to write this essay by the recent introduction of HR 3699, legislation that undermines our university norms and aspirations, we recognize other threats to the system of scholarly communication — some of these of our own making. We have work to do on our own campuses to create structures that support desirable outcomes and discourage behaviors that undermine our university missions or limit our accomplishments.

We are convinced that our universities distinguish themselves, and achieve excellence, by their willingness to open their gates and share their most important assets — the ideas and innovative solutions they create each day.

--Richard Wheeler, interim vice chancellor for academic affairs and provost, University of Illinois at Urbana-Champaign
--Lauren Robel, interim provost and executive vice president of Indiana University
--P. Barry Butler, provost and executive vice president, University of Iowa
--Philip J. Hanlon, provost and executive vice president for academic affairs, University of Michigan
--Kim A. Wilcox, provost and vice president of academic affairs, Michigan State University
--Karen Hanson, provost and senior vice president for academic affairs, University of Minnesota
--Ellen Weissinger, senior vice chancellor of academic affairs, University of Nebraska at Lincoln
--Joseph A. Alutto, provost and executive vice president, Ohio State University
--Robert R. Pangborn, interim provost and executive vice president, Pennsylvania State University
--Timothy D. Sands, executive vice president for academic affairs and provost, Purdue University
--Paul M. DeLuca, provost and vice chancellor for academic affairs, University of Wisconsin at Madison

The authors are provosts of institutions in the Committee on Institutional Cooperation.

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