

Cold Spring Harbor Laboratory Press



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November 16, 2004

Dr Elias Zerhouni
Director
National Institutes of Health
9000 Rockville Pike
Bethesda
MD 20892

Dear Dr Zerhouni:

NIH Notice on Enhanced Public Access to NIH Research Information, NOT-OD-04-64
(September 2, 2004)

I write as the Executive Director of Cold Spring Harbor Laboratory Press and one of the AAP delegation who met with you on October 28th to discuss the NIH proposal outlined in the Federal Register notice. I appreciated your frankness about the issues that concern NIH and your willingness to listen to criticism of the proposal.

My perspective is derived from over 15 years' experience of managing a high-quality, not-for-profit journal publishing program within an institution run by scientists for the benefit of scientists and their research and educational needs. Our program consists of five journals, three owned by the Laboratory and the others by The Protein Society and The RNA Society. All five are highly valued by their communities and two, *Genes & Development* and *Genome Research*, are among the two or three most highly cited research journals in their respective fields.

My comments apply to three aspects of the NIH proposal and are deliberately brief.

A publicly accessible repository of authors' manuscripts is not in the best interests of scientists or the public

Cold Spring Harbor Laboratory Press strongly supports the principle of widened access to the scientific literature. Our journals were among the first to be published electronically by HighWire Press and we enthusiastically endorsed the concepts of free linking between journals at the citation level and open access to journal archives. These access initiatives emerged from debate and collective decision-making among HighWire client publishers and have resulted in a repository that is by far the largest available database of freely accessible, finally edited, completely linked, full-text research articles. As a source of authoritative and accurate information, this collection has extraordinary value to both scientists and the general public. By contrast, the proposal to make publicly accessible a repository of authors' manuscripts that have not been edited into final form offers much less utility and runs the risk of offering information to both professionals and patients that is confusing or even potentially dangerous.

In our meeting you stated that one goal of the proposal is the creation of a database in which NIH-funded research can be readily identified. The publishers present understood that

need and expressed willingness to work with NIH staff to satisfy it. We contend that the goal can be most effectively accomplished by adapting existing resources such as PubMed, rather than by starting from scratch to create something new, expensive, and much less valuable. Furthermore, access could be provided to all published bioscience research, not just the work funded by NIH which, in the case of the Cold Spring Harbor journals, accounts for only 35-65% of the papers published.

Access to complete research articles is best delivered by a centralized search service and the display of the full text on journal sites

Cold Spring Harbor Laboratory Press began depositing files of its journal content at PubMedCentral in 2002. This was done to support our belief that scientists would benefit hugely from a single site that permitted search for and access to full text articles, as the PubMed site does for abstracts. At that time, a single site for the purpose seemed more achievable than building a federated search process that would query multiple publishers' databases. Our concern, however, was that PMC would compete for traffic with our journals' own sites, reducing their direct usage by institutions and thus the justification for continued subscriptions. PMC dispelled our concern by offering the PubLink service. Publishers' files sent to PMC are indexed to permit full-text searching and the abstracts are displayed in PMC search responses, but readers are linked to the publishers' own sites to see the full text of recovered articles. The PubLink service is no longer offered to publishers but it remains in place for Cold Spring Harbor journals and as a result PubMedCentral is one of the top twenty sources of traffic to our journals' sites.

We believe that full-text indexing and searching capability with subsequent access to complete papers could be achieved by enhancing the services already provided by PubMed and Medline. Such enhancement would require an evolution, not a radical alteration, in the way most bioscience publishers already interact with NLM and would offer benefits for all concerned - NLM, publishers, and the scientific community and other readers. This concept is at the heart of the counterproposal offered to you in our meeting. The foundations for it are already in place.

Free access to a journal's archives, already widely available, should be managed to ensure the continued viability of the journal concerned, not by a formula

Linking back to a publisher's site requires the free availability of full-text articles at that site. The NIH proposal suggests that free public access to such articles would have to be made available 6 months after publication if the work concerned was funded by NIH.

For the past several years, papers in Cold Spring Harbor journals have been made publicly available 12 months after publication. This year, we began permitting 6-month access for two of our journals, *Genes & Development* and *Genome Research*. However, this was a decision taken only after the most careful assessment of the risks and benefits. Of particular concern was the possibility that research librarians would decide that their patrons could, or for budgetary reasons must, wait for 6 months before gaining access to the journals and cancel their annual subscriptions, thus reducing the journals' largest source of revenue and putting at risk their future as important information sources. Librarians told us that for these two high-profile journals, the likelihood of cancellation was low. Nevertheless, the risk remains. And for the society-owned, more archival journals we publish, a 6-month requirement would carry a much higher risk of cancellation. We strongly support the concept of publicly available journal archives but publishers and owners should be permitted to make individual decisions on the timing of the archive's release. Six months is not right for all journals. A mandate from NIH on the timing of the opening of archives would cripple the many society-owned journals which serve communities that cannot influence library purchase decisions, or appear infrequently, or publish papers for the longterm benefit of the scientific record rather than the immediate impact of the results.

Conclusion: the status quo is already in transition through community-driven change

At our meeting, I made particular note of two of your statements. You commented that the NIH proposal had been misinterpreted as support for the author-pays publishing model. And you said that although you were open to discussion on exactly how accessibility to scientific information should improve, the status quo could not continue.

“Author-pays” is entirely unproven as a business model - particularly if, like most scientific societies, the publisher publishes only one or two journals. The model is being most prominently tested with financial support from private wealth and foundation grants. Nevertheless, a recent survey of not-for-profit publishers revealed that about half plan to test or adopt a business model different from their current one within the next year or two. As an example, Cold Spring Harbor Laboratory Press and several other publishers have already introduced an option for authors who wish to pay a surcharge in return for having their article made freely available on publication.

I conclude, therefore, that the status quo is already in transition, just as you wish. Indeed, dynamic change has been a constant feature of the internet revolution in journal publishing since it began ten years ago. During this period, as I have indicated, steps to address many of the concerns that underlie the NIH proposal have already been taken by some publishers, Cold Spring Harbor Laboratory Press amongst them. But the implementation has been undertaken with regard for the viability of the journals concerned, through a process of community-driven growth, not government mandate.

In my fortunate position at Cold Spring Harbor Laboratory, I’m close to a scientific community intent on getting their work done and impatient with obstacles to that progress. They want information solutions that require less work from them not more, offer simpler not more convoluted access, provide sharper, more useful, not necessarily brand new tools, and above all, give them publications they can trust to do the important work of peer review and provide continuous access to the scientific record. Scientific publishers, commercial and not-for-profit, have responded to that challenge with remarkable innovation, imagination, and investment. A cornerstone of their progress has been a partnership with NIH through NLM, in the creation of online tools and resources of inestimable value. I hope and believe that a partnership of mutual interest and support can continue, without consequences of a regrettable and unintended kind that are likely to result from the NIH Notice as it is currently framed.

Yours truly,

John R. Inglis Ph.D.
Executive Director