



6 May 2020

Ms. Lisa Nichols
Assistant Director for Academic Engagement
Office of Science and Technology Policy
The White House
Washington, DC

Dear Ms. Nichols,

The Association of University Presses (AUPresses) is pleased to submit these comments in response to your office's February 19th request for information ("RFI") on approaches for ensuring broad public access to the peer-reviewed scholarly publications, data, and code that result from federally funded scientific research.

AUPresses is a worldwide community of university presses, affiliated with both public and private institutions, as well as aligned nonprofit scholarly publishers whose members meet strict eligibility criteria related to editorial rigor and peer review, sustained scholarly output, and commitment to mission. While our members publish across all disciplines, this community is best known for publishing scholarship in the humanities and qualitative social sciences (HSS). Although the majority of our 156 members are based in North America, we seek to further the interests of presses from 16 countries on all six continents – who collectively publish work from scholars all around the world. The Association was founded in 1937, and maintains offices in Washington, DC and New York City.

AUPresses issued its first statement in support of sustainable Open Access in 2007. Since that time, the Association and its members have engaged in a broad range of experiments and collaborations to sustainably increase access to high-quality scholarship. Individual member presses have launched well over a dozen projects funded by the Andrew W. Mellon Foundation to create an infrastructure to support open digital publishing. Our community has developed a number of Open Access platforms, including Luminos, Collabra, and MUSEOpen. Three years ago, working with our colleagues at the Association of American Universities and the Association of Research Libraries, we announced a five-year pilot to promote institutional funding of OA monographs (TOME: Toward an Open Monograph Ecosystem) <https://www.openmonographs.org/>. Last Fall, the Association updated its 2007 statement to reflect the results of our collective learning over the past dozen years. (<http://aupresses.org/policy-areas/copyright-a-access/open-access/1810-oa-statement>) Most recently, the Association chartered a Task Force on Open Access with a charge to "[e]xplore and recommend ... ways in which the Association can support member presses pursuing or interested in OA publishing, including promoting understanding of rapidly evolving government and funder requirements, OA business models, and best practices around the dissemination of OA scholarship." The Task Force has completed a draft report, and we expect a final version will be available by Summer. By any measure, AUPresses take sustainable Open Access seriously.

That said, only a subset of our member presses publish the results of research directly funded by Federal government agencies (and those that do either already maintain significant Open Access publishing programs or are actively engaged in various Open Access initiatives). Consequently, expansion of the requirements contained in the 2013 memorandum *Increasing Access to the Results of Federally-funded Scientific Research* is likely to have little immediate impact on the majority of US university presses. Nevertheless, it is undeniable that any action the OSTP takes to expand current public access requirements will set a direction of travel for all future Open Access policy discussions in the United States. We therefore urge OSTP to keep in mind the

following principles, garnered from our community's substantial experience in pursuit of sustainable Open Access, as it evaluates changes to current policy.

As a general matter, we endorse the views expressed by our member Oxford University Press ("OUP") in its May 4th submission to you. While OUP's scale in many ways makes it unique among our membership, its experiences in implementing Open Access reflect those of the broader university press community. We think those experiences yield a few guiding principles we would urge OSTP to respect in its deliberations:

- **One Size Cannot Fit All.** Scholarly publishing programs vary by size, by discipline, by preferred medium of scholarly communication (e.g., short- versus long-form), by overall level of funding, and even by geography. Some serve small, focused communities of scholarly interest. While the path to Open Access publishing seems well-trodden for commercial STEM journals publishers, that is far from the case across all the aforementioned variables. An across-the-board porting of the rubric that has evolved for one circumstance is likely to be inappropriate for others, and any new requirements must take into account the impact of legitimate disciplinary differences such as those suggested here. This should be a particular consideration for OSTP in the case of the qualitative social sciences (e.g., economics, psychology) where research does in fact tend to benefit from Federal funding.
- **Avoid the Creation of New Winners and Losers.** Regardless of its desirability, the radical shift in publishing being brought about by Open Access has the potential to create new winners and losers (indeed in some cases it already has), and in our view it is an outcome to be guarded against. As OUP notes in its submission, requirements in Europe are accelerating a trend toward consolidation in scholarly publishing – never conducive to a healthy ecosystem. But damage to the publishing ecosystem is not the only risk to be guarded against. The shift to a financial model that relies primarily on some form of Author Processing Charge already preferences scholars with access to funding – marginalizing independent scholars, scholarship from the Global South, and authors from under-funded institutions. Finally, it must be noted that unequal access to digital infrastructure similarly threatens to limit the success of any effort to increase readers' access to scholarship. Any expansion of the current OSTP requirements must be careful to avoid exacerbating these trends.
- **Allow for Experimentation.** Again, while the path to Open Access appears well-trodden for commercially published STEM journals, other disciplines and other publishers currently find themselves with less defined paths forward. These disciplines and these publishers should be given the opportunity to develop appropriate solutions for their specific circumstance. In particular, a blanket prohibition on hybrid journals is actually likely to make it more difficult to achieve a transition to Open Access in some HSS disciplines.

In summary, we urge OSTP to craft any expansion of its current public access requirements with sufficient flexibility to allow university presses and other mission-driven publishers to continue to experiment and innovate, to find ways to deliver Open Access consistent with the expectations of the scholars they serve and in line with their financial obligations to parent institutions.

We thank the OSTP for providing a forum for public comment. Our community has approached the idea of Open Access to the fruits of research with the same spirit of scholarly rigor that they expect in the work they publish—testing solutions, examining evidence, and questioning assumptions. We welcome the opportunity to continue to share our community's expertise and to work collaboratively with you and other stakeholders as you continue your deliberations.

Respectfully,



Peter M. Berkery, Jr.
Executive Director