

January 21, 2010

Diane DiEuliis, Ph.D.  
Assistant Director, Life Sciences  
Office of Science and Technology Policy  
Attn: Open Government Recommendations  
725 17th Street  
Washington, DC 20502

Dear Dr. DiEuliis:

The American Dental Association (ADA) is pleased to comment on your efforts to enhance public access to archived, scientific peer-reviewed publications resulting from federally funded research. We offer these comments in response to your Federal Register notice of December 9, 2009 (74 FR 235: 65173).

The ADA supports the goal of providing timely health information to the public, particularly when it comes to taxpayer supported research. However, efforts to hasten such access should not jeopardize the understandability and trustworthiness of the information. It should also preserve the public's trust in journal publishers as credible, reliable filters of scientific information. Toward that end, we encourage you to incorporate the following principles into your efforts to enhance public access to archived publications resulting from research funded by Federal science and technology agencies:

- **Grant access to final published versions only.** The content of an author's final peer-reviewed manuscript can be substantially different from a copyedited manuscript and a final published journal article. The differences can be significant enough to cause the intentional or unintentional suppression or distortion of "peer-reviewed" research findings.

To preserve the integrity of federally supported research, we recommend limiting the public's access to anything other than the *final published version(s)* of peer-reviewed journal articles. Allowing publishers to *voluntarily* assume liability for author submissions should help accomplish this in a manner consistent with federal copyright law.

- **Protect Intellectual Property.** It is critical that the intellectual property of scientific papers be protected against plagiarism and misrepresentation—a problem in both the U.S. and in other countries. We do not feel that the public's best interest is being served in this regard because the current digital system does not have appropriate software to guard against such violations.

We strongly encourage the government to work with all vested stakeholders to identify the appropriate digital controls that will protect the integrity of the peer-reviewed content.

- **Preserve the digital image of the final published article.** Publishers vary widely in the types of research they publish and the manner in which the content is presented. The availability of tables, charts and other "extras" add value to the narrative text and sometimes lead to a greater understanding of the narrative itself. An author's final peer-reviewed manuscript is lacking in these "extras." A one-size-fits-all submission format (such as text-only) may also not accommodate these "extras."

We strongly urge that you require federal agencies to establish a journal article collection process would preserve the style and format of the *final published version(s)* of peer-reviewed journal articles. This might be done through the use of certain scanning technologies or proprietary digital images, such as the portable document format (PDF) developed by Adobe Systems, Inc.

- **Limit access until 12 months after publication.** Once an author's manuscript has been accepted for publication, publishers – who are typically not party to federally-funded research grants – incur significant costs for peer review. Our own Journal of the American Dental Association (JADA) recovers its peer-review and other operating costs through advertising and subscription revenue. The incentive, to advertise or subscribe would be threatened, however, once it is realized that the journal's content can be obtained for free on a federal agency Web site.

Our current policy is to make JADA articles freely available to the public 12 months after publication. This has historically provided sufficient time for JADA to recover its peer review costs and sustain its ongoing activities. Based on this experience, we strongly urge you to limit public access until at least 12 months after publication.

We strongly encourage you to incorporate the principles described into any public access policies you may develop. Doing so would expedite public access to publications resulting from federally supported research. It would also maintain the public's trust in journal publishers as credible, reliable filters of scientific information.

We would welcome the opportunity to discuss this issue with you further. If you have any questions or would like additional information, please contact Mr. Robert J. Burns in our Washington Office. Bob can be reached at 202-789-5176 or [burnsr@ada.org](mailto:burnsr@ada.org).

Sincerely,

/s/

Ronald L. Tankersley, D.D.S.  
President

RLT:KTO:rjb

/s/

Kathleen T. O'Loughlin, D.M.D., M.P.H.  
Executive Director