

Public Access Policy in the United States: Impact of the Scholarly Publishing Roundtable

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Abstract

The 2013 memorandum, “Increasing Access to the Results of Federally Funded Scientific Research,” issued by the White House Office of Science and Technology Policy (OSTP), was a highly significant milestone in expanding public access to the peer-reviewed articles resulting from federally funded research and to the data on which those articles were based. While OSTP drew on a variety of inputs in developing their requirements, the report from the Scholarly Publishing Roundtable was particularly influential. Established in June 2009, at the request of the House Committee on Science and Technology, the Roundtable included a small group of librarians, publishers, university provosts, and information science researchers representing a broad range of experiences and perspectives. The recommendations in the Roundtable’s January 2010 report were incorporated into the Reauthorization of the America COMPETES Act (RACA), which provided legislative direction and support for the OSTP Memorandum. While much of the rhetoric and debate surrounding Open Access has been heated and hyperbolic, the Roundtable was a uniquely successful effort to bridge ideological divides and develop recommendations to inform federal policy.

Key Points

- The Scholarly Publishing Roundtable was formed in 2009 at the request of a US Congressional Committee to develop recommendations for public access policy.
- Published in January 2010, the Roundtable’s recommendations had a significant impact on the guidelines for federal funding agencies issued in 2013.
- The Roundtable was unique in bringing together individuals holding divergent views about open access policy.
- The success of the Roundtable may provide important lessons for policymakers in addressing open access issues.

Prelude

It’s 2008, and the open access wars have become bitterly contentious. Open access advocates and scholarly publishers have squared off into hostile camps. Competing bills have been introduced in the US Congress. The NIH Public Access policy began requiring grantees to deposit open versions of grant-supported articles in the spring of 2007. At a Congressional hearing in September 2008, witnesses from the two camps variously claim that expanding the NIH policy would destroy the

market for commercial journals, that it would have no impact whatsoever on subscriptions, that peer review was done by volunteers at no cost, that managing peer review cost a single publisher millions of dollars a year, and that “This is not an issue of economic impact. This is not an issue of peer review. This is about control.” Such was typical of the public rhetoric at the time (Suber, 2008). And as a result, pressure was building in Congress and on the White House to take action.

Imagine, then, the scene at the Capitol Lounge, a favourite watering hole for Congressional and White House staff. “We’ve got to do something! My boss is getting hammered by both sides and he’s getting fed up.”

“There’s that bill that the librarians are pushing. Sounds pretty noble.”

“But the guy from AAP says it’ll kill their business. Is he right?”

“I don’t know anything about publishing, and I have to take anything the lobbyists tell me with several grains of salt. I just want somebody with real expertise to give me some advice without me feeling like I’m being pitched all the time!”

She looks into her glass. “Our #2 says she knows one of the guys coming to the meeting this week. A physicist. Worked on big DOE projects for years, but runs a publishing outfit now. She thinks the boss’ll be willing to sponsor a staff committee – a roundtable.” He looks at her quizzically. “Get a small group of outside experts to hash out a consensus. But you’ve got to get the right mix of people so that it doesn’t turn into just more lobbying. And it’s got to be a little under the radar so they can get something done. She thinks this guy might be the one to organize it. If he’s willing.”

“It’s worth a shot. Let me know. I’ll keep OSTP in the loop.”

The Open Access Wars

How did it come to such a pass, that stakeholders of the scholarly community who had worked hand in hand for decades were now attacking each other for undermining the very basis of scientific communication? The authors of this article had the opportunity to play a key role in the development of public access policies in the United States through their participation in the Scholarly Publishing Roundtable. Here we describe the Roundtable’s genesis and impact.

Supporters of open access had been building momentum since the mid-1990s. SPARC (the Scholarly Publishing and Academic Resources Coalition), as the primary advocacy organization, developed a strategy that would force open access through legislation, fuelled by a rhetorical approach that cast publishers as enemies of science, corruptly locking up research in pursuit of profit. Librarians, already buffeted by increasing subscription prices in a time of tightening university budgets, saw this legislative campaign as an opportunity to weaken the publishers’ market power in the course of expanding free access to taxpayer-funded research. In 2000, a petition by The Public Library of Science (PLoS) sought to pressure publishers into immediately adopting an open access model regardless of the financial consequences. By early 2004 OA advocates were working with the NIH (as well as with universities and other funding agencies) to develop policies requiring that articles from grant-funded research be made open.

These early campaigns treated all science publishers as a monolithic adversary, despite wide variations in business models and practices. Certainly, the pricing policies of the larger commercial publishers seemed to reflect a captive market in which their journal prices increasingly exceeded their publication costs. The substantial profit margins of the largest made them acutely vulnerable to charges of unfair exploitation. Society publishers, whose margins and subscription rates were generally modest, had seen themselves as fierce defenders of science, but they also viewed an immediate shift to OA as an existential threat. They pushed back. The DC Principles Coalition, comprising 73 non-profit publishers with nearly 400 journals, was formed in 2004 to counter the lobbying by SPARC and its allies (Internet Archive, 2008). The perceived magnitude of the threat was shared by all publishers, and the societies were soon joined by the Association of American Publishers (AAP), principally through their Professional and Scholarly Publishing (PSP) division, which brought the major commercial publishers with their substantial lobbying muscle to the table. If there had ever been a possibility for the OA advocates and the publishers to work together to develop new economic models, it was quickly lost amid the acrimony.

FRPAA, the Federal Research Public Access Act, was introduced in 2006. FRPAA's backers hoped to legislate something similar to the NIH policy for all federally funded research. In response, the AAP arranged to have the Fair Copyright in Research Works Act (FCRWA) introduced. This bill was intended to eviscerate the NIH policy and prevent any similar policies in the future.

By 2008, the landscape had devolved to an aggressive, adversarial legislative battle between two warring factions: on one side were open access partisans, who framed their objectives in moral terms, dismissing the fundamental economic issues involved in the major industry shift they were demanding. Publishers, with a group of highly profitable commercial journal publishers now in the lead, believed OA represented a potentially lethal blow to their business model and sought to prevent any government-mandated free access.

The Genesis of the Roundtable

It was in this climate of inflammatory rhetoric and mutual condemnation that the plan for the Scholarly Publishing Roundtable emerged through a number of meetings and conversations in the spring of 2009. On January 29, a public symposium entitled "Author Deposit Mandates for Federal Research Grantees" was held under the auspices of the National Research Council's newly formed Board on Research Data and Information (BRDI). "The symposium was chaired by the BRDI Chair, Michael Lesk, and the representatives of the following organizations made presentations and participated in the discussion: American Physiological Society, American Institute of Physics, American Psychological Association, Society for Science and the Public, and publisher of Science News, Scholarly Publishing and Academic Resources Coalition (SPARC), and National Association of State Universities and Land-Grant Colleges (NASULGC) (National Academies, n.d.)." The intent of the symposium was to further discussion about the issues involved in extending something like the NIH Public Access Policy to other federal funding agencies, but the participants rolled out all the familiar arguments and no progress was made. This led at least some of the participants to begin to investigate alternatives for exploring the issues. These discussions led to a meeting on February 10 with Rep. Bart Gordon (D-TN), then Chair of the House Committee on Science and Technology. At this meeting, facilitated by Dr. Dahlia Sokolov, Staff Director for the Subcommittee on Research and Science Education, Gordon agreed to sponsor the Roundtable. Attending were lobbyist Tony Podesta (on behalf of Reed Elsevier), Eric Massant and Steve Manza from Reed Elsevier, and Fred

Dylla, Executive Director of the American Institute of Physics (AIP). Sokolov and Dylla knew each other from her time as an AIP Fellow several years earlier and had been in conversation about finding a productive way forward. At the conclusion of the meeting, Dylla was tasked with drafting a charge for the Roundtable and developing a list of potential participants.

Dylla emphasized the importance of outreach to and buy-in from the research university community. At about this time, a joint statement calling for universities to ensure the broadest possible access to their work was issued by The Association of Research Libraries (ARL), the Association of American Universities (AAU), the Coalition for Networked Information (CNI), and (NASULGC). This document, *The University's Role in the Dissemination of Research and Scholarship — A Call to Action* (ARL, 2009), outlined a set of principles and recommendations that were very much in keeping with the spirit of the Roundtable concept. Dylla was able to persuade John Vaughn, Executive Vice President of AAU and one of the authors of the document, to chair the Roundtable.

Developing the Report

When finally assembled, the group was a very carefully balanced mix: Three university provosts, three librarians (one of whom had been a provost), executives of four publishing companies – large, small, commercial, not-for-profit – and three scholarly communication researchers (see Appendix for names and affiliations). On June 19, the group met with members of the House Committee on Science and Technology and their staff. According to the official invitation from Sokolov, Committee Chair Gordon had “promised the scholarly publishers that he would host an off-the-record roundtable to try to get past the old arguments and facilitate a way forward in terms of federal policy for our funding agencies.” Sokolov went on to say “[t]he White House Office of Science and Technology Policy itself is in the early stages of thinking about an overarching federal policy, and they will be participating in this roundtable as well” (Sokolov, personal communication, June 2, 2009).

The evening before the meeting most of the group gathered for dinner in a private room at the Tabard Inn. Everyone in the group knew somebody, but no one knew everybody. Dylla and Vaughn believed that this dinner, and the ones that preceded each of the roundtable’s subsequent meetings, were critical to the group’s success. They deliberately sought people whose opinions and backgrounds covered a wide spectrum of views on the key issues. The members would come to the group with some perspectives that were very much at odds with each other. For consensus positions to be found, it would be necessary to establish a basis for candour and trust. The participants would need to express their disagreements freely, while listening openly, with a willingness to consider changing their minds. They were to represent their own views, not serve as mouthpieces of the organizations they worked for. Confidentiality was essential. They would follow the venerable Chatham House Rule, whereby no person’s comments would be quoted by name outside of the meeting room.

At that first meeting, Sokolov laid out the charge. The Roundtable would carry out a series of candid discussions aimed at defining a consensus vision for exploiting the capacity of the internet and digital communications to expand access to research results, while preserving the essential aspects of scholarly publishing. She was joined by Diane DiEuliis, Assistant Director for Life Sciences in the White House Office of Science and Technology Policy (OSTP), who affirmed President Obama’s

commitment to the provision of public access to government-funded information and indicated that OSTP would be issuing a formal Request for Information (RFI) on the topic in the near future. The participants were each given time to briefly describe their backgrounds, areas of expertise, and current views. Although the initial proposal indicated that the Roundtable would be “chaired by representatives of the House Science and Technology Committee with appropriate support and advice from staff in the White House Office of Science and Technology Policy,”¹ the participants agreed at the conclusion of the meeting that the Roundtable would be more effective if it operated independently. John Vaughn, as chair, offered to host subsequent meetings at the AAU offices. Representatives of the Committee and OSTP attended these meetings (in person or by phone), but served primarily as resources, rather than full participants. No funding or other support was provided by the Committee or OSTP. (AAU and AAP each contributed \$5K for expenses along with administrative support). Structuring the Roundtable this way ensured that the final report truly represented the independent views of the participants.

The Roundtable met in person three more times (July 10, July 22, August 7) for four hour sessions, with dinner the evening before. As noted above, Vaughn and Dylla believed that these shared meals were beneficial for developing the relationships necessary to support candid discussions. These discussions were part fact-finding, part advocacy, part investigation of the effects of various proposals on the full range of constituencies. Although some of the initial disagreements were intense, the focus remained clear – could they establish consensus recommendations that would inform US government policy? At the outset there was certainly some scepticism among the participants about the likelihood of achieving that.

Although the initial charge to the Roundtable was quite broad and could be construed to include such research outputs as datasets and the various progress reports required by granting agencies, the group quickly agreed to concentrate on peer reviewed publications. This was the most contentious area for the affected constituencies, and if the Roundtable was going to develop concrete recommendations in only a few months, the scope needed to be tightly focused.

The members were determined to base their recommendations in fact rather than ideology and advocacy. Still, they recognized that a major research project investigating all of the relevant aspects of scholarly publication would require time and resources far beyond what they had available. In addressing this challenge, the contributions from the researchers were invaluable. They were able to bring a wealth of material covering access issues, publishing economics, the behaviour of researchers, the decision-making processes of librarians, and more. Nonetheless, large gaps in the knowledge base remained.

Some agreements came easily. As a “strawman” high level goal, the group quickly identified the desired outcome as “Provide optimized access to vetted, validated scholarly publications to the most people with the fewest impediments possible.” Five basic principles were quickly agreed to, and the Roundtable returned to these repeatedly.

- High quality through peer review
- Sustainable, adaptable business models
- Accessibility to scholars and the public
- Assured preservation and archiving
- Interoperability

Considerable time was spent discussing business models and the effects of embargoes (i.e., the length of time between initial publication of a research article and a version of the article being made freely available to the public). PLoS provided a detailed example of one type of OA publisher, but in general the lack of transparency by publishers of all types, along with their vast variability, made it impossible to make more than general observations and conclusions. The data available on the effects of embargoes was scant and anecdotal, eliminating the possibility of broad fact-based conclusions.

There was a shared understanding that because of the likelihood of major technological impacts in just the next few years, any policies put in place needed to be flexible and subject to change. This led many in the group to argue that a legislative mandate would be unwise because it would be difficult to modify in response to changing conditions. A better approach would be flexible policies coordinated by OSTP and developed in close consultation with all of the stakeholders. All members agreed that the federal government needed to play a role, but there continued to be strong disagreements about how extensive and prescriptive that role should be.

Although the guidelines from Sokolov indicated that the group was not expected to revisit the NIH Policy, which the Committee and the White House considered settled, the Roundtable spent time discussing the perceived pros and cons of the policy in order to identify features that might be promulgated across the other federal funding agencies. By the end of the second meeting the group had identified five possible models (including the NIH policy). They developed a scoring system that each member could use to evaluate the different models. Using feedback from the scoring sheets, a drafting committee of Dylla, O'Donnell, Taylor, and Vaughn developed a "green paper" draft for discussion at the last of the in-person meetings.

As summer moved to fall, a set of broad recommendations emerged that all of the members felt they could generally support. The drafting team used the green paper as the basis for the first draft of the full report, which was distributed to the members in early November. There followed a series of conference calls to develop and refine the report. With the written language in front of them, the remaining disagreements sharpened. Some of the calls were contentious, and there were moments when it looked as if the entire effort might fall apart. But the members had each put in a great deal of time and effort, and the meetings during the summer had established a basis of trust, enabling the group to work through their disagreements toward mutual understanding.

In the end, the group did not quite achieve unanimity, with Mark Patterson (PLoS) (Patterson, 2010) and YS Chi (Elsevier) (Chi, 2010) drafting dissenting statements that were posted and distributed with the final report. While they agreed with most of the recommendations, neither of them felt they could fully sign off. As Plutchak described their concerns in an editorial published in the *Journal of the Medical Library Association*:

What the dissents come down to is a matter of control and the role of government. I hope it is not a caricature of the dissents to say that, in the end, Patterson, coming from his experience with the most successful open access publisher to date, felt that the report did not call strongly enough for a firm government hand in moving expeditiously toward full open access. He believes that it is time. Chi, informed by his experience in leadership with the most successful commercial STM publisher in the world, ultimately felt that the report allowed for too much government interference in achieving the public access goal. The

disagreement is not over the necessity of expanded access, but over how fast to move and how strong a role the government should be allowed to take. This is an important discussion to have (Plutchak, 2010).

Patterson and Chi both reviewed the draft of the editorial before it was published and gave it their blessing. Patterson: “As far as your comments about myself are concerned, I think you’re very fair. Many thanks again” (Patterson, personal communication, May 20, 2010). Chi: “I think this is a very thoughtful piece and I appreciate the personal perspective that you expresses [sic] here of the substance of the RT and not the PR [i.e. public relations]. I have absolutely no objection to the accuracy of what you describe where my name is attributed” (Chi, personal communication, May 24, 2010).

From the Report to the Holdren Memo

The Report, along with the two dissents, was published in January 2010 and delivered to Congress and the White House (Scholarly Publishing Roundtable, 2010). Reactions from the scholarly communication community were predictably mixed.

Within hours of the report’s release, Peter Suber (Director of the Harvard Office for Scholarly Communication and a prolific OA advocate) commented, saying that “[t]here’s a lot to like here.” However, he focused mostly on the report’s failure to call for an OA mandate. He went on, “One more clue as to why the group may have decided not to endorse OA mandates: The only working scientists on the panel were either in library science or had become publishers. I respect all the participants, but the panel omitted a significant, probably the most significant, stakeholder group” (Suber, 2010). In fact, the very extensive publication records of a number of Roundtable members attest to their significant contributions as working scientists in economics, physics, humanities, neurosciences, and scholarly communication.

The Association of American University Publishers (AAUP) was enthusiastic, saying “we think it vital that the Roundtable’s further recommendations, with their emphasis on consultation, cooperation, interoperability, authority, preservation, and long-term sustainability be followed” (Association of American Universities Presses, n.d.).

STM (the International Association of Scientific, Technical and Medical Publishers), while applauding the Roundtable’s efforts and expressing support for the general principles, took issue with some of the recommendations, saying “while STM supports US agencies in the development of public access policies to the results of research funded by those agencies, we do not agree that the scholarly articles arising from publisher investment and value add fall under this category” (STM, 2010).

Rick Anderson (then the Associate Dean for Collections & Scholarly Communication at the University of Utah) writing in *Learned Publishing*, said “the report leaves room for traditional publishing with its explicit support for the idea of limited embargoes. If that support leaves some in the open access and STM publishing communities equally dissatisfied, that is probably a mark of success. Given the intractable economic realities that govern knowledge creation, it seems clear to

me that the Roundtable's vision of a future that includes 'diverse and flexible market-driven approaches' is spot on" (Anderson, 2010).

In the aftermath of the Report's release, members of the Roundtable worked to promote awareness and highlight the recommendations. Editorials were written (in *Science* and the *Journal of the Medical Library Association*) (Courant et al., 2010; Plutchak, 2010) and numerous conference presentations were made (e.g., the Council of Engineering and Scientific Society Executives (CESSE), the Charleston Conference, the Association of Learned and Professional Society Publishers (ALPSP), UKSG (formerly the United Kingdom Serials Group)).

In the fall of 2010, a comprehensive bill titled The America COMPETES Act (ACA) was brought up for its 5-year renewal as the America COMPETES Reauthorization Act (ACRA) (S. House of Representatives, 2010). ACRA required the establishment of an Interagency Task Force, part of which was a Public Access Committee (U.S. House of Representatives, 2011). The language describing the charge to the Committee drew directly from the Roundtable report. The bill was passed by Congress in December of 2010 and signed into law by President Obama in January 2011.

Three Roundtable members (Dylla, Plutchak, and Taylor) testified on these issues before Congress in March 2012. The hearing before the Subcommittee on Investigations and Oversight of the House Committee on Science, Space, and Technology was titled "Federally Funded Research: Examining Public Access and Scholarly Publication Interests." While two of the five witnesses argued for the necessity of passing FRPAA, the Roundtable members emphasized the importance of the flexibility and cross-community coordination embodied in the Report's recommendations (Executive Office of the President National Science and Technology Council, 2012).

Also in March 2012, the aforementioned Public Access Committee delivered its report to Congress, specifying that the recommendations were based on two public RFIs and the Report from the Scholarly Publishing Roundtable (U.S. House of Representatives, 2012). The Committee's report provided important validation for the Roundtable's recommendations and OSTP's guidelines, development of which was well under way.

In the spring of 2012, Michael Stebbins, the person at OSTP who was primarily responsible for drafting those guidelines, was reaching out to a number of constituencies to inform OSTP's thinking. It wasn't easy work, but the general intent and outline of the guidelines were in place. The major remaining sticking point was the length of any embargo that would be specified. SPARC and its allies were continuing to push for a maximum six months for all publications, arguing that the lack of demonstrable negative impacts on publishers from the NIH 12-month embargo proved that a shorter embargo would not harm publishers. Meanwhile, the publisher lobby was continuing to argue that anything shorter than 12 months would be unsustainable. They claimed the additional six-month window was critical, because for subscription journals the typical subscription period was 12 months and more than half of total downloads frequently occurred during that period. Besides, they said, not enough time had gone by since the imposition of the NIH policy to reveal evidence of a clear impact on the subscribing patterns of librarians.

In early May, several members of the Roundtable met with Stebbins. They advised cautious experimentation and flexibility. The Report had not specified a specific embargo term, recommending that "[t]he length of an embargo period should be as short as possible to reflect an

appropriate balance between a commitment to rapid public access and the need to allow orderly evolution of business practices among established journals” (Scholarly Publishing Roundtable, 2010). The Report also argued that different disciplines might warrant different embargo periods, but that, in general, embargoes between zero and twelve months seemed reasonable. Over time, individual agencies might lengthen or shorten the embargo period as they and the communities they worked with gained more experience. The meeting concluded as Stebbins thanked the Roundtable members and assured them that the Report’s recommendations were definitely being taken into account.

Several weeks later, SPARC and its allies launched a Change.org petition, urging “President Obama to act now to implement open access policies for all federal agencies that fund scientific research.” Impatience with the Obama administration’s lack of a public stand on open access was rising. The OSTP guidelines were well underway, but there had been no public statement from the White House, despite years of intense lobbying. The petition’s organizers hoped that the petition process would force OSTP’s hand, while keeping the issue alive within the larger scholarly community. The rules for Change.org specified that if a petition crossed the 25,000 signature threshold within 30 days the administration was required to respond. That number was crossed within two weeks (eventually reaching 65,704), and in early June the organizers claimed victory (Higgins, 2012).

Nonetheless, it would be another eight months (not until after Obama’s second inauguration) before the release of the OSTP memorandum “Increasing Access to the Results of Federally Funded Scientific Research” (Holdren, 2013). Coincident with that release, Dr. John Holdren, OSTP’s Director, finally posted the official Obama administration response to the petition, thanking the petitioners for their participation (We the People, 2012). OSTP had “been looking into this issue for some time and has reached out to the public on two occasions for input on the question of how best to achieve this goal of democratizing the results of federally-funded research.” The petition, he wrote, “has been important to our discussions.”

The petition’s organizers may not have gotten all they wanted or expected, but the Holdren memo, as it came to be called, was a major milestone in the advancement of public access. The OSTP guidelines would become the critical directives for federal agencies that provided \$100 million or more in research funding annually. They included most of the key elements from the Roundtable report. They emphasized the importance of maintaining archives and interoperability. They encouraged public-private collaboration and innovation. They specified a maximum twelve-month embargo, while encouraging flexibility and requiring agencies to establish a process for petitions, based on evidence, to adjust the embargo timeframe. Over the next few years, 22 federal agencies developed public access plans for publications and data based on the directives in this memo.

Epilogue

As the Roundtable members anticipated, the scholarly communication landscape has changed considerably over the decade plus since the release of the Report. As a result of the Holdren memo, virtually all new peer reviewed publications based on federally funded research are freely available, in some form, no later than 12 months after publication, and in many instances much sooner.

Within months, spurred on by the Holdren memo, a group of publishers began to develop CHORUS (originally an acronym for Clearing House for the Open Research of the United States, but dropped as an acronym when the organization started working in other countries) as a vehicle for providing public access to articles from the publisher sites, exemplifying the kind of public-private collaboration envisioned by the Roundtable and OSTP (Dylla & Salmon, 2020). The Association of Research Libraries (ARL), in cooperation with AAU and the Association of Public and Land-Grant Universities (APLU – formerly NASULGC), offered another proposed solution to the public access mandate in the form of the Shared Access Research Ecosystem (SHARE), “a system of cross institutional digital repositories.”

Although open data policies were outside the scope of the Roundtable’s work, they were included in the Holdren directive. While data has proven to be a much more difficult challenge, significant progress is being made. Procedures and compliance are still much more rudimentary than for publications, but all of the federal agencies now have detailed data archiving requirements. Many publishers have also developed policies that encourage or require authors to make the data supporting their articles publicly available.

Open access (broadly defined) has advanced considerably, whether via innovation among publishers or by the efforts of research funders. Most publishers provide opportunities for making articles open. Plan S, developed by a coalition of European funding agencies, hopes to incentivize more publishers to develop open access policies. Across the globe, commercial and not-for-profit publishers, national organizations, libraries and library consortia are working together to develop transformative agreements that continue to open up the world’s scholarly literature. Disagreements are (still) robust, and discussions and negotiations can be contentious. But progress continues to be made, as long as all of the stakeholders are willing to remain engaged and committed to seeking balanced solutions to often conflicting goals.

The early proponents of open access framed it as a moral crusade. Believing that the public interest and private interests could never be reconciled, the OA movement pursued a legislative goal that would mandate a particular one size for all type of open access, regardless of what the (intended or unintended) consequences might be. The understandably defensive publishing sector was split into two quite different groups: commercial journal publishers, some of which generated generous profits with seemingly unrestrained pricing policies, and not-for-profit academic and scientific society publishers, whose generally lower cost journals nonetheless produced critical revenue for their societies, whose memberships comprised primarily the researchers whose work they published. One of the paralyzing results of this pitched battle was that individuals who might have been allies in other circumstances found themselves on the opposite sides of a very public rhetorical war. Both sides dug in, and very little progress could be made.

The Roundtable was successful in having a major impact because it took a very different approach. Collaboration and compromise are very difficult. Trust is hard to come by. The organizers of the Roundtable believed that by bringing together people with the full range of views in an atmosphere of trust, with a willingness to listen, key people could find enough agreement to influence public policy in ways that would make a significant difference. The legislative mandates desired by the OA partisans have not come to fruition, but thanks in significant measure to that small group of determined individuals who were committed to listening to each other in the pursuit of consensus, many of the outcomes those partisans desired have come to pass.

The authors were members of the Scholarly Publishing Roundtable and have no other conflicts of interest relevant to this article.

¹ Outline and Proposal for a House Science and Technology Committee/OSTP Roundtable Public Access to Federal Research and Data. May 29, 2009. [Note: In a June 23 email to the participants Sokolov says, “Attached are the list of participants and the proposal (unchanged) that was originally distributed a few weeks ago with “May29” in the filename. The only change I made was to remove the S&T Committee name from the heading (although we remain in the text of the proposal) since we removed ourselves from any kind of leadership or convening role following the conclusion of the June 19 kick-off meeting. As agreed on Friday, you should feel free to share these documents with colleagues, etc.”]

References

- Anderson, R. (2010). Scholarly Publishing Roundtable –Three viewpoints. Report and Recommendations from the Scholarly Publishing Roundtable. *Learned Publishing*, 23, 264–271. <https://doi.org/10.1087/20100310>
- Association of Research Libraries. (2009). The university’s role in the dissemination of research and scholarship – A call to action. Retrieved April 16, 2021, from <https://www.arl.org/resources/the-universitys-role-in-the-dissemination-of-research-and-scholarship-a-call-to-action/>
- Association of American Universities Presses. (n.d.). The Association Of American University Press’s response to the November 4, 2011 request for public comment by the Office Of Science And Technology Policy. Retrieved April 16, 2021, from <https://obamawhitehouse.archives.gov/sites/default/files/microsites/ostp/scholarly-pubs-%28%23292%29%20aaup.pdf>
- Association of Research Libraries. (2013). Shared access research ecosystem (SHARE) Proposal. <https://www.arl.org/resources/shared-access-research-ecosystem-share-proposal/>
- Chi, Y. S. (2010). Comments of YS Chi to the Scholarly Publishing Roundtable Delegates. Retrieved May 18, 2010, from <http://www.aau.edu/WorkArea/DownloadAsset.aspx?id=10054>
- Courant, P. N., O’Donnell, J. J., Okerson and, A., & Taylor, C. B. (2010). Improving access to research. *Science*, 327(5964), 393. <https://doi.org/10.1126/science.1186933>
- Dylla, S., & Salmon, J. (2020). Collaborating for public access to scholarly publications. *Learned Publishing*, 33(3), 300–306. <https://doi.org/10.1002/leap.1298>
- Executive Office of the President National Science and Technology Council. (2012). Interagency public access coordination: A report to Congress on the coordination of policies related to the dissemination and long-term stewardship of the results of federally funded scientific research. Retrieved January 4, 2021, from https://obamawhitehouse.archives.gov/sites/default/files/microsites/ostp/public_access-final.pdf
- Higgins, P. (2012). Open access victory in successful Access2Research petition. Retrieved January 24, 2021, from <https://www.eff.org/deeplinks/2012/06/open-access-victory-successful-access2research-petition>
- Holdren, J. P. (2013). Memorandum for the heads of executive departments and agencies. Retrieved January 24, 2021, from https://obamawhitehouse.archives.gov/sites/default/files/microsites/ostp/ostp_public_access_memo_2013.pdf

- Internet Archive. (2008). Frank testifies in support of copyright protection for scientific publishers. July 30, 2021, from <https://web.archive.org/web/20120531035459/http://www.dcpinciples.org/press/3.htm>
- National Academies. (n.d.). PGA Division Committee – Unit Review Board on research data and information. Retrieved April 16, 2021, from https://sites.nationalacademies.org/cs/groups/pgasite/documents/webpage/pga_067072.pdf p.11
- Patterson, M. (2010). Statement from Mark Patterson: Why PLoS has not signed the Report of the Scholarly Publishing Roundtable. Retrieved May 18, 2010, from <http://www.aau.edu/WorkArea/DownloadAsset.aspx?id=10050>
- Plutchak, T. S. (2010). Searching for common ground: Public access policy and the Scholarly Publishing Roundtable. *Journal of the Medical Library Association*, 98(4), 270-272. <https://doi.org/10.3163/1536-5050.98.4.002>.
- Suber, P. (2008). More on today's hearing in the Judiciary Committee. *Open Access News*. September 11, 2008. Retrieved January 24, 2021, from <https://legacy.earlham.edu/~peters/fos/2008/09/more-on-today-hearing-in-judiciary.html>
- Suber, P. (2010). OA across federal government, hold the mandate. *Open Access News*. January 12, 2010. Retrieved January 24, 2021, from <https://legacy.earlham.edu/~peters/fos/2010/01/oa-across-federal-government-hold.html>
- STM. (2010). STM responds to U. S. Scholarly Publishing Roundtable Report. Retrieved April 16, 2021, from <http://liblicense.crl.edu/ListArchives/1001/msg00062.html>
- Plan S. (n.d). Making full and immediate Open Access a reality. Retrieved January 24, 2021, from <https://www.coalition-s.org/>
- Plutchak, T. S. (2010). Searching for common ground: Public access policy and the Scholarly Publishing Roundtable. *Journal of the Medical Library Association*, 98(4). 270–272. <https://doi.org/10.3163/1536-5050.98.4.002>.
- Scholarly Publishing Roundtable. (2010). Report and recommendations from the Scholarly Publishing Roundtable. Retrieved January 24, 2021, from <https://www.aau.edu/key-issues/report-and-recommendations-scholarly-publishing-roundtable>
- U.S. House of Representatives. (2010). One Hundred Eleventh Congress of the United States of America at the second session. Retrieved July 30, 2021, from <https://www.nsf.gov/statistics/about/BILLS-111hr5116enr.pdf>
- U.S. House of Representatives. (2011). America Competes Reauthorization Act of 2010. Retrieved January 24, 2021, from <https://www.congress.gov/111/plaws/publ358/PLAW-111publ358.pdf>
- U.S. House of Representatives. (2012). *Federally funded research: Examining public access and scholarly publication interests*. Washington: U. S. Government Printing Office.
- We the People. (2012). Require free access over the Internet to scientific journal articles arising from taxpayer-funded research. Retrieved January 24, 2021, from <https://petitions.obamawhitehouse.archives.gov/petition/require-free-access-over-internet-scientific-journal-articles-arising-taxpayer-funded/>

Appendix

Membership

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Phil Davis, Ph.D. student in scientific publishing and former librarian, Cornell University
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