

**MUVE Report 2016 for ESA Governing Board
ICE- Orlando Florida
9/21/16**

Submitter: Dini M. Miller, President

Date: September 21st, 2016

Section leadership:

Dini Miller, President
Alec Gerry, Vice-President
Mustapha Debboun, Vice-President Elect (2017)
Changlu Wang, Vice-President Elect (2018)
Ellen Thoms, Secretary
Neil Spomer, Treasurer
Michelle Smith, Science Policy
Dave Taylor, Nominations
Chris Geden, Governing Board Representative
Faith Oi, Past-President

Recent Accomplishments:

1. The ESA/ICE Planning meeting in Orlando, FL (April 11-15th) was attended by Dini Miller, Alec Gerry, and Faith Oi. All submitted papers have been organized into sessions, and all session moderators and judges were confirmed. **Total number presented at ESA/ICE 2016:**

MUVE Presentations at ICE (total 800):

Medical and Veterinary Entomology **521**

Symposia (34) **225**

Submitted papers **104**

Medical and Vet presentations not listed under Med. **90**

Posters **53**

Grad oral competition **30**

Grad poster competition **8**

Undergrad poster competition **11**

Stored Products Entomology **96**

Symposia (4) **45**

Submitted papers **34**

Posters **10**

Grad poster competition **7**

Urban Entomology **183**

Symposia (12) **106**

Submitted papers **35**

Grad oral competition **30**

Urban symposia not listed under urban (1) **12**

2. The MUVE leadership would like to thank the 2016 MUVE Highlight speakers for each of the three MUVE sections. MUVE paid each of their registration fees.

Medical Highlights- Allie Gardener Ph.D. (and STEP), University of Maine

Urban Highlights- Michael Rust, Ph.D, University of California Riverside

Veterinary Highlights- Lee Cohnstaedt, USDA scientist at the Arthropod Borne Animal Disease Lab in Manhattan KS.

3. The MUVE section completed the 2016 goals that were set at the Section Leadership Council Meeting (Nov. 2015 with Scott Hutchins), which included:

*** End Dengue by 2050**

Volunteers Roberto Barrera (CDC/OID/NCEZID) and Mustapha Debboun, (Director of Mosquito Control Division, Harris Co. Texas, Public Health and Environmental) attended the "2016 *Aedes* Summit" held in Brazil on March 13th, 2016. Travel funding was provided by MUVE. A summary white paper summary was been requested of these volunteers and will be provided in November 2016.

*** Reduce human suffering by providing pest free public housing**

Dini Miller (Virginia Tech) and Stephen Kells (University of Minnesota) provided a national webinar for HUD housing managers and procurement officers regarding how to write an effective pest management contract (March 22nd, 2016 at 1:00pm). Dini Miller has been working with Hopewell Housing in Virginia to write a more effective pest management contract to address their growing German cockroach and bed bug infestations.

Dr. Miller was contacted by her state lead agency on Thursday, Sept. 15th that her funding for the Bed Bug and Urban Pest Information Center will be eliminated on Nov. 15th, 2016 due to budget shortfalls. Thus, this MUVE program area will not continue unless the ESA would consider providing funds.

4. In response to the recent honey bee kill resulting from an aerial application of a mosquito control product, a group of the Science Policy Committee members, including Michelle Smith put together the following news release.

<http://www.entsoc.org/press-releases/effective-mosquito-management-starts-ipm-approach>

Effective Mosquito Management Starts with an IPM Approach

Annapolis, MD; September 6, 2016 – Mosquito-borne diseases such as Zika, dengue, and West Nile raise significant public health concerns that motivate well-intentioned efforts to manage mosquito populations. The Entomological Society of America (ESA) advocates pest control that is [based on the science-based and well-understood principles of Integrated Pest Management \(IPM\)](#). IPM is a comprehensive approach to dealing with pests using strategies that are effective, economically sound, and ecologically compatible. Recent news reports have attributed harm to honey bees in Dorchester County, South Carolina to the aerial application of a mosquito control product. This unfortunate incident is a reminder that all public health agencies must adopt IPM principles for pest and disease control, including the important step of informing and engaging all stakeholders. IPM for mosquitoes involves identification of mosquito species and surveillance of their populations at all life stages. When populations of mosquitoes (immatures, adults, and especially pathogen-infected females which feed on blood) reach action levels, public health officials take steps to lower those populations using a variety of tactics that may include draining standing water to reduce populations of immature mosquitoes, releasing fish that eat immature mosquitoes, and treating immature and adult mosquitoes with pesticides. When mosquito populations need to be managed, professionals should use science-based IPM tactics that are effective, minimize harm to the public and the environment (including insect pollinators), and are sustainable. These tactics also

extend to minimizing harm to honey bees and other pollinators. Although insect pollinators may be sensitive to some of the products used for mosquito control, their risk can be effectively managed by applying them in ways that maximize exposures to mosquitoes and minimize exposures to pollinators. Protecting the public from insect-borne diseases is a community effort, and thus all stakeholders should be consulted and fully informed of the complete strategy for implementing IPM. The ESA supports further research efforts to develop a comprehensive understanding of the public health risks from insect-borne diseases, and, most importantly, urges all agencies to develop strategies that are consistent with IPM principles.

CONTACT: Richard Levine, rlevine@entsoc.org, 301-731-4535 x3009

5. The MUVE leadership agreed to contribute \$1,200 for STEP sponsorship of 2016 ICE travel scholarships. This sponsorship was approved by the Governing Board for every Section and Branch. Dr. Roger Moon (University of Minnesota) was contacted and volunteered to be a judge for the STEP travel applications in 2016. . After all applications were evaluated, awards were made to 28 STEP members from the United States and 26 international STEP members.

6. New Journal representative: Dr. Richard Wilkerson (Walter Reed Biosystematics Unit; Smithsonian Institution) was contacted and volunteered to represent MUVE as a board member for the new ESA journal focused on systematics and biodiversity.

7. Nominations and elections were completed for open ESA and MUVE section positions:

Dr. Changlu Wang (Rutgers University) is the MUVE Vice President Elect for 2018
 Dr. Chris Geden (USDA CMAVE) is representing MUVE on the ESA Governing Board (2nd year)
 Dr. Michelle Smith (Dow AgroSciences) is now the ESA Treasurer Elect for 2017

8. The following individuals have been nominated and agreed to replace outgoing representatives on journal review boards and committees. Elections will be held would be held (as usual) at the MUVE ESA/ICE business meeting. Vote to accept these nominees was taken at the MUVE Preliminary Business meeting (Sunday Sept. 25th, 2016) and all were unanimously accepted.

Journal of Integrated Pest Management	- Erika Machtinger	Accepted
Journal of Medical Entomology Editorial Board	- Dina Fonseca	Accepted
Awards & Honors	- Pia Olafson	Accepted
Diversity and Inclusion	- Faith Oi	Accepted
Environmental Entomology Editorial Board	- Barry Alto	Accepted
Early Career Professionals Committee	- Kyndall Dye	Accepted

9. On June 6th 2016, the MUVE governing council announced that five (5) \$500 scholarships were to be awarded to section students who have demonstrated excellence in their field. The posted deadline is July 1st, 2016. The award were presented to the following students at the MUVE Preliminary Business meeting on Sunday Sept 25th, 2016.

2016 MUVE Scholarship winners

- 1 Jose Santos Portugal- Mississippi State University**
- 2 Brittany Campbell- University of Florida**
- 3 Mark Janowiecki- Texas A&M University**
- 4 Casey Parker- University of Florida**
- 5 Mary Rushton- Purdue University**

10. The Shripat Kamble Urban Entomology Graduate Student Award for Innovative Research was awarded to **Ms. Sydney Crawley of the University of Kentucky**. Sydney's advisors are Drs. Mike Potter and Ken Haines. Sydney's research focuses on adult female bed bug behavior with regard to marking eggs. She is evaluating this behavior for potential to enhance bed bug control efforts. The plaque and \$500 award was presented at the MUVE Preliminary business meeting on Sunday, sept 25th, 2016.

11. Completed request for action from members:

The attached document "Findings from an Investigation of ESA's New Publication Policies" (Appendix I) by Dr. Tom Walker of the University of Florida was forwarded on to Dr. Glen Scoles (representative to the publications committee). Dr. Scoles has initiated correspondence with Lisa Junker regarding this document. Please see attached response from May Berenbaum (Appendix II) (ESA President 2016).

12. Treasurer update from Neil Spomer

MUVE Section 2016 Treasurer Report

Line Item	Expected Expense
Orlando Convention Center Charges (Estimated)	\$5,013.90
ESA Ann Mtg Registrations (2 @ \$585.00, 1 @ \$350.00)	\$1,520.00
Student Scholarship Awards (5 @ \$500.00)	\$2,500.00
MUVE Award Plaques	\$46.00
2016 Aedes Summit" in Brazil (2@\$114)	\$228.00
2016 Aedes Summit" in Brazil - Travel	\$4,000.00
STEP Sponsorship - US Domestic (ICE-2016)	\$1,200.00

Projected 2016 Expenses **\$14,507.90**

2016 ESA Allocation \$10,000.00

Projected 2016 Budget Surplus/Deficit **(\$4,507.90)**

2015 Carryover Funds \$11,004.00

Projected 2016 Carryover **\$6,496.10**

14. Science Policy Committee:

Need a replacement for Michelle Smith on the Science policy committee for 2017. This was discussed and nominations were made at the preliminary MUVE business meeting (Sept. 25th, 2016). Drs. Dawn Gouge (University of AZ) and Jennifer Gordon (SC Johnson) were nominated by Mark Fisher (Dow AgroSciences) and Mike Potter (University of Kentucky) respectively. A vote was held at the MUVE final business meeting on Friday Sept. 30th, 2016. 7:00 am. Dr. Jennifer Gordon was elected.

13. Committee and Editorial Board reports:

Chris Geden (2017): Report from the Governing Board (gave report but did not send)

Michelle Smith (out-going 2016): Policy Statement and Science Policy Committee (see attached)

James Austin (outgoing 2016): Committee on Awards and Honors (did not attend)

Ronda Hamm (2018): Committee on Education and Outreach (gave report but did not send)

Kenneth Brown (2018): Committee on Membership (see attached)

Glen Skiles (2017): Committee on Student Affairs (see attached)

Vernard Lewis (out-going 2016): Diversity Committee (home with foot injury)

Glen Scoles (2018): Publications Council (see attached)

Kyndall Dye (2019): Early Career Professionals (see attached)

4. Editorial Board Reports:

Marc Fisher (2017): American Entomologist (see attached)

Lee Cohnstaedt (2017): Annals ESA (see attached)

Sonja Swiger (2018): Arthropod Management Tests (see attached)

Jeff Tomberlin (2018): Book and Media Reviews (nothing to report)

Steve Juliano (2016): Environmental Entomology (did not attend)

Steve Skoda (2019): JEE (see attached)

Sharon M. Dobesh (2018): Journal of Insect Science (see attached)

Bill Reisen (2019): Journal of Medical Entomology (see attached)

Shripat Kamble (2017): J of IPM (see attached)

Katerlyn Rochon (2019): Thomas Say (see attached)

Richard Wilkerson (2020): New ESA journal on systematics and biodiversity (see attached)

Additional information or comments

N/A

Findings from an Investigation of ESA's New Publication Policies

by T J Walker, University of Florida, Gainesville, 10 May 2016 (tjw@ufl.edu)

List of Findings, in <i>roughly</i> chronological order.	Page
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In 2015 ESA changed its publications policies for its journals on the basis of a 2014 contract with Oxford University Press [OUP] by which OUP took charge of many of the publishing tasks that had formerly been performed by ESA staff. My investigation dealt only with ESA's four oldest continuously published journals: *Annals Entomological Society of America* (started in 1908), *Journal of Economic Entomology* (1908), *Journal of Medical Entomology* (1964), and *Environmental Entomology* (1972).

1) ESA refused UF's Institutional Repository's request to post PDF files of my old ESA articles.

In 2014, I decided to have University of Florida's Institutional Repository ([IR@UF](#)) provide open access (i.e., free online access) to the PDF files of the 140+ items in my bibliography. At the time, I realized that publishers that required authors to sign over their copyrights might refuse the Repository's request. Imagine my surprise that, of the more than 50 publishers queried, ESA was the only publisher to deny permission. The [bibliography](#) went online September 2015. [Table 1](#) summarizes the most important results.

2) ESA was indecisive as to how far back it could claim copyright but temporarily chose 1966.

During the preparation of the Bibliography, I had a series of email exchanges with ESA's Director of Publications Lisa Junker about the copyright status of articles in my bibliography.

On 21Apr2015, Junker sent [this spreadsheet](#) showing copyright status of 24 of my articles published by ESA. In it, articles dated 1957-1963 are in the public domain, those dated 1967-1998 become public domain 95 years after publication, and those dated 2000-2009 are open access with CC-BY-NC license. In the last category are three articles for which the authors had paid ESA for "OA Reprints"—that is, for free use of the articles' PDF files.

In an 8 May 2015 email to Junker, I raised the question of how ESA could claim copyright to articles published prior to 1978. On 2 June, she wrote that she was seeking OUP's legal team's

advice on the matter. On 12 June, she emailed that “Oxford’s legal team has advised me that from a copyright perspective, works published prior to March 1, 1989, are copyright protected in the U.S. if the original publication in which they appeared included a copyright notice. The Table of Contents for each issue in which your papers appeared includes ESA’s copyright notice. These 11 articles had been published during the period 1966-1977 when the only indication of copyright was part of the TOC of each issue.” I accepted that opinion and put it in the “Copyright history of Entomological Society of America” beneath [Table 2](#) of my bibliography.

Shortly after the bibliography went online, I called to the attention of the [GOAL](#) mailing list [=Global OA List] that ESA was an outlier among scientific publishers I had used. That posting prompted a Canadian academic to email me that she was certain Canadian law did not assign copyright to articles on the basis of a copyright notice in the table of contents of the issue and that she thought American copyright law was the same. That prompted me to pose the specific question to GOAL, where I was quickly advised that, in regard to this matter, the American law was the same as Canadian law. After that I checked with Christine Fruin, who is UF’s Scholarly Communications Librarian and a lawyer. In a 23Oct2015 email, she wrote as follows: “I believe that we have already extensively discussed copyright to the articles you published with ESA. There seems to be a lot of confusion and lack of documentation as to ESA’s practices prior to 1978. Generally, under the law, an author retains copyright until such time that a written transfer of copyright has been made. I believe I have stated previously that ESA would have no claim of copyright to any articles published with them that you have not signed a transfer of copyright for. Mere inclusion of those articles in a table of contents or in an issue without a written transfer of ownership would not grant them copyright – instead it merely gives rise to an implied license/permission to publish.” When I pressed Junker for a response to these opinions she indicated that I should address my concerns to David Gammel, ESA’s Executive Director. I did and he advised me that “we are going to have to agree to disagree on backfile policy. If you would like to pursue this further, contacting your Governing Board representative would be your next step.”

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3) OUP has erected [paywalls](#) of \$39 that are detrimental to ESA members and to science.

These paywalls allow free access to the abstract but require \$39 before allowing the user to view the full text of the PDF file for one day. Prior to 1999, no matter how old, every article has this paywall.

Most of what is described above showed merely that ESA was restricting access to the PDFs that constitute its backfiles while making access more convenient to members and to those networked to libraries that pay for online access to ESA’s back files. Nonetheless, I was puzzled as to why the price for others to access articles more than a few years old had been set so high. What sort of person would pay \$39 for the privilege of viewing a PDF of one article for one day on a single computer when other sources on the web would be likely to have it, and many libraries could give or obtain access as well?? Surely the price that would bring in the maximum revenue would allow access at a much lower price and for a more extended period of time. It was as though ESA was more concerned with blocking access to its authors’ articles than

profiting from the paywalls! In early December 2015, I stopped trying to figure out ESA's business plan and resumed projects that were more satisfying. Before leaving Gainesville for a holiday break, I had decided to conclude the ESA backfile project in early January, by writing a document that would stimulate ESA members to lobby the ESA officers that represent them to the Governing Board to drop the paywalls as fiscally unjustified. This was to be the document's ending paragraph:

"Would not ESA authors be thrilled and ESA members be proud (and science benefit) (and research libraries save money) if ESA made the type of access that members have to ESA's backfiles available to everyone? Or to put it another way, should not the priceless benefits to the first three underlined entities exceed the monetary loss to ESA?"

My first new finding in January led me to decide to explore ESA's publication policies more thoroughly and, in the end, caused me to write this account of the investigation.

4) OUP has made it unlikely that ESA members will ever encounter the \$39 paywalls.

(If you are at a computer as you read this finding, you should be able to learn about the "Red" and "Green" views of most pages delivered by the archive's software. This is done here, in part, by providing links to screenshots of both views to compare or contrast with what you are viewing on your computer. The best way to experience the contrasts and similarities between the two views is to have the monitors of two computers side by side and make one computer know you are an ESA member while keeping the other one from knowing that you are. That way you can browse the OUP/ESA's archives from both perspectives at once and answer any questions that are not answered by the explanation below.)

ESA members are so unlikely to encounter the paywalls that this OA-loving ESA member did not realize that the OUP/ESA archive had paywalls until near the end of his 2015 investigations of ESA's publication policies. In fact, I might not have found them at all had not ESA's Junker specified that IR@UF should include an OUP-specified URL in the *rights statements* for 10 items in my [Bibliography](#). Rights statements explain for an item in the bibliography what restrictions are imposed on the re-use of the item. For example, at the bottom of this [Description View](#) of the archived PDF of an *Annals* article, the rights statement is under "Rights Management:" The last sentence in the statement ends with this OUP specified URL:

<http://aesajournals.oxfordjournals.org/content/62/4/752>

(Go ahead! Ctrl+Click the URL and see what appears!)

Everyone who did so should now be viewing the title and abstract of the article and an ESA copyright claim. But the computer you are using has determined the color and state of the padlock that is at the end of the article's title. If you are an ESA member, you are likely to be seeing a Green, open padlock. If you are using a computer that is a stranger to ESA members and to networks connected to research libraries, you are likely to see a Red, closed padlock. To enable you to compare the two views easily, here are links to screenshots of both.

Green [Abstract page](#) Red [Abstract page \(as of 22Feb2016\)](#) Red [Abstract page \(as of 6May2016\)](#)

The second red-view screenshot is a revision made throughout the Archive.
It makes it even less likely that ESA members will encounter the paywall.

Whichever view is now live on your computer, click on the PDF icon. If you have the Green view, you will be able to download the article's "full" PDF. If you have the Red view, you will be returned to the page on which you clicked. If you are an ESA member and know your ESA username and password, you can easily change your Red view to a Green one and gain free access to the PDF of the article. If you are a member and cannot recall your password or user name, note that you are offered online help to solve those problems.

If you are currently seeing a Green view and would like to see all of the Red view of the same Abstract page, click on the following link, which is a composite of two screenshots:

Red [Entire Abstract Page](#) (as of 22Feb2016; compare top with 6May view of top above)

In the lower, formerly hidden portion of the Red view, you will see other options for viewing the PDF. Last on the list (highlighted in yellow) is the \$39 paywall.

To return to top of document, press Ctrl+Home

5) OUP falsely claims that ESA has copyrights to all articles ESA published during 1908-1977.

In finding **2)** you learned the basis for the assertion that ESA has no copyrights to articles it published without requiring authors to sign over their copyrights to ESA. In exploring the extent of paywalls in the OUP/ESA archive of PDF files, I could not help but notice that claims of an ESA copyright were as prevalent as the paywalls. Proceeding back in time, the claims do not end at 1978 (or 1966), but go all the way to 1908. By systematically searching the OUP/ESA archive, one can confirm that OUP is now claiming that ESA has copyrights to 100% of the articles published prior to 1978. On almost every Abstract Page (whether Red or Green [see finding **4)**]), you will see the claim of an ESA copyright, prominently displayed just beneath the abstract.

To get you started, here are three URL's to click on:

From 1908 *JEE*: <https://jee.oxfordjournals.org/content/1/1/51.1>

In small type under the title is this curious phrase "First published **online**: 1 February 1908." Vol. 1 of *JEE* is one of a few early volumes of *JEE* and *AESA* that has "**PDF only articles**," another curious phrase considering the date of publication. Both of these phrases augment a claim of copyright that only persons using Green-certified computers can view, because only for those users will the "Article" button respond to a click and reveal where the copyright notice appears.

From 1957 *Annals*: <https://aesajournals.org/content/50/6/626>

This is the first of four articles in Junker's 21Apr2015 [spreadsheet](#). At that date, she classified it as "Now in the public domain."

From 1983 *JME*: jme.oxfordjournals.org/content/20/4/446

JME is a special case among ESA's four principal print journals. From 1964 through 1987 (vols 1-24) it was published by the Bishop Museum in Honolulu. During that period authors were not required to sign over their copyrights to the publisher. In 1988 through 2014, authors in *JME* (like all ESA authors) were required to do so. [From 2015-date, all authors who are ESA members have had the option, under the

Oxford Open plan, of retaining their copyrights for \$2000 or \$2500 depending on which CC option they choose.]

When I asked the [GOAL](#) mailing list what OUP could gain by putting ESA copyright notices on articles for which ESA had not been authorized by the authors to do so, I learned that OUP was practicing *copyfraud*. [The Wikipedia article](#) about the term is helpful and includes these relevant sentences:

“Such claims are wrongful because material that is not copyrighted is free for all to use, modify and reproduce. Copyfraud...includes overreaching claims by publishers and others, as where a legitimate copyright owner knowingly, or with constructive knowledge, claims rights beyond what the law allows.”

Under “Analysis” in the Wikipedia article is an essay that discusses the legal aspects of copyfraud, including those in the publishing industry.

Even though copyfraud is legal throughout the world (except in Australia) why should OUP engage in this morally and ethically questionable practice? The extent of its false claims is impressive. Of the 312 “journal years” that the four journals have been published, OUP has a justifiable basis for claiming an ESA copyright on only 142 (that is, on 46%) ([view spreadsheet](#)).

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6) OUP does not explain to ESA authors the crucial difference between \$2000 and \$2500 OA.

Under the [Oxford Open](#) initiative, ESA authors who want their articles to be openly accessible must pay either \$2000 or \$2500. They are informed that either fee will make them the copyright holders of their articles but that the amount paid will influence which of three [Creative Commons licenses](#) they receive. If they pay \$2000, they may choose either the [CC-BY-NC](#) or the [CC-BY-NC-ND](#) license. If they pay \$2500 they receive the [CC-BY](#) license.

If you compare the meanings of the three licenses (e.g., via their links), they are all the same except for the restrictions “NonCommercial” and “NoDerivatives.” Because these restrictions have nothing to do with issues that matter to most ESA authors, potential authors must wonder what is the hidden value of the CC-BY license.

The answer seems to be in a 24Nov2014 email that ESA’s Publications Director sent in answer to my inquiry as to whether articles for which authors had purchased OA Reprints would keep their OA status under the new management of ESA’s journals. She answered in three numbered paragraphs. The first fully reassured me about the status of OA Reprints, but the last two meant nothing to me at the time. However, when I recently reread them, they described two degrees of the Oxford Open initiative’s “OA.” That seemed exactly what was needed to explain having two prices for it. Here are paragraphs 2 and 3 from her email:

2. “Starting in January under our partnership with Oxford, ESA will be providing all authors with free PDFs of their articles that they publish in ESA journals. Authors will be able to share those copies freely with colleagues or students via email or place them in closed institutional repositories if they wish. We do ask that authors not post those PDFs on their websites or in any open repository, unless they have made their articles fully open access (see #3 below).
3. If an author wishes his/her article to be fully open access, that opportunity will still be available under the ESA-Oxford partnership. Open access fees will be higher than they have been in the

past; in the past, our fees for open access were low enough that they were causing libraries to drop their subscriptions to our journals because so much of the content was available through open access. But for authors that don't wish to pay for full open access, we hope that the free PDF they can share with colleagues through email will be a helpful tool."

[Yellow highlighting added]

The "fully open access" must be the one priced at \$2500 and the one costing \$2000 must be less than completely open.

Confirmation of this interpretation was found by going to a [page listing the fees](#) for publishing in the *Annals* and clicking on the "[here](#)" found at the end of the sentence at the end of the information on charges. The title of the target page of the *here* link is "Open Access Licenses at OUP," and its central feature is a set of three gray rectangles, each bearing the name of one of the three CC licenses that OUP offers its authors who buy OA for their articles. Clicking on the ▼ for the **CC-BY** license reveals this:

"This is the most permissive of the Creative Commons licenses and allows for maximum dissemination and use of the licensed work. The license permits others to use, reproduce, disseminate or display the article in any way, including for commercial purposes, so long as they credit the author for the original creation."

The other two licenses apply restrictions to how articles can be used although as indicated above, these restrictions are not ones that should scare away any of the important potential users of articles published in ESA's peer reviewed journals.

These restrictions have little relevance to OUP's plans for ESA's journal articles because immediately after receiving their copyrights for their articles, OUP requires authors to sign OUP's [License to Publish, which includes this statement](#):

"You hereby grant to The Entomological Society of America an exclusive license of the full period of copyright throughout the world: to publish the final version of the Article in the above Journal, and to distribute it and/or to communicate it to the public, either within the Journal, on its own, or with other related material throughout the world, in printed, electronic or any other format or medium."

Many ESA authors must be unpleasantly surprised when they read this. Some may consider it deceptive that, on its "Publish with ESA" web pages, ESA warns them in four places that they will be required to sign the License, but fails to provide any link to the text of the License.

Whether you believe that is deceptive or not, consider the result of ESA authors being left in the dark as to which of the CC licenses pays for "fully open access." In a set of four tables in [this spreadsheet](#), OUP's OA sales for ESA's four legacy journals are tabulated from the first issues of 2015 to the current issues of 2016. A surprising result is that few (n=22) of the 1077 articles published thus far under the Oxford Open initiative were published under either of OUP's two versions of OA. And a disheartening result is that of those 22 articles (as best as I could discern), none was published with the OA that OUP classifies as "fully open access."

7) OUP must transfer a minimum of \$17 million each year to the rest of Oxford University.

Like other university-associated ESA members, I was initially pleased to learn that ESA's publishing partner was associated with a university that was of good reputation and is probably the best known university in the English speaking world. However, when it became evident that OUP's business plan for the backfiles of ESA journals was indistinguishable from those of the largest commercial publishers of scientific journals, it seemed prudent to learn the details of the relations between Oxford University and its Press. What I discovered proved important to how ESA members and the elected ESA officials who represent them should view OUP. By virtue of it being a department of Oxford University, its profits are exempt from income and corporate taxes in most countries and these profits go entirely to Oxford University. [OUP's Wiki article](#) states, "The Press today transfers 30% of its annual surplus to the rest of the University, with a commitment to a minimum transfer of £12 million per annum." [£12 million is currently worth 17.0 million US\$.]

This finding is the key to why OUP's business plan is that of commercial publishers [see finding **8**]] rather than that of a scientific society whose members are eager to have their research results accessible as widely and quickly as possible and would be unwilling to have paywalls restricting access to their articles other than for a brief, justifiable embargo period [see finding **9**]].

8) Consequences for libraries if ESA maintains OUP's current backfile policy for ESA journals.

Describing this finding requires more text than the others because it asks its readers to understand the history of journal publishing for the past 45 years in order to better understand the next five years. To make it easier to reach the end of this finding, each "sub-finding" starts with a one-line summary of its contents. (Skip any sub-finding that is old news to you.)

a) Increased funding of research after WW2 leads to a shortage of science journals.

After WW2, funds for research and for training persons qualified to do research grew exponentially. Not surprisingly, existing science journals were soon receiving more manuscripts than they could handle, and delays between submissions and publication became excessive. Initially most science journals were published by scientific societies, which were ill-equipped to double or quadruple the numbers of manuscripts processed or the number of journals that they published. The best that most societies managed to do was to increase their page charges in order to pay the costs of increasing the sizes of the issues of their journals. Some, but not nearly enough, started new journals (e.g., ESA started *Environmental Entomology* in 1972).

b) Commercial publishers recognize a golden business opportunity and act on it.

Unlike scientific societies, commercial publishers viewed the expanding demand for space in science journals as an opportunity to process more articles and thus enjoy [economies of scale](#), which included being able to keep up with the rapidly improving methods of handling information and of producing the paper issues that libraries and other subscribers required. Thus one way commercial publishers made journal publishing more profitable was to make it

cost them less per article published. Another way was to eliminate page charges and more than make up that lost revenue by raising other charges, especially the price of library subscriptions.

c) By the early 1970's university libraries are experiencing a "serials crisis."

Peer-reviewed articles are not a commodity; each is unique. Because researchers must keep up with what others are publishing in their fields of research, they expect the libraries of their institutions to maintain subscriptions to the more important journals in their fields—and to subscribe to the new ones as they became important. That expectation put an incredible strain on library budgets. As shown in [this graph](#), the prices that libraries paid for books during the first 25 years of the serials crisis kept up with the rate of inflation but did not exceed it. In contrast, the price of journal subscriptions continued to increase at a substantially higher rate. During the same years scientific societies continued their page charges and to keep the prices of their journals modest. To illustrate, [this graph](#) compares the cost of content per m² for three society-published journals with that same cost for four commercially published ones. Both graphs are from a 1998 [American Scientist article](#) entitled "Free internet access to traditional journals."

Note: In attempting to keep pace with ever increasing demands to maintain easy access to current issues of science journals, libraries cut to the bone the buying of books, in both the humanities and sciences.

d) In the late 1990's personal computers and the Web enable a new view of journals' future.

The serials crisis started at a time when it was unthinkable that journal articles would ever be published other than on paper, in issues, to later be bound into volumes. But by the late 1990's, another future could be imagined. As shown in the upper of these [two workflow diagrams](#), the traditional, paper-based system was, of necessity, complex, costly, and inefficient. To illustrate its inefficiency: prior to the early 1980's, when university libraries began making xerographic copiers easily accessible to persons using recent issues of journals, most researchers had no easy means of obtaining copies of many of the articles they used the most. In contrast, electronic distribution of articles could eliminate the need for libraries' to be involved in that service. Most important to researchers, no one with an intellectual interest in reading their articles would need to go to a library to read or copy an article [bottom workflow diagram].

e) The possibility of free online access to journal articles elicits various responses.

The response of commercial publishers was to institute a complex system of fees for accessing the online versions of journal articles [["Fee Access" money flow diagram](#)]. The complexity of Fee Access makes it costly and sometimes frustrating—but it works for commercial publishers, who now get most of their revenue from selling site licenses for accessing their online versions. The other fees that they collect are mainly to avoid electronic leaks that might tempt libraries to no longer renew their site licenses.

The response of many scientific societies that published journals was to avoid going bankrupt but to look for ways to allow electronic access to articles as quickly and as widely as fiscally feasible. The most common way of doing this was to allow free access to current articles after an embargo period of a few years (2 to 5 years initially; now 1 to 2 years).

The 1994 response of the Florida Entomological Society (FES) was to make all articles in its journal (*Florida Entomologist*) immediately and openly accessible on the Internet in PDF format. Responding so foolishly merits an explanation: FES began publishing its peer-reviewed journal in 1917. In 1993, FES appointed a committee to investigate putting *Florida Entomologist* on the Internet. In November 1994, the same month that Adobe dropped the price of its PDF reader from \$25 to free, *Florida Entomologist* went OA on the Internet! FES initially viewed making its journal freely accessible on the Internet as a test of whether it could be done. After that proved feasible, the FES Executive Committee approved leaving it 100% open access, with no increase in authors' fees, as long as users liked it and the fiscal consequences were not severe. In addition, in 1999, with donations from FES members and the help of the Florida Center for Library Automation, FES succeeded in making its entire backfile (1917-date) freely accessible online in PDF format. This [FES press release](#) provides a fuller explanation; for even more, [go here](#).

The response of ESA began in 1995, when ESA President Eldon Ortman appointed an eight-member Electronic Publication Committee to recommend to the Governing Board how ESA should respond to the possibility of electronic versions of its journals becoming accessible on the Internet. One of its recommendations, which passed 7-1, was that ESA “investigate an [electronic reprint service](#).” In spite of this encouraging beginning, the desirability of PDFs of articles in ESA journals becoming freely accessible on the Internet (for a fee) remained unresolved until 1999. At its December meeting, the ESA Governing Board voted 13 to 0 “to [establish a policy permitting authors to post retrospective electronic reprints published more than 2 years old, provided they include a statement prohibiting further commercial use of the article](#).” Because of the fear of immediate and dire fiscal consequences, what became “OA Reprints” in 2003 were initially sold as “Download limited PDF reprints.” A detailed history of ESA becoming a noteworthy pioneer in allowing authors to pay a fee for open access to their articles is [here](#), where, at the end of the page, there is also a year-by-year summary . Until 2005 I tracked the acceptance of ESA's OA Reprints by the authors of ESA's four journals. As [this graph](#) shows, the overall acceptance peaked in 2004 and 2005 at a bit over 67% before falling slightly during each of the next three years. A drop in sales to libraries of paper subscriptions to ESA journals should not be attributed to sales of OA Reprints unless other more-certain causes are first evaluated (see the next three sub-findings (**8f**, **8g**, **8h**)).

f) In the early 2000's, researchers shift their reading preferences from paper to online.

This shift occurred as the html versions started to have better ways to display tables and figures (some in color) and to enrich the References Cited sections with links to many of the entries. Of equal or greater importance, the online versions allowed researchers to avoid trips to libraries if the sole purpose was to make (paper) copies of articles that might instead be viewed on the web in PDF format. By this time, commercial publishers of science journals were confronted with declining subscription income because the ever increasing cost to libraries of subscribing to the journals that their researchers considered essential had reached a breaking point. Libraries were making the hard decisions as to which journals were not important enough or were too costly to avoid being culled. Commercial publishers finally hit upon a strategy designed to stop the leakage from their subscriber bases while giving consortiums of libraries greatly increased

access to the journal literature. This strategy required negotiating what became known as “Big Deals.” Each Big Deal required a library consortium and a publisher that produced many journals. The publisher would propose a price on a bundle of journals (often the publisher’s entire list) and, for that price, all libraries in the consortium would get online access to all journals in the bundle. To illustrate, [OhioLINK](#), a consortium of Ohio’s academic libraries negotiated Big Deals with a number of publishers. In 2004, its Executive Director, Tom Sanville, reported that its Big Deals typically licensed 100% (or close) of a publisher’s title list and that this resulted in an average of 75 to 85% of the titles being new to each university in OhioLINK.

g) How “Big Deals” prevented libraries from culling their electronic subscriptions.

Big Deals are a complicated subject. The information about them in sub-finding 8f and in this one comes largely from [this 12 page scholarly essay](#) by Richard Poynder.

BigDeals normally are for three years and must be renegotiated to be renewed. The publishers assumed that their bundles would always be renewed, because they included journals that libraries simply could not cull. Believing this assumption to be true, publishers started increasing their prices every three years at rates significantly above the rate of inflation. In the meanwhile, university library budgets were receiving a smaller and smaller share of total university expenditures (most likely a consequence of more and more information becoming freely available on the web). Specifically, for 40 [ARL libraries](#), between 1982 and 2008, library expenditures as a per cent of university expenditures declined from 3.7% to 2.1%. In an era of declining funds giving libraries no opportunity to cull the journals in their Big Deal bundles would sooner or later force libraries to cancel entire Big Deals. By 2010, such cancellations had begun: University of Washington canceled its Big Deal with Springer, thus giving up access to about 1,200 titles, “[because the UW and other libraries in the region that shared the group contract lack the funding to maintain it.](#)” Nonetheless, in 2011, *Library Journal* reported that prices for general periodicals were increasing in the 5 to 7% range, whereas those for academic titles were increasing in the 7 to 9% range.

h) Some relevant data from University of Florida Libraries.

UF librarians helped me gain an understanding of how the continuing increases in the prices of Big Deal bundles were impacting purchasing choices. UF’s Big Deal with OUP costs ca. \$145,000 annually for online access to 285 titles (including the four ESA journals considered here). The only specifics about OUP’s prices for one year’s online access for single titles are their “generic prices,” for libraries with budgets too small to be tempted to negotiate for a Big Deal. Here are those prices for JEE (\$543), JME (\$437), EE (\$467), AESA (\$435). These prices are not firm but are where negotiations start. Final prices may be lower or higher (perhaps related to the numbers of FTE students served).

The prices above concern online access that is paid for annually with libraries gaining “online access in perpetuity” only for years for which a library had paid for online access to the current issues. Online access to earlier years as part of a library starting payments for current issues is temporary and ends when the library stops paying for the current year’s issues. For example, if UF Libraries started subscribing in 1999 to Journal Package A , which gave them access to the full

range of journal issues published, but in 2012, they had to cancel their subscription due to a budget cut, they would retain permanent access to the years 1999-2011 only. Any years for which a library has not paid for permanent online access are considered backfiles. In the case of UF, it currently has online access to ESA's legacy journals from 1996-present, with 2000-2015 made permanent by ESA publishing its journals on BioOne from 2000 through 2015 and UF maintaining its subscription to BioOne during those years. UF does not own the years 1996 through 1999 but gains temporary access from adding ESA journals to UF's Big Deal OUP journal bundle in 2015. Most licenses for online journal content (either individual or Big Deal) include access, but not ownership, of content from the mid-90's to the present. Should you want to know what price UF would have to pay for online access to the OUP/ESA backfiles prior to 2000, it is negotiable. In regards to prices for online access to journal backfiles, journal backfiles are often sold in Archive packages for one-time fees. These fees are often in the tens or hundreds of thousands of dollars, depending on the size of the package and the subjective value the publisher has assigned to those journals. The backfiles of OUP's four ESA journals might go for \$25, 000 to \$30,000.

UF currently negotiates Big Deals with five publishers. The most expensive bundle is with Elsevier, the publisher with the most journals. UF's Elsevier package costs more than \$2,000,000 annually! Those of Wiley and Springer rank no. 2 and 3, and OUP and Cambridge University Press compete for nos. 4 and 5. All Big Deal publishers have continually increased the prices of their packages at rates significantly higher than inflation.

i) The tipping point toward universal OA for current journal articles has been exceeded.

If the percentage of science articles that are published OA worldwide could be known, most would expect it has been increasing significantly year by year since computers and the web made OA possible. Considering only the past decade, one might argue that the rate of increase has increased so much that no more acceleration is needed or even possible to insure that 100% OA is achieved within the next five years. Below are three links relevant to this speculation. Peter Suber's [Timeline of the Open Access Movement](#) concerns the early days of open access and ends with this entry for 12/26/2008: "[Congress passed, and the President signed, a spending bill mandating OA to research funded by the US National Institutes of Health \(NIH\).](#)" This may well have been the tipping point. One indication that we are now nearing the year when more than 95% of currently published journal articles are OA is a [2013 White House directive](#) that agencies with R&D budgets of \$100 million or more develop a plan within six months to increase public access to federally funded research. Another is [this current document](#) describing the Federal agency plans that have been approved and published. They include the action plans for CDC, DOE, NIH, NOAA, NSF, USDA, and others. All list a maximum embargo period of 12 months. Considering current circumstances, academic libraries are unlikely to pay for access to current articles when access to those same articles will be free in no more than 12 months.

j) Commercial publishers devise an end game to prolong their revenue stream from libraries.

OUP's recent revisions to ESA's archive of PDFs suggest that OUP is now certain it has captured

ESA's backfiles, which promise to be exceptionally lucrative. For example, OUP has committed extensive [copyfraud](#) in ESA's name [see finding 5)]. Because of this publishers' endgame, the meaning of "back files" to librarians has changed from *back volumes of journal issues* to *all articles which are significantly harder to access online than the more current ones*.

Only when UF librarians told me of the potential costs of paying commercial publishers large amounts for access to backfiles did I understand the rationale of ESA staff assuring me it was proper for ESA to defend OUP's \$39 paywalls on all articles except for those whose authors had bought OA Reprints. [Not said was that the paywalls would help ESA by increasing the amount of ESA's cut for allowing OUP to maximize the potential value of ESA backfiles.]

Making large sums over the next decade from backfiles requires no more than a slight [modification of the Fee Access money flow](#): Revenues from libraries are still the main source of revenue for publishers and, as before, pay per view keeps leaks from diminishing the uniqueness of what the publishers are selling. The main difference is that selling libraries licenses to backfiles instead of Site Licenses to current content is that the product sold is less time sensitive. That is, in lean years libraries could postpone their plans for making backfiles of their journals permanently accessible. Selling online access to all or parts of the backfiles reduces the stock of what is left to sell, but only to the library that has bought the access. The identical part can be offered to other libraries at prices that the publisher thinks are the most it can get from those particular libraries. Only the largest libraries with the biggest endowments for buying access to backfiles would pay the "hundreds of thousands of dollars" that librarians had suggested.

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9) Consequences for members if ESA maintains OUP's current backfile policy for ESA journals.

Authors of articles published prior to 2015

The most important negative consequence for ESA members is that almost all articles that they or others have ever published in ESA's four oldest journals prior to 2015 will not be freely accessible during the lifetimes of the authors. The only circumstance that requires an "almost" in that statement is that starting in 1999 and ending in 2014, articles for which authors paid for OA remain freely accessible on line. Prior to 1999, no articles were OA and hence [as noted in finding 3)] all are behind \$39 paywalls. During the first 10 years of OA Reprints, I kept track of their acceptance and made the results [accessible here](#). The sales of OA Reprints quickly rose from 5% in 1999 to more than 60% in 2003, where it remained, at least until monitoring ended in 2008. [For an account of the origins of ESA's OA Reprints see the last two paragraphs of finding 8)f.] Realizing the new importance of buying OA when it is offered, I decided to check how well OA Reprints sold during 2013 to date [as shown here](#). Between 2013 and 2014 sales dropped faster than ever before and in 2015, when OUP OA was first offered instead of OA Reprints, it dropped even faster (to 2%).

Authors of articles published from 2015 forward

A strongly negative consequence for members who have published in ESA journals under the Oxford Open initiative is that few if any of those who opted out of the OA versions of Oxford

Open OA have yet realized the importance of this sentence from [instructions to authors](#) about Open Access: “If you do not select the open access option, your paper will be published with standard subscription-based access.” [first paragraph, last sentence].

[This sentence was removed between 2Apr2016, when I printed a copy, and 8May, when I checked the link. A similar change, documented with screen images, is noted in finding 4). In each case, OUP was making the facts more difficult for ESA members to discover.]

OUP’s standard access [then and now, just check the red versions explained in finding 4).] is that the article goes immediately behind a \$39 paywall. Few ESA members even know that \$39 paywalls exist [findings 3&4)] and prospective authors are never informed that “standard subscription-based access” means long-term, restricted access for their articles (i.e., for 70 to 95years). Similarly ESA authors are not informed of the consequence of choosing OUP’s \$2000 OA instead of the \$2500 OA [finding 6)]. A [tally of the decisions](#) made thus far by authors who have published in an ESA subscription journal since 1 Jan 2015 shows that the authors have avoided the OA versions and overwhelmingly chosen the access that provides “standard subscription based access.” [This piechart](#) is based on the 1,077 articles published in the past 16 months in ESA’s four subscription journals.

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End of Document dated 10May2016

Addenda to

“Findings from an Investigation of ESA’s New Publication Policies”
by T J Walker, University of Florida, Gainesville, 10Mar2016.

These Addenda are online [here](#). They will allow me to publish the first four findings without making the last five findings public. (My intent would be to leave it up to ESA’s elected officials to explain to members why \$39 paywalls to articles more than five years old should be allowed.)

Whenever the Addenda are updated, GB members and the Executive Director will be notified.

Copies of December 2015 correspondence in regard to \$39 paywalls

8Dec2015: [ESA Publications Director to TJW](#)

15Dec2015: [TJW to ESA Executive Director](#)

16Dec2015: [ESA Executive Director to TJW](#)

[Note: These PDF files cannot be viewed in newer versions of Chrome, but can be viewed in Internet Explorer or older versions of Chrome.](#)

Appendix A (to be periodically updated)

Spread sheet for tallying OA sales in 2015 and 2016: [OAsales2015and2016.xlsx](#)

Appendix B

Spreadsheet with the raw data from which %OA graph was made: [ESA_OAsales.xlsx](#)

End of what is currently in online Addenda=====

Appendix C

Consequences of ESA stopping its membership in BioOne [to be added soon].

[Appendix X](#)

Reasons why OUP's sales of ESA backfiles to academic libraries will be weak:

- (1) After near universal OA removes the need for libraries to sustain their Big Deals [see **8**)], librarians and those that decide library budgets will not be looking for ways to continue the imbalance between library expenditures for science journals and support for other information needs both in science [e.g., [data management](#)] and the humanities.
- (2) It is no longer hush-hush that illegal sources of copyrighted articles are widely used--even at large U.S. universities. (See the 29Apr2016 *Science's* editorial and two featured News items about [Sci-Hub](#)). A frequent reason given for this behavior is that gaining access to batches of needed article is easier via Sci-Hub than via the software provided by the various publishers that libraries pay to provide legal access.

Appendix II



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July 25, 2016
Dr. Thomas J. Walker
University of Florida
Department of Entomology & Nematology
P.O. Box 110620
Gainesville, FL 32611-0601

Dear Dr. Walker,

Thank you again for your input about the nature of access to papers in Entomological Society of America journals. As I promised during our call in May, I brought your concerns to the attention of the Governing Board at its meeting in June and we spent several hours discussing those concerns specifically and in the broader context of ESA's publishing copyright policies, copyright options for authors, and other relevant publication issues. Members of the Oxford University Press staff were available during the board meeting to answer the questions you raised and to clarify past and present practices at OUP and in academic publishing in general.

After careful consideration of your specific issues, our current publishing policies and fees, the interests and needs of ESA members, Board members present were effectively unanimous in deciding to reaffirm the terms of our partnership with OUP and the current direction of our journal portfolio. Academic publishing is one dimension of science that is undergoing changes that are, I think, historically unprecedented in their magnitude and velocity; your concerns sparked a very thoroughgoing and productive discussion. Although the outcome of that discussion may be disappointing to you personally, the members of the Governing Board made every effort to take a broad perspective and anticipate both present and future needs of ESA's membership with respect to publishing in reaching its final resolution of this issue. With this letter, I'm sending a document that will be posted to the ESA website for any members interested in learning more about the history leading up to our current publishing partnership and policies. Again, thank you for your input and for your dedication to entomology and its practitioners.

Sincerely,

May R. Berenbaum, Ph.D.
President, Entomological Society of America