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Perpetual Access: Myth and Reality

CRL webinar – 20 January 2016



What is perpetuity?

Definitions of “Perpetual”

Lasting for eternity

Lasting for an indefinitely long time

In effect or having tenure for an unlimited duration

Continuing without interruption

Synonyms for “Perpetual:

eternal, everlasting, unceasing, unending, ageless,
lasting, permanent, ceaseless, incessant, never-
ending, unremitting, unceasing, constant, continuous,
uninterrupted

From “The Free Online Dictionary”



Library content & perpetual access

Key components of perpetual access:

Preservation (assuring the medium endures)

Access (assuring that the ways of getting to the content endure)

Examples of long-lived formats whose access is largely assured:

Manuscripts, books, microform

IF on the right media - properly cared for



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Enter Digital

New medium (~20 years of real life in the wider library and academic communities)

Successful attempts related to long-term digital preservation & access so far are mainly for journals:

National library initiatives (KB, Australia, etc.)

Government services such as PMC

LOCKSS 1999+

Portico 2001+

Scholars Portal 2002+ (Ontario libraries)

Other projects, collaborative and local

We don't yet know how most of these will last over time



Risk assessment

Less at risk:

Mainstream western journals – increasing number of options and some shared understandings about goals, but coverage still very incomplete

More at risk:

Aggregations (collections) of periodicals
E-books and aggregations of e-books

Most risk:

Databases, esp. created by scholars locally
Visual, sound, multimedia materials
News sources, “grey literature”
Growing rapidly; long-term access barely tackled



License definitions

“Perpetual access” language in licenses goes something like this:

If the agreement is terminated, for whatever reason (trigger events such as ceased subscription, ceased title, ceased publisher), continuing access to material that was licensed will be provided

- (1) in mutually agreed upon archival digital form (DVD, tape, download) or
- (2) ongoing online access – through (i) information provider or (ii) third party archive. (iii) also the possibility of local load by licensee



License language

Is this adequate language?

Is current license language well-intentioned but
“hollow?”

Would such language stand up in court?

Do libraries insist on adequate perpetual access?

We try our best, but we may sign anyhow

We say we are unable to pay additional \$\$ for
assurances – beyond the high costs we are
already incurring for e-resources



Other unresolved issues

Perfect vs. good enough

Migrate content only or functionality? Is it an integral part of the content?

Details such as completeness, accuracy

Cost?

Not fully known and not cheap

Born digital, free online materials, new media (blogs, uTube)

How many e-archives do we need? Many? Few?

Standards?

We are not in a good place yet with perpetual access



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Today's speakers

Scholarly perspective

James O'Donnell - Professor and University Librarian,
Arizona State University

Information provider perspective

Kevin Guthrie – President, Ithaka

Librarian perspective

Ivy Anderson - Interim Executive Director, California
Digital Library



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Perpetual access: a scholar librarian's view

Jim O'Donnell, Arizona State University

Scipione Maffei, 1675-1755



Cassiodorus' Summaries of
the Epistles, Acts, and
Revelation

Florence
1721

CASSIODORII
SENATORIS
COMPLEXIONES
IN EPISTOLAS
ET ACTA APOSTOLORUM
ET APOCALYPSIN

E vetustissimis Canonorum Veronensium
membranis nunc primum erutae.

*Testificantur in terra tria mysteria, aqua,
sanguis, & spiritus; quae in passione Domini
leguntur impleta: in caelo autem Pater,
& Filius, & Spiritus Sanctus:
& hi tres unus est Deus.*

Cass. in Ep. 1. Ioh.



FLORENTIÆ . MDCCXXI.
EX TYPOGRAPHIA IOSEPHI MANNI.
Superiorum Permissu.



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No Digital Armoires

Digital information cannot survive that way
But beware of thinking in terms of technology

Manuscript survival – dumb luck

Printing

Metadata

Continued societal attention

IT TAKES A LIBRARY



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Perpetual access: a contemporary definition

For as long as we stay in business, we'll keep this around and we'll let you access it on our servers in the way we decide to offer.



That's not perpetual

- The publisher won't be in business forever
- The form and function of the product now sold will obsolesce quickly: access to obsolete forms will not be meaningfully useful.
- Many “e-books” now sold to libraries are functionally useless; the best are not very good



We've only just begun

- It's not primarily or exclusively a matter of preservation
- The *assurance* of preservation depends on a social structure, not a technology
- And on assurance of continued upgrades, interlinking, metadata improvement, etc. – a complex, constant task



What I need

- Confidence in the long-term survival of a comprehensive set of primary and secondary cultural materials.
- Confidence that my students and their successors will be able to find and use that material.
- Confidence that the material will be useable in the ways it is now – *and* in ways we do not now surmise.



What is to be done?

- Address issues of definition, scope, and ambition
- Define issues of governance and funding for a more consolidated and integrated community of libraries
- Design and execute pilot projects (including “found pilots”) to give credibility and optimism to the common enterprise



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Systemwide Economics of Perpetual Access

Kevin M. Guthrie, Ithaka



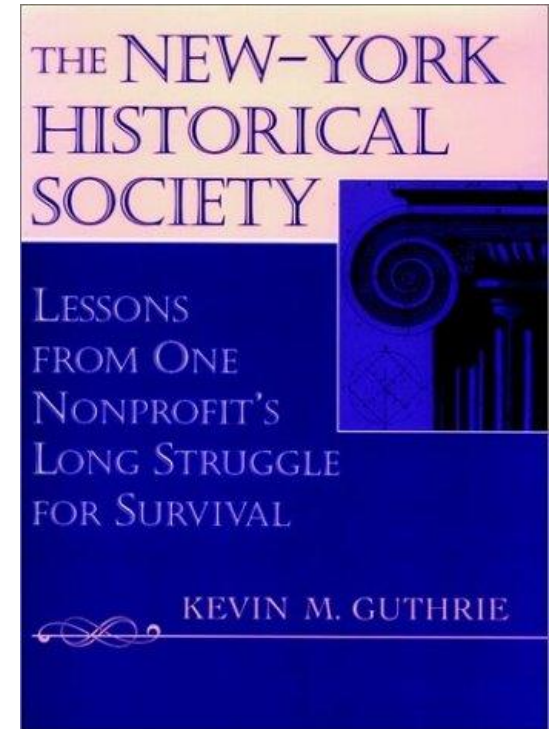
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A Story

The New-York Historical Society

The Liabilities of Nonprofit Assets

“Don’t take the Jaguar”



<http://cnx.org/contents/mJTYQAL0@1.1:qjWsQ50y@1/Chapter-Nine-The-Liabilities-o>



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Print Content

Access

Post Cancellation Access

Perpetual Access

Preservation – Print Repositories



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Digital Content

Access

Post Cancellation Access

Perpetual Access

Preservation – Dark Archives



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No Magic Bullet or System

Things are getting less expensive but that is not the same as there being no costs

Marginal cost versus total cost

Where do you get the money?

For the one-time fixed costs? (Capital)

For the ongoing costs? (Operating)



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Related Changes

Physical / Virtual

Local / Network

Ownership / Licensing

Capital / Operating



Capital Costs

Fixed, one-time expenses incurred on the purchase of land, buildings, construction, and equipment used in the production of goods or services.

People understand this concept when it comes to physical facilities. What about when you are talking about access to digital content?

When the capital is computer infrastructure housed 1,000 miles away, and it is in effect divided up over millions of different users, how is it recognized?



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Paying for perpetual access?

Pay for the service on an ongoing basis

Cross-subsidize with surplus proceeds from one thing to pay for the other

Invest capital that spins off money that pays for the ongoing access (Archival Endowment)



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Shared Capital Costs?

Example: JSTOR Archive Capital Fee

Counter-Example: What about Article Processing Fees for open access articles?



Conclusion

“Solutions” to the perpetual access challenge must address the need for resources to pay the costs of keeping materials accessible and then providing access to them

There is a capital component to this long-term financial commitment that must be addressed at the community-wide or system-wide level



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Perpetual access: the library perspective

Ivy Anderson, California Digital Library



Back in the early days of licensing...

How straightforward our goals seemed:

- The same content ownership and management rights as for physical collections
- The right to retain, preserve, and provide access to content in perpetuity



Online perpetuality: A bundle of rights

Perpetual access

- From the online provider
- From a third party if the provider no longer makes it available
 - *Perpetual is a long time – many providers are now promising 'continuing,' not perpetual, access*
- Right to provide access locally if wanted (e.g. via local loading)

Archival rights

- Right to archive a copy locally if wanted (and migrate to newer formats over time)
- Provisions for preserving content with a trusted third-party archive of choice



OK, so how are we doing?

(✓) Ejournals and Ebooks from major providers

- Discrete, static publications - can readily be archived
- Standard formats that don't require specialized interfaces (e.g. pdf, pdf/a)
- Third-party archives such as Portico and CLOCKSS know how to handle this material and are (reasonably) well-populated
- Access in the case of 'trigger events' is fairly well established
- Post-cancellation access *may* be available (though often sub-optimal)
- Best practices exist for
 - Licensing >> LibLicense Model Agreement
 - Journal transfers between publishers >> TRANSFER Code of Practice
- Continuing access should be at no charge if paying for current content



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Triggered Journals with Post-Cancellation Access

■ CLOCKSS

Annals of Clinical Psychiatry Volume 16 CLOCKSS Manifest Page

- [Volume 16 Issue 1](#)
- [Volume 16 Issue 2](#)
- [Volume 16 Issue 3](#)
- [Volume 16 Issue 4](#)



 Taylor & Francis

Journal Title: *Annals of Clinical Psychiatry* | Vol: 16 | Issue: 1 | Year: 2004
Print ISSN: 1040-1237 | Online ISSN: 1547-3325

[Editorial](#)

DONALD W. BLACK M.D.

pages: 1 - 1

[Abstract](#)
[PDF](#)
[Full Text](#)

- DOI: 10.1080/10401230490281123
- Version of record first published: 2004


[Impulse Control Disorders: Clinical Characteristics and Pharmacological Management](#)

JON E. GRANT J.D. M.D.
MARC N. POTENZA PH.D., M.D.

pages: 27 - 34

1 Unit.

PORTICO

 PORTICO

Access

☒ = Perpetual Access
☐ = Not ingested

[DOWNLOAD HOLDINGS](#)
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Search Publication Titles & :

☒ Journal Titles
☐ Book Titles

ELECTRONIC JOURNALS | **ELECTRONIC BOOKS** | **DIGITIZED COLLECTIONS**

ANNALS OF CLINICAL PSYCHIATRY
Annals of Clinical Psychiatry v. 16, n. 1

Publisher	Taylor & Francis Group
Agreement Name	Taylor and Francis Group, Journals Division, a subsidiary
PCA allowed	Yes
Identifiers	ISSN 15473325, 10401237 Portico Journal ID ISSN_10401237

Table of Contents

Editorial
Donald W. Black
Annals of Clinical Psychiatry v. 16, n. 1 (January 2004): 1-1
DOI: 10.1080/10401230490281122
Portico Content Set: ISSN_10401237, (Taylor & Francis Group)
ISSN: 15473325, 10401237
Portico Item ID: ark:/27927/pf1m9k693x
[PDF](#) | [Additional Information](#)

Atypical Antipsychotics in the Treatment of Affective Symptoms: A Review
Prakash S. Masand
Annals of Clinical Psychiatry v. 16, n. 1 (January 2004): 3-13
DOI: 10.1080/10401230490281410
Portico Content Set: ISSN_10401237, (Taylor & Francis Group)
ISSN: 15473325, 10401237
Portico Item ID: ark:/27927/pf1m9k682c
[PDF](#) | [Additional Information](#)



But –

(✓)Ejournals and Ebooks from major providers

- There are gaps in archived holdings
- Third-party post-cancellation access is more established for journals than for ebooks
- Uncertainty about fees post-cancellation
 - Modest maintenance fees are to be expected if a current subscription ceases
- Content does still disappear unpredictably
- And this is the easy stuff!



Preservation coverage of the scholarly ejournal literature

2013 ALPSP survey:

- Nearly a fifth (18%) of small publishers did not have any archival arrangements for their content

Current Journals	Publishers	Journals	%
All publishers / journals*	5000	34,550	
Scholarly - English only*		28,100	
Journals in JCR	650	11,550	
Portico - all journal titles (incl. archival)	343	23,641	
Portico - current journals only (estimated)		~16,000	46%
CLOCKSS***		16,060	46%

* 5000 publisher count from Scopus; journal counts from Ulrichs (2015 STM Report)

** Journals represented in JCR (2015 STM Report)

***Currency assumed



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Committed Content may not yet be deposited



PORTICO

Dashboard

71% Journals Preserved

1,794,465 out of the 2,521,070 journal issues committed are preserved in Portico.

59% Books Preserved

378,612 out of 636,953 committed books are preserved in Portico.

82% Digitized Primary Source Collections Preserved

115 out of 140 committed collections are preserved in Portico.

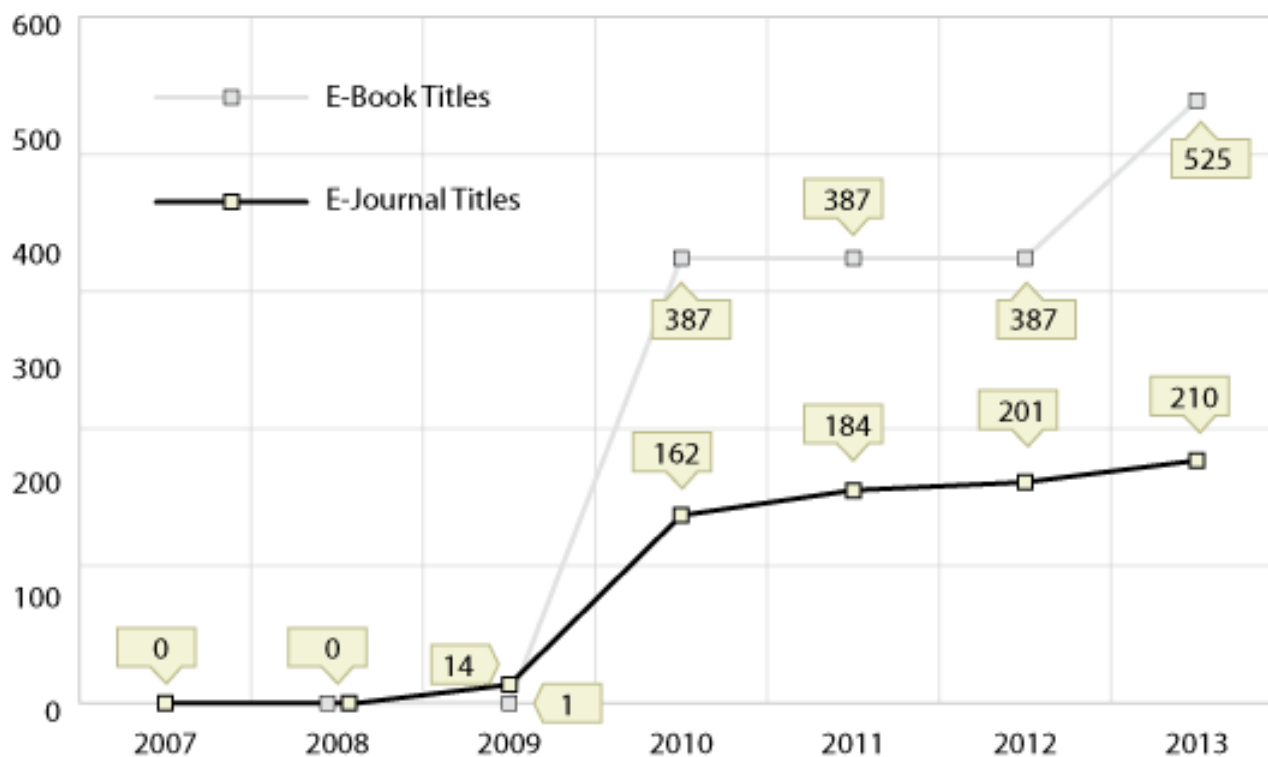
As of 12-Jan-2016

UC Audit: only 50% of the issues to which UC currently has access via the publishers' sites were actually deposited



Perpetual Access Claims in Portico

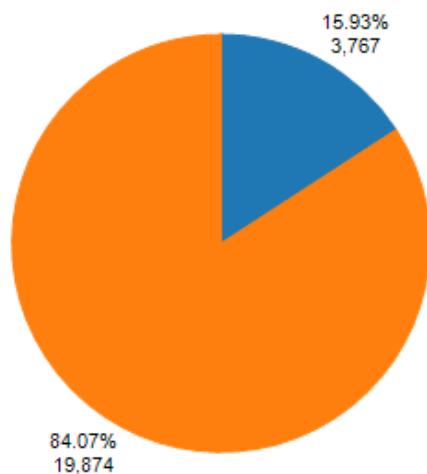
Number of perpetual access claims by year



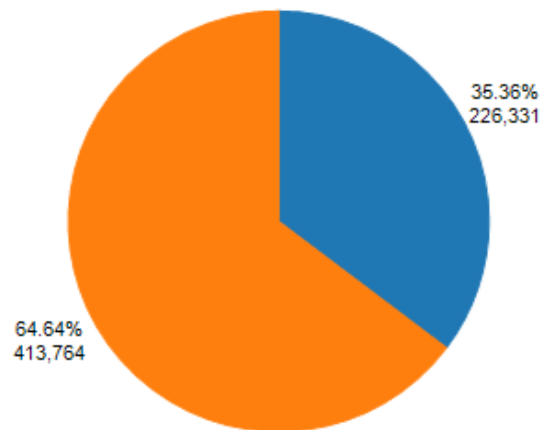


Portico Post-Cancellation Access

Journals that allow PCA claims



Books that allow PCA claims



Has Pca
■ No
■ Yes



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The Keepers Registry

Supporting long-term access to journal content

[Home](#) | [Journals](#) | [Publishers](#) | [Archiving Agencies](#) | [Member Services](#) | [FAQ](#) | [About](#) | [Help](#)

About The Keepers Registry

- ↓ [Introduction](#)
- ↓ [Terms and Conditions of Use](#)
- ↓ [Contact details](#)
- ↓ [Acknowledgements](#)

A useful tool for monitoring global
archive status for ejournals

Introduction

The Keepers Registry acts as a global monitor on the archiving arrangements for electronic journals.

2.	African journal of ecology	1365-2028 (Online); 0141-6707 (Print)	John Wiley & Sons, Inc.	Archived: v. 4, 21, 35-36, 44-45, 47-53(present)	CLOCKSS Archive
			Blackwell Publishing Ltd	Archived: v. 44-45	e-Depot
			John Wiley & Sons, Inc.	Archived: 1966 - v. 4 , 1983 - v. 21 , 1998 - v. 36 , 2006 - v. 44 , 2012 - v. 50 , 2013 - v. 51 , 2014 - v. 52 , 2015 - v. 53	Portico
			Wiley	Archived: v. 1-53	Scholars Portal



Some positive stories

K-Theory

- Portico actively worked to resolve a journal rights dispute that was preventing triggered access

CDL local post-cancellation access to ebooks

- Two publishers with which we terminated licenses
- Each was very cooperative in providing ebook copies and metadata for local loading
 - In one case, continued access would have been possible on the vendor platform, but at very high ongoing cost
 - Compare with “Cost of Keeping a Book” (Courant / Nielsen)
 - \$1.00-\$4.25 annually for print
 - \$0.15 - \$0.40 for electronic (via HathiTrust) – (storage costs only)



How are we doing with other content?

✗ One-time purchase products

- Licenses may provide for archival copies of content on request, but content formats may be variable and difficult to archive locally
- Custom interfaces may be integral to the value of the product
 - cost to provide alternative access may be significant (or may not even be possible without significant degradation)
- Content changes hands less frequently, but business continuity is a major long-term risk
- Few third-party archiving arrangements exist to guard against business failure
- Maintenance fees cover ongoing access, but the magnitude of these fees when many products are licensed from a given provider can be a source of contention – desirable to cap fees when they reach a certain level



How are we doing with other content?

✗ Integrating Resources: Encyclopedias, I&A databases...

- Challenging to obtain perpetual or archival rights due to continuous updating
- Archival copies would have to be periodic snapshots (e or print?)
 - More common in the CD-ROM era than it is today
- Custom interfaces may be integral to the value of some products
- Few if any third-party archiving arrangements exist to guard against business failure
- Ongoing subscriptions as only means for continuing access



How are we doing with other content?

Non-vended content: Web archives, born digital, locally-digitized material...

- Rely on both local and cooperative, community-driven solutions
- Institutional / consortial repositories
- Meta-archive
- DPN (Digital Preservation Network)
- HathiTrust
- Internet Archive
- ...



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Strategies

- Be insistent about perpetual rights license language for vended content
 - We continue to negotiate these provisions anew year after year
- LibLicense Model Agreement is a good model



LibLicense Model Agreement

<http://liblicense.crl.edu/licensing-information/model-license/>

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8.3 Third Party Archiving Services. Licensor and Licensee acknowledge that either party may engage the services of third-party trusted archives and/or participate in collaborative archiving endeavors to exercise Licensee's rights under this section of the Agreement. Licensor agrees to cooperate with such archiving entities and/or initiatives



Strategies

- Advocate with providers for your 3rd-party archiving and post-cancellation access solutions of choice – make this part of your negotiation discussions
- Pursue solutions when problems arise
 - Collaboratively load content not archived elsewhere for post-cancellation access? - not every library will have the ability to mount orphaned content locally
- Monitor archiving status of licensed content
- Newer / more problematic formats – we have ignored these for too long and need to explore new solutions
- Pursue local and collaborative archiving solutions for non-vended content



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We have many issues before us,
and many new opportunities for
collaborative action:

Let's Get to Work!



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Questions & comments

Please join us for a discussion with our presenters.
Submit your questions and comments in the chat box.



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Upcoming CRL events

Collections Forum: @Risk—Stewardship, Due Diligence, and the Future of Print **April 14-15, Chicago**

Following CRL's annual Council of Voting Members meeting in Chicago; this Forum is open to all staff from CRL libraries. CRL's print archiving analysis data and presentations by leaders in the field will provide the basis for blueprinting a North American cooperative agenda on collections and preservation.

Visit www.crl.edu/events to register



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For More Information

- Fill out our follow-up survey at <http://www.surveymonkey.com/r/CRLWebinarFollowup>
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