

May 24, 2021

Since releasing NERL's statement calling for a [Better Deal](#) on March 3rd, library colleagues from across the preeminent research institutions comprising NERL have worked to identify the opportunities to advocate for and manifest the [five NERL values](#) in consortial negotiations. Those values -- **Transparency, Sustainability, Equity, Reproducibility, and Flexibility** -- will be prioritized in our forthcoming deals. The Preferred Deal Elements (PDE) highlighted in the chart below map directly to NERL's values and will scaffold and support the five major negotiations underway this year, including Elsevier, SpringerNature, Oxford University Press, The Economist/EIU, and CAS. Please note that the Preferred Deal Elements may differ slightly by publisher depending on the type of resources offered. We acknowledge that not all Preferred Deal Elements will be achieved in any single deal. **However, we expect that some should be present in most.**

We share these deal elements to support the work of other libraries and consortia who are grappling with questions like "What would equity look like in a license agreement?" and we are eager for feedback. We also share them to invite vendors and publishers to expand our collective understanding of what a deal can and should be, arriving together at solutions that serve our shared research communities. As we continue to own and demonstrate NERL's commitment to transparency, we will share learning and outcomes from our co-creative processes with vendors and publishers. We want to work together-- avoiding adversarial framings and entrenched philosophies to succeed together. We believe the Better Deal is possible.

If you are interested in discussing our Preferred Deal Elements, please contact NERL Director [Christine Stamison](#). **We want to work with vendors and publishers to help develop and deliver subscription agreements that help us all achieve what is most important to all our missions-- access to knowledge.**

<b>Category</b>	<b>Preferred Deal Element</b>	<b>NERL Core Value</b>
Fees	Discounts to match market standards and real cost	Equity
	Rational pricing year to year, literal rather than "rebalanced"	Sustainability, Transparency, Flexibility
	Total spend considerations	Sustainability
	Simpler cost model	Transparency
Term	3 Year Max-- the longer the term, the deeper the discount	Sustainability
	No confidentiality or non-disclosure clause	Flexibility, Transparency
	Data Privacy	Transparency
	Accessibility (current standard)	Equity
	Commitment to DEI	Equity
Opt-In	Open to any NERL Core member	Sustainability
Open Access:	Green: Eliminates NERL Author Embargo Period; Immediate Deposit in Disciplinary Repositories, Institutional Repositories, and Personal Websites	Sustainability, Equity
	Flip: Flip journals to open where 60%+ authors are NERL Authors	Sustainability, Equity
	Gold: Full Off-Setting or publisher-tracked discount	Sustainability, Equity
	Perpetual Access = Open Access Backfile: Flip all backfile content with moving wall to Open Access	Sustainability, Flexibility, Equity
Authorized Uses	Whole book ILL	Sustainability
	Text and data-mining	Reproducibility
	Unrestricted ILL	Sustainability
Author Rights	First Public Right rather than all copyright	Sustainability
	Eliminate APC charges	Sustainability, Flexibility
Content	No loss of content	Transparency