September 10, 2008

The Honorable John Conyers
2426 Rayburn House Office Building
Washington, DC 20515

The Honorable Darrell Issa
211 Cannon House Office Building
Washington, DC 20515

The Honorable Robert Wexler
2241 Rayburn House Office Building
Washington, DC 20515

The Honorable Tom Feeney
323 Cannon House Office Building
Washington, DC 20515


On behalf of the publisher members of the Professional and Scholarly Publishing division of the Association of American Publishers, the DC Principles Coalition, and other leading publishers, we are writing to express our strong support for your sponsorship of H.R. 6845, The Fair Copyright in Research Works Act. This important legislation will help ensure that the federal government does not diminish copyright protections for peer reviewed articles and the unique publications in which they appear. Both are the result of significant value-added contributions from private-sector publishers.

Non-profit and commercial publishers invest hundreds of millions of dollars every year in the peer review, editing, disseminating, and archiving of scholarly articles, as well in creating unique journal identities on which researchers and funders alike rely to make critically important personal and professional judgments. Peer review, which ensures the quality and integrity of research articles, is at the heart of this process and scientific communication. Copyright provides the essential incentives for publishers to continue to invest and innovate in peer review publishing and the development and continuation of unique journal identities. It is critical to our ability to recoup our investments.

A recent congressional mandate at the National Institutes of Health (NIH) forces publishers to surrender their copyrighted scientific journal articles for free public access twelve months after publication and sets a dangerous precedent. This mandate in effect reduces copyright protection for this important class of works to only one year. The Fair Copyright in Research Works Act rightly prevents the government from imposing mandates that diminish copyright protection for private-sector, value-added research articles.
We firmly support broad access to the results of publicly funded research as currently being implemented by the National Science Foundation where access is provided to government-funded research in a way that does not diminish copyright. The Fair Copyright in Research Works Act will allow the government to disseminate research results, while ensuring that copyright protections in private-sector research works are not weakened and that a healthy private publishing sector continues to complement the research enterprise by providing the services that are essential to the advancement of science and knowledge.

Again, we thank you for your support and leadership on this important issue. We look forward to working with you and the other members of the Judiciary Committee to secure the passage of The Fair Copyright in Research Works Act.

Sincerely,

Acoustical Society of America
American Academy of Pediatrics
American Association for Cancer Research
American Association for Dental Research
American Association of Anatomists
American Association of Immunologists
American Association of Physicists in Medicine
American Association of Physics Teachers
American Astronomical Society
American Chemical Society
American College of Clinical Pharmacology
American Dairy Science Association
American Dental Association
American Institute of Physics
American Physiological Society
American Psychological Association
American Radiological Association of North America
American Registry of Professional Animal Scientists
American Society for Investigative Pathology
American Society for Nutrition
American Society of Agronomy
American Society of Animal Science
American Society of Human Genetics
Association for Research in Vision and Ophthalmology
AVS: Science & Technology of Materials, Interfaces, and Processing
Crop Science Society of America
Elsevier
Human Factors and Ergonomics Society
International Association for Dental Research
John Wiley and Sons
Lynne Reinner Publishers, Inc.
Optical Society of America
Together, these publishers publish more than 6000 professional and scholarly journals

c: Members of the House Judiciary Subcommittee on Courts, the Internet, and Intellectual Property