

January 15, 2018

Dear Member of Congress:

We, the undersigned organizations involved in scholarly communication, write in opposition to the “Fair Access to Science and Technology Research Act of 2017” (S. 1701/H.R. 3427). These bills are unnecessary, counterproductive, and would significantly harm the system of peer-reviewed scholarly communication that supports science, scholarship, and innovation. They would reduce the ability of publishers to invest in education, research, and digital platforms that advance and help ensure the quality and integrity of science and discovery.

Publishers support the public’s ability to search, access, and review journal articles that report on government-funded research, and they have worked for many years to provide wide access to the articles they publish. Our organizations work with researchers, physicians, and other practitioners, as well as federal agencies, libraries, and others involved in supporting science and the scholarly record to improve the impact of research and enable the communication of research. We seek to continue to work collaboratively with Congress, the Administration, and the responsible federal agencies to develop a coordinated approach to public access that respects the diverse needs of the scholarly community.

S. 1701 and H.R. 3427 are unnecessary and counterproductive because science funding agencies are already implementing public access plans to promote free access to articles reporting on federally funded research, as previously directed by Congress in the America COMPETES Act of 2010 and implemented under a 2013 directive from the White House Office of Science and Technology Policy. The legislation would impose significant new and harmful regulatory requirements, requiring agencies to restart their processes and delaying implementation. Therefore, these bills could in fact undermine the very goals they seek to advance.

Under the legislation’s inflexible mandates, restrictive license terms, and an unrealistic limit on opportunities to recoup their investments, many scientific societies and other scholarly publishers would be unable to continue the work we do to advance science, health, and innovation. This work includes managing the peer review process, revision, and copyediting; preparing manuscripts; creating extensive links to related research; providing electronic and print distribution; and ensuring discovery and deposit into long-term archives. Not only could it be devastating to the integrity of the scholarly record, it would also negatively impact jobs throughout the scholarly publishing ecosystem.

We urge you to oppose these bills and instead to focus on providing oversight to agency regulations and the implementation of existing agency plans to ensure they best support American strength in discovery and innovation, and the system of scholarly communication upon which that innovation depends.

Sincerely yours,

*AIP Publishing*

*Alliance of Crop, Soil, and Environmental  
Science Societies (ACSESS)*

*American Anthropological Association*

*American Association for Cancer Research*

*American Association for Dental Research*

*American Association of Anatomists*

*American Association of Immunologists*

*American Astronomical Society*

*American College of Cardiology (ACC)*

*American College of Physicians*

*American College of Rheumatology*

*American College of Veterinary Radiology*

*American Dairy Science Association*

*American Dental Association (ADA)*  
*American Geophysical Union*  
*American Geriatrics Society*  
*American Institute of Aeronautics and Astronautics (AIAA)*  
*American Institute of Chemical Engineers (AIChE)*  
*American Institute of Physics*  
*American Mathematical Society*  
*American Meteorological Society*  
*American Oil Chemists' Society (AOCS)*  
*American Physiological Society*  
*American Society for Laser Medicine and Surgery, Inc.*  
*American Society of Agricultural and Biological Engineers (ASABE)*  
*American Society of Agronomy*  
*American Society of Cataract and Refractive Surgery (ASCRS)*  
*American Society of Civil Engineers (ASCE)*  
*American Society of Cytopathology (ASC)*  
*American Society of Hematology (ASH)*  
*American Society of Plant Biologists*  
*American Society of Plant Taxonomists*  
*American Society of Transplant Surgeons*  
*American Society of Transplantation*  
*American Speech-Language-Hearing Association*  
*ASME*  
*Association for Public Policy Analysis and Management*  
*Association for the Sciences of Limnology and Oceanography*  
*Association of American Publishers (AAP)*  
*Association of Learned and Professional Society Publishers (ALPSP)*  
*Berghahn Books*  
*Brill*  
*Common Ground Research Networks*  
*Content Ed Net LLC*  
*Crop Science Society of America*  
*Ecological Society of America*  
*Elsevier*  
*Emerald Group Publishing*  
*FirstForum Press*  
*GeoScienceWorld*  
*Hogrefe Publishing Corp*  
*Human Factors and Ergonomics Society*  
*Human Kinetics*  
*IEEE*  
*Illuminating Engineering Society*  
*Institute of Industrial and Systems Engineers (IISE)*  
*Institute of Public Administration of Canada*  
*Institution of Agricultural Engineers*  
*International Association for Dental Research*  
*International Association of Scientific, Technical, and Medical Publishers (STM)*  
*Kumarian Press*  
*Lynne Rienner Publishers, Inc.*  
*McGraw-Hill Education*  
*National Kidney Foundation*  
*The Optical Society (OSA)*  
*Silverchair*  
*SLACK Incorporated*  
*Society of Cardiovascular Computed Tomography*  
*Society of Nuclear Medicine and Molecular Imaging (SNMMI)*  
*Software and Information Industry Association (SIIA)*  
*Soil Science Society of America*  
*Springer Nature*  
*Springer Publishing Company*  
*Taylor & Francis*  
*The Independent Institute*  
*Thieme Publishers*  
*Wiley*  
*Wolters Kluwer*

# Publishers Support Balanced Public Access Regulations

The scholarly publishing sector is a pillar of America's global competitiveness and economic growth. Scholarly publishers support almost 40,000 jobs across the United States and provide researchers, engineers, physicians and other professionals with both the information and distribution outlets they need to make and announce discoveries that advance knowledge, create innovative new products and services, and improve medical care.

Scholarly publishers provide broad access to high-quality peer-reviewed scholarly articles, preserve the integrity of the scholarly record and enable the necessary investments in the dissemination of knowledge to help advance science, scholarship and innovation. Our ongoing support of public access includes several initiatives and public-private partnerships launched by publishers that improve access to and the discoverability of content. These include CHORUS ([www.chorusaccess.org](http://www.chorusaccess.org)), Crossref ([www.crossref.org](http://www.crossref.org)), ORCID ([www.orcid.org](http://www.orcid.org)), and others.

Scholarly publishers support public access policies to make articles that report on taxpayer-funded research widely available and discoverable in a manner that:

- Supports academic freedom by empowering authors to publish in journals they feel have greatest potential to reach target audiences and advance their area of research;
- Preserves the maximum possible funding for research, rather than diverting resources to duplicative infrastructure or burdensome compliance mechanisms;
- Protects intellectual property rights, which enable publishers to sustainably invest in and disseminate peer-reviewed literature and export worldwide;
- Fosters partnerships between the research community, librarians, agencies and other stakeholders to advance scholarship in order to drive innovation and progress;
- Respects the needs of different research communities and disciplines through appropriate and flexible evidence-driven public access policies (e.g., variable embargo periods); and
- Facilitates the continuing development of a competitive marketplace and sustainable business models.

Public access regulations must be balanced to expand access without burdening researchers or undermining the research publishing enterprise. We cannot support public access policies that:

- Are economically unsustainable, undermining market-driven innovation or the quality and integrity of scholarly research;
- Prevent federal agencies from entering into public-private partnerships and flexibly adapting to changing technologies and academic practices;
- Contain one-size-fits-all post-publication embargoes that do not rely upon evidence or account for differences between and among academic disciplines; or
- Contain licensing restrictions that effectively diminish the value of intellectual property rights, including by way of compulsory open license policies or other requirements that undermine basic copyright principles.

High-quality, peer-reviewed scholarly communication is essential to U.S. growth, innovation, and economic strength. Scholarly publishers urge continued support for flexible, evidence-based agency policymaking that will ensure the continued integrity and availability of the scholarly and scientific record. We urge the rejection of untested and rigid policy mandates lacking the evidence necessary to prevent unintended negative consequences for science and scholarly communication.

**The following have endorsed the statement of support for balanced public access regulations:**

AIP Publishing  
Alliance of Crop, Soil, and Environmental Science Societies (ACSESS)  
American Anthropological Association  
American Association for Cancer Research  
American Association for Dental Research  
American Association of Anatomists  
American Association of Immunologists  
American Astronomical Society  
American Chemical Society  
American College of Cardiology (ACC)  
American College of Physicians  
American College of Rheumatology  
American College of Veterinary Radiology  
American Dairy Science Association  
American Dental Association (ADA)  
American Geophysical Union  
American Geriatrics Society  
American Institute of Aeronautics and Astronautics (AIAA)  
American Institute of Chemical Engineers (AIChE)  
American Institute of Physics  
American Mathematical Society  
American Meteorological Society  
American Oil Chemists' Society (AOCS)  
American Physiological Society  
American Society for Laser Medicine and Surgery, Inc.  
American Society of Agricultural and Biological Engineers (ASABE)  
American Society of Agronomy  
American Society of Cataract and Refractive Surgery (ASCRS)  
American Society of Civil Engineers (ASCE)  
American Society of Hematology (ASH)  
American Society of Plant Biologists  
American Society of Plant Taxonomists  
American Society of Transplant Surgeons  
American Society of Transplantation  
American Speech-Language-Hearing Association  
ASME  
Association for Public Policy Analysis and Management  
Association for the Sciences of Limnology and Oceanography  
Association of American Publishers (AAP)  
Association of Learned and Professional Society Publishers (ALPSP)  
Berghahn Books  
Brill  
Common Ground Research Networks  
Content Ed Net LLC  
Crop Science Society of America  
Ecological Society of America  
Elsevier  
Emerald Group Publishing  
FirstForum Press  
GeoScienceWorld  
Hogrefe Publishing Corp  
Human Factors and Ergonomics Society  
Human Kinetics  
IEEE  
Illuminating Engineering Society  
Institute of Industrial and Systems Engineers (IISE)  
Institute of Public Administration of Canada  
Institution of Agricultural Engineers  
International Association for Dental Research  
International Association of Scientific, Technical, and Medical Publishers (STM)  
Kumarian Press  
Lynne Rienner Publishers, Inc.  
McGraw-Hill Education  
New England Journal of Medicine  
The Optical Society (OSA)  
Rockefeller University Press  
Silverchair  
SLACK Incorporated  
Society of Cardiovascular Computed Tomography  
Society of Nuclear Medicine and Molecular Imaging (SNMMI)  
Society of Toxicology  
Software and Information Industry Association (SIIA)  
Soil Science Society of America  
Springer Nature  
Springer Publishing Company  
Taylor & Francis  
The Independent Institute  
Thieme Publishers  
Wiley  
Wolters Kluwer