



September 27, 2017

Honorable Mitch McConnell  
317 Russell Senate Office Building  
Washington, D.C. 20510

Honorable Charles Schumer  
322 Hart Senate Office Building  
Washington, DC 20510

Dear Majority Leader McConnell and Democratic Leader Schumer:

On behalf of the Copyright Alliance and our members, I write in opposition to S.1701, the Fair Access to Science and Technology Research Act of 2017. The fundamental premise of copyright is that marketable rights in creative and scholarly works enable individuals and companies to create and disseminate those works broadly. By undermining the value of these rights, this bill would drastically reduce the incentive to engage in high-quality scholarly publishing and, consequently, reduce the benefit the public derives from such efforts.

The Copyright Alliance is a non-profit, non-partisan public interest and educational organization representing the copyright interests of over 1.8 million individual creators and over 13,000 organizations in the United States, across the spectrum of copyright disciplines. The Copyright Alliance is dedicated to advocating policies that promote and preserve the value of copyright and to protecting the rights of creators and innovators, including musicians, filmmakers, photographers and publishers. The individual creators and organizations that we represent rely on copyright law to protect their creativity, efforts, and investments in the creation and distribution of new copyrighted works for the public to enjoy.

We fully support public access to raw data that is generated from federally-funded research, and generally support public access policies that engender flexibility, consistent with those outlined by the Office of Science and Technology Policy (OSTP) in 2013. However, we must object to S.1701 because it goes far beyond the OSTP policy by proposing restrictive licensing on final manuscripts of peer-reviewed journal articles that report on federally-funded research. In addition, it also requires that the fully-edited and reviewed journal articles be made freely available no later than twelve months after their publication.

Like other publishers and copyright owners, scholarly publishers play a critical role in creating and distributing new works to the benefit of their audiences, readers, and other users. The value added by scholarly publishers in particular is pivotal in bringing advances in medical and scientific research to the public through the publication—which includes peer review and substantive editing—and distribution of journal articles along with the maintenance of searchable digital repositories and long-term archives. This bill would significantly undermine the ability of these publishers to invest in these important functions, which contribute to the advancement of science, research, and knowledge.



The Copyright Alliance looks forward to working with you and other Senators to ensure that the results of federally-funded research are made broadly accessible to the public in a way that respects and does not undermine the invaluable work of scientific and scholarly publishers.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Kupferschmid', with a long horizontal flourish extending to the right.

Keith Kupferschmid  
Chief Executive Officer  
Copyright Alliance

CC:

Senator Ron Johnson, Chairman, Senate Committee on Homeland Security and Governmental Affairs

Senator Claire McCaskill, Ranking Member, Senate Committee on Homeland Security and Governmental Affairs