

**Martin Frank, Ph.D.**

Executive Director, American  
Physiological Society  
9650 Rockville Pike  
Bethesda, MD 20814-3991  
Tel: (301) 634-7118  
Fax: (301) 634-7241  
Email: [mfrank@the-aps.org](mailto:mfrank@the-aps.org)  
[www.dcprinciples.org](http://www.dcprinciples.org)

**Allan Adler**

VP, Government & Legal Affairs  
Association of American Publishers  
50 F Street, NW, Suite 400  
Washington, DC 20001  
Tel: (202) 220-4544  
Fax: (202) 3473690  
Email: [adler@publishers.org](mailto:adler@publishers.org)  
[www.pspcentral.org](http://www.pspcentral.org)

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

Dear Chairman Conyers, Rep. Issa, Rep. Wexler, and Rep. Feeney:

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

Poultry Science Association  
Protein Science  
Society for Experimental Biology and Medicine  
Society for the Study of Reproduction  
Soil Science Society of America  
Springer Science+Business Media LLC  
The Endocrine Society  
The McGraw-Hill Companies  
The Protein Society  
The Society of Toxicology  
Wolters Kluwer Health

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