

February 19, 2009

H.R. 801 The Fair Copyright in Research Works Act

United States House of Representatives
Committee on the Judiciary
Washington, DC 20515

Dear Representative:

We write on behalf of the Association of American Universities (AAU) and the National Association of State Universities and Land-Grant Colleges (NASULGC) to express our strong support for NIH's PubMed Central and our consequent opposition to H.R. 801, the Fair Copyright in Research Works Act.

The memberships of AAU and NASULGC include the major public and private research universities in the United States. The research and education programs carried out by these universities produce the intellectual talent, scientific and scholarly advances, and innovative capacity that improve the health and well-being of our citizenry and strengthen the economic competitiveness and security of our nation.

Our associations and their member universities have supported NIH's PubMed Central from its outset. PubMed Central provides free public access to accepted manuscripts reporting the results of research funded wholly or in part by NIH 12 months after those results are published in a peer-reviewed journal. Initially, submission of manuscripts to PubMed Central was voluntary, but in light of the low submission rate, Congress made submission mandatory, and our associations supported that decision. We share NIH's view that PubMed Central must operate in a manner that does not constitute a threat to scientific journal publishers, and we believe that the 12-month embargo period between publication of the article and the appearance of the accepted manuscript in PubMed Central provides the necessary protection to publishers. Thus, NIH's current public access policy provides greatly expanded access to the results of research funded by American taxpayers without jeopardizing the important work of scientific journal publishers.

H.R. 801 would eliminate this public benefit provided by NIH and prevent its expansion to other federal agencies. Because PubMed Central operates in a manner that preserves the ability of journal publishers to continue to play their valuable role in the dissemination of new knowledge and discoveries, the only effect of H.R. 801 would be to deprive the public of the benefit of expanded access to the results of federally funded research.

Therefore, we respectfully request that you not support H.R. 801.

Thank you for your consideration of our views.

Sincerely,



John C. Vaughn
Executive Vice President
Association of American Universities



David E. Shulenburg
Vice President for Academic Affairs
National Association of State Universities & Land Grant
Colleges