



January 12, 2012

Office of Science and Technology Policy
725 17th Street, NW
Washington, DC 20502

Re: OSTP Request for Information (RFI): “Public Access to Peer-Reviewed Scholarly Publications Resulting from Federally Funded Research.”

This letter responds to the Request for Information by the Office of Science and Technology Policy (OSTP) on public access policies for access to peer-reviewed scholarly publications resulting from federally funded research.

The Copyright Alliance supports OSTP’s mission to promote a more educated and informed public. Our members are committed to incentivizing the publishing of and broad public access to creative and scholarly works. Our membership includes publishers who contribute to U.S economic growth – particularly in the highly-skilled, well compensated sector of scientific and scholarly research. We feel strongly that the goal of promoting continued cutting-edge research in the U.S. scientific community goes hand in hand with maintaining the rights of copyright owners to determine the best means for disseminating their works so as to ensure continued funding for the value-added work of publishing.

Although we appreciate OSTP’s goals in this RFI, and do not wish to quibble with phrasing unnecessarily, in considering the important policy goals underlying this RFI it is important to distinguish between “federally funded research” which is supported by public funds, on the one hand, and “peer reviewed scholarly publications” which result from significant private investment by publishers, (including conceptualizing and developing journals as a focal point for niche areas of science and knowledge, ensuring the quality and integrity of the journal articles, and investing heavily in the final product and its distribution), on the other. Thus, it is not accurate to characterize peer reviewed scholarly publications as “result[ing] from federally funded research”.

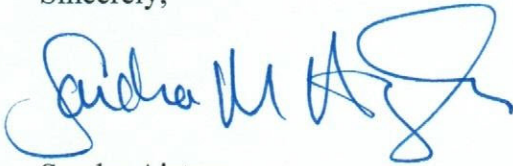
We urge the OSTP to keep this dichotomy in mind as it considers approaches to ensure broader public access to federally funded research. For instance, while it might be appropriate to require free public access to the federally mandated, and detailed, final reports of federally funded research projects, it should not be mandatory for copyrighted peer reviewed journal articles explaining, interpreting and expanding on that research to be made available online without authorization and compensation to the private sector publishers who published them. Such government mandates, in limiting the opportunities for rightsholders to recoup their investments, jeopardize the sustainability of a robust peer-review

publishing system, and limit opportunities for innovation which ensures that U.S. medical and scientific research remains first-rate.

We believe that the best approach to achieving greater public availability is through public/private collaboration with publishers that will result in the broad dissemination of materials that analyze and interpret research. Publishers are already working in partnership with all stakeholders – institutions, scientists, federal agencies, and libraries – to maximize the dissemination of scientific publications, ensure their discoverability, and provide long-term stewardship in order to support the research enterprise. We urge OSTP to help publishers and other stakeholders identify any perceived access gaps through this RFI, and to work collaboratively with stakeholders to develop appropriate means through which to maximize and make even more useful the content made available to audiences seeking it.

We thank you for the opportunity to comment.

Sincerely,



Sandra Aistars
Executive Director
Copyright Alliance