



ASSOCIATION OF
AMERICAN UNIVERSITIES

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PUBLIC AND
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UNIVERSITIES



April 7, 2015

The Honorable John Cornyn
U.S. Senate
517 Hart Senate Office Building
Washington, DC 20510

The Honorable Ron Wyden
U.S. Senate
221 Dirksen Senate Office Bldg.
Washington, DC 20510

Dear Senators Cornyn and Wyden:

We write to express our strong support for the goals of S. 779, the Fair Access to Science and Technology Research Act of 2015 (FASTR), which would make articles resulting from publicly funded scientific research freely available online. The federal government invests substantially in university research - \$39.5 billion in FY 2013 – and that investment has produced tremendous benefits for the nation’s economic competitiveness, national security, and the quality of life of its citizens.

FASTR would reinforce in statute the thoughtful public access policy promulgated by the Office of Science and Technology Policy (OSTP) governing peer-reviewed articles resulting from federally funded research. The highly effective Public Access Policy of the National Institutes of Health (NIH) demonstrates how the development of the Internet and digital technologies have made it possible to dramatically expand access to the results of federally funded research. FASTR would require all federal agencies funding \$100 million or more in extramural research expenditures to create comparable federal research public access policies.

The legislation wisely calls for each agency’s public access policy to provide for free public access to the results of research that it funds and for the long-term preservation of that information. The legislation also provides agencies with the flexibility to establish their own digital repositories or employ other repositories that meet the preceding conditions and are consistent with agency missions. To the extent practicable, we would encourage agencies to follow common procedures for deposition of papers, thereby substantially reducing the complexity and cost of compliance.

Currently, eleven federal agencies provide \$100 million or more in annual research funding to universities and other nonprofit research institutions. If these agencies all build and interconnect public access repositories of the merit-reviewed articles developed from the research they fund, the results of the federal government’s investment in university research could be freely accessed by the public and would provide an extraordinarily valuable, interoperable database of research findings for use by scientists and scholars across all disciplines.

S. 779 includes provisions intended to accommodate the essential work of publishers in developing and disseminating high-quality, merit-reviewed journal articles. The legislation provides for an embargo period of up to six months between the publication of an article in a peer-reviewed journal and the appearance of the final accepted manuscript (or final published version, if permitted) of that article in an agency’s public access repository. Both the embargo period and the required submission of the final accepted manuscript rather than the final published version of the paper recognize the appropriate domain of private sector publishing and the need for subscription journal publishers to recover their real costs.

Indeed, we caution that the six-month embargo provided in FASTR may be too short a period of time for some journal publishers. Accordingly, we respectfully suggest that you amend the embargo provision of FASTR to extend its duration to a maximum of twelve months in line with the OSTP public access policy guidelines and NIH's successful Public Access Policy.

Overall, we believe that FASTR is sound legislation that will expand public access to the results of federally funded research and create the infrastructure to support a growing public-private network of interoperable repositories of research articles and data across all disciplines. Such a network will greatly increase access to and use of new knowledge by scientists and scholars.

We commend you for the introduction of this important legislation and look forward to working with you throughout the legislative process.

Sincerely,



Hunter R. Rawlings III
President
Association of American Universities



Peter McPherson
President
Association of Public and Land-grant Universities