

February 4, 2009

The Honorable John Conyers
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

RE: SIIA Supports H.R. 801, The Fair Copyright in Research Works Act

Dear Chairman Conyers:

On behalf of the Software & Information Industry Association (SIIA), I write in support of H.R.801, *The Fair Copyright in Research Works Act*, and to applaud your leadership in sponsoring this legislation to help ensure that the Federal Government does not erode the copyright protections for peer reviewed articles.

As the principal trade association of the software and digital content industry, the more than 500 members of SIIA develop and market software and electronic content. SIIA members include publishers that invest millions of dollars annually to peer review, edit, disseminate and archive scholarly articles, as well as to create information technology products and services that facilitate the search and retrieval of these important articles. These articles have long been protected under the nation's copyright laws. Such protections are essential for private sector publishers to recoup their investments in research publishing.

SIIA strongly supports 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. However, a recent mandate by the National Institutes of Health requires that publishers' copyrighted scientific journal articles be made available for free public access just twelve months after publication. This mandate eviscerates the copyright protection for these works and creates a significant disincentive for publishers and value-added information providers alike. While federal agencies provide critical funding for much scientific research, they do not fund the peer review and publishing of value-added journal articles on which non-profit and commercial publishers expend substantial resources.

Again, thank you for your leadership in sponsoring H.R. 801, critical legislation to preserve the incentives for continued private sector investment in peer review, publishing and dissemination of value-added information technology products and services.

Sincerely yours,

A handwritten signature in black ink that reads 'Ken Wasch'.

Ken Wasch
President