

Congress of the United States
Washington, DC 20515

February 18, 2020

President Donald J. Trump
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear President Trump:

It has come to our attention that an Executive Order is currently under consideration that would fundamentally alter the landscape for the publication of U.S. medical and scientific research in professional journals. As Members of Congress with a medical background, we write to express our opposition to any changes to the current publication model and request reconsideration of such a monumental shift in how information is made available upon publication.

Requiring publishers to immediately make federally funded medical and scientific discoveries published in their journals freely available to the global market, as has been reported to be the basis of the Executive Order, would undercut the ability of American publishers to recover the investment made in curating and assuring the quality of research content. Currently, free distribution of research findings is subject to a 12-month embargo. While this requirement in and of itself equates to government intervention in the private market, changing the current system by decreasing or eliminating the current 12-month “embargo” would make it difficult, if not impossible, to reasonably invest in publishing these articles for most American publishers. Changes like those reportedly being considered would place increased financial responsibility on the government by diverting research grant funds or additional money to underwrite publication.

With publication as the goal of each researcher, we believe it is imperative to maintain the current system that allows limited federal dollars to be spent directly on the underlying research, rather than the publication of results. Moving forward with the current proposed changes will likely result in a cost shift, placing billions of dollars of burden on taxpayers. Such a policy would undermine American jobs, exports, innovation, and intellectual property resulting in scientific societies ceasing operations or no longer disseminating U.S.-sponsored science that is key to maintaining U.S. leadership in science and technology on the global stage.


As noted above, we learned the Administration is considering changing its policy regarding the private market by forcing the immediate, free distribution of journal articles financed and published by organizations in the private sector, including many non-profits. We believe this would do nothing but nationalize American intellectual property and force the researchers behind that intellectual property to give it away to the rest of the world for free. With strong intellectual property protections included in recent trade negotiations, such a change to the system of

research publication would undermine the hard fought gains you made on behalf of American industry.

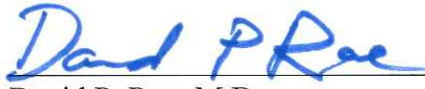
While the medical profession supports “open access” and “open data” as important component parts within a larger framework that allows publisher investments to remain viable, it is important that the Administration maintain strong protections for the private market and allow federal research dollars to flow directly to the researchers and not necessitate the creation of a federal publishing house thereby undermining the free market.

Rather than changing the current, proven and successful model for reporting, curating, and archiving medical and scientific results, we encourage the Administration to engage with a broad array of stakeholders to collaboratively ensure openness and reliability in research and development while protecting limited federal resources. As always, we are ready to work with all interested parties in a forward-looking and constructive manner. We respectfully request that you continue to keep the current policy that proprietary journal articles reporting on federally funded research be made available to the public for free 12 months after publication.

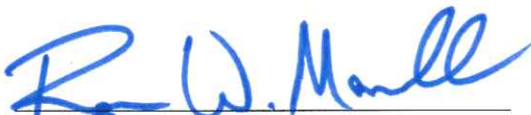
Sincerely,



Brian Babin, D.D.S.
Member of Congress



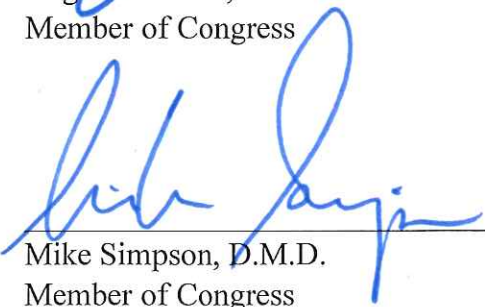
David P. Roe, M.D.
Member of Congress



Roger Marshall, M.D.
Member of Congress



Paul A. Gosar, D.D.S.
Member of Congress



Mike Simpson, D.M.D.
Member of Congress



A. Drew Ferguson, IV, D.M.D.
Member of Congress


Larry Bucshon, M.D.
Member of Congress


Andy Harris, M.D.
Member of Congress

cc:

Joe Grogan, Assistant to the President and Director, Domestic Policy Council
Russell Vought, Director (Acting), Office of Management and Budget
Wilbur Ross, Secretary of Commerce
Kelvin Droegemeier, Director, Office of Science and Technology Policy