



ELECTRONIC FRONTIER FOUNDATION

Protecting Rights and Promoting Freedom on the Electronic Frontier

May 29, 2018

The Honorable Bill Dodd, Chair
Senate Committee on Governmental Organization
1020 N Street, Room 584
Sacramento, CA 95814

Re: AB 2192 (Stone) - SUPPORT

Dear Chair Dodd and Vice-Chair Wilk:

The Electronic Frontier Foundation (EFF) is the leading nonprofit organization defending civil liberties in the digital world. Founded in 1990, EFF champions user privacy, free expression, and innovation through impact litigation, policy analysis, grassroots activism, and technology development. With over 41,000 dues-paying members and well over 1 million followers on social networks, we focus on promoting policies that benefit both creators and users of technology.

We wish to express our full support for Assemblymember Stone's legislation, AB 2192, that seeks to codify that taxpayer funded research ultimately belongs to the taxpaying public. The California Taxpayer Access to Publicly Funded Research Act would continue California's leadership in the United States as a prolific contributor to public knowledge.

Public access to taxpayer funded research is vital to the progress of science, education, and transparency. All knowledge depends on foundational information created by prior research, which allows for future innovations and advancements to occur. More importantly, government research is uniquely important as it often is decoupled from private sector motivations to turn a profit. Rather, publicly funded research is essential as a means to further our general knowledge about the world to the benefit of all people and derivative uses of that information.

EFF recommends the legislature also consider additional ways to ensure that more state-funded research becomes available to the public immediately upon publication, not just within the six-month embargo period the bill permits. In the fast-moving world of scientific research, a six-month embargo can put scientists without access to paid repositories at a severe disadvantage. One way to achieve that goal would be to require that publications be either shared in a public repository upon publication or published in an open access journal, similar to the University of California system's excellent open access policy.

The legislature should also consider incorporating an open licensing requirement. Requiring that papers be shared under an open copyright license—allowing both commercial use and modifications—is the best way to minimize the friction involved with sharing and building upon research.



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Enacting AB 2192, the California legislature will unlock the untold potential of future research that will benefit from the public dissemination of publicly funded work. EFF applauds Assemblymember Stone for introducing the legislation and we ask that the Committee approve the bill.

Sincerely,

Ernesto Falcon
Legislative Counsel
Electronic Frontier Foundation

cc: The Honorable Members of the Senate Committee on Governmental Organization