July 30, 2014

Senator Kevin de León
Chair, Senate Appropriations Committee
California State Capitol, Room 2206
1315 10th St, Sacramento, CA 95814

Re: AB 609 (Nestande) - Concerns

Dear Chairman de León,

The Electronic Frontier Foundation ("EFF) is a non-profit member-supported civil liberties organization based in San Francisco, California, that works to protect rights in the digital world. EFF has more than 30,000 active donors across the country.

We have been strong supporters of AB 609, a bill to make accessible research funded by the California taxpayers. However, we are deeply troubled that the latest version of the bill narrows the scope of the legislation to only cover research funded by the State Department of Public Health.

The initial version of AB 609 applied to all publication stemming from publicly funded research in California. Public access to such publications is crucial not only to doctors, patients, and researchers, but also to educators, students, entrepreneurs, and individuals who can benefit from the state of the art across all disciplines. Public access is quickly becoming the norm, particularly on the federal level with the White House's Office of Science and Technology Policy initiative last year mandating over 20 agencies create and implement public access policies. This initiative extends beyond public health research to cover publications about education, transportation, energy, security, and basic science. We hoped to see California follow this trend.

The current version of AB 609 is a step in the right direction, but an unnecessarily modest one. While we support the bill's intent and are encouraged to see California on its way to being the first state to pass meaningful public access legislation, we urge the bill's sponsors to restore its initial scope, so the public can benefit from the full array of extraordinary work California supports.

Sincerely,

Adi Kamdar
Activist
Electronic Frontier Foundation

Corynne McSherry
Senior Staff Attorney
Electronic Frontier Foundation