



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION

THE ASSISTANT SECRETARY

May 2, 2018

The Honorable Richard Durbin
United States Senate
Washington, D.C. 20510

Dear Senator Durbin:

Thank you for your April 18, 2018 letter to Secretary DeVos regarding the Open Textbooks Pilot included in the Manager's Statement for the Fiscal Year (FY) 2018 Consolidated Appropriations Act (Public Law 115-41). Your letter has been forwarded to the Office of Postsecondary Education, and I am pleased to respond. A copy of this response will be sent to each co-signer of your letter.

We agree that the cost of textbooks comes as a surprise to many students and families. High textbook costs can cause financial hardship for many students, and create an unnecessary barrier to attaining a college education. We are fully supportive of your goals to expand Open Source Textbooks and intend to adhere to the conditions outlined in report language:

- Provide the full \$5 million designated by Congress to the Open Textbooks Pilot;
- Provide grants, through a competitive process, to institutions of higher education for projects that create new open textbooks for use by students in courses that are part of a degree granting program and expand the use of open textbooks in such courses in order to achieve savings for students while maintaining or improving instruction and student learning outcomes;
- Require that any open textbooks created with grant funds be licensed under a nonexclusive, irrevocable license to the public to exercise any of the rights under copyright conditioned only on the requirement that attribution be given as directed by the copyright owner; and
- Give special consideration to projects at institutions of higher education that demonstrate the greatest potential to achieve the highest level of savings for students through sustainable, expanded use of open textbooks in postsecondary courses, especially those with high enrollments, offered by the institution receiving the grant and expand the use of open textbooks at institutions of higher education outside of the institution receiving the grant.

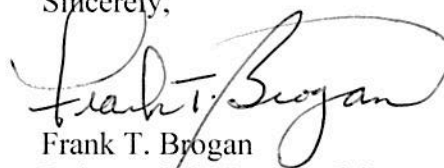
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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Our goal, like yours, is to support the development and dissemination of open source materials to ensure that funded projects consider not only the development of open source textbooks, but also the dissemination of those materials. Without a well-designed dissemination, faculty training and product assessment plan, these resources could end up sitting on the shelf, so to speak, and not providing the full benefit to students.

Thank you for your work on Open Textbooks and your strong interest in the \$5 million dollar Pilot. We have begun developing our Notice Inviting Public Comment and, after publishing the notice and reviewing the responses received, will launch the competition by issuing our Notice Inviting Applications early this summer. If you have any additional questions, please contact the Office of Legislation and Congressional Affairs at (202) 401-0020.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank T. Brogan". The signature is fluid and cursive, with a large initial "F" and "B".

Frank T. Brogan

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Assistant Secretary for Postsecondary Education