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The 2-year preparation of this report has been supported in part by The Ford Foundation.

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LETTERS

Coal Price Regulation

Sunderland's letter about the cost of fuel (18 Apr., p. 204) contains a distressing suggestion that the price of coal be regulated. If one wants to encourage an increase in coal production (which certainly seems to be in the national interest), the surest and quickest way is to permit such production to be as profitable as possible. High profits in relation to the risks involved will attract new capital and vigorous new competition. The resulting increased supply will, through the normal forces of the market, reduce the price of coal.

From the standpoint of the national interest, an even more important result of increasing coal production would be to reduce our dependence on foreign energy, which might even drive down the price of oil. Rather than controlling prices and reducing profitability of coal mining, thus discouraging new investment, our federal energy policy should be directed toward increasing profitability. The entrepreneurs will see to the rest. Besides, who needs another bureaucracy?

K. O. Corley
Monsanto Textiles Company, Post Office Box 12830, Pensacola, Florida 32575

Iranian-American Cooperation

Constance Holden's article (News and Comment, 11 Apr., p. 128) on recently instituted agreements between the Iranian government and several American universities for the establishment of centers for higher education and research in Iran implies that this is a new trend resulting from the upsurge of the oil economy. This is not so. The Shiraz school, referred to in passing in her article, is Pahlavi University, where all teaching has been conducted in English since 1961. At that time, the Shah entered into an agreement with the University of Pennsylvania for the development of a modern, American-type university, with initial emphasis on the colleges of medicine, engineering, and arts and sciences. The site selected was Shiraz, a relatively small, venerated, but modern, city which had the advantages of a previously established university, an adequate water supply, and the presence of Nemazee Hospital, which had just been built on spacious grounds immediately adjacent to the medical school. In addition to several Islamic mosques, Shiraz has a Zoroastrian temple, a synagogue, and a Christian church.

During the first 10 years of the Pahlavi-Pennsylvania contract, there was an extensive exchange of faculty for individual periods of from 6 months to 2 years. Faculty exchange has been reduced as departments at Pahlavi have become manned increasingly by well-qualified Iranians, but it has by no means been terminated. An active exchange program is about to be initiated with Pahlavi's School of Dentistry.

Pahlavi University's progress as a research center extends well beyond what Holden's article implies. For the past 6 years it has hosted an annual International Medical Congress. These have been attended by considerable numbers of physicians from Iran and nearby eastern countries, as well as by sizable representations from Europe and this country. Last fall, Shiraz was selected by the International Brain Research Organization as the site for an international workshop in neurosciences. The condition of the research equipment at Pahlavi is about the same, and can be just as frustrating, anywhere else.

While Iran may still be 70 percent illiterate, just a few years ago the figure was approximately 90 percent. Through a remarkably well-organized program of teaching in the villages, this trend toward literacy will certainly continue. Every encouragement should be given to the currently expanded, but by no means new, programs of Iranian-American educational cooperation. Among other things, Iran can undoubtedly become increasingly a major stabilizing force toward the preservation of peace in the Middle East.

George B. Koelle
Pahlavi-Pennsylvania Academic Advisory Committee, Department of Pharmacology, School of Medicine, University of Pennsylvania, Philadelphia 19174

Copyright and Public Domain Policy

Nicholas Henry's article, "Copyright: Its adequacy in technological societies" (13 Dec. 1974, p. 993) can lead the uninformed and unwary reader into a thicket of misinformation and dubious conclusions. I will comment only on the several inaccuracies in his discussion of the public domain policy—which seems to him to mean public policy on copyright in publications of the U.S. government. (Actually, any published work, whether produced privately or by a public agency, that is not protected by copyright is in the public domain.)

Henry stretches his initial point untenably in asserting that Section 8 of the Copyright Act of 1909 is an outstanding recognition of the inadequacy of copyright in a technological society. Actually, the enactment of that section (which says, "No
copyright shall subsist . . . in any publication of the United States Government”) was a recognition of the fact that a number of government officials had in the past made private profit on privileged publication of government documents. Thus the real purpose of Section 8 was to regulate the morality of public servants.

Henry fails to pinpoint the flaw in Section 8 that has caused so much uncertainty and difficulty through more than six decades—a flaw that has not been corrected to this day. This was the failure of the Act of 1909 to define terms—the failure to state, even generally, what is and what is not a “government publication.” This question has never been clarified, either by subsequent legislation or by court law. In attempting to improve a practical answer, both federal agencies and publishers often have been guilty of inconsistency in policy and practices.

Henry also does not point out that the difference between publishers and certain public-interest advocates is actually quite narrow. The difference is, simply stated, whether or not private copyright should be allowed in a work produced not by, but for, a government agency under a contract or grant and in a situation where the sponsoring agency decides that private publication is in the public interest with reference to the purpose of the contract or grant. This issue has been investigated and debated over and over again in recent years, mainly in connection with the pending copyright revision legislation or with proposed re-form of government procurement policy.

In both connections it was concluded that sponsoring agencies should have discretionary authority to allow private copyright under appropriate terms and conditions.

Specifically, the Senate Committee on the Judiciary report (1) on the pending copyright bill S. 1361 states, “The bill deliberately avoids making any sort of outright, unqualified prohibition against copyright in works prepared under Government contract or grant.” In the same vein, the U.S. Commission on Government Procurement, after a thorough study of the matter in 1971 and 1972, came up with the following official recommendations (2).

RECOMMENDATION 14. Amend or repeal statutes limiting agency flexibility in dealing with the publication of works developed under Government contracts.

RECOMMENDATION 15. Enact legislation giving all agencies authority to acquire private copyrights or interests therein.

One must regret that Henry failed to report these two policy decisions, for they are of much importance to scientists. Sufficient to say that, had Henry’s narrow view of public domain prevailed in the past three decades, scores of works produced under government contracts and grants would never have been published in complete and carefully edited volume form, including such monumental works as the Radiation Laboratory Series and the National Nuclear Energy Series.

After quoting the new ruling of the U.S. Office of Education (USOE) in 1965 on public domain policy, Henry then mini-mizes the fact that this policy was completely reversed a few years later. This was because it was discovered, as publishers had predicted, that no one would publish what anyone and everyone could publish. Further, Henry suggests that the USOE policy statement was addressed to teaching materials, when it was, in fact, concerned with research reports. Henry might also have reported that that short-lived USOE policy was directly contrary to the policies of the National Science Foundation, the Atomic Energy Commission, and several other federal agencies. Thus it was clearly misleading for Henry to imply that the USOE position was the proper one (3).

Henry too quickly jumps to the conclusion that, since publishers have profitably produced a few “instant paperback” editions of a limited number of government publications, such as the Warren Commission’s report, they “hardly seem excluded from profit by the absence of copyright.” Actually, no more than 20 of such mass market editions have been produced in the past 10 years, and several of them were profitless because the demand was oversupplied by too many different editions. Not more than one in 1000 government publications is suitable for this kind of commercial reprinting, and none of them has had professional value to the scientist.

Book publishers solidly support the prohibition of copyright in any publication that is truly a government work, which is to say “a work prepared by an officer or employee of the United States Government as part of his official duties” (4). Hence they solidly support the relevant section of the pending copyright revision bill, which is based on the definition just quoted. This definition, plus the legislative intent as stated in the Senate Judiciary Committee report (quoted above), should go far to remove the uncertainty and confusion that have vexed government officials and publishers for so many years.

Contrary to Henry’s supposition, book publishers do not contend that commercial publication of certain kinds of government-financed works serves public funds because they assume that the Government Printing Office (GPO) operates at a loss. Rather, they argue three points in favor of

ELEMENTS OF RADIATION PROTECTION by Ronald V. Scheele and Jack Wakley, both of the Univ. of Virginia School of Medicine, Charlottesville, Virginia. Information in this textbook includes atomic structure, ionizing radiation, interaction of radiation with matter, sources of radiation exposure, biological manifestation of radiation exposure, permissible dose limits, principles of radiation protection and monitoring devices. Several chapters of the book deal with federal performance standards and Atomic Energy Commission regulations. The material content and mode of presentation are clear and nonmathematical for those students who have little background in physics and mathematics. ’75, 112 pp., 15 il., 10 tables, $7.95, paper.

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