MAJOR REPORT ON PROFESSIONAL WOMEN AND MINORITIES

PROFESSIONAL WOMEN AND MINORITIES—A Manpower Data Resource Service is a comprehensive new study being published by the Scientific Manpower Commission for use by educational institutions, industry, and government. This 320-page publication brings together for the first time virtually all available data on manpower at professional levels with special emphasis on women and minorities in the natural and social sciences, engineering, arts, humanities, education, and the professions.

Published in loose-leaf format with appropriate subject divider tabs, this four-part reference book will include basic information on affirmative action, manpower data in all fields from more than 100 sources, recruitment resources, and an annotated bibliography and cross index. Approximately 400 tables and charts with breakdowns by sex and/or minority status provide data on enrollments; degrees; and on general, academic and federal workforce participation by field and subfield. Each data resource section, arranged by field, is supplemented with textual highlights of the data and lists of specialized recruitment resources for women and minorities in that field. A continuing subscription service will provide semiannual updates and supplementary data.

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

- - - - - - - - - - - - - - - - - - -

Scientific Manpower Commission
1776 Massachusetts Ave., NW
Washington, D.C. 20036

Please enter my order for PROFESSIONAL WOMEN AND MINORITIES—A Manpower Data Resource Service as follows:

_____ copies. Prepublication price (until 1 June 1975), $35.

_____ copies. Postpublication price (after 1 June 1975), $40.

Name _____

Address _____

_____

$ _____ Payment enclosed

_____ Please bill me when the publication is mailed ($1 handling charge)

_____ Please enter my subscription for continuing update service and bill me when the first data sets are sent.

_____ Please notify me when the first set of update pages is available.

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, venerable, 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, as 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 improvise 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 reform 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. Suffice it 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 minimizes 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 saves public funds because they assume that the Government Printing Office (GPO) operates at a loss. Rather, they argue three points in favor of

CHARLES C THOMAS • PUBLISHER

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*

CLINICAL APPLICATIONS OF ZINC METABOLISM *edited by* **Walter J. Pories**, *Case Western Reserve Univ., Cleveland, Ohio;* **William H. Strain**, *Cleveland Metropolitan General Hospital, Cleveland, Ohio;* **Jeng M. Hsu**, *Johns Hopkins Univ., Baltimore, Maryland; and* **Raymond L. Woosley**, *Meyer Laboratories, Ft. Lauderdale, Florida. (44 Contributors)* Topics covered include the role of zinc in protein synthesis, the effects of zinc in man, zinc sulfate therapy in surgical patients, oral zinc sulfate in the management of severely burned patients, and many others. *'75, 320 pp. (6 3/4 x 9 3/4), 79 il., 80 tables, $28.50*

DISEASES TRANSMITTED FROM ANIMALS TO MAN (6th Ed.) *compiled and edited by* **William T. Hubbert**, *Louisiana State University, Baton Rouge;* **William F. McCulloch**, *Univ. of Missouri, Columbia; and* **Paul R. Schnurrenberger**, *Auburn Univ., Auburn, Alabama. (24 Consultants and 68 Contributors)* The format of this Sixth Edition has been revised with emphasis on the ecologic and epidemiologic features of each disease. The text champions the philosophy that effective prevention will eliminate the need for treatment. Anyone interested in the diseases common to man and other animals will find this text an indispensable reference. *'75, 1236 pp. (7 x 10), 45 il., 98 tables, $58.00*

Orders with remittance sent, on approval, postpaid

301-327 EAST LAWRENCE
SPRINGFIELD • ILLINOIS • 62717

commercial publication: (i) that it saves the government all out-of-pocket production costs; (ii) that it usually produces added value to the work through editorial guidance and skills that are not available at the GPO; and (iii) that it produces royalties that are payable to the government or a contracting institution as an offset against the original cost of preparing the work. True, the consumer pays a normal, unsubsidized price for a work so published, but how can this rightly be taken as a "rip off" of the public purse?

Anyone who is interested in reading a review of government policy and practice, plus a statement of the private sector's position on public domain policy, is welcome to a reprint of a paper which I prepared in 1971 for the U.S. Commission on Government Procurement. Requests should be sent to the address below.

CURTIS J. BENJAMIN
McGraw-Hill, Inc., 1221 Avenue of the Americas, New York 10020

References and Notes

1. U.S. Senate, Committee on the Judiciary, *Copyright Law Revision* (Government Printing Office, Washington, D.C., 1974), report No. 93-983 to accompany S. 1361, p. 110.
2. *Report of the Commission on Government Procurement* (Government Printing Office, Washington, D.C., 1972), vol. 4, part 1, chap. 4.
3. See *Fed. Regist.* **40**, 3607, 23 January 1975, for a reaffirmation of the policy of the Department of Health, Education, and Welfare on copyrightable materials developed under Office of Education programs.
4. *Copyright Revision Bill*, S. 1361, section 101.

With respect to Henry's statements about U.S. government publications, the following corrections are necessary.

1) The U.S. government's public domain policy for its publications, as embodied in the 1909 statute, appears to have resulted directly from Congressman Richardson's improper actions in 1900 and not from "policy-makers' cognizance that copyright may be inadequate in a technological society." At that period, western European nations were more technologically advanced than the United States, and none of these nations has yet adopted a public domain policy for government publications.

2) Although Henry states that the Superintendent of Documents does not oversee a losing operation, but makes a profit, the facts are the converse. In fiscal years 1972, 1973, and 1974 there were substantial ($10 to $20 million) deficits in that operation.

It is regrettable that so much U.S. commentary on copyright neglects international factors. This is especially significant with respect to the large outflow of U.S. tax-supported technological information to its foreign trade competitors. The public policy for promoting wide domestic utilization of government-funded information should be compatible with the need for obtaining maximal U.S. advantage internationally. With this broader and more realistic view, the treatment of information as property appears much more acceptable.

WILLIAM T. KNOX
National Technical Information Service, Washington, D.C. 20230

Although my discussion of the public domain policy constituted about one-tenth of my article, I am pleased to respond to the preceding remarks.

Benjamin confuses argumentation with evidence. The fundamental point of my public domain discussion is that public domain is one of several government policies designed to exempt large segments of literature from copyright control because such policies are more in accord with the public's interest. True, agencies have been signaled by Senate Report 93-983 (*1*) that they have a limited degree of discretion in determining the applicability of copyright to publicly sponsored research should S. 1361 be enacted, as Benjamin observes. But Benjamin relates only a fraction of the Senate's signal, for the report (which is among the most recent governmental analyses of copyright) goes on to state (*1*, p. 110) that:

> A more difficult and far-reaching problem is whether the definition [of a work of the U.S. Government] should be broadened to prohibit copyright in works prepared under U.S. Government contract or grants. As the bill [S. 1361] is written, the Government agency concerned could determine in each case whether to allow an independent contractor or grantee to secure copyright in works prepared in whole or in part with the use of Government funds. The . . . public should not be required to pay a "double subsidy," and . . . it is inconsistent to prohibit copyright in works by Government employees while permitting private copyrights in a growing body of works created by persons who are paid with Government funds.

My main concern relative to the public domain policy, as expressed in S. 1361, centers on its definition of "a work of the U.S. Government" (Section 101). To define such a work as one written only by bureaucrats, as Section 101 does, and to exclude by default from that definition works written by scientists and others under government contract, potentially allows roughly 85 percent of federal R & D activities to be controlled by copyright and hence sold for private profit. While Senate Report 93-983 may ameliorate the adverse affects of Section 101, it would be more in the public's interest to define, by law, a work of the U.S. government as one funded primarily with taxpayers' money. Benjamin, as a publisher, may not agree, but the potentiality for "a 'rip off' of the public purse" is indeed there.

Knox may be correct that Congressman Richardson's literary shenanigans at the turn of the century provided the overt impetus for a public domain clause in our Copyright Act. Nevertheless, it evidently was assumed by policy-makers of the period that a public domain policy was understood—a reiteration of the obvious. This commitment would seem to be the real point; that is, that American legislators believe and have believed public domain to be a valid and major exception to the copyright concept.

NICHOLAS L. HENRY
Center for Public Affairs, Arizona State University, Tempe 85281

References

1. U.S. Senate, Committee on the Judiciary, *Copyright Law Revision* (Government Printing Office, Washington, D.C., 1974), Report No. 93-983 to accompany S. 1361.

Quantifiable Quality

George Basalla's review (24 Jan., p. 248) of *Zen and the Art of Motorcycle Maintenance* (*1*) contains a phrase which brought me up short. He writes that in a factory situation "Quality [meaning excellence, worth, goodness] has been distorted into quality control which is concerned with maintaining the barest minimum standards, not the highest ones." As Dagwood said about one of Blondie's pronouncements, "That makes a lot of sense if you don't think about it." But let's think about it.

Quality control is a unified engineering discipline which uses procedures based on mathematical statistics. One of its objectives is to establish and maintain as uniform a quality of product as is economically feasible. When a process is in "statistical control," its output is quantitatively predictable; one knows how the output will compare to a given specification. Rather than being "concerned with maintaining the barest minimum standard" (of workmanship), quality control procedures operate to protect the output from being degraded by sloppy work.

Let us exult in the fact that quality can be quantified, measured, and controlled. Had the reviewer written, ". . . has been distorted into a practice which is concerned with . . . ," he would have made his point. However, that practice is not quality control.

LLOYD S. NELSON
7001 Bedford Lane, Louisville, Kentucky 40222

References

1. R. M. Pirig, *Zen and the Art of Motorcycle Maintenance* (Morrow, New York, 1974).