ELECTRONIC PUBLISHING: ISSUES AND CONCERNS

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ABSTRACT

The article first introduces the capability of information technology. It then reviews and highlights three major issues related to electronic publishing: U. S. federal government regulations and policies, survival of information, and online service fees. Access to government information and intellectual property issues including authorship and copyright law are discussed. Concern about losing electronic data and cutting out information services by commercial companies is also reviewed. Finally, the debate concerning whether to charge or not to charge users for online information services is explored.

INTRODUCTION

Recently, the United States government has taken the initiative to support the development of the National Research and Education Network (NREN). As expected, NREN will link together thousands of campuses and research laboratories, providing its users with high-speed access to enormous resources of computing power and enabling them to exchange huge quantities of computerized information. Its transmission speed is projected to reach 3-gigabits per second by 1996. The current state-of-the-art capability is 1.5 million bits per second, a speed capable of sending about fifty pages of text per second.

When the 3-gigabits per second speed is realized, NREN will

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be able to transmit 100,000 typed pages, or the text of an entire set of *Encyclopedia Britannica*, in a second. In addition to bibliographic data, NREN will be able to transmit three-dimensional x-rays, CAT scans, satellite photographs, etc.¹² This speed and capacity will make it possible to transfer the information contained in a library to anywhere in a few minutes if no interference of human bureaucracy.

The advancement of the magic information technology will indeed facilitate electronic publishing and access to information whenever and wherever it is needed. Arising with the new technology, however, are a variety of economic and legal issues and social concerns. Jerry Borrell,³ Karl W. Brimmer,⁴ David Peyton,⁵ Richard M. Neustadt,⁶ Neustadt, et al.,⁷ Ithiel de Sola Pool,⁸ Frances M. McDonald,⁹ and many other authors have discussed these issues and concerns. This article reviews and summarizes three major issues: (1) federal government regulations and policies, (2) survival of information, and (3) online service fees. It is, however, not intended to argue for or against any position.

**FEDERAL GOVERNMENT REGULATIONS AND POLICIES**

The issues discussed in this area are mostly concerned with accessibility, or freedom, of information, and with intellectual property. In respect to accessibility of information, the American Library Association (ALA) Commission on Freedom and Equality of Access to Information points out five possible barriers which may affect freedom of access to the new media. The barriers are government control or censorship, computer technology, monopoly of information industries, individual ignorance of information sources, and the cost of information.

The Commission is concerned with the issue of whether the electronic transmission of data and texts should be governed by the regulatory requirements of the Federal Communications Act or have untrammeled First Amendment freedom of print protec-
tion. It worries that the recent government deregulatory move-
ment will permit the foreclosure of minority views from the air
because of the nullification of the fairness and equal-time provi-
sions of broadcast regulations and the elimination of must-carry
and public access and leased-channel requirements. It also fears
that "the already painful gap between 'information haves' and
'information have-nots' will be gravely widened." The reason for
the fear is that the already less privileged will become less able to
pay for, will have less computer skills to acquire, and will remain
less aware of the availability of, needed information.¹⁰

At the Federal Library and Information Center Committee's
Third Annual Forum in 1986, the speakers were also concerned
with freedom of access to information. Focusing on Circular
A-130 issued by the Office of Management and Budget (OMB),
they criticized user fees for information, and questioned the issues
of private sector competition and access to information. Harold
C. Relyea, Congressional Research Service Specialist warned that
"freedom of information might be sacrificed in the holy cause of
efficiency, economy, and budget balance." Thomas Giammo,
Associate Director of the General Accounting Office's Information
Management and Technology Division, remarked on the contract-
out files in the Patent and Trademark Office that the PTO's switch
to electronic files

was a 'monster' that denied meaningful electronic information to
the public while giving selected companies that computerized the
files a virtual monopoly to market the information.¹¹

Patricia Schuman, President of Neal-Schuman Publishers and
ecently elected President of the American Library Association,
notes that in making information policy, the frustration is "whether
government information should be treated as an economic
commodity to be sold for profit or as a public good available to
to all citizens."¹² Carolyn M. Gray, Assistant Director of Libraries
at Brandeis University, echoes Schuman's viewpoint that "one of
the issues of policy formation is the traditional economic conflict between equity and efficiency,” and “between the private interests and the public welfare.” For these two different positions, ALA, the Association of Research Libraries (ARL) and other organizations support the position that the public should have equitable open access to government information. However, Information Industry Association, the Association of American Publishers, and other industry groups are in favor of the private sector’s development and dissemination of government information.

The ARL Task Force on Government Information in Electronic Format calls attention to the fact that “electronic government information has not yet been distributed to depository libraries . . .” The Task Force stresses that recent federal policies of privatization of government functions, reduction of government agency budgets, and over-zealous protection of government information will affect public availability of government information. It states:

the full potential of technology is tempered by constrained budgets, controversy about the extent to which the government should spend tax dollars to actively disseminate information, and about the possibility that portions of the population could be left unserved if information is available exclusively in electronic formats. For example, vital data, such as detailed Census findings, are increasingly only available on computer tapes. This means these data cannot be used without certain skills and equipment . . . At the same time that computer technology improves access for some people, access for others is more restricted.

The issues pertaining to intellectual property involve authorship and copyright. One interesting question is who should be credited as the author for volumes created at the Grand Academy of Lagado described in the Gulliver’s Travels by Jonathan Swift: the wired wood engine, the young students employed in operating the machine, or the professor, the inventor of the machine? In the real world, Meredith Merritt has considered Racter, a computer
program, as the main author of a Warner's book generated by the program. The Library of Congress has not, according to the Online Computer Library Center (OCLC) cataloging records, accepted Racter as an author.

In connection with the issue of copyright, the Center for Technology and Administration of the American University sponsored a symposium on automated information systems and copyright law in 1967, and published several papers dealing with copyright issues and the emerging technology. Generally, a work that is fixed in a tangible medium of expression is protected by the federal copyright law. Based on this principle, when the law protects the rights of print publishing, it also protects those of electronic publishing. The problem with electronic publishing, notwithstanding, is that the infringement of copyright law is not easy to detect. Pool raises the issue in one of his publications, stating "in electronic publishing, copying does not require print. One needs simply provide computer access. One prints to read, not to copy."

Ben H. Weil, Consultant of Technical Information Center, and Barbara F. Polansky, Copyright Administrator of the American Chemical Society, mention that although database information is protected by copyright law and contract limitations, ease of use has put a strain on both copyright and contract protection. They further remark that online users can easily download extensive portions of data from databases for free use without detection by suppliers.

SURVIVAL OF INFORMATION

Gordon B. Neavill notes in one of his articles the fact that traditionally libraries have taken the role of preserving recorded knowledge. He questions whether or not information will survive in an electronic society, which relies primarily on commercial systems for storage of information. He says that commercial
Electronic systems are only concerned with the distribution of information in the market-place. They will purge little or no longer demanded scientific or scholarly works. In addition, commercial information systems, like many other enterprises, have risks of bankruptcy; and information stored in electronic means is vulnerable.21

Susan Hills also worries about the possibility of losing data when a commercial firm goes out of business. She points out the fact that there is no agency attempting to catalog and classify the machine-readable information. She also makes a detailed list of archival issues and asks what kind of data should be kept, what will be an edition, etc.22

ONLINE SERVICE FEES

To charge or not to charge users for access to online services is an extended issue of accessibility and freedom of information discussed above. Sheila S. Intner, Professor of Library Science at Simmons College, and Jorge R. Schement, Professor of Library Science at Rutgers University, report that confrontations between fee and free services were touched off when Wisconsin initiated charges for computer searching in public and academic libraries in 1984. In this case, one group of librarians said, “if we don’t charge for the service, we can’t afford to provide it.” Another group countered that “if you charge for online information service, then the people who need it most and who rely on their libraries to obtain it will be cut off from access.”

Intner and Schement continue by stating that the action of OCLC’s copyright of its Online Union Catalog added more fuel to the confrontations. Wisconsin’s libraries were divided into those that have OCLC and those that do not. The “haves” were forbidden by OCLC’s copyright to share data with the “have-nots.” Wisconsin’s Council on Library and Network Development, however, maintained that “public supported agencies and libraries . . .
have a responsibility to make available to other agencies and to the public the information created by their staff.”

Margaret F. Stieg, Professor of Library Science at the University of Alabama, University, remarks that the real issue of fee or free online services is that of paying for information. From a historical perspective, she notes that the fundamental issue of fee vs. free is whether or not the library is a public good. Supporters of free services stand on the ground that public libraries serve political, social, economic, and cultural purposes. Those who favor fees echo the position of the social Darwinists maintaining that “it is inappropriate to subsidize some individuals at the expense of others.”

In reviewing the arguments for and against charging a fee for online reference searches, Dean Burgess, Director of the Portsmouth Public Library, compiles a checklist of reasons for charging fees. He then cites the 1977 ALA Resolution that “charging of fees and levies for information services, including those services using the latest information technology, is discriminatory in public supported libraries. . . .” He further quotes pros and cons on the issues of discrimination and financial questions. In conclusion, the author’s position is that “the library services must be free,” and that “there is a clear benefit to our nation in free service and a clear tradition and a moral imperative for us to supply it.”

As a tradition, it seems that the library community opposes to charge fees for services. Graceanne A. DeCandido reports that ALA, the Medical Library Association, and the Special Libraries Association are among the organizations protesting the Federal Communications Commission’s proposed access charges to enhanced service providers. In reality, Mary Jo Lynch, Director of ALA Office for Research, concludes in a survey that “over 70% of responding libraries charge fees. . . . Almost all university libraries charge fees. . . .”

Moreover, evidence indeed indicates that a discrepancy on the fee issue exists within ALA itself. In spite of the fact that ALA, in principle, supports freedom of access to information, in
actuality, its Reference and Adult Services Division has sponsored a conference and published a book entitled *Dollars and Sense*. Both the conference and the book are practically intended to devise ways and means and to advocate how to charge users for online services. John Berry, Editor-in-Chief of *Library Journal*, reveals in a recent editorial that the ALA’s Planning Committee has proclaimed a new attitude: “fees are not a barrier to library access and service.” In Berry’s opinion, ALA is yielding the principles of librarianship to current practices.

REFERENCES

9. Frances M. McDonald. “Technology, Privacy, and Elec-


17. Meredith Merritt. "Ractor, the Author?" *Library Journal.* 110 (November 1, 1985) 160.


