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The DTIC Experience
Since 1945, the Defense Technical Information Center and its predecessor agencies have served as the Department of Defense (DoD) institutional repository and secondary disseminator of scientific, technical, research and development information. Note the term “secondary disseminator.” DTIC is an aggregator and not the originator, owner or publisher of the information in our collection. It is possible, actually highly likely, that our reports are available from other sources such as the DoD office that sponsored the research or from the contractor or grantee that produced the report.

Starting in 1995, DTIC provided public online access to searchable bibliographic citations for DoD Public Release Technical Reports via its Scientific and Technical Information Network (STINET). Internet technology quickly evolved from “gophers” and Wide Area Information Service (WAIS) to World Wide Web (WWW) browsers and increasingly sophisticated database search engines, computer applications and tools. By 1998, DTIC was linking the bibliographic records to full-text. STINET content was part of the “deep Web” until DTIC implemented the Open Archives Initiative (OAI) protocol in early 2006. OAI allows third party harvesters easy access to DTIC’s content in a variety of formats such as COSATI, MARC, Dublin Core (DC) and HTML using XML technology with links to the digital content using DTIC’s Handle Service. Today DTIC offers free online access to more than 343,000 full-text documents and 1,109,000 citations. This number grows as DTIC adds new documents and digitizes its legacy collection.

DTIC was motivated to expose its content to search engines to provide citizens with free open access to the full-text of DoD public release research reports. In 2002, a techno-savvy entrepreneur saw a money-making opportunity to exploit the DTIC collection by harvesting the citations, making them searchable via WWW search engines and providing the full-text downloaded from DTIC for a fee. Now that the DTIC collection is OAI compliant, the commercial supplier still frequently ranks above DTIC. And sometimes the DTIC citation does not make the list at all.

At this writing, my Google Web search for the DTIC technical report “A Wavelet Analysis of Mining Explosions” ranks the commercial supplier first and a Department of Energy Office of Scientific and Technical Information version (DOE OSTI) second. The DTIC source citation is not listed nor does it appear when searching Google Books or Google Scholar. It does, however, rank first in Google’s US Government Search.

In another example, the results for a Google Web search for the DTIC title “Planetary Defense: Eliminating the Giggle Factor” authored by a National Defense University student, ranks a US Air Force source first and the commercial supplier second. Once again DTIC is not listed. Google Scholar, however, ranks DTIC first above the commercial supplier, but does not list the US Air Force version. In Google’s US Government Search, DTIC ranks second after the US Air Force.

Access vs. Use – What About Copyright?
The adage “consider the source” applies when seeking government information. There are and always have been resellers and packagers of government information who have profited by knowing where and how to get it and then supplying it to others. This is perfectly legal and fills a need. What is not, is when the supplier does not credit the source or misrepresents themselves as the copyright owner and imposes restrictive terms and conditions of use. Even Google Books sometimes adds a copyright watermark to post-1923 public domain government works provided to it by third parties.

No matter how or where one finds government information, once found we need to know what uses we can make of it. E-Government initiatives have overlooked the importance of administrative copyright management metadata in building the Government digital infrastructure. I believe this is attributable to a common misconception that all government information is in the public domain and may be used by anyone, anywhere, anytime without permission, license or royalty payment. The reality is that government information products include a variety of copyrighted and public domain materials. Only government works prepared by officers and employees of the U.S. Government as part of their official duties are not protected by copyright in the U.S. (17 USC §105). Contractors and grantees are not considered Government employees and may hold copyright in works they produce for the Government. The Government also publishes and distributes other third-party copyrighted materials with permission or under license.

Adding to the confusion is another generally-held misconception that a work is in the public domain if it does not have a copyright notice. Although once true, the U.S. Copyright Law was amended in 1989 to automatically grant copyright protection to original works of authorship once fixed in a discernable format (17 USC §102). No formality, registration, or effort on the part of an author is required for a work to be protected. Use of a copyright notice is voluntary. Absent a notice, the burden is on the user to investigate the copyright status of the work.

Typically U.S. Government works have no statement that clearly identifies them as such. The lack of notice creates an element of uncertainty. It may factor into why the Google Books digitization program errs on the side of caution by adding a copyright watermark to U.S. Government works published after 1923 (Note: Works published before 1923 are in the public domain — an easy math computation!). Social networks such as Wikipedia that operate...