

example, we have been told repeatedly and clearly by USOE that each R. & D. Center is expected to achieve a "focus" on some "significant educational problem", but we have never been able to get beyond or beneath these phrases, to discover what is meant by "focus" and by "educational problems". Thus, we actually do not know whether we agree or disagree, a situation obviously provocative of anxiety.

Further, there are some procedural issues effecting the operation of this and other R. & D. Centers which I wish to call to the Committee's attention. Singly, each probably does not merit a good deal of the Committee's time, but together these problems conspire to threaten this Center, at least, with the loss of its most eminent staff members and potential staff members, and to alienate the U.S. Office of Education from the most productive sectors of the American academic community.

First, there is the problem of USOE's new copyright policy, which might best be described as a "on copyright" policy. You undoubtedly know that as of the fall of 1965, all materials stemming from USOE research and development contracts and grants were to be placed in the public domain. Most of my colleagues have no quarrel with the notion that the final products of USOE-supported research should be in the public domain. They do question its *manner of application*. In the first place, USOE has decided that "in-process" materials may not be copyrighted, or otherwise effectively protected from outside and inappropriate exploitation. In-process materials, of course, may be defective materials; they may do the opposite of what their originator intended them to do. With the Congress and other parts of the Department of Health, Education and Welfare currently much-concerned about protecting individual "human subjects" in psychological experiments, it is surprising that the Office of Education appears impervious to the argument that new and experimental curriculum materials, counseling techniques, or computer programs may be harmful at certain stages of their development to the students with whom they are used. Furthermore, it seems that USOE consulted with the textbook publishing industry in developing its new copyright regulations, which is entirely appropriate, but not with the less aggressive, but still important, academic publishing houses, or with the university community. We are far from sure, at the present time, that the typical academic publisher of a book, or of a journal, will accept a manuscript or a monograph which he cannot copyright. But we do know from our local experiences that many top people in research and development will refuse to accept USOE contracts as long as they are prohibited from copyrighting the work which they have produced.

A second procedural difficulty which I want to mention concerns the application of the Federal Reports Act of 1942 to the R. & D. Centers, and to USOE and non-USOE supported research in general. Under this Act, which was instituted during World War II to avoid duplication of efforts and to conserve paper, we are currently required to submit to Washington six copies of all questionnaires and other forms going out to ten or more potential "subjects", for prior approval by an in-house review committee at USOE. In addition to the copies of the questionnaire, we must supply detailed (but under the circumstances, quite justified) information about the study of which the questionnaire is a part, about the numbers of subjects who will complete it, etc. This regulation was only recently brought to bear upon the r & d centers. We are considerably disturbed about the paper work which compliance will entail, and the delays in our research which will be inevitable.

Clearly, the Congress has established that there is a need for greater self-surveillance by the academic community of the research which its members carry out, so as to protect both the privacy and the well-being of all potential subjects. However, the mechanisms of review which the National Institutes of Health of the Public Health Service have recently established seem to us more manageable and appropriate to a mature research community than the present procedures of the Office of Education. I wonder if Congress in 1942, or since, really intended the Federal Reports Act to be applied to outside government con-