

Comment: Mirror, mirror on the Web

It's important to take pride in the fact that information on a government Web site belongs to the public

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Many similarities exist between e-government and e-commerce. Both government and commercial Web sites can provide streamlined and efficient services. Both are available around the clock to harried folks who otherwise would have to take time off work to visit a store or office during normal business hours or hold for "the next available operator."

But e-government sites differ in one crucial respect. The protection of copyrighted material and other intellectual property is a central concern of commercial Web sites, but information on government sites is public property; it can be downloaded, copied, reformatted and redistributed. In fact, that's what government information is all about: It belongs to and can be used by the public.

As e-government grows, agencies must ensure that their Web sites and online services remain a public good — owned by and accountable to the American taxpayer. It seems, however, that some government employees, Webmasters and contractors have not yet accepted the public-interest values that must guide the creation and maintenance of such Web sites.

A recent experience brought this message home. My organization, the Center for Democracy and Technology, offers online resources on a variety of Internet policy issues. Believing in empowering citizens, we post huge quantities of original-source information online. Sometimes we link to this information on other sites, but because pages are likely to move or change, we often copy information, particularly from government sources. This practice is known as "mirroring" and is common on the Web.

Last month I received a call from an incensed government official concerned that we had mirrored a copy of his office's home page. He insisted we had no right to do that and demanded that we take the page down immediately.

We were using the page to illustrate a point about Internet technology, and in such a way that there was no chance of public confusion, so I am not sure what harm could have come from the mirroring. But I do know that this government employee was out of line. By law, the government is not allowed to copyright information. In fact, OMB Circular A-130 states clearly that "agencies should not attempt to exert control over the secondary uses of their information dissemination products."

Although the official was wrong to berate me, I am sure that he had good intentions. His hard work had gone into creating the agency home page, and he did not want to see it mirrored. Yet, unlike the e-commerce world, e-government

practitioners must focus on the information on their site and not on what others are doing with it (short of misrepresentation or fraudulent uses).

Although we used the information to illustrate a policy issue, that need not be the case. Individuals can even legally take government information offline and sell it. This message must especially be impressed on agency contractors who may not share the average government employee's sense of public service.

The goal of e-government is to enhance democracy through citizen involvement in government based on widespread dissemination of information. The Web has enabled agencies to make an unprecedented amount of data available for free. It is ever more important to take pride in the fact that information on a government Web site belongs to the public.

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