



## **Survey of SDOs and Consortia Government access to standards and the standardization process**

NOTE: This document captures all of the questions and answers to ANSI's survey of SDOs and Consortia, which was launched on March 4 and closed on March 18, 2011. Because ANSI promised respondents that their specific responses would be kept confidential, no respondent contact information is given here, and any identifying information has been redacted or edited. These edits have been made in blue for easy identification.

In total, 46 responses to the survey were recorded.

### **Survey Welcome Page**

Welcome!

This survey is intended to capture details about some of the ways that standards developing organizations (SDOs) and consortia are facilitating access by the U.S. government to the voluntary consensus standardization process and to the resulting standards, codes, and guidelines.

The American National Standards Institute (ANSI) is collecting this data as a follow-up item to a discussion at the October meeting of the Organizational Member Forum (OMF), where attendees acknowledged that many organizations have differing approaches and policies surrounding government access to standards. As a representative of your organization, your specific responses will be kept confidential; however, general statistical information about the responses received may be shared. As a result of this survey, ANSI may also reach out to those organizations that demonstrate different approaches across small, medium, and large-sized standards development programs to determine the willingness of these organizations to share information and best practices on these issues with government representatives at future meetings. The goal of these meetings would be to present a broad and balanced view of how the standardization community approaches the increasingly critical issue of government participation in the standards development process and access to standards themselves.

The survey consists of 11 questions and will take approximately 10 minutes to complete. Responses are due by close of business on Friday, March 18. Your participation is greatly appreciated!

## Survey Questions

1. Does your organization currently have government participation in your standards-setting process?			Actions
Yes		39	85%
No		6	13%
Comments: <a href="#">View Responses</a>		7	15%

### Comments:

We do but the quality of representation depends on the individual. Some of the government representatives have been excellent.

Yes, but they don't vote.

We collaborate with government in standards setting process and in promoting REDACTED standards as alternatives to government regulation.

Some state regulators participate on our committees and we have some participation from EPA.

REDACTED is a certification organization that uses standards from several SDOs. We do not write our own standards.

Minimal Energy Star participation.

2. If yes, what methods for access and participation do you offer? Please select all that apply, and add more options in the comment box if applicable.			Actions
In-person meetings		32	80%
Teleconferences		35	88%
Webinars		21	52%
Email / listserv / distribution list		38	95%
Collaborative online authoring tools		12	30%
Online balloting		16	40%
Comment tracking and resolution tools		10	25%
Web-based discussion forums		10	25%
Wikis		3	8%
Social media tools (i.e., Facebook, LinkedIn, Twitter)		8	20%
Other, please specify <a href="#">View Responses</a>		7	18%

### Comments:

SDO website, several government representatives on our steering committee as well as several have been members of our working groups that actually develop the standards

We do not offer alternative or remote means to avoid face-to-face meetings for government agencies.

We have noted that security protocols vary from agency to agency, which hamper interaction. Also, while not currently there, we are looking into secure wiki's, and will be implementing online authoring, online balloting and most of the other items listed.

SDO development activities are conducted through electronic meetings.

Virtual meetings

Comment tracking via excel spreadsheets; staff coordination of standards process

REDACTED currently does "online" balloting via email and will in the coming months be instituting full online balloting via the internet.

3. If your organization permits alternative or remote means of engaging in standards development activities, have you found that this has resulted in increased participation by government stakeholders?		Actions   ▼	
Yes		14	33%
No		10	23%
Uncertain		16	37%
Comments: <a href="#">View Responses</a>		12	28%

*Comments:*

Conference calls, etc.

We do not do this.

It seems to slow down the process

Hard to tell if alternative means have had an impact.

Not sure of the intent of the question.

Consensus Body Activities - remote via postal or UPS delivery

Participation in SDO development activities is based on the individual availability of the SDO members, not on any other factor.

We do not offer alternative or remote means of engaging in standards development activities.

Conference calls are heavily used by all participants but face-to-face meetings are more effective

Varies by project and agency

We don't monitor this

In general we find that the more ways and methods that we provide for participant engagement the easier it is for our committee members to monitor and participate with the technical committee activities.

Does your organization ever provide government agencies, policy makers, or regulators with special access to its standards or codes? Such access could be characterized as “free of charge” or subject to some sort of advance arrangement under special terms or agreements with particular agencies. Please select all that apply for each category in response to this question. The next portion of this survey will offer an opportunity to further describe your organization’s approach.

4. Special access to government agencies, policy makers, and regulators		Actions   ▼	
All of our standards are freely available to government agencies, policy makers, and regulators		13	30%
All of our standards are available via special terms or agreements to government agencies, policy makers, and regulators		11	26%
Some of our standards are freely available to government agencies, policy makers, and regulators		6	14%
Some of our standards are available via special terms or agreements to government agencies, policy makers, and regulators		6	14%
We do not make any special access arrangements for government agencies, policy makers, and regulators		15	35%

5. Special access when a current standard is referenced in regulation

Actions | ▼

We always make current standards that are referenced in regulation freely available		12	31%
We always make current standards that are referenced in regulation available through special terms or agreements		7	18%
We sometimes make current standards that are referenced in regulation freely available		7	18%
We sometimes make current standards that are referenced in regulation available through special terms or agreements		4	10%
We make current standards that are referenced in regulation freely available during the public comment period only		3	8%
We make current standards that are referenced in regulation available through special terms or agreements during the public comment period only		4	10%
We do not make current standards that are referenced in regulation available		7	18%

6. Special access when a superceded or historical standard is referenced in regulation <span style="float: right;">Actions ▾</span>			
We always make superceded or historical standards that are referenced in regulation freely available		7	18%
We always make superceded or historical standards that are referenced in regulation available through special terms or agreements		11	29%
We sometimes make superceded or historical standards that are referenced in regulation freely available		6	16%
We sometimes make superceded or historical standards that are referenced in regulation available through special terms or agreements		5	13%
We make superceded or historical standards that are referenced in regulation freely available during the public comment period only		0	0%
We make superceded or historical standards that are referenced in regulation available through special terms or agreements during the public comment period only		3	8%
We do not make superceded or historical standards that are referenced in regulation available		9	24%

7. ANSI recognizes that the decision to make standards and codes available under special terms or for no charge is one that each SDO or consortium is privileged to make as the owner of the intellectual property (IP) contained in the document, and that there are many factors influencing this business decision. [See the ANSI white paper, "Why Voluntary Consensus Standards Incorporated by Reference into Federal Government Regulations Are Copyright Protected"] In the following open comments field, please describe your organization's stance on this issue. If you do make standards and codes available, either freely or under certain conditions, what factors motivated your organization to make that decision? And if you do not make them available, why not? Actions ▾

[View 39 Responses](#)

**Comments:**

We do not have any standards that are referenced in regulation. All of our standards have been self-funded and we pay all costs including staff, all meetings, teleconferences, etc. Standard development is very expensive and we are a not for profit that is funding the development all on our own so far. We do

need to try and recoup some of the costs with sales of the standard, or we will not be able to sustain the SDO.

The U.S. government right now has more money than anybody else. The Federal budget alone is in excess of \$3 trillion dollars. We have no policy of giving government free standards. Our standards program (like many SDOs) is fighting to break even, and we are not sure of the rationale saying a non-profit organization with a total budget of \$12 million should feel obligated somehow to give free standards to the government with over \$3 trillion in annual funding.

Standards are made available on a case by case basis. Donations to specific agency libraries are also considered.

REDACTED must make its processes and resulting standards available to all stakeholders and regulators in Canada, Mexico and the US.

REDACTED

We feel our standards are not expensive and we allow the purchaser to share copy with others in the immediate organization.

As we do not currently have any standards directly required by a government regulation or code. As with all requests for republication/situations which require our documents, we review each one individually on its own merits, to determine what action, if any is required, and if so, to release part or whole of the standard, or if changes to the pricing or distribution is required.

REDACTED closely guards its intellectual property rights in the sale of its standards in hardcopy and electronic formats. The most important factor is the prevention of unauthorized reproduction of our standards. That is why we will make some of our standards available only under certain conditions that mitigate uncompensated reproduction.

Revenue from sales of standards are necessary for the continued operation of REDACTED.

REDACTED member benefits include unlimited access to currently available REDACTED standards. Non-members pay a nominal fee (normally \$25). Exceptions are granted on case-by-case basis, especially to non-suppliers [relative to the subject of the standard], public and government facility owners, and other end-users who are not REDACTED members. REDACTED's policy is to encourage participation in its standards development program by facility owners (including government) and other users of our standards.

All of the REDACTED standards are available without charge to anyone who wants to download them. We do NOT have earlier editions of any standard.

For the most part, REDACTED sells its ANSI-approved standards to the public (both REDACTED members and nonmembers); REDACTED does not treat members and nonmembers from the government sector any differently from members and nonmembers from the nongovernment sectors. Thus far, given the costs involved in standards development/publication, there has been no compelling reason to change this business model.

We will provide free access to government agencies that seek to reference our standards, however, once referenced, we require a user fee.

When dealing with OSHA offices (both state and federal) many folks at all levels seemed interested, but they just did not have the funds available to obtain standards and other safety materials that would allow an OSHA Health & Safety Inspector to get trained in order to be current on the issue. REDACTED DETAILS. As a small not for profit, we currently provide state health and safety offices with one complimentary copy prior to having to obtain it through purchase. We will also provide copies at no charge during state or local building code update session. One state recently received 20 copies of REDACTED to support their 2011 building code update process.

Our standards are freely available in electronic format to anyone, not just government, via our website.

Our general policy is that we do not distribute our standard(s) free of charge. Members of our REDACTED and SDO team members receive one no-fee copy of the final adopted standard. There are some government representatives on both our REDACTED and on our SDO teams that develop the standard(s). We have never had a request from a government agency for free copies or special terms. Our current policy is that copies of standards are paid for by the requesting party through the ANSI webstore. Our "direct sales" are very limited to special circumstances.

The organization values an open, transparent process and easy access to promote implementation of standards.

Our draft standards are publicly available at a reduced rate during public review. All of our published standards (current/historical) are publicly available through our Store. Government agencies are notified each time a new or revised standard is published and provided complimentary copies so that they/their staff may review and consider for adoption/endorsement.

All REDACTED Standards and Specifications are always freely available to everyone. We believe removing barriers to the Standards documents enables adoption of the Standards.

We offer a 3-day limited waiver for evaluation purposes for all REDACTED Standards, Models, Contracts and Final Actions.

Make available to facilitate building code adoption and enforcement. Sell at low cost to encourage use while providing financial support of standards development process.

We are a not for profit trade organization. We have costs associated with developing standards. Therefore, we pass on costs of standards development to users and specifiers of our standards.

Part of our mission is to lower the government burden in developing and using standards that promote the health, safety and well-being of the general public. We make decisions on a case by case basis with this in mind.

All of our standards are freely available, both current versions and historical versions. We made this decision because we believe we are developing these standards as a service to the industry.

REDACTED reserves the intellectual property rights to serve REDACTED's business plan and sustain our not-for-profit organization

Increased requests to make them available in this way, and the fact that other organizations are doing it. We are just in the process of setting this up, although we have provided copies to certain agencies.

We follow our established procedures when we deal with all groups and people. Government agencies can participate and become part of the process in the same way as any other person.

Generation of revenue is not REDACTED's primary motivation for developing standards. Especially when collaborating with the government, REDACTED members typically believe it is more important to make the standards freely available in order to advance industry positions, particularly when faced with government regulatory activity. This varies from product group to product group.

We do not make them freely available due to the reasons noted in the ANSI white paper. Our organization puts a great deal of resources to developing standards and the output has to be protected.

We make our reference standards available to regulators free upon request from the individual regulator.

Government adopted standards should not pose a financial burden. It is up to the standards developer whether to charge a nominal fee.

REDACTED response to 4, 5 and 6 - we have never been asked. I believe in one-off cases, we would provide a copy of a standard for review but not as a general trend. Committee members get free copies of REDACTED standards as part of their committee work. If any committee members are from government institutions, they will get a free copy of any published standard but I don't think this is related to what you are inquiring about.

I think it would be good to provide free copies of drafts, current versions, and historical/archived versions of standards to government stakeholders as a way to assure that are kept fully briefed. I wouldn't want agency budget restrictions to impede full engagement in the standard development process.

We make our most popular standards freely available for viewing via RealRead. Additionally, all standards are available for sale in hard or electronic copy. Revenues from sales are a critical part of our business model.

REDACTED makes current standards and bulletins freely available to government agencies, policy makers, and regulators upon request. We make historical standards freely available when the standard can be located. However, due to our lengthy history as an SDO, we may not always have a copy of the requested historical standard. We make our standards and bulletins freely available to government agencies, policy makers, and regulators to encourage government participation and interaction with the REDACTED standards program.

We have not had to deal with this issue. When our standards were adopted by the Department of Defense, they did not ask for special terms.

As a service to adopting authorities and to users of REDACTED standards, we make all or our standards freely available on our website in read only form (RealRead). We also make a few selected standards available in PDF form.

Our association develops standards for the testing and application of our member's products. We make standards available to benefit the REDACTED industry as a whole and to benefit our members' businesses.

As part of its ongoing commitment to encourage transparency and safe performance in the REDACTED industry, REDACTED made available to the public today over 160 key industry standards, including a broad range of safety standards. Many of the standards, including all safety standards, are now available on REDACTED's website for free for public viewing. REDACTED QUOTE With the recent expansion, almost one-third of all REDACTED standards, including all standards that are safety-related or have been incorporated into federal regulation, are now available for viewing online. REDACTED DETAILS on standards available for review. Hardcopies and printable versions will continue to be available for purchase. REDACTED standards are generally technical in nature and are designed principally for use by REDACTED companies and their contractors. Revenue from the sale of standards supports REDACTED's standards program, which operates on a non-profit basis. REDACTED will continue to sell standards to REDACTED companies and other interested parties.

8. Organizations that do make their standards and codes available will often employ certain controls on the electronic documents to protect their IP. Speaking generally, please select all controls that apply and add more options in the comment box if applicable.			
Allow download of file to computer and/or server		19	44%
Allow copying and forwarding of file		7	16%
Limit searchability of document		1	2%
Restrict printing entirely		7	16%
Restrict printing to metered requests (e.g., 3 print requests)		4	9%
Restrict copy and paste of document text		12	28%
Restrict number of pages viewed		1	2%
Restrict total duration of viewing within a given session		2	5%
N/A - my organization does not employ any controls on the documents that we make available		10	23%
N/A - my organization does not make its documents available		5	12%
Other, please specify <a href="#">View Responses</a>		12	28%

*Comments:*

We publish the title page, Table of Contents, and the scope of each standard.

Downloads are locked into the workstation.

We do not as of yet make the standard available electronically

Controls used are those applied by ANSI through the ANSI webstore. Our "direct sales" (very limited to special circumstances) are hardcopy only.

Watermarking.

All standards are in pdf format, other than that, no controls are employed.

N/A REDACTED's documents are available for prescribed use when licensed

Some standards are freely distributed, some are sold through distributors. Different distributors have different ways of protecting their IP

We use Adobe FileOpen DRM but currently have not been asked to supply files

We usually provide PDF versions rather than Word documents.

For site licenses, we limit the number of users who can access the standard.

I am assuming this question applies only to the standards content we make available for free. We do this primarily through RealRead which is read only and make all our standards available in this way. We also make a few of our standards available in PDF form for free, without copy restriction.

9. If your organization protects its IP through certain electronic controls, please indicate which of the following specific solutions you use.		Actions   ▼	
ReadRead		3	7%
FileOpen Viewer (no plug-in)		1	2%
FileOpen PDF control (plug-in required)		7	17%
Adobe Acrobat native controls (e.g. allow or disallow print, allow or disallow copy/paste)		11	27%
N/A - my organization does not employ any controls on the documents that we make available		12	29%
N/A - my organization does not make its documents available		4	10%
Other, please specify <a href="#">View Responses</a>		12	29%

*Comments:*

We publish the title page, Table of Contents, and the scope of each standard.

MultiMedia Protector by Mirage

We do not as of yet make the standard available electronically

See comment to #8 above.

Documents are in pdf and noted with appropriate copyright language.

Watermarking

LockLizard ([www.locklizard.com](http://www.locklizard.com))

Members and purchasers of the standards are required to sign an IP compliance form prior to downloading

We don't lock standards that are freely available on our site but for standards that are for sale, our distributors do lock them.

We usually provide PDF versions rather than Word documents.

I am answering this question only with respect to the free access we provide. Products we offer for regular sale are protected through a variety of means.

10.

Please use the following open comment field to offer any additional feedback you have on the ways that your organization is facilitating access by the U.S. government to the voluntary consensus standardization process and to the resulting standards, codes, and guidelines.

Actions | ▾

[View 25 Responses](#)

*Comments:*

We have had government employees participate in the standards process as well as many employees are members of our SDO. We have not had any standards that are referenced in regulation, so we are unable to answer questions 5 and 6.

The U.S. government right now has more money than anybody else. The Federal budget alone is in excess of \$3 trillion dollars. We have no policy of giving government free standards. Our standards program (like many SDOs) is fighting to break even, and we are not sure of the rationale saying a non-profit organization with a total budget of \$12 million should feel obligated somehow to give free standards to the government with over \$3 trillion in annual funding.

We welcome interest in our standards by US Gov agencies, however we are aware of the direct costs we incur in keeping our standards up to date and accurate without any funding from the public sector. We appreciate participation of government employees and have recognised their efforts through free access to our products. However we would also welcome financial support from relevant agencies.

For questions 4-6, we have not supplied a response, as none of the options fit us. For question 4, we do not have any document either freely available or at special terms at current. However, we are open to discussion, if approached, which is different than "we do not make special arrangements". In a future state, it is reasonable to state we will have some available on special terms. For questions 5-6, it is not clear if this question is applicable solely to government agencies, or anyone with interest. However, as this situation has not occurred, we have not yet been required to make policy. For current standards, it will be decided on a case-by-case basis if free or special arrangements would be used. While not final, our general inclination that documents which are only included by referenced within the document being reviewed would not be free of charge, and most likely not eligible for special arrangements. The rationale is that those who are directly impacted by a government regulation and are commenting, much like with a "Standard" would already have knowledge of said reference documents, if not already in possession of them. For historical documents, we have more flexibility, but all that was written for current documents would be applicable. We have also found that by offering a fair and reasonable price based on the individual standard, we have found no issues with the government acquiring our standards. We have tracked sales into several branches of the military, as well as multiple large and small federal, state, and local agencies.

Our process is equally open to all parties including those in government.

Committee work is accomplished by e-mail and teleconference. Travel is not required to participate in standards development projects. REDACTED is exploring use of web conferencing collaborative authoring software, and on-line balloting in 2011.

We try to hold meetings that are within the per diem allowance.

We are a relatively new SDO and as of yet, do not have our standards referenced by any government agency. We are currently working with [one agency](#) to cite our one standard

Some government organizations involved in our standards development process will abstain from the actual vote as a matter of policy. This is better than not participating at all but it would be nice to see these organizations not only provide technical input, but to also cast a vote.

To our knowledge, none of our standard(s) are referenced in regulations. We solicit participation on our REDACTED during open enrollment periods associated with the initiation of new standards development

activities. This is open to any organization, including governmental, as long as they are engaged in the scope of our ANSI accreditation as an ASD and their participation does not compromise balance of interests on our REDACTED.

We work closely with government agencies and incorporate representatives at every committee level. This allows for input from regulators at all stages of a standards development and maintenance.

All email archives, documents, contributions, meeting minutes, ballots, decisions and comment resolutions are publicly visible in the REDACTED transparent process. Our comment mechanism is open at all times, not just during public review. Government agencies can participate at reduced cost when they choose to participate.

Should you have questions or need additional information, please do not hesitate to contact our office.

We always welcome input from government bodies.

Extensive investment in on-line tool for committee participants, alternative membership categories requiring participation, but not necessarily attendance

Our standards are free to all. We do not have any special considerations for the government.

REDACTED would be happy to come and discuss with ANSI, in a private or public forum, our issues and concerns regarding the issues covered in this questionnaire

Employees of government agencies are on our standards developing committees and voting lists. REDACTED DETAILS. We keep them informed of what we are doing on a regular basis, and have an agreement regarding use of research results in standards.

REDACTED is an association of multiple industries and each industry determines how it will work with the government on codes and standards.

US government has the same access rights as the private sector which quite often is not supported financially

We believe in collaboration with government experts in every field to better inform our process. We also invite representatives from government to association meetings, conferences, and other gatherings to broaden their understanding of the industry.

REDACTED grants fee waivers to government participants. REDACTED performs extensive outreach to government agencies when we know they are interested in the project being addressed.

Most of our standards development is done via ISO, so we would be interested in seeing how U.S. government agencies deals with ISO standards and the related IP issues.

We have found that our RealRead access to all of REDACTED's codes and standards have provided reasonable access to our content while allowing REDACTED to continue to derive revenues needed to support its activities from the sale of standards to those who wish to own their own copies. We believe that this form of access has also served the needs of governmental jurisdictions to provide access to referenced codes and standards for regulatory review and also for citizen access. Several jurisdictions, for example, link from their governmental websites directly to the REDACTED website for RealRead access to adopted standards. In addition to RealRead, REDACTED also responds to requests from jurisdictions with specific needs and are continuing to explore ways to meet those needs. During the adoption process, for example, we have, on a case by case basis depending on the AHJ's needs, provided free hard copies or PDF copies specially watermarked as "review only." In one case we set up free access to a REDACTED standard to a group of code officials via an FTP site on the REDACTED server for a limited review period. Post adoption, REDACTED's RealRead access makes our codes available for free online reading. In addition, we have, as a common practice provided at least one full softbound hard copy set of standards to the promulgating authority. If we are requested to conduct training, we provide a hard copy of the standard that we are training on to each official in attendance. We

provide these copies at no cost. We also provide discounted versions of our electronic code set through formal sales agreements with state promulgating bodies such as [REDACTED](#).

We contact government employees and representatives when developing on joint committees and when our standards are out for comment.