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Incorporation by Reference (FR-2012-0001-0001)**

INFORMATION

COMMENT

To: OFR RE: Revisions to I CFR 51 I would like to submit an educated opinion on the specific necessity to modify existing code, particularly in reference to increased availability of the voluntary provider created standards. The open and free access to these standards represents a fundamental benefit to entrepreneurship and commerce, as well as, a necessity for open discussion of law in a system of governance based on an ideal of participatory democracy. As a scholar who studies standards and practice in medicine the lack of open and inexpensive availability of the content of standards in any field, particularly those standards that hold legal penalty for infraction is a clear threat to public and expert revision and participation. In addition the basis of the copyright claim and of the need for recompense for service in regards to these laws needs to be reconsidered for two reasons: these standards are not creative works and therefore should not be subject to standard copyright, and second the organizations that serve as voluntary providers are most often tax exempt non-profit entities, their categorization as special status tax entities is at its heart a form of remuneration for service as public good and is by its nature a preexisting form of payment that super cedes argument for financial incentivization. These organizations exist in agreement and within tax code by permission to perform a service that is not for profit and as such the costs of their services should not prevent essential benefit of those services. Provision of free and openly available digital copies of the product of voluntary standards that have become law is not simply a legal necessity, but would also decrease processing and administrative costs for these entities. I greatly appreciate the time and consideration given to this matter and hope that the OFR will implement these revisions. Yours Gareth Edel, ABD, Department of Science and Technology Studies, Rensselaer Polytechnic Intitute.

Attachments: