

From: [Grove, Jeff](#)
To: [Emily Bremer](#)
Subject: RE: Quick IBR Questions
Date: Wednesday, October 19, 2011 1:41:53 PM

Thanks so much for your efforts! Greatly appreciated.

We are looking into the feasibility of the FDLP. It does not seem as if we have an agreement or site-licenses with them at this time. One obvious challenge is that there seems to be 1400 of them. Is the idea that SIBR documents would be on-line in the libraries where they could be viewed on-site (only as in no remote access)?

I am working on this with our legal, pubs and IT guys, but I don't think we are going to be in position to have a model or test-case in the coming weeks.

Finally, are there any ACUS adm + mgt committee members in NYC that you can think of? I am there next week with our Board of Directors. In particular, I will have Mary Saunders of NIST with me to do some outreach meetings and it would be great if we could visit an ACUS member, etc.

Thanks again, Jeff

From: Emily Bremer [mailto:ebremer@acus.gov]
Sent: Wednesday, October 19, 2011 1:24 PM
To: Grove, Jeff
Subject: RE: Quick IBR Questions

Jeff,

Thanks so much for your quick response.

I'm sorry to have caused you some trouble. I tried to rely on public sources to provide the data we had discussed, but did not do that in my discussion of the toy standard. I've modified the conclusion as you suggest. I've also added a citation to the NIST press release about first responders. Thank you for directing my attention to that.

Regarding the ASTM revenue model, I did not mean to imply that it is out of whack. Rather, as you suggest, I was merely trying to explain that the model is heavily dependent upon revenues from the sale of publications. To force a change in this approach would, as you suggest, require ASTM to erect greater barriers to participation, which I agree would be undesirable. I've modified the language to make this point. Hopefully, that will dispel any implied critique of the revenue model.

Thanks again for your help!

Best,
Emily

From: Grove, Jeff [mailto:jgrove@astm.org]
Sent: Friday, October 14, 2011 12:58 PM
To: Emily Bremer
Cc: Grove, Jeff

Subject: RE: Quick IBR Questions

Hi Emily;

Thanks for the note. And in case I forgot to send you a note after the last hearing, you really did a nice job explaining the report to the ACUS members and handling their questions.

I am looking into your Q1 below and will get back to you.

In regards to Q2 on the DHS agreement, please see this new press release from NIST about efforts to get standards to .gov and .mil users (first responders):

<http://www.nist.gov/director/first-responders-documentary-standards.cfm>

Quite honestly, I got some flack internally about too much information about ASTM commercial terms/agreements being in a public report. I should have considered some of that information as business sensitive. To that end, there is a slight inaccuracy in our agreement with the Handmade Toy Alliance as it is depicted in the report. The concluding sentence is correct as our agreement with them allowed these small enterprises to have access to the ASTM standard for less than \$10. But the actual terms that are described in the report are inaccurate (I probably misspoke when we talked). Rather than correcting the terms in the report, could you just conclude that we reached an agreement with the HTA that allowed them to provide access to the standard for their members at about \$10 per pop?

Finally, a question has arisen regarding what is implied on page 21 when the report states:

“Nonetheless, it is striking that member fees provided only \$2,090,259 (approximately 3.7%) of total operating revenues. The bottom line is that revenues generated from the sale of standards are critical to ASTM’s operation. The same is true of many other standard developers.”

I think the report is implying that it’s a remarkable that ASTM is able to service 142 technical committees and maintain a volume over 12,000 standards while keeping the barriers to participation low in the form of membership dues that only accounts for 3.7 percent of its revenue. For what is worth, dues paying members get a collection of the standards in their interest area for the \$75 membership fee. So it is indeed a remarkable value.

However, others that have read the report came away with the perception that ACUS was making a point that perhaps the ASTM revenue model is out of whack and we could offset some of the revenue from pubs sales by charging higher fees to participate in the standards development process. Of course, that is something that we care deeply about as we believe we provide great value to our members and society at large by keeping the barriers to participation as low as possible to maximize engagement from all interested stakeholders.

Thanks. Sorry if I am not being real clear. I am just trying to get a lot done on a Friday. But please call me if you wish to discuss and I will get back to you on Q1 above.

Sincerely,
Jeff

From: Emily Bremer [mailto:ebremer@acus.gov]
Sent: Thursday, October 13, 2011 11:09 AM
To: Grove, Jeff
Subject: Quick IBR Questions

Jeff,

I'm working on revising my report and the draft recommendation for the Committee, and I have a couple of questions that you might have some insight into:

- 1) It has been suggested that one way to make IBR'ed materials more available would be to include them in the Federal Depository Library Program. To my knowledge, this is not the current practice. Are you aware of any efforts to include standards in depository libraries? Do you have any thoughts on the suggestion and whether it would be feasible and acceptable to SDOs?
- 2) Scott mentioned to me that you were concerned that the report's discussion of the licensing arrangement with DHS was incomplete or inaccurate. I certainly intended the discussion to accurately reflect the information you gave me, which I sought to confirm via publicly available sources (cited in the report). Would you please let me know how the discussion should be changed? I want to be sure that my information is right!

When you have a moment, I'd really appreciate your thoughts on these issues. If you prefer to discuss, please feel free to give me a call at 202.480.2086.

Thank you,

Emily Schleicher Bremer | Attorney Advisor



ADMINISTRATIVE CONFERENCE
OF THE UNITED STATES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES
1120 20th St., NW Suite 706 South . Washington, DC 20036
(202) 480-2086 . ebremer@acus.gov . www.acus.gov