

DRAFT MEETING REPORT

ANSI National Policy Committee (NPC) Meeting

AIA
1735 New York Ave, NW
Washington, DC

May 21st 2012
9:30 am – 1:00 pm

AGENDA ITEM 1 – ORGANIZATIONAL MATTERS

1.1 Welcome and Opening Remarks

Ms. Mary
Saunders

Action: Establish quorum.

1.2 Approval of Agenda

Ms. Mary
Saunders

(Action)

Document: NPC 001-2012

Action: The agenda was approved as distributed.

AGENDA ITEM 2 – STATUS OF ACTION ITEMS, LAST MEETING

2.1 Status of Action Items from Last Meeting
(Information / Discussion)

ANSI Staff

- None

Action: None.

AGENDA ITEM 3 – REPORTS AND ACTION ITEMS

3.1 Government Affairs Update

Mr. Scott Cooper

Scott Cooper, ANSI VP Policy & Government Affairs updated the NPC on ANSI's current government relations efforts.

3.1.1 Incorporation by Reference (IBR) (Information)

Ms. Patricia
Griffin

Document 002-2012, 003-2012 - ACUS IBR presentation

Mr. Cooper, assisted by Ms. Saunders and, Ms. Griffin, led a discussion on current ANSI and SDO activities concerning the IBR issue as set-forth in NPC 003-2012.

Ms. Mary
Saunders

Ms. Griffin first discussed some of the work being done by the Copyright Group relating to IBR. The copyright group is looking to define very specific examples of how standards developers address the issue of making IBR standards “reasonably available.”

Ms. Griffin noted that there is a broad spectrum of possible ways in which standards can be made reasonable available to the public when they are incorporated by reference into Federal legislation. She noted that ANSI's response to the recent Federal Register petitions noted this diversity in stating that:

“Reasonably available” should not be strictly defined using terms such as “for free” and “to anyone online;” rather, the definition should encompass a broad spectrum of access options. For example, some SDOs make certain standards available online on a read-only basis. And many SDOs make standards available at discounts or without charge to consumers, policymakers, and small businesses. “Reasonably available” means that the public and private sectors should work together to make standards available on a timely basis and readily accessible – either for free or at reasonable prices – to anyone who wants them. This approach is already working in the marketplace, and ANSI has not been made aware of any instances where access was denied to an individual or organization. While SDOs continue to actively consider further efforts that can be made to make their documents available, this is a dynamic environment with no one-size-fits-all solution.”

Some members noted they would like to be able to “endorse” ANSI's response rather than file their own. However, Ms. Saunders suggested that individuals consider filing their own separate submittals (even if just “me-too” submittals) as the total numbers of responses will matter.

Dr. McKiel encouraged commenters to explain how changing the system as it exists could result in hardship for industry, SDOs, etc. It was suggested that economic data be developed showing that drastic changes to the system would be harmful to those who develop standards.

Mr. Bhatia noted that positions vary widely as to business models and that ANSI needed to support a flexible approach.

Ms. Saunders commented that there were a number of current IBR-related activities, including the ACUS report, the Pipeline Safety Act, NARA and OMB's Request for Information, so it is evident that some policy change in the near future will take place. She noted that it was important to consider the perspective of the agencies which need "reasonable access," in particular the Department of Transportation. DOT is looking at the scope of their responsibility for making documents reasonably accessible.

Action: Circulate ANSI Federal Register IBR response so that it can be endorsed.

3.1.2 OMB Workshop on potential supplementary materials to Circular A-119 NPC 007-2012
(Information)

Mr. Scott Cooper

Mr. Cooper and Ms. Saunders led a discussion on federal participation in the development and use of voluntary consensus standards and in conformity assessment activities as discussed at the OMB May 15th Workshop.

Ms. Mary
Saunders

Mr. Cooper reviewed NPC 007-2012 and the Panels of the Workshop.

- Panel 1: Consensus by the Agencies that the standardization system based upon a-119 does work effectively. Ms. McKiel pointed out that the panel brought forth a good set of examples, and showed the very different missions and different ways of using standards – even in regulations. APA pertains to all, but everyone regulates differently. The availability of private sector standards is critical.
- Panel 2: this panel was on the IBR issue with the consensus being that the current system made standards reasonably available to those who had need to see them for health and safety reasons. Many SDOs make standards available for free or at steep discounts to consumers and small businesses. (See Mr. Bhatia's comments above.)
- Panel 3: There was consensus that the Circular A-119 is still

working, but that some updates could be made to recognize the growing importance of conformity assessment solutions for public policy issues

- Panel 4: Went into greater detail on the evolution of conformity assessment solutions and the need –perhaps—for A-119 to recognize that evolution.

Ms. Saunders said that the time frame for OMB to provide guidance ranges from summer to early fall. Any proposed guidance will be published in the Federal Register for comment.

Action: None

3.1.3 Legislation (Information)

Mr. Scott Cooper

Mr. Cooper provided updates on the status of legislation of interest to the NPC.

Mr. Cooper gave an overview of the DATA Act (H.R. 2146) which was introduced after the GSA travel scandal occurred. One of the provisions in the bill on USG employee travel limitations, which included at the last minute on the floor of the house, is unclear and may be interpreted as a hindrance for government workers to participate in the standards development process. ANSI along with other SDOs has already called attention to this potential problem with congressional staff and we are told that the problem language is being addressed.

Action: Members are asked to notify ANSI whenever they identify legislative language of interest or concern.

3.1.4 Potential International Telecommunications Union (ITU) **Expansion of Scope** (Information)

Mr. Phillip Wennblom

Document: NPC 008-2012

In December 2012 the ITU will convene the World Conference on International Telecommunications (WCIT) to renegotiate the International Telecommunications Regulations (ITRs). There is concern about proposals to expand the role of the ITU into the areas of standards for information and communications technology (ICT).

Mr. Wennblom reviewed the document and described their concerns.

There are concerns that proposals would make ITU-T recommendations mandatory. Today they are voluntary. There are also concerns that it would undermine the VCS system. Current standards are not written in a way to make them mandatory.

Elaine Newton, who is NIST/Ambassador Staff, made the offer to serve as liaison between ANSI and the State Department.

It was suggested that ANSI reach out to its colleagues at ISO and IEC, as it is clear that ITU may be overreaching on the scope of their mandate on the issue. We can't underestimate the power of the under-developed countries. There was a further suggestion that ANSI may want a group to focus on this issue.

Sectors are also converging. There is a sense of urgency and other countries are taking action in preparation for the December 2012 meeting.

Ms. Griffin gave an update on regulations promulgated by the Treasury Department's Office of Foreign Assets Control (OFAC), relating to certain embargoed countries, including Iran. The question is whether ANSI and its members' engagement in standard setting activities with ISO and IEC creates exposure under U.S. trade laws when such standards are shared or developed with U.S.-embargoed countries such as Iran. On March 29, 2012, ANSI submitted a request to OFAC seeking clarification on this question. OFAC has not responded yet, but has acknowledged receipt of the requests and will address them soon. [Note: Following this meeting on August 15, 2012, OFAC issued guidance in response to ANSI's request stating that standards development activities do not violate OFAC regulations.]

Action: ANSI to form a group to address ITU-T.

3.2 **Update on Committee on Education (COE) Activities**
(Information)
Document: NPC 003-2012

Ms. Susan Hoyler

Susan Hoyler presented on behalf of Deborah Prince. She encouraged the NPC to circulate the student paper competition information. The committee is forming a speaker's bureau and encouraged NPC members to join. NIST has funding (\$10,000) for education grants which will be distributed to the winners of the student paper competition. Ms. Hoyler reviewed an updated slide deck and highlighted new initiatives.

Mr. Puskar emphasized that NIST is trying to get the word out about the education challenge grant.

During the International Conference on Education: the US sent only 2 representatives. In Korea about 50 Universities have program focusing on standards; China over 25; Indonesia 28; Iran created a MA in standardization. US is really lacking in the standards education arena.

Action: None

- 3.3 **Update on ANSI Executive Standards Council (ExSC) Activities** Ms. Claire
(Information) Ramspeck
Document: NPC 004-2012

Ms. Claire Ramspeck, Chair of the ANSI Executive Standards Council, provided an update on ExSC items of interest, including the following, which are summarized in NPC 004-2012:

- Proposed Procedural Revisions (see Agenda item 4.2)
- Status of Procedural Issues related to Conflict and Duplication within the ANS process
- ANSI Standards Developer Audit Program Streamlined Report
- ANSI-Accredited Standards Developer Training Outreach
- ANSI-Accredited US TAG to ISO Training Outreach

She also noted that work continues on the ANS database clean-up project, which will result in improved ANS-related data. Finally, Ms. Ramspeck recognized current ANSI ExSC Members who give significant time and effort to ensuring the integrity of the programs over which they have oversight responsibility.

Action: None

AGENDA ITEM 4 – CONSENT AGENDA ITEMS

- 4.1 **Approval of Report of Last Meeting** Ms. Mary
(Action) Saunders
Document: NPC 0011-2012

Action: Approved draft meeting report dated 11/27/2011

- 4.2 **Proposed Procedural Revisions** Ms. Claire
(Action) Ramspeck
Document: NPC 005-2012

The NPC was asked to approve the proposed procedural revision contained in ExSC_008_2012 (NPC 005-2012) that addresses the PINS process. For the NPC's reference, ExSC_002_2012, which was also subjected to public review, is an informative guidance document and does not specifically require NPC approval.



Action: Approved NPC 005-2012

AGENDA ITEM 5 – FUTURE MEETING DATES

5.1 Future Meeting Schedule

Ms. Mary
Saunders

The NPC is asked to select 2012 meeting dates.

Location: ANSI, Washington, DC

Time: 10:00 am – 3:00 pm

Host: ANSI

- Fall 2012- Oct. 29th
- Spring 2013 - TBD

Action: Approve dates for upcoming meetings.

AGENDA ITEM 6 – ADJOURNMENT

6.1 Closing Remarks and Adjournment

Ms. Mary
Saunders

NATIONAL POLICY COMMITTEE – 2012 Attendees:

Chair: Ms. Mary H. Saunders, NIST
Staff: Scott Cooper

Voting Members: (36)

Mr. Vince A. Baclawski, NEMA (2012)
Ms. Monica Barone, Qualcomm (2014)
Mr. Dan Bart, Valley View Corporation (2012)
Mr. William Berger, ASME (2012)
Ms. Susan Blaeser, ASA (2013)
Mr. Neil Bogatz, IAPMO (2013)
Ms. Susan Carioti, ASIS International (2013)
Mr. Bruce DeMaine, Building Performance Inst. (2014)
Mr. Michael DeSpain, Deere & Company (2013)
Mr. Jean-Paul Enard, ATIS (2013)
Mr. Dale Gallmann, Bradley Corporation (2012)
Mr. Gordon Gillerman, NIST (2012)
Mr. Jeff Grove, ASTM International (2012)
Mr. Eduardo Gutentag, Oracle (2013)
Ms. Heidi Hijikata, U.S. DoC/ ITA (2014)
Mr. Jon Jurgovan, Research In Motion (2014)
Dr. Prasad Kadambi, American Nuclear Society (2013)
Mr. John D. Kulick, Siemens Corporation (2012)
Mr. Vince A. Baclawski, NEMA (2012)

Mr. Hung Ling, Alcatel Lucent (2013)
Ms. Amy Marasco, Microsoft (2013)
Ms. Shazia McGeehan, CEA (2013)
Dr. Mary McKiel, U.S. EPA (2013)
Mr. David Miller, American Petroleum Institute (2013)
Ms. Erin Morris, U.S. Department of Agriculture (2014)
Ms. Christine Neuro, Professional Testing Inc. (2013)
Mr. Stephen P. Oksala, SCTE (2012)
Mr. James Pauley, Schneider Electric (2012)
Ms. Claire Ramspeck, ASHRAE (2014)
Mr. Donald E. Snyder, UL (2012)
Ms. Sharon K. Stanford, ADA (2013)
Ms. Joan E. Sterling, ITS (2013)
Ms. Kathleen Thuner, NACCA (2013)
Mr. Robert Weber, 3M (2014)
Mr. George Willingmyre, GTW Associates (2014)
Ms. Quynh Woodward, Project Management Institute (2014)
Mr. Don Wright, Lexmark International (2014)
Mr. Hung Ling, Alcatel Lucent (2013)

Non-voting Member: (48)

Mr. Dave Adams, Hewlett Packard
Mr. Chris Dubay, NFPA
Dr. George W. Arnold, NIST
Mr. Colin B. Church, CPSC
Dr. Belinda Collins, NIST
Mr. Andrew R. Davis, American Welding Society
Mr. Donald Deutsch, Oracle
Mr. Thomas Eberhardy, Bradley Corporation
Mr. Scott R. Edwards, Gentex Corporation
Ms. Carola Emelius-Swartz, Qualcomm
Mr. Tim Fisher, ASSE
Mr. Rich Forselius, UTC/Sikorsky Aircraft Corporation
Ms. Cynthia L. Fuller, ACS X9, Inc.
Mr. John Gayler, American Welding Society
Ms. Cristin Goodwin-Flynn, Microsoft
Ms. Latonia Gordon, Microsoft
Ms. Carol Herman, AAMI
Ms. Laura Hitchcock, Boeing Company
Ms. Susan C. Hoyler, Qualcomm
Ms. Claire Kammer, UL
Mr. Jason Mahler, Oracle
Mr. Bruce L. Mahone, SAE
Ms. Elise McIntosh, Kavi Corporation
Ms. Nancy McNabb, NFPA

Ms. Rae McQuade, NAESB
Mr. Edward F. Mikoski, Jr., ECA
Ms. Susan M. Miller, ATIS
Mr. Andrei Moldoveanu, NEMA
Mr. Brendan Owens, U.S. Green Building Council
Mr. Richard Papa, CSA America
Mr. Jack Pokrzywa, SAE International
Mr. Erik Puskar, NIST
Mr. Bruce Quinn, Rockwell Automation
Mr. Dan Roley, Caterpillar
Ms. Alison Ruger, IHS, Inc.
Ms. Jane W. Schweiker, Schweiker & Associates
Ms. Hope Shimabuku, Research In Motion
Mr. Paris Stavrianidis, FM Approvals
Ms. Susan Tatiner, IEEE Standards Activities
Mr. Craig Updyke, NEMA
Ms. Susan Vogel, IEEE
Mr. Philip C. Wennblom, Intel Corp.
Mr. Thad Watt, Research In Motion
Mr. Adam West, NASA Standards Program
Mr. Matt Williams, AHAM
Mr. Robert Willis, EIA
Ms. Jane Wilson, NSF International
Ms. Kay Winn, CSA America

