

A resolution expressing support for copyright protections for codes and standards and concern over efforts to undermine such protections

Offered by:
International Code Council
National Fire Protection
Association
Underwriters Laboratory

WHEREAS, for more than a century, voluntary codes and standards (collectively referred to as “standards” for the remainder of this resolution) created by non-profit standard development organizations (SDOs) have protected public health, safety, and security, provided the building blocks for innovation, and served as the basis for quality and interoperability;

WHEREAS SDOs develop and update standards through a rigorous, but resource-intensive, multi-sector consensus process, which includes

- Convening multi-day meetings of numerous experts from government, industry, non-profits, and academia;
- Expending many thousands of person-hours in compiling, editing, and distributing several rounds of comments on standards drafts and amendments; and
- Investing significantly in IT infrastructure, workspace, and personnel;

WHEREAS policymakers have considered voluntary standards so critical that federal law, supplemented by OMB Circular A-119, directs federal agencies to use voluntary consensus standards wherever possible in their procurement and regulatory activities in lieu of expending public resources developing government-unique standards;

WHEREAS reliance on voluntary consensus standards saves taxpayers money, encourages long-term growth for U.S. businesses, and promotes the global competitiveness of American enterprise;

WHEREAS SDOs support their standards development activities through revenues derived from the publication, sale, and licensing of standards, which is made possible by the protection of copyright laws;

WHEREAS without copyright protection for standards, the difficult and expensive task of replicating public health and safety standards would be borne by resource-limited government agencies or undertaken by the parties those standards regulate;

WHEREAS the current system operates with openness, transparency and balance, and has been highly effective in protecting public health and safety;

WHEREAS copyright protection is critical to the continuation of the private sector-led system for the creation and maintenance of standards;

WHEREAS SDO's intellectual property is threatened by businesses and organizations that have republished standards, without the consent of their developer; and

WHEREAS legislation has been introduced in Congress that would threaten the copyrights of standards the federal government seeks to utilize through incorporation by reference into the Code of Federal Regulations;

THEREFORE BE IT RESOLVED, that the Congressional Fire Services Institute:

1. Supports federal legislation, funding, and policies that recognize and preserve copyright protections for standards; and does not support actions to the contrary.