

Comments for the NSTC Subcommittee on Standards

International Code Council

David L. Karmol

Vice-President, Federal and External Affairs

dkarmol@iccsafe.org

These comments respond to the following questions:

- € Should the government re-commit to greater involvement in private sector standards creation activities, including the delegation of government representatives to participate in the work of private-sector led standards development?
- € What role, if any, can the U.S. government play in matters involving intellectual property rights and stghts and st

and residential buildings that are governed by the International Building Code(IBC), the International Residential Code(IRC), the International Energy Conservation Code (IECC) and the other model codes published by ICC are better built and higher in performance across a number of metrics today, as a result of the involvement of the many Federal agency representatives who participate in the ICC model code development process. The benefits to the Federal government, and to the citizens in every state, far outweigh the modest cost of participation, and have advanced the technology and quality of construction in a more efficient manner, and far more rapid timeframe, than is sometimes possible in the highly structured and regulated Federal rulemaking environment.

ICC appreciates the support and involvement of its many Federal government participants. ICC further believes that the NSTC Subcommittee on Standards could support this important Federal involvement, by taking the following actions:

- Urge the Congress to explicitly authorize and endorse, in all agency re-authorizations, engaging with the private sector to continually improve the quality and usefulness of private sector model building codes and standards.

- Encourage agencies to highlight the positive results of their involvement in private sector codes and standards development, in their reports to the public, and during oversight hearings.

- Convening representatives of Federal agencies for cross-functional meetings and best practices discussions, to allow the good work being done by some agencies to be shared with others that have yet to become fully engaged in private sector standards development activities.

- Issue a set of Frequently Asked Questions that answers typical questions such as, "Can Federal agencies pay dues in order to participate in private sector standards development activities? (Answer:Yes)" and similar questions that often arise within agencies due to staff turnover and the presence of some older, conflicting and usually out-of-date policies or opinion documents.

With respect to Intellectual Property rights and standards, the NSTC Subcommittee on Standards could also play a leading role.

ICC recommends that the Subcommittee lead efforts to have the U.S. government take the following actions:

- Respect and protect the IP rights of private sector SDO's.

-Encourage state and local governments, as well as other stakeholders and the general public, to do the same.

-Discourage unauthorized reproduction and distribution