Consortia and their Role in the U.S. Standardization System

Andrew Updegrove
Gesmer Updegrove LLP
andrew.updegrove@gesmer.com
Setting the Stage
Before there were consortia...

- National “Standards Development organizations” (SDOs) evolved over a 100 years to meet private sector needs:
  - National in their focus, accreditation and membership
  - Generally inexpensive to join
  - Revenue derived mainly or significantly from the sale of standards
  - Abroad, usually limited in their focus to just the development of standards
  - In the U.S., standards development was sometimes an adjunct, rather than the primary activity (e.g., where the SDO was a trade association)
Before there were consortia...

- Internationally, umbrella organizations also evolved:
  - A global standards infrastructure with national representation
  - ISO - non-treaty, broad range of focus
  - IEC - non-treaty, electrotechnical focus
  - Joint Technical Committee 1 (IT focus)
  - ITU - Treaty organization, telecom focus
  - A few others with narrow foci (e.g., Codex Alimentarius)
And then there were consortia:

- Began to appear in the 1980s
- At first, formed to create single standards very quickly
- Conceived and launched by small groups of allied corporations
- Invariably in the Information Technology (IT) sector
- Sometimes handed their standard off to an SDO when complete
Consortia Today:

An extremely flexible tool to support the rapid creation, promotion and maintenance of essential standards

An extremely important global trade advantage for U.S. industry in the ICT sector
What they are:

- Almost always global, but occasionally national or regional
- Almost always formed by corporations, as compared to other types of stakeholders that may join later
- Always with a particular focus (although that focus may change or expand over time)
- Typically funded almost completely by member dues, which can vary widely
- A powerful advantage for U.S. headquartered businesses and U.S. trade
What they are:

- At any point in time, C. 600 strong
- Include a core group of very influential, institutionalized organizations (e.g., W3C, OASIS, IETF, OGC, etc.)
- Formed to develop not only standards, but also to support them in a wide variety of ways:
  - Promotion
  - Advocacy
  - Certification testing and branding
  - Education and training
What they are:

- Vary widely in:
  - Their budgets ($50k - $5 million)
  - How wide or narrow their focus may be (specific enabling standard to domain institution)
  - How large or small their membership (20 - 1,000)
  - Who is likely to join (corporations only, or also universities, government agencies and other governmental units), non-profits, etc.)
What they are:

- Vary widely in:
  - How “open” they are
  - The nature of their programs and deliverables (standards only, or also test suites, certification programs, white papers, trade shows, training, and much more)
  - Their rules regarding intellectual property (traditional SDO rules to royalty free and open source friendly)
What they aren’t:

• Nationally representative or nationally accredited (with some exceptions)

• National in their focus (with a few exceptions)

• Generally available for participation at little or no cost

• Extant in areas outside of IT and CT (with a few small beachheads elsewhere)

• “Second class” citizens in the world of standards development

• Very Likely to offer their standards for adoption by the “Big I’s” (with some exceptions)
Why you should care:

- Consortia have taken over in some areas of standard setting (e.g., Internet, Web, etc.)

- Under the Technology Transfer and Advancement Act of 1995, government agencies are directed to use private sector standards instead of government created standards wherever feasible.

- And also to participate in private sector standards organizations.

- OMB Circular A-119 does *not* distinguish between SDOs and consortia.
Why you should care:

- Consortia can, and do, things that SDOs don’t
  - Open Geospatial Consortium testbeds with NASA, other agencies
  - Promote and support standards
- Consortia also increasingly do support research and development
- Areas of agency interest may already be “owned” by consortia
Why you should care:

- Key current policy areas are split between SDOs and consortia (and sometimes dominated by consortia):
  - Electronic Health Records
  - SmartGrid
  - Clean technology
  - Open government
  - Security
What you can (and should!) do:

• Be aware of which consortia are active in your areas of interest

• Participate in consortia where government:
  • Has a real interest as a stakeholder
  • Can provide an important perspective
  • Can represent the interests of uninvolved stakeholders (e.g., ordinary citizens)
  • Can catalyze action in support of policy
How to participate:

• Step one: Investigate which SDOs and consortia are active:  http://www.consortiuminfo.org/links/

• Step two: Review specific organizations as to:
  • Reputation and influence
  • Active working groups
  • Costs
  • Mode of participation (on line, face to face, etc.)

• Step three: Read a primer on how to get the most out of participation:
  http://www.consortiuminfo.org/essentialguide/participating2.php

• Step four: Set your strategy for participation:
  http://www.consortiuminfo.org/essentialguide/participating1.php
Further information:


- Standards MetaLibrary: the largest on-line research source on standards and standard setting: http://www.consortiuminfo.org/metalibrary/

- Standards Today: an eJournal of news, ideas and analysis, including many issues on government’s role in standard setting: http://www.consortiuminfo.org/bulletins/


- Standards Blog: Real time commentary: http://www.consortiuminfo.org/standardsblog/
Or just give me a call:

Andrew Updegrove
Gesmer Updegrove
40 Broad Street
Boston, MA 02109
V: 617/350-6800
F: 617/350-6878
andrew.updegrove@gesmer.com