

Comment Template for NISTIR 8074 Volume 1, Report on Strategic U.S. Government Engagement in International Standardization to Achieve U.S. Objectives for Cybersecurity (Draft)

| # | SOURCE | TYPE i.e., Editorial Minor Major | PAGE; LINE # etc. | RATIONALE for CHANGE | PROPOSED CHANGE (specific replacement text, figure, etc. is required) |
|---|--------|--|--|--|---|
| 1 | | Major | Page 3, line 97, introduction's objective #4 | <p>The current text (as posted on http://csrc.nist.gov/publications/PubsDrafts.html) fails to require non-discriminatory standards. Open source software (OSS) may be defined as software that may be used, copied, modified, and redistributed. OSS is the #1 or #2 solution in a large number of markets. US government OMB memo M-04-16 (https://www.whitehouse.gov/omb/memoranda_fy04_m04-16) makes it clear that US government agencies must not discriminate against open source software. However, a standard can be developed so that it cannot be implemented by OSS, and some organizations have a financial incentive to encourage the development of standards that discriminate against the use of competing OSS products. The US government should not require discriminatory standards or aid their development. Requiring the use or developing discriminatory standards would be contrary to US policy, as well as being unwise since discriminatory standards would inhibit competition (ultimately raising costs to the US government).</p> <p>As this is a well-known issue, the Open Source Initiative (OSI) has developed an "open standards requirement" which is available here: http://opensource.org/osr-intro</p> | <p>Add the following bullet to page 3 as the second sub-bullet of line 4:</p> <ul style="list-style-type: none"> - Ensuring that standards developed and used do not discriminate against open source software, e.g., by ensuring to the extend practical that standards required or co-developed by the U.S. government meet the Open Source Initiative "Open Standards Requirement" for non-discrimination. |
| 2 | | | Page 13 | See the previous comment (#1) on requiring non-discriminatory standards. This needs to be implemented as a recommendation, not merely an unachieved objective. | Modify recommendation 7 by adding a new last bullet as follows: - The USG should work to ensure that when it funds or influences development the resulting standards do not discriminate against open source software implementations. |
| 3 | | | Page 13 | See the previous comment (#1) on requiring non-discriminatory standards. This needs to be implemented as a recommendation, not merely an unachieved objective. | Modify recommendation 8 by adding a new bullet after the current first bullet as follows: - The USG should avoid using standards that discriminate against open source software implementations. |
| | | | Page 10, Participation/Training/Education | Many SDOs (IETF, OASIS, Open Group, etc.) provide free access to the standards developed under their auspices. However, a few SDOs encourage governments to self-fund the development of standards, and then require the government and its suppliers to pay again for access what they first paid to develop. This publishing model was justifiable when there were only a few standards and paper publication was necessary. However, today there are many more standards and electronic files are more convenient. Standards authors are typically | Add just before third paragraph (line 394) on page 10: If governments help to pay for development of a standard, they should press to have the results freely available through the Internet (as is standard practice for many SDOs). Typically this should be required before the work begins. Free availability has a variety of advantages, e.g., it increases access of standards to small businesses (enabling innovation). In general, free availability enables more equal access and avoids having |

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| | | | | <p>paid by organizations other than SDOs to do the work, so there is little justification for giving funding to SDOs for authoring that they are not doing. Many standards (e.g., the Common Criteria and Ada) have been developed with government funds and released at no charge from SDOs that often charge large fees for access, but free access requires that the government demand it, often before the work begins. If the government pays people to develop a standard, it should press to have the results freely available over the Internet, to enable more equal access and avoid paying for the same thing multiple times.</p> | <p>the government pay multiple times for access to the same standard it helped develop.</p> |
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