

Questions for the Record from Representative Darrell Issa (R-CA) to Keith Kupferschmid
Protecting U.S. Leadership in Codes Development and Enhancing Public Access
Tuesday, April 21, 2026

1. Recent court decisions have relied on the “public edicts” and “fair use” doctrines to diminish the rights of standards development organizations to materials they develop. Why are these decisions and outcomes troubling from a substantive copyright law perspective?
2. Some have suggested that direct compensation from state or local governments which incorporate standards by reference is the solution. In copyright policy terms, why would this approach be problematic?
 - a. Follow on question: What are other systemic, legal, political, and operational impediments?