

Final ETRM Version 3.5's Open Document Format Standard: Frequently Asked Questions

The following is a series of frequently asked questions that ITD has received during the public review process for the proposed ETRM Version 3.5, which, as amended, has now been released in final form ("Final ETRM Version 3.5"). In particular, this FAQ addresses the many questions posed by commentators regarding ITD's adoption of the Open Document Format. As a preliminary matter, readers should note that the Final ETRM Version 3.5 is a dynamic document. There have been multiple prior versions of the ETRM. ITD expects that the Final ETRM Version 3.5 will remain a living document that evolves over time in response to the changing needs of ITD's agency customers, our citizens, and the imperatives of changing technology.

As noted in Final ETRM Version 3.5, the Executive Department's migration to the Open Document Format standard will not be a trivial task. During the public review period, commentators raised a number of implementation issues, all of which will be carefully considered by ITD during its joint implementation planning with the Executive Department agencies.

A. Cost.

- 1. QUESTION: Won't implementation of the Revised Final ETRM V. 3.5 be costly, taking into account the cost of training, licensing, migration implementation, etc?**

ANSWER: Regardless of whether the Final ETRM Version 3.5 is implemented, the Executive Department will face significant costs over time in connection with office application upgrades. There is no evidence that migrating to office applications that support Open Document Format will be any more costly than upgrading current applications.

- 2. QUESTION: Agencies currently own many licenses for MS Office. Won't the considerable cost of those licenses be wasted because under the policy use of MS Office will be disallowed?**

ANSWER: Under the Final ETRM V.3.5, use of existing MS Office licenses is allowed as long as agencies use a method permitting the saving of documents in Open Document Format.

- 3. QUESTION: I'm concerned about the finances of our municipal governments. Won't this require them to buy a lot of new software to open the Executive Department's documents?**

ANSWER: The Final ETRM Version 3.5 applies only to the Executive Department, and then only to documents created by the Executive

Department. Implementation plans will take into account the need to maintain interoperability through the use of a variety of acceptable formats.

- 4. QUESTION: The Commonwealth has invested millions of dollars in ITD's MassMail email system, a Microsoft based product. Doesn't adoption of Final ETRM V. 3.5 require that the Commonwealth abandon this substantial investment?**

ANSWER: No. The Final ETRM Version 3.5 does not apply to email infrastructure, including MassMail.

B. Violation of State Administrative Procedures Act and State Procurement Law

- 1. QUESTION: Isn't this a preferential procurement policy that will benefit a few non-local companies?**

ANSWER: To the contrary, implementation of the Final ETRM 3.5 will level the playing field for the state's IT procurement, opening it to a wide range of competitors.

- 2. QUESTION: Why are you making agencies deploy a single office product? Doesn't state procurement law require competition among vendors, which you will foreclose?**

ANSWER: The Final ETRM Version 3.5 does not require that agencies use only one office product. To the contrary, it offers agencies many choices. Agencies may choose to retain their existing MS Office licenses, as long as they use a method to save documents in Open Document Format. They may also use one of the many office tools that support Open Document Format in native format--- OpenOffice, StarOffice, KOffice, Abiword, eZ publish, IBM Workplace, Knomos case management, Scribus DTP, TextMaker and Visioo Writer. Because the Open Document Format is an open standard, it increases the vendor pool available to state agencies by encouraging and permitting vendors not already in this field to develop products that support the standard. Adoption of the Final ETRM Version 3.5 will greatly increase competition among vendors for the sale of office applications to agencies.

- 3. QUESTION: Doesn't the Open Document Format requirement impose an unfair and unnecessary state procurement preference? The proposed policy allows only certain products to be used. It also gives an unfair advantage to Adobe PDF that is not justified. This proposed policy simply promotes the use of a narrow group of obscure and unproven software products for viewing and storing documents.**

ANSWER: To the contrary, adoption of the Open Document Format creates no preference tied to a particular product or vendor. Because the Open Document

Format is an open format, available to all, it can be adopted by any vendor who seeks to create desktop software. Adoption of the Open Document Format will enable the Commonwealth's current software vendors to continue to do business with the Commonwealth, and will enable other vendors to provide software on a level playing field. Adobe PDF is owned by Adobe but is licensed under a royalty free, extremely open, nondiscriminatory license.

- 4. QUESTION: In section 390 of chapter 149 of the Acts of 2004, the Legislature created an Information Technology Advisory Board with the mandate to “advise the executive department’s chief information officer on information technology issues, including the development of an enterprise vision, strategy and direction for the use of information technology in the executive department.” Why didn’t ITD seek the advice of the IT Advisory Board on the Final ETRM Version 3.5?**

ANSWER: Shortly after the release of the Final ETRM Version 3.5 for comment, ITD put the issue of Open Document Format on the agenda of the IT Advisory Board, and it was the topic of a lengthy discussion at the September meeting of the Board. In addition, ITD has received comments verbally or in writing from at least five members of the Board. The members of the Board who have commented have not unanimously supported the Final ETRM. ITD greatly appreciates the input of all members of the Advisory Board. However, as representatives of separate branches of state government, the non-ITD members of the Advisory Board lack the authority to require that ITD take or refrain from taking any action. See In the Opinion of the Justices, 365 Mass. 639 (1974). There is no legal requirement that ITD seek advice from the IT Advisory board on any IT initiatives commenced in the Executive Department; rather, a legal requirement is imposed on the Board to provide such advice to ITD.

- 5. QUESTION: Where does ITD get authority to issue a set of standards like Final ETRM Version 3.5?**

ANSWER: ITD is authorized under its enabling legislation, Mass. Gen. L. ch. 7, sec. 4A(d), and under the Massachusetts Uniform Electronic Transactions Act, Mass. Gen. L. ch. 110G, s. 17, to set standards for electronic documents created by Executive Department agencies and to determine “whether, the extent to which and the manner by which” each Executive Department agency creates, maintains and preserves electronic records”.

- 6. QUESTION: ITD posted the Final ETRM Version 3.5 on its website on August 29th, with a deadline for comments of September 9th. This process does not conform to the notice and comment requirements of our state Administrative Procedure Law, Mass. Gen. L. ch. 30A.**

ANSWER: In issuing the draft Final ETRM version 3.5, ITD is not proposing a “regulation” as that term is defined under the state’s Administrative Procedures Act, Mass. Gen. L. ch. 30A. Section 2 of that Act defines “regulations” for which agencies must conduct formal notice and comment proceedings to exclude “(b) regulations concerning only the internal management or discipline of the adopting agency or any other agency, and not substantially affecting the rights of or the procedures available to the public or that portion of the public affected by the agency’s activities”. Under the Final ETRM 3.5, ITD would require use of Open Document format only for documents create by Executive Department agencies. It would not require use of such formats by citizens, businesses, and other governments who communicate with the Executive Department. ITD is a control agency with no regulatory authority over any citizen, business or governmental entity outside the Executive Department. In that the Final ETRM 3.5 does not constitute a “regulation” under the APA, ITD was not required to engage in formal rulemaking in connection with the issuance of this standard. It offered an information notice and comment proceeding voluntarily and in the spirit of cooperative leadership that ITD promotes.

C. Harm to Massachusetts Software Industry

- 1. QUESTION: Won’t implementation of the Final ETRM V. 3.5 hurt the local software industry and benefit companies like Adobe, IBM, and HP?**

ANSWER: There is no evidence to suggest that on the balance the local software industry will be hurt. On the contrary, adoption of open standards enlarges the pool of vendors able to compete in the office application arena.

D. Preexisting documents

- 1. QUESTION: Doesn’t the Final ETRM V. 3.5 ignore the practical reality that there are millions of documents in MS and other formats?**

ANSWER: the Final ETRM V. 3.5 takes this fact into account by limiting the applicability of the Open Document Format standard to documents created by the Executive Department in the future.

E. Immature Standard

- 1. QUESTION: Why are you promoting Open Document Format, an immature standard?**

ANSWER: The Open Document Format has been in use for several years and is the only XML-based document standard accepted by a standard-setting body. Multiple stable office applications currently support the standard. ITD expects that the Open Document Format will, like all living standards, evolve over time.

- 2. QUESTION: Isn't it true that future readability of Open Document Formats is not guaranteed?**

ANSWER: Future readability of Open Document Format formatted documents is guaranteed by virtue of the openness of the Open Document Format.

F. Technical Challenge

- 1. QUESTION: Migrating to applications supporting Open Document Format represents an enormous technical challenge.**

ANSWER: ITD is aware that migrating to Open Document Format poses technical and organizational challenges. Those challenges will be carefully studied by ITD and other Executive Department agencies prior to implementation.

G. Inconsistent treatment of two proprietary standards

- 1. QUESTION: Why are you disallowing the MS XML schema, when it is just as available as the PDF specifications?**

ANSWER: While the MS XML schema is licensed under a somewhat open patent license, its license is not as open as Adobe's copyright license for PDF. Adobe's copyright license for the data structures, operators and written specification constituting the interchange format called the Portable Document Format or "PDF" imposes minimal legal restrictions on developers.

H. Accessibility

- 1. QUESTION: Aren't the products that support Open Document Format inaccessible to persons with disabilities?**

ANSWER: ITD thanks the advocates within the community of persons with disabilities who brought this issue to our attention. ITD is aware that there are some accessibility issues related to use of office applications that support the Open Document Format. ITD is working with the community of persons with disabilities and programmers within and associated with that community to address this issue. Under Final ETRM Version 3.5, agencies can retain copies of MS Office as needed for disabled employees and other citizens. The legal rights of employees and other citizens with disabilities will take precedence over any particular implementation of the Revised Final ETRM V. 3.5.

I. Security

- 1. QUESTION: Isn't it true that software that supports Open Document Format does not offer the same level of security as MS Office?**

ANSWER: Open Document Format is a format, not an office application. ITD, in consultation with the agencies, will evaluate the relative security of office applications to be used in connection with the implementation of the specification.

J. Most documents not stored for long term

- 1. QUESTION: Why are you adopting the Open Document Format when most government records don't require long term preservation?**

ANSWER: Some government documents can be discarded after use; others must be saved for the short term; others for years; some in perpetuity. Most government documents are subject to public records requests and some will become the subject of electronic discovery in litigation. Open Document Format offers advantages in all of these circumstances.

K. Motivation for adopting standard

- 1. QUESTION: Why are you adopting this format when current formats are reasonably available to those making public records and other document requests?**

ANSWER: Ease of access to electronic records created in proprietary formats is limited in time. Once the proprietary vendor abandons a particular version of an application or format, documents created and formatted in those applications and formats may become inaccessible to all readers. The proprietary formats supported by our current office applications may place a permanent lock on future access.

L. Implementation Issues

- 1. QUESTION: Many state agencies currently rely on Microsoft Office (hereinafter "MS Office"). Adoption of the Final ETRM Version 3.5 could cause difficulty in daily office function. How will agencies share documents smoothly with other agencies, municipalities, citizens, businesses, and other government agencies?**

ANSWER: the Final ETRM V. 3.5 applies only to documents created by Executive Department agencies. It does not require that citizens, businesses, and other governments use open document format in communicating with the Executive Department. The Final ETRM V. 3.5 permits agencies to keep their existing MS licenses as long as the software supporting them includes a method for saving documents in Open Document Format. Implementation plans will take into account the need to maintain interoperability through the use of a variety of acceptable formats.

2. **QUESTION: If the Final ETRM V. 3.5 is adopted, won't state agencies need to work with private sector organizations and citizens on a case-by-case basis to work out ways to convert documents back and forth and to troubleshoot problems? The impact of this process on critical agencies like those within the Executive Office of Human Services who depend on the interoperability of their respective IT systems with other branches of state government, particularly the judicial and public safety sectors, will be unacceptable.**

ANSWER: The Final ETRM V. 3.5 does not apply to documents that the Executive Department receives from external entities. Agencies outside the Executive Department with which EOHHS does business are not subject to Final ETRM V. 3.5. Current data exchanges between EOHHS and its partners outside of EOHHS will not be affected by the Final ETRM 3.5 Data Formats section because the Open Document Format standard applies only to office documents, not to pure data exchange between systems. To the extent to which agencies exchange documents created using office applications with outside agencies, ITD understands that there can be no cookie-cutter, one-size-fits-all approach to implementing the Final ETRM Version 3.5. Each agency will create its own implementation plan taking into account the possibilities and limitations of its communications with outside parties.

3. **QUESTION: What is ITD going to do about implementation issues, including the following:**
- A. **Existing agency commitments, departmental priorities and initiatives?**
 - B. **What support will ITD provide for migration, training, licensing, etc?**
 - C. **Changes to the RFR development process?**
 - D. **Reports developed and interfaced to application databases, like eTRack and Surplus property. Will these need to be modified?**
 - E. **How does this affect submission of documents to externally hosted applications?**
 - F. **Will agencies lose functionality by moving to office applications that support Open Document?**

ANSWER: ITD will work with Executive Department agencies on a phased implementation plan that will take into account these and many other implementation issues.

M. **Applicability of Open Document Format Requirement**

1. **QUESTION: Does this impact all MS document tools or just Word, Excel and PowerPoint? What about Access, Project, Publisher and Outlook?**

ANSWER: The Open Document Format applies to office documents including text documents, spreadsheets, and presentations. Other MS Office applications are not affected at this time.

- 2. QUESTION: What impact will this policy have on the current UFR system, which uses an MS Excel template to collect data submitted by 1,000+ organizations with financial information and allows the attachment of MS based documents into the Hummingbird Document Management System? What impact on interaction and interfaces during the parsing will this change have?**

ANSWER: As part of implementation planning, all applications that rely on documents that do not comply with the Open Document Format will be identified. A phased implementation plan will address each application individually to ensure that implementation causes no disruption of agency business.

- 3. QUESTION: What impact do these changes have on the vendors who currently do business with agencies by exchanging and submitting documents to us using MS office tools? Are there additional challenges we place on customers and clients who must manage their business with us one way and with other clients in a different way?**

ANSWER: Because under the Final Version 3.5 agencies will be able to continue using their current MS Office applications, as long as they use methods to save documents in Open Document Format, this should not be an issue. And the Final ETRM applies only to documents that agencies create and save, not to documents they receive from third parties.

- 4. QUESTION: What about conversion of old documents? Should existing documents be converted?**

ANSWER: The Final ETRM Version 3.5 applies only to new documents, and does not require conversion of documents existing before the implementation date.