

NISTIR 8001

**Seventeenth Annual Report on Federal
Agency Use of Voluntary Consensus
Standards and Conformity Assessment**

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**National Institute of
Standards and Technology**
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Seventeenth Annual Report on Federal Agency Use of Voluntary Consensus Standards and Conformity Assessment

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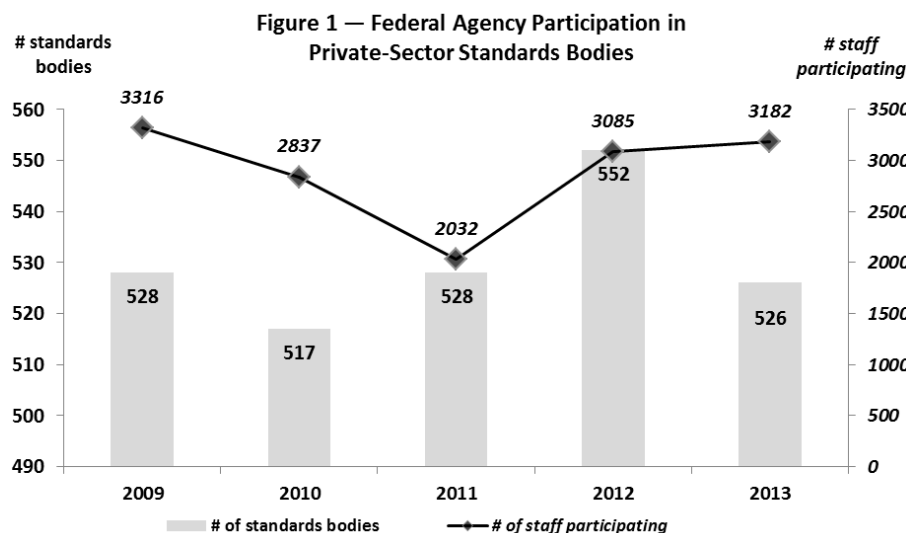
Seventeenth Annual Report on Federal Agency Use of Voluntary Consensus Standards and Conformity Assessment

The U.S. Department of Commerce (DOC) presents this summary report to the Office of Management and Budget (OMB) in compliance with OMB Circular A-119 and Public Law 104-113, the National Technology Transfer and Advancement Act (NTTAA). As required by Section 9 of the Circular, this report, prepared by the National Institute of Standards and Technology (NIST), describes activities related to the use of voluntary consensus standards (VCS) reported by 24 federal agencies during fiscal year (FY) 2013. These federal agencies, listed in Appendix A, fulfilled the reporting requirements of both the OMB Circular A-119 and Section 12 (d) (3) of the NTTAA by providing information on their activities related to the use of voluntary consensus standards in regulation, procurement, and conformity assessment.

In FY 2013, no agencies reported issuing a government unique standard (GUS) in lieu of VCS. As noted in Appendix A, there was no change to the current total of 53 GUSs replacing VCS (not since the inception of this report in 1997). Federal agencies reported 206 new uses of VCS, down from the 424 reported in FY 2012. Department of Defense (DoD) accounted for the majority (44 %) of the reported new uses, with the Department of Homeland Security (DHS) and the Environmental Protection Agency (EPA) ranking next at about 12 % each. Federal agencies reported substituting 24 VCS for GUSs, all reported by DoD.

The continued adoption of VCS, together with the review of opportunities to replace existing GUSs with VCS, may indicate an awareness and acceptance of private sector standards by federal agencies. These general trends, along with the low rate of development of new GUSs in lieu of VCS, suggest that federal agencies are more apt to consider using VCS to meet their regulatory, procurement, and conformity assessment needs.

Agencies reported 3,182 personnel participating in a total of 526 standards organizations during FY 2013. Figure 1 displays data describing the last five years of reported federal participation in standards bodies. The continued high level of federal engagement reflects a sustained commitment of the U.S. government to the activities of the private sector led VCS system.



Evaluation of the Effectiveness of OMB Circular A-119

During FY 2013, the majority of reporting agencies either had no comment on the effectiveness of OMB Circular A-119, or indicated that they found the Circular effective. Presented below are a few individual agency comments and their recommended changes to the Circular.¹

Consumer Product Safety Commission (CPSC) - During FY 2013, Commission staff efforts to enhance voluntary safety standards development were complemented by the overall Federal policy set forth in the Circular.

Department of Health and Human Service (HHS) – The guidance falls short of a benefit-cost analysis model for agency decision making about using VCS that impose a cost to the public and private sector users of the standard that is mandated by government regulation. There seems still to be no guidance on this issue.

Department of Transportation (DOT) - DOT believes that Circular A-119 is working effectively. The use of voluntary standards provides significant cost and implementation efficiencies for regulatory agencies, and for regulated entities and industries. There continues to be a low volume of government-unique standards being used in lieu of voluntary consensus standards within DOT.

DOT continues to recommend that OMB Circular A-119 be revised to require NTTAA reporting only on instances of government-unique standards being used in lieu of voluntary consensus standards, with the default position being that agencies use VCS for regulatory work. The Circular should continue the policy that there is no requirement to report on government-unique standards developed when a voluntary consensus standard is unavailable, per sections 6g and 9a of the Circular.

EPA – The fact that the Circular exists is helpful in getting the attention of management levels with regard to employee participation in standards activities as well as use of non-government standards in Agency programs. This reporting mechanism has not, in and of itself – at least for this Agency – proven to be a significant asset in trying to encourage strategic consideration of the voluntary standards and conformity assessment tools available here in the US and worldwide. In effect, the Circular does not seem to need revision but a reconsideration of the reporting might be helpful in providing the Administration, Congress, and the public with a better sense of the value of the standards system and how collaboration between the government and the system is to the benefit of all.

The full text of agency individual reports may be found at <https://standards.gov/NTTAA/agency/index.cfm?fuseaction=agencyReports.main>.

¹ It is within OMB's purview to consider and respond to these comments as appropriate.

Summary

Over the past 17 years, federal agencies report a running total of only 53 GUSs used in lieu of existing VCS (either added a new GUS or subtracted a discontinued GUS). This small inventory reflects the success of the NTTAA in encouraging agencies to use VCS and to engage with the private sector standards system for solutions to government needs.

Guided by the NTTAA and OMB A-119, NIST continues to assist federal agencies and their stakeholders with standards and conformity assessment information, program support, guidance, and policy concerns. NIST hosts <http://standards.gov>, offering ongoing practical guidance, tools such as the searchable Standards Incorporated by Reference database, and information needed by agencies to implement the NTTAA successfully as well as a means to report standards activities as required by the NTTAA and OMB Circular A-119. This report fulfills the annual reporting requirements of both the NTTAA and OMB Circular.

Appendix A: FY 2013 Federal Agency Information on Participation/Adoption of Voluntary Standards Activities Required by OMB Circular A-119

Agency ***	GUS used in lieu of VCS	VCS substituted for GUS	New VCS used this year	Employee participation in VCS bodies	VCS bodies with agency participation
USDA	1	0	0	70	40
DOC	0	0	1	571	137
DoD	*	24	83	n/a	98
DOE	0	0	6	420	100
ED	0	0	0	22	4
HHS	1	0	12	944	166
DHS	0	0	23	216	37
HUD	2	0	0	9	8
DOI	0	0	5	166	87
DOJ	0	0	2	13	8
DOL	13	0	0	62	22
DOT	4	0	8	122	56
TRES	0	0	0	1	14
EPA	23	0	26	150	14
GSA	3	0	15	12	19
NARA	1	0	0	14	10
NASA	*	0	0	115	20
CPSC	2	0	3	36	9
FCC	0	0	8	28	13
FTC	0	0	0	0	0
NRC	2	0	12	193	16
GPO	0	0	2	9	5
ACCESS	1	0	0	6	11
NSF	0	0	0	3	1
Totals	53	24	206	3,182	**

* Agencies reporting on a categorical basis per OMB Circular A-119, Section 12.

** Total not provided - a VCS body may have participation from more than one federal agency.

*** Access Board (ACCESS); Consumer Product Safety Commission (CPSC); Department of Agriculture (USDA); Department of Commerce (DOC); Department of Defense (DoD); Department of Education (ED); Department of Energy (DOE); Department of Health and Human Services (HHS); Department of Homeland Security (DHS); Department of Housing and Urban Development (HUD); Department of Justice (DOJ); Department of Labor (DOL); Department of the Interior (DOI); Department of the Treasury (TRES); Department of Transportation (DOT); Environmental Protection Agency (EPA); Federal Communications Commission (FCC); Federal Trade Commission (FTC); General Services Administration (GSA); Government Printing Office (GPO); National Aeronautics and Space Administration (NASA); National Archives and Records Administration (NARA); National Science Foundation (NSF); Nuclear Regulatory Commission (NRC).