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NIST Weights and Measures Division

Our Roles and Responsibilities

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The intent of this article is to help you, our customers and stakeholders, to understand what we do and why we do it. The NIST Weights and Measures Division works under the authority of Federal Law, as enumerated in the Constitution and made explicit in the Organic Act (U.S. Code-Title 15 Section 271 “NIST Act”), and excerpts follow below that pertain to the work we do.

The Organic Act reads:

“(b) The Secretary of Commerce (‘Secretary’) acting through the Director of the Institute (‘Director’) and, as appropriate, through other officials, is authorized to take all actions necessary and appropriate to accomplish the purposes of this Act, including the following functions of the Institute— ...

(9) to assure the compatibility of United States national measurement standards with those of other nations;

(10) to cooperate with other departments and agencies of the Federal Government, with industry, with State and local governments, with the governments of other nations and international organizations, and with private organizations in establishing standard practices, codes, specifications, and voluntary consensus standards; ...

(c) In carrying out the functions specified in subsection (b), the Secretary, acting through the Director and, if appropriate, through other appropriate officials, may, among other things—...

(4) cooperate with the States in securing uniformity in weights and measures laws and methods of inspection.”

The Organic Act can be found in its entirety at:

<http://www.nist.gov/director/ocla/organic.htm>.

NIST also has a duty under the Fair Packaging and Labeling Act (FPLA) to work with the states on packaging and labeling under: Sec. 1458. Cooperation with State Authorities; Transmittal of Regulations to States;

“(a) A copy of each regulation promulgated under this chapter shall be transmitted promptly to the Secretary of Commerce, who shall (1) transmit copies to all appropriate State officers and agencies, and (2) furnish to such State officers and agencies information and assistance to promote to the greatest practicable extent uniformity in State and Federal regulation of the labeling of consumer commodities.”

has adopted the following mission:

To improve the accuracy of measurements, enhance consumer protection, foster fair competition, and facilitate economic growth and trade through technical activities that promote uniformity in national and international legal metrology laws, regulations, standards, test procedures and enforcement.

The work we do as a Division is focused on this mission. It includes the publication of test procedures, guidelines, field manuals and other documents, the training of administrators, metrologists, field inspectors and related industry personnel, responding to thousands of technical inquiries and requests for information, and participation in the development of technical standards related to legal metrology. Our standards development work involves participation in a number of organizations, such as ASTM, OIML, and NCWM. The role of the Division is slightly different for each of these organizations. For instance, in OIML, we represent U.S. positions in an international forum based on the input we receive from industry, regulators, and others. In the NCWM, our role has evolved over the years since NCWM became incorporated after being sponsored by NIST. We have changed from being somewhat of a “parent” figure to more of a mentor or advisor. Therefore, it may be of value now to clearly define and restate what we do as Executive Secretary, Technical Advisors, and as members of NCWM. It is also important to note that the success of our work depends on the cooperative relationships we develop with our customers and stakeholders.

As Executive Secretary, we publish the agendas and reports of the Conference, as well as the NIST Handbooks that are adopted through the NCWM process. The staff time associated with this task is large and uses a significant percentage of our resources.

As part of our mission, we participate in technical activities that promote uniformity. One of our roles within the NCWM is to serve as Technical Advisors, providing technical expertise and advice to the membership. We do this by serving on technical committees, publishing technical articles and by speaking during the open hearings and committee work sessions on the technical merit of a proposed item. Our goal is to highlight the technical integrity or lack thereof in any proposal, rather than to be seen as taking sides on any given issue. We will also indicate whether we believe that a proposal that, as written, will lead to more or less uniformity across the country. We strive to limit our input to information based on fact, or research, and resist being drawn into discussions outside of this realm. But even when talking about technical issues, there can be disagreement over what is the best course of action. The final decision on whether any proposal is ready to be put forward as a voting item rests with the appropriate standing committee, and the decision to adopt an item rests with the voting membership.

We provide to the U.S. citizens and branches of government advance notification of proposals to change rules affecting commerce to promote uniformity and allow due process through notices published in the ***Federal Register***. When we publish the *Federal Register* notice announcing the Interim or Annual Meeting, we include this excerpt for legal reasons: “Publication of this notice on the NCWM’s behalf is undertaken as a public service; NIST does not endorse, approve, or recommend any of the proposals contained in this notice or in the publications of the NCWM mentioned below.” This is intended to clarify that NIST did not necessarily write or create the items and, therefore, does not claim ownership. It should not be misinterpreted to mean that we cannot speak to the items individually during the open hearings.

Our intent is to provide impartial technical input while staying within the boundaries of our authority. We also take seriously concerns about our giving the appearance of doing otherwise. Our collaborations

are easy when we reach the same conclusions in our analysis. However, when we differ on the technical merits of a Handbook proposal, as the document's publisher, we have a responsibility and right to voice our concerns. This is part of the open discussions that have been encouraged in the weights and measures standards development process since 1905. As members of NCWM, we are all striving to be civil when providing input and graceful in our acceptance of constructive criticism.

By explaining to you our purpose and goals as Executive Secretary, Technical Advisors, and members of the NCWM, we hope to facilitate open dialogue regarding our participation in the NCWM and its limitations. We also hope you have a better understanding of our role in the weights and measures system, and we welcome questions, comments, and feedback.