

U.S. Government Policy and Guidance on Development and Use of Standards and Conformity Assessment

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Standards Coordination Office

National Institute of Standards and Technology

Office of Management and Budget Circular A-119



- Guidance to U.S. federal agencies in support of the National Technology Transfer and Advancement Act (NTTAA) – Public Law 104-113
- Addresses:
 - ✓ **Choosing and using** voluntary consensus standards in lieu of government-unique standards;
 - ✓ **Participation** in standards development activities;
 - ✓ Choosing methods of **conformity assessment**;
 - ✓ Considering **international standards and obligations**.
- Broad in scope - applies to regulatory activities, procurement activities, and programs.

- **Preference for use of existing voluntary consensus standards...**
 - over government-unique standards where feasible...
 - unless inconsistent with law or otherwise impractical.
- Definition focuses on the process used to develop standards

Openness

Consensus

Balance

Due Process

Appeals Process

- Permits agencies to consider other standards to meet the missions and priorities of the agency
- Preference for performance standards (vs. design)
- Agencies can use multiple standards, parts of standards

- Agencies must respect copyright of standards developers
- OMB Circular A-119:
 - References Office of the Federal Register Rule on Incorporation by Reference
 - Provides criteria for agencies to consider when examining if a standard meets agency needs and should be adopted, including whether the standard is “reasonably available.”

“...the agency should work with the relevant standards developer to promote the availability of the materials, consistent with applicable law, such as through the use of technological solutions, low-cost-publication, or other appropriate means, while respecting the copyright owner’s interest in protecting its intellectual property.”

Demonstration that specified requirements relating to a product, process, system, person or body are fulfilled

NOTE 1 The subject field of conformity assessment includes activities...such as testing, inspection and certification, as well as the accreditation of conformity assessment bodies

Source: ISO/IEC 17000:2004, *Conformity assessment — Vocabulary and general principles*

- Agencies should consider:
 - ✓ Level of confidence needed
 - ✓ Risks associated with non-compliance
 - ✓ Costs of demonstrating conformity
- Consider international and private sector conformity assessment mechanisms in lieu of or in conjunction with government conformity assessment procedures
- Consult with The Office of the United States Trade Representative (USTR) on relevant international obligations

Thank you!



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