

Notes
ICSP-GMF Meeting
Tuesday October 9, 2012
9am – 12 pm

Newseum, Knight Conference Center
555 Pennsylvania Avenue, NW, 6th Street Entrance,
The Freedom Forum Entrance, Washington, DC 20001

ICSP Session

Welcome and Introductions - Mary Saunders, ICSP Chair, NIST

Formation of ICSP Conformity Assessment Working Group –Gordon Gillerman, NIST

Gordon Gillerman provided an overview of background for developing a task or working group under the ICSP to address conformity assessment issues in-depth. NIST held a heavily attended Conformity Assessment forum earlier this year. One outcome was a request for the formation of a working group to discuss issues and share best practices. First meeting will be October 30th at GSA headquarters, 1275 1st Street NE 9-11am. Will discuss draft charter then. Plans are to hold 3-4 meetings per year and possibly one congruent with the ICSP. Motion for the establishment of the CA working group was approved by hand vote - 16 approved, no opposed. It was established that we had a quorum to conduct the vote¹.

Review of ACUS Report on Conformity Assessment – Gretchen Jacobs, Research Director, Administrative Conference of the US

Ms. Jacobs described ACUS, a small independent agency dedicated to improving the administrative process and developing recommendations for all branches of government. One of their recent projects involves a study of the current practice of use of 3rd party conformity assessment in government programs. ACUS has engaged Professor McCalister from the University of San Diego School of Law to look at the increasing USG practice of using 3rd party conformity assessment programs to assess market compliance. The report, [Third-Party Programs to Assess Regulatory Compliance](#) looked at eight programs across four agencies. Reasons for increasing use of 3rd parties in assessing compliance with regulatory and discretionary programs is driven by the large number of entities which need to be assessed and the limitation of government resources. Use of third parties expands reach of regulators even beyond borders to permit assessment of products outside the country. Draft recommendations fall into two broad areas: Considerations for evaluating the use of 3rd party programs (potential resources, regulatory alternatives; and evaluation of incentives for 3rd party programs) and considerations when establishing 3rd party programs (proportionality of risk, use of existing standards, information dissemination strategy, agency oversight strategy). Several questions were asked about the scope of the research. Table 1 on page 11 of the report described the programs that were evaluated. Third party conformity assessment programs in procurement were outside the scope of this report. It was noted that Water Sense and Energy Star programs are non-regulatory. For the report, there was not a distinction made between regulatory and non-regulatory but identified risk as a factor in determining an appropriate scheme. This study was a review and evaluation of

¹ From ICSP Charter: “Attendance at Committee meetings by at least one half of the designated members of the Committee shall constitute a quorum.” We had representatives from 18 of the ICSP agencies, 16 designated personnel out of 29 non-vacant agencies.

types of schemes in use. The ACUS draft [recommendation](#) for use of 3rd party programs will be considered at the next plenary of the Administrative Conference in December.

ISO 31000 Risk Management in the USG – A Building Block for Management Efficiency - Karen Hardy, Deputy Director, Office of Program Evaluation & Risk Management, Department of Commerce

Karen Hardy described how the Department of Commerce uses "ISO 31000 - Risk management – Principles and guidelines" in its risk management program. As a member of the US TAG for ISO 31000, Karen organized a group of federal agency users to gather feedback into the development of the draft ISO standard. Enterprise risk management has received more attention in the USG. It's also important that federal contractors use risk management. There was a question about what type of risk: financial, injury, contractor, or mission? Agencies are looking at both their risks to mission and operational risks. Risks have often been managed in silos and this standard provides a level of strategic approach to risk management. The Canadian government is using it. There may be at a future date, a White Paper describing Commerce's implementation. There was a question about FEMA's risk management guidance - Threat and Hazard Identification and Risk Assessment (THIRA) Guide vs. ISO 31000. They are different – THIRA looks at core competencies, 31000 looks at asset management. 31000 is general, a tool, and helps frame concepts of risk management. Some agencies are more specific; however, Commerce is broad, with 13 different missions.

Update on the considerations of OMB revision of A-119 – Jasmeet Seehra, OMB

Ms. Seehra discussed the status of OMB's review of possible changes to the Circular. OMB is looking at three major areas – conformity assessment, international, and incorporation by reference. The level of detail and guidance on international considerations has not been determined. When a draft document is ready, it will likely be sent through the LRM (Legislative Referral Memorandum) process. There will likely be a longer public review comment period. Agency participation guidance section is being thought through. NARA's decision on IBR would likely be coordinated to provide Circular guidance. OMB welcomes input from Standards Executives regarding changes that would be helpful, particularly in the non-voluntary consensus standards area as the Circular is fairly silent on this.

NTTAA Reporting – Mary Donaldson, NIST

The NTTAA reporting requirements and questions have not changed from last year. The NTTAA reporting system will be open from Nov 1st through Dec 15th. Login at: <http://standards.gov/nttaa/agency/index.cfm?fuseaction=home.login>. An email reminder with instructions will be sent. If you have any questions or need assistance with your reports, please contact Nathalie Rioux (nathalie.rioux@nist.gov) or Mary Donaldson (mary.donaldson@nist.gov).

Additional Business – Around the Table

Mary Jo Dibernardo, NIST – There is an upcoming NIST workshop for Federal Agencies on November 8th at the Capital Conference Center in Arlington VA: "Standards Policy and Practices for Federal Agencies". It is full day and free for Federal agencies. Keynote speaker is Mr. Robert Adler, Commissioner, CPSC. Panel Discussions include: The Spectrum of Standardization; Current Federal Policy on Standards; Current Topics in Standards. Additional presentations include: The ICSP and Standards.gov, Key Attributes of Standards Development for Federal Agency Consideration, and Standards and International Trade Implications of the WTO-TBT agreement. For this and other upcoming workshop information visit <http://gsi.nist.gov/global/index.cfm/L1-4/L2-14>.

Mary McKiel, EPA – There is growing interest at EPA in energy and sustainability issues. The non-regulatory partnership programs are different than regulatory programs. These differences raises a lot of questions.

Scott Colburn, FDA/HHS – Standards work continues in medical devices surrounding interoperability of devices and medical records. FDA uses standardization process as innovation tool and to reduce duplication, identify and close gaps, and push the technology along.

Peter Shebell, DHS – DHS continues to work on pushing resilience by encouraging best practices through use of conformity assessment or rewards programs. Developing the right incentives involves choosing a balance between conformity assessment and rewards methods. The [GRaDER](#) program is such an example.

Greg Saunders, DoD – DoD is working on developing a set of high level systems engineering standards that will be used on contracts. As part of its evaluation of standards organizations to work with, DoD will be looking at standards development principles and costs as working groups have become more sensitive to this.

Erin Morris, USDA – USDA has a wide variety of programs that use conformity assessment. USDA will be participating in the conformity assessment work group.

Bill Hamilton, DOL/OSHA – OSHA continues to move forward in standards.

Tim Klein, DOT – DOT continues to work in the field of intelligent transport systems (ITS) which involves smart vehicles, traffic management centers, and cars. DOT is working to harmonize, internationally, ITS standards and now has agreements with Korea, Japan, and the EU. A new surface transportation bill went into effect Oct 1 which gives DOT Federal responsibility for transit safety which involves buses, heavy rail, light rail, trollies and other modes.

Con Crowley, Treasury - Treasury is just getting its standards program off the ground along with standing up its new office of Financial Research which was created by Dodd-Frank [H. R. 4173—848: Dodd-Frank Wall Street Reform and Consumer Protection Act].

Benjamin Goldstein, Office of Energy Efficiency and Renewable Energy, DOE – Applying lessons learned from Energy Star and looking at workforce training and certification programs for personnel engaged in clean energy related jobs. DOE is the public sector co-chair of the new [ANSI Energy Efficiency Standardization Coordination Collaborative](#). If anyone is interested in energy efficiency standards, contact Benjamin to get involved in the process.

Ashley Moore, DHS/FEMA –The second part of the private sector preparedness program, the small business preparedness recognition program pilot is soon to be launched. The program is based on ISO standards for self-declaration while performance is based off of voluntary consensus standards.

Debra Stoe, DOJ/NIJ – NIJ continues to develop and publish standards. They look forward to participating in the CAWG and work on developing the business case for certification.

Colin Church, CPSC – CPSC continues to work with the private sector in the update of voluntary standards for infant and toddler products as well as working on making them mandatory as required by law.

Marilyn Redman, NARA – NARA is undergoing reorganization. New office will give higher priority to data.

Michael Case, NRC – NRC participates with the IAEA in non-consensus standards development which uses a review and comment process. NRC is looking to broaden the review and comment to other federal agencies. It was noted that other agencies also work with treaty organizations such as State Department and ITU and DOT and IMO.

Kathy Hennes, Office of the Program Manager for Information Sharing Environment, PMISE, ODNI, PMISE has a number of pilot projects. One example is the sharing of medical records between DoD and VA.

Adjourn/Break

Attendees

Michael Case, NRC

Carol Moyer, NRC

Cathy Hennes, PM-ISE

Ileana Martinez, NIST

Mary Donaldson, NIST

Pat Harris, NIST

Gordon Gillerman, NIST

Mary McKiel, EPA

Mary Saunders, NIST/DOC

Ross Filice, FDA/HHS

Scott Colburn, FDA/HHS

Cheri Hautala Bateman, DHS

Peter Shebell, DHS

David Pritchett, ACUS

Gretchen Jacobs, ACUS

Bill Hamilton, OSHA/DOL

Corneleus Crowley, OFR, Treasury

Benjamin Goldstein, DOE

*Jeff Feit, DOE**

Greg Saunders, DoD

Trudie Williams, DoD

Erin Morris, USDA

Tim Klein, DOT

Dave Alderman, NIST

Lisa Carnahan, NIST

Amy Phelps, NIST

Jasmeet Seehra, OMB

Ashley Moore, DHS FEMA S&T

Colin Church, CPSC

Debra Stoe, DOJ/OTP/NIJ

Marilyn Redman, NARA

Ajit Jilla, NIST

Jennifer Moffat, GSA

Jennifer Stratman, USTR

**Via Teleconference*

ICSP/GMF Joint Session – Open to All

Welcome- Co-Chairs: Mary Saunders NIST, ICSP and Mary McKiel, EPA, GMF

Self-Introductions - All

Opening Remarks from ANSI - Mr. Bhatia introduced Jim Pauley, ANSI's Chairman of the Board to provide welcoming remarks. Joe Bhatia followed and provided additional opening remarks about the benefits of having joint meetings to stay connected and stay up to date on the issues. ANSI is engaged in dialog about the availability of standards with respect to IBR; resolved issue of ability of US stakeholders to engage in the international standards organizations such as ISO and IEC and whether or not OFAC sanctions would apply; revisions of OMB A-119 and elements of conformity assessment and international linkages. ANSI is open to putting together specific topical dialogs in the future. He welcomed the attendees to participate in the other activities of World Standards Week.

Incorporation by Reference issues before PHMSA – Tim Klein, DOT

Tim Klein provided an update of the unresolved issues regarding the implementation of the new pipeline safety law which goes into effect in January. This law would restrict DOT/PHMSA from incorporating by reference any standard that is not available for free on the Internet to the public. This will affect not only PHMSA rulemaking schedules, but states and international partners as well. Tim discussed the options available to PHMSA, but no implementation strategy has emerged as a good solution for use of incorporated standards in rulemaking. Several questions were raised including whether DOT would consider only posting that section of a standard that is incorporated rather than the entire standard and about the impact on the standards already currently incorporated. Currently incorporated standards are not affected but updates would be and yes, only those portions of a standard being incorporated would need to be posted. If PHMSA cannot update standards being used, then the regulations fall behind technologically. Most inspections are done by state inspectors, enforcing federal standards at the state level. As a result, all of the regulations fall behind if the standards cannot be updated. Q – Could DOT pay the SDO to make the standard available free to the public, would the law allow this? A - The law does not restrict DOT in how it works with the standards developers to implement the law, the emphasis is on transparency. Q – How could the standards community help? A - There are many constituencies affected and they are encouraged to make their impacts known, especially regulated entities. Question was raised about use of different formats. A - The copyright holders need to determine the format if they are making their IP available. There are concerns about Section 508 compliance. Joe Bhatia expressed the need to find better solutions for this issue taking into account everyone's needs considering access and availability. ACUS has looked into and has presented some solutions. ANSI will continue to explore options.

Discussion of Standards Incorporated by Reference Database – Fran Schrotter, ANSI

Fran Schrotter described its plans for developing a portal/repository for standards incorporated by reference to be made available in a read only mode. There are plans to discuss this week with the standards developers at this week's OMF meeting. ANSI is looking at how the SDO's provide access now and evaluating how to develop a flexible tool which would be helpful to both private and public sectors. NIST has maintained the Standards Incorporated by Reference database on Standards.gov along with the CFR citations. NIST does not have the mission or internal resources to link to all incorporated standards, however, NIST would be supportive of a more effective tool.

Discussion of NAESB ‘Green Button’ smart meter standard success story- Dave Wollman, NIST

Dave Wollman [presented an overview](#) of the development of the ‘Green Button’ smart meter standard, part of the larger Smart Grid national priority effort. The Green Button standard was based on NAESB – North American Energy Standards Board standards and involved USG agencies working together with the private sector, utilities and within and between standards development organizations. The standard enables the recording of detailed electricity consumption information and provides customers with access to this information. Efforts to develop the data standards were spurred by the US CTO’s challenge to put energy usage information into the hands of the consumer. As a result, over 15 million consumers now have access to their energy usage information online. The standard provides a ‘brand’, i.e., Green Button and a format for authorized electronic data exchange between the consumer, utility and 3rd parties. Through the [Smart Grid Interoperability Panel](#), many different SDO’s are brought together. Utilities are committed to make the data available and entrepreneurs are finding novel uses for this data. As Green Button is implemented, data uniformity should be enhanced overtime through a testing and certification process. Q- will Green Button be able to capture Electric Vehicle recharging? A- The standard is broad and comprehensive enough that it would be able to host usage points under it, such as EV recharging.

Current legislative activities of potential interest to the standardization community – Scott Cooper, ANSI – Scott Cooper, ANSI

Scott Cooper provided an update on legislative and government activities:

- **Hill** - The Congress is currently in recess. The big issue this Fall is sequestration. Solutions have to be collaborative between both public-private sector.

- **IBR database** – This tool can play an important role as a middle ground in the public/private partnership as a way to better distribute standards information.

- **Office of Foreign Assets Control decision** - ANSI approached OFAC for guidance on participation in international standards development such as ISO and not running afoul of OFAC regulation 31 C.F.R. Part 560, “ITR” which prohibits trading with Iran. OFAC’s response provided support to ANSI’s position that standards and standards development fit under the informational material exception of the regulation. For further information on this topic, see: http://www.ansi.org/news_publications/news_story.aspx?menuid=7&articleid=3335

- **IBR in Standards Educational Event for Capitol Hill** – ANSI is planning along with NIST and ACUS, for some time next year, an educational event to provide a forum to enable discussions and solutions to Incorporations by Reference of standards. Event would illustrate collaboration between public and private sector and explore solutions that don’t do harms. A question was asked about what other agencies are being invited to participate? All agencies are welcome to participate. The event is still in early planning.

ISO General Assembly Update – Mary McKiel, EPA

Mary McKiel provided an overview of the ISO General Assembly meeting which took place in September in San Diego, CA. All were satisfied with the contractor, venue and the largest turnout at an ISO General Assembly, over 500 people from over 120 countries, including 60 US attendees. Dr. Pat Gallagher, NIST Director was the keynote speaker and set tone for the meeting emphasizing the importance of standards and working together cooperatively. Jim Pauley, ANSI Board Chairman,

presented welcome and overview of the US standards systems and role of ANSI in the US. The format of the meeting was breakout sessions and discussion, a first for an ISO GA. Breakouts occurred in both the ISO GA and the open session on sustainability. Facilitators helped to encourage participation.. There were four breakouts, Intellectual property rights in standards, ISO partnering (with other organizations), IT tools in standardization, and standards education. From the sessions, over 120 recommendations emerged for ISO Council consideration.

Other Business, Next Meeting – No further business, next meeting TBD.

Adjourn

Attendees

*Ileana Martinez, NIST
Jennifer Moffat, GSA
Mary Donaldson, NIST
Kathy Hennes, PM-ISE
Marcus Pollock, DHS/FEMA
Carol Moyer, NRC
Michael Case, NRC
Ajit Jilla, NIST
Marilyn Redman, NARA
Eric Puskar, NIST
Colin Church, CPSC
Ross Downing, Boeing
Debra Stoe, DOJ/NIJ
James Sorace, HHS
Ashley Moore, DHS/FEMA
Pat Harris, NIST
Jim Pauly, Sneider Electric/ANSI Chairman
Gordon Gillerman, NIST
Joe Batia, ANSI President and CEO
John Paul Emard, ATIS
Lisa Carnahan, NIST
Mary Jo Dibernardo, NIST
Mary Saunders, NIST
Mary McKiel, EPA
Scott Cooper, ANSI
Fran Shrotter, ANSI
David Wollman, NIST
Ross Filice, FDA
Peter Shebell, DHS Cheri Hautala-Bateman, DHS
Scott Colburn, FDA
David Pritchard, ACUS
Greg Saunders, DoD
Trudie Williams, DoD
Gretchen Jacobs, ACUS
David Pritzker, ACUS
Erin Morris, USDA
Bill Hamilton, OSHA/DOL
Dan Bart, Valley View Corp*

Tim Klein, DOT
Laura Hitchcock, Boeing
Amy Phelps, NIST
Benjamin Goldstein, DOE
Bonnie Rose, GSA
George Gulla, ANSI
Ed Eckert, Zigbee Alliance
Dave Alderman, NIST
Con Crowley, Treasury, OFR
Chris Carnahan, Aerospace Industries Association
Dave Karmol, ICC
Bill Berger, ASME
Claire Ramspeck, ASHRAE
Dan Ratner, ANSI
Jeff Sero, NASA
Bruce Mahone, SAE International
Andy Updegrove, Gesmer Updegrove
University of Toledo- 2 people