

OMB Guidance Documents: Standards Provisions

- **Circular A-119**
- **E.O. 13563**
- **E.O. 13609**
- **E.O. 13610**

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OMB Circular A-119

- Applies to federal procurement and regulatory activities
- Sets policies for standards and conformity assessment activities
- Developed following years of government experience in using standards
- Impacts standards organizations, industries and trade as well as government
- Currently under consideration for revision by the Office of Management and Budget

Basics of the Circular

- Purpose: improve internal management of the executive branch
- Directs federal agencies to use voluntary consensus standards in lieu of government unique standards
- Guides agencies on participation in voluntary consensus standards bodies
- Describes reporting requirements

Goals of the Circular

- Eliminate the cost to the government of developing its own standards and decrease the cost of good purchased and the burden of complying with agency regulations
- Provide incentives and opportunities to establish standards that meet national needs
- Encourage long term growth for U.S. enterprises and promote efficiency and economic competition
- Further the policy of reliance on the private sector to supply government needs for goods and services

Additional OMB Guidance

- Improving Regulation and Regulatory Review
- Promoting International Regulatory Cooperation
- Identifying and Reducing Regulatory Burdens

There are standards-related elements in each of these Orders

Improving Regulation and Regulatory Review (E.O. 13563)

- General principles of regulation
 - Outlined and reflected in the following sections
- Public participation
- Integration and innovation
- Flexible approaches
- Science
- Retrospective analyses of existing regulations

Promoting International Regulatory Cooperation (E.O. 13609)

- Recognizes shared challenges involving health, safety, labor, security, environmental and other issues
- Focuses on activities that are reasonably anticipated to lead to significant regulatory actions
- Supports the work of regulatory cooperation councils
 - US-EU, US-Canada, US-Mexico
- Promotes good regulatory practices
- Reinvigorates the interagency Regulatory Working Group

Identifying and Reducing Regulatory Burdens (E.O. 13610)

- Agencies are to invite public participation in their retrospective regulatory reviews
- Directs agencies to give priority to those initiatives that will produce significant savings/benefits
 - Also directs agencies to reduce unjustified regulatory burdens or simplify or harmonize regulatory requirements imposed on small business
- Agencies are accountable for reporting regularly on the status of their retrospective views

Conclusions

- Clear policy signals regarding the important role that voluntary standards play in supporting regulatory programs
- Emphasis on agencies reducing costs and increasing efficiencies; lowering the regulatory burden on industry
- Integration and innovation, flexibility are key
- Regulatory cooperation is identified as an important tool for addressing global challenges