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Submitted Electronically

Ms. Jasmeet Seehra
Office of Information and Regulatory Affairs
jseehra@omb.eop.gov

www.regulations.gov

Re: Federal Participation in the Development and Use of Voluntary
Consensus Standards and in Conformity Assessment Activities

Dear Ms. Seehra:

On behalf of the Association of Home Appliance Manufacturers (AHAM), I would like to provide our comments on the Office of Management and Budget's (OMB) request for information on Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities, 77 Fed. Reg. 19357 (March 30, 2012).

AHAM represents manufacturers of major, portable and floor care home appliances, and suppliers to the industry. AHAM's membership includes over 150 companies throughout the world. In the U.S., AHAM members employ tens of thousands of people and produce more than 95% of the household appliances shipped for sale. The factory shipment value of these products is more than \$30 billion annually. The home appliance industry, through its products and innovation, is essential to U.S. consumer lifestyle, health, safety and convenience. Through its technology, employees and productivity, the industry contributes significantly to U.S. jobs and economic security. Home appliances also are a success story in terms of energy efficiency and environmental protection. New appliances often represent the most effective choice a consumer can make to reduce home energy use and costs.

AHAM is also a standards development organization, accredited by the American National Standards Institute (ANSI). The Association authors numerous appliance performance testing standards used by manufacturers, consumer organizations and governmental bodies to rate and compare appliances. AHAM's consumer safety education program has educated millions of consumers on ways to properly and safely use appliances such as portable heaters, clothes dryers, and cooking products.

OMB is seeking input on whether and how to supplement Circular A-119, Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities (the Circular). The Circular directs Federal agencies to use voluntary consensus

standards in lieu of government-unique standards except where inconsistent with law or otherwise impractical. AHAM believes that the Circular has served the needs of both the public and private sectors and need not be revised at this time.

The National Technology Transfer and Advancement Act of 1995 (NTTAA), combined with the Circular, takes the burden of standards development away from the Federal government, and allows agencies to rely on bodies such as AHAM that develop voluntary, consensus based standards. There are countless voluntary consensus based standards that are developed by experts in the field, and it is proper that Federal agencies examine and rely, where appropriate, on those standards. And, as provided in the NTTAA, Federal agency participation, where appropriate, in the voluntary consensus standard development process is also beneficial.

AHAM's standards are often incorporated by the Department of Energy (DOE) in its test procedures for measuring energy to comply with standards set per the energy conservation program. This approach has allowed the experts on the products being tested (i.e., AHAM members) to develop test procedures through a voluntary, consensus based process. It has also allowed DOE to be involved in the process through its test procedure rulemakings. And the result has been a uniform approach to testing the regulated products. This benefits stakeholders, the Federal government, and ultimately, consumers of these products.

Federal independent commissions and agencies, such as the Federal Communications Commission and Consumer Product Safety Commission, should also be required to use technical standards that are developed or adopted by voluntary consensus standards bodies. These independent commissions and agencies currently review existing third-party standards in many cases, but should be required to use them rather than engage in a lengthy regulatory process that may not provide the rigors of the processes of ANSI standards development.

AHAM appreciates the opportunity to submit these comments on Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities, and would be glad to further discuss these matters should you so request.

Best Regards,

A handwritten signature in cursive script that reads "Jennifer Cleary".

Jennifer Cleary
Director, Regulatory Affairs