


C Comment on FR Doc # 2014-02891

This is a Comment on the **Office of Management and Budget (OMB) Notice: OMB Circulars; Proposed Revisions: Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities**

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Comment

I am writing to express my support, although support with the reservations expressed below, of the proposed revisions to Circular A-119.

I am a sustainability and green building attorney and I have seen the extremely positive results of the federal government's participation in, acceptance of and use of voluntary consensus standards in matters of real estate for the Department of Defense and civil government.

"Green Globes and LEED are voluntary, consensus based standards" according to Kevin Kampschroer, director of the office of federal high-performance green buildings at the U.S. General Services Administration, referring to the March 2012 U.S. Department of Energy, Green Building Certification System Review.

LEED has approximately a 95% market share and Green Globes a 2% market share of third party certified green building.

Given that the federal government is the largest owner of buildings in North America and is also the owner of more third party certified green buildings than anyone else, it is of critical importance that any revision to Circular A-119 continue to allow agencies to recognize LEED and Green Globes as voluntary consensus standards.

The revised Circular A-119 proposes to "maintain a strong preference for using voluntary consensus standards in Federal regulation and procurement." And such is good. Of course the devil is in the details including how agencies will interpret the new Circular.

I would think it an error to equate voluntary consensus standards with ANSI, ISO or the like.

Within the green building arena, insiders make of the fact that the Green Building Initiative is an ANSI accredited Standards Developing Organization and that Green Globes 2010 rating system for new construction was ANSI approved. The LEED ratings systems do not pursue ANSI approval and the U.S. Green Building Council points to the fact that "The Foundations of LEED" allow for a flexible and faster adoption of each new version of LEED than the ANSI Essential Requirements permit. Additionally, the ANSI process doesn't contemplate nor accommodate the participation of thousands of people

in a voting consensus body. USGBC expresses pride in offering all its members the right to participate in and vote for each proposed version of LEED.

Under the existing Circular, that 'inside baseball' debate within the green building community over the relative merits of ANSI is apparently lost on the federal government that in the 2012 DOE study (described above) determined, Green Globes 2010 and LEED 2009 both contain "the attributes of a voluntary consensus standards body defined in OMB Circular A-119: openness, balance of interest, due process, an appeal process, and consensus."

I urge that that status quo be maintained.