

Issue Date: 08/17/2009

# **ADOPTION AND MAINTENANCE OF THE DEPARTMENT OF HOMELAND SECURITY NATIONAL STANDARDS**

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## **I. Purpose**

A. This Directive provides general guidance, for the review, adoption, revision, or retirement of Department of Homeland Security (DHS) National Standards. Through this Directive, DHS establishes a policy and requirements to review, adopt and maintain standards as DHS National Standards as a means to:

1. Ensure that homeland security equipment that is procured by DHS or is purchased by Federal, State, local, or tribal entities with grant funds will meet or exceed minimum standards agreed to by DHS Components. Adoption of standards ensures that products are interoperable and that processes are harmonized and consistent within the Department.

2. Encourage interoperability among standard operating procedures for Federal, State, local, and tribal entities.

3. Minimize duplicate equipment and process development among DHS Components.

4. Facilitate the development of the Department's contribution to the National Institute of Standards and Technology's report on federal agency's use of voluntary consensus standards, which is required by the National Technology Transfer and Advancement Act of 1995.

B. A DHS National Standard has broad applicability, reflecting the goals and objectives of national-level initiatives and programs of the Department.

## **II. Scope**

A. This Directive applies throughout DHS and to all documents that satisfy the general definition of a standard as described in the Office of Management and Budget (OMB) Circular A-119.

B. DHS Management Directive 10600.1, "Adoption of Department of Homeland Security (DHS) Standards," and DHS Management Directive 10601, "Adoption of DHS Directorate Standards as Department of Homeland Security (DHS) National Standards," are hereby canceled.

### III. Authorities

A. Title 6, United States Code (U.S.C.), Section 112(g), "Secretary; functions"

B. Title 15, U.S.C., Section 271, et seq., "Findings and purposes," 15 U.S.C. §§ 3710, 3710a, 3710c, 3710d, "Utilization of Federal Technology," "Cooperative research and development agreements," "Distribution of royalties received by Federal agencies," "Employee activities" ("The National Technology Transfer and Advancement Act of 1995 (NTTAA))"

C. Title 6, Code of Federal Regulations (C.F.R.), Part 25, "Regulations to Support Anti-Terrorism by Fostering Effective Technologies"

D. OMB Circular A-119, "Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities" (63 FR 8545)

E. Homeland Security Presidential Directive/HSPD-8, "National Preparedness"

### IV. Responsibilities

A. The **Under Secretary for Science and Technology** coordinates all standards activities in the Department. Consistent with 6 CFR § 25.4, the Under Secretary may adopt technical standards for various categories or components of anti-terrorism technology.

B. The **Chief Procurement Officer** ensures that acquisition policy requires the referencing of appropriate DHS National Standards in particular acquisition plans, solicitations, and contracts for acquisitions and investments where standards exist and are relevant, as defined in the Homeland Security Acquisition Manual.

C. The **Component heads** are responsible for ensuring that Component personnel participate in standards activities that lead to the development and adoption of standards, and that they ensure that relevant DHS National Standards are referenced in acquisition plans, solicitations, and contracts.

D. The **Standards Executive** is responsible for implementing OMB Circular A-119.

## V. Policy and Requirements

A. Section 112 (g) of Title 6 of the United States Code directs that “[a]ll standards activities of the Department shall be conducted in accordance with section 12(d) of the National Technology Transfer Advancement Act of 1995 (15 U.S.C. 272 note) and Office of Management and Budget Circular A-119.” This establishes a standards policy for the Department that encourages the use of standards developed by the private sector in lieu of government unique standards when it is practical and in the best interest of the agency. DHS, therefore, will seek the adoption of private sector standards over government unique standards whenever possible and appropriate, and when such private sector organizations utilize a standards development process that has the attributes of openness, balance of interest, due process, an appeals process, and consensus.

B. DHS’ adoption of a standard is an expression of acceptance for repeated and continued use by the Department. The main criteria for adoption of a standard are whether it will: (1) meet the DHS needs; and (2) be applied through contracts and agreements or grants; design, procedure or reference guides; or references in another document. While generally not mandatory<sup>1</sup>, the use of DHS National Standards by DHS Components and customers, product manufacturers, and process developers is highly encouraged.

C. Standards that are required or recommended for agency use through legislation or executive order, such as Federal Geospatial Data Committee Standards and Federal Information Processing Standards (FIPS), are exempt from the adoption process. To the extent these standards meet the main criteria for adoption as DHS National Standards, the standards will be considered as adopted.

D. Company or de facto “standards,” not being the product of a standards development process, are not adopted by DHS. These “standards” are usually developed by a single company in order to strategically position itself within a market and may rise to prominence because of market forces from consumer/user preferences. Since these standards are not developed by consensus with due process procedures, the standards are not formally adopted by DHS. Consortia standards, which are developed by companies or organizations that share similar strategic economic goals, may be adopted by the Department after careful consideration and special approval by the Standards Executive.

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<sup>1</sup> The use of some standards that are adopted in support of the Homeland Security Grant Program or other programs with regulatory authority are mandatory but only for those programs.

E. DHS Components currently using, or that are considering using, homeland security related standards in manner outlined in paragraph B of this section, consider and, if practical and appropriate, seek the adoption of said standards as DHS National Standards. Special consideration is given for standards that (1) apply to equipment purchased through DHS preparedness assistance for first responders, (2) serve as guides, best practices, and evaluation tools for planning, training, and exercise activities, and (3) promote nationwide interoperability. The review and adoption process ensures that the candidate standards are consistent with established DHS policy, mission, authority, priorities, operations, procedures, and guidelines. DHS National Standards are to be referenced in program guidance. This Directive ensures a streamlined process for the ongoing adoption and maintenance of homeland security standards.

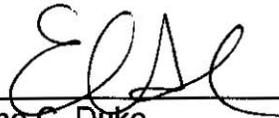
F. Standards adopted as DHS National Standards, following the policies in this Directive, are developed consistent with OMB Circular A-119. That Circular provides for standard setting by government agencies having attributes of openness, balance of interest, due process, an appeals process, and consensus. As described in this Directive, DHS National Standards are fully accessible and open to the public. DHS National Standards, once adopted, are not mandatory on Departmental components or others. Rather, the adoption of DHS National Standards has no direct effect unless independently chosen for use in a specific action of the Department, such as contracts or regulations.

G. As a matter of procedure, Standard Development Organizations regularly perform a maintenance review of their standards. As a result, the title of the standard typically remains unchanged but its number designation is changed to reflect the year of renewal. Those revised standards which have already been adopted as DHS National Standards, are reviewed by DHS. If the change is administrative and without technical impacts, the new revision is added to the list of DHS National Standards.

H. Standards may become outdated, superseded, or otherwise removed from use. When this occurs to an adopted DHS National Standard it is retired. However, if an adopted DHS National Standard is eliminated by its developmental organization, then the DHS Standards Executive may declare it retired without further action. Historical records of all retired DHS National Standards are maintained by Science and Technology.

## VI. Questions

Address any questions or concerns regarding the Directive to the DHS Standards Executive within the Science and Technology Directorate.



Elaine C. Duke

Under Secretary for Management

08/17/2009  
Date