

Document Name: NIJ Approved Test Laboratory	Approval Date: dd mmm yyyy
Revision: 21 Jun 2012	Implementation Date: dd mmm yyyy
OMB Number: 1121-0321	Expires: dd mmm yyyy

## NIJ Approved Test Laboratory Application and Agreement

In accordance with the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number. The OMB number for this collection is 1121-0321. Public reporting burden for this collection of information is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information.

This information is being requested pursuant to 6 U.S.C. 162(b)(4) and 6 U.S.C. 162(b)(6)(B). The disclosure is voluntary. The information provided on this form will be used by the National Institute of Justice to administer a product conformity assessment program for products used by law enforcement and correctional officers. This information and the associated products are voluntarily submitted under the Compliance Testing Program.

**PRIVACY ACT NOTICE:** See Section II, Clause 15 of this document.

### Instructions:

All laboratories seeking to participate in the National Institute of Justice Compliance Testing Program (hereafter, the NIJ CTP) must complete and sign this document. The original signed document must be submitted by mail to the NIJ CTP at the National Law Enforcement and Corrections Technology Center (NLECTC-National), 2277 Research Blvd., MS 8J, Rockville, MD 20850.

Information on the NIJ CTP may be found in the *CTP Laboratory Package* located on the NLECTC-National website, <http://www.justnet.org>. Specific questions or requests for assistance may be directed to NLECTC-National by telephone at (800) 248-2742 or (301) 519-5060 or by e-mail at [bactp@justnet.org](mailto:bactp@justnet.org).

Please provide test laboratory information below.

Legal Name: \_\_\_\_\_

Laboratory Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Internet Address: \_\_\_\_\_

Program area in which your laboratory is seeking NIJ-approved status:

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Ballistic-Resistant Body Armor       Stab-Resistant Body Armor

Other: \_\_\_\_\_

**Part I: Application**

If additional space is needed for a response, a separate sheet of paper with numbered answers corresponding to the numbered questions below will be accepted.

1. Attach to this document an organization chart and a list of personnel directly involved in testing (for the specific program area identified at the top of this form) and their respective job descriptions. Include all testing laboratory managers, supervisors, engineers and technicians on this list.
2. Identify the person(s) who will serve as the Approved Signatory for Compliance Test Reports. Please include the name and title of each individual.

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

3. Identify the state(s) in which the laboratory is licensed as a business entity.  
\_\_\_\_\_

4. Identify and describe any affiliations within the past five years between the laboratory and other business entities involved in the manufacture of equipment or components related to the area in which your laboratory seeks NIJ-approved status.

Describe any relationships or work for any group (internal or external to the parent company), organization or business entity outside of the National Voluntary Laboratory Accreditation Program (NVLAP)-accredited and NIJ-approved laboratory. Examples of relationships and work may include training, research and development, and consulting. These relationships do not necessarily disqualify laboratories from NIJ approved status. Please attach your policies of management of impartiality.

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## Part II: Agreement

Laboratories seeking to become an NIJ-approved test laboratory for the NIJ CTP must complete and sign this agreement.

On behalf of \_\_\_\_\_, I/we agree to the following  
*Laboratory*

conditions and acknowledge that failure to comply with any of these terms will result in the revocation of NIJ-approved laboratory status:

- 1. Accreditation Requirements for both Ballistic-Resistant and Stab-Resistant Body Armor Only:** The test laboratory must be accredited by NVLAP. Laboratories must meet the requirements of *ISO/IEC 17025*, *NIST* [National Institute of Standards and Technology] *Handbook 150* and *NIST Handbook 150-24*. These documents can be viewed or downloaded from the NVLAP website at <http://www.nist.gov/nvlap>.
- 2. Laboratory Independence:** The laboratory shall be an independent third-party laboratory.
- 3. Location of Test Facility:** All testing must be conducted within the United States.
- 4. Conflicts of Interest:** The laboratory shall demonstrate, to NIJ's satisfaction, its freedom from potential conflicts of interest and maintain an independent decisional relationship(s) between the laboratory and its clients, affiliates, contractors and other organizations.
- 5. Contracting:** Test laboratories may only subcontract testing to other NIJ-approved test laboratories unless otherwise approved by the CTP in writing.
- 6. Capability to Perform Testing:** The laboratory shall have the capability to perform all test methods contained within the current NIJ standard for which the laboratory is seeking NIJ-approved status.
- 7. NIJ Standards:** The laboratory shall have a copy of the appropriate current NIJ standard and any revisions or addendums. The laboratory shall implement the standard and any changes or revisions within the time period specified by NIJ.
- 8. Interpretation of NIJ Standards:** The laboratory shall direct any questions concerning the application and interpretation of the standard to the CTP for guidance and clarification.

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9. **CTP Test Results:** The laboratory shall use and submit the appropriate and current Compliance Test Reports (CTR) provided by the CTP for reporting all official test results.

9.1 There are two test reports:

- a) CTR for type testing.
- b) Follow-up Inspection Test (FIT) Report for conformity assessment follow-up testing. This form is currently only used for ballistic-resistant body armor but may be incorporated into other program areas at a future point.

9.2 The laboratory shall not make any modifications to the format or calculations of the templates of either the CTR or FIT report.

9.3 The laboratory shall release test reports and all information related to both official compliance and FIT testing to the CTP on completion of testing and/or at the request of the CTP.

9.4 All CTRs shall be transmitted in a secure method approved by the CTP.

10. **Proprietary Data:** The laboratory shall have policies and procedures in place to safeguard confidentiality of the information obtained in the course of testing.

11. **Notification of Retest Failure:** The laboratory shall notify the CTP immediately in the event of a retest failure of any armor that is listed on the NIJ Compliant Products List (CPL). This notification shall be in the form of an e-mail or written correspondence.

12. **Indemnification:** The laboratory shall hold officers, directors and staff of the following organizations harmless and indemnify them from fees arising from any and all claims with respect to testing of equipment: U.S. Department of Justice, U.S. Department of Commerce and Lockheed Martin Corporation (host agency to NLECTC-National).

13. **Import and Export:** The laboratory shall have documented policies/procedures for compliance with International Traffic in Arms Regulations, Export Administration Regulations and any other applicable U.S. rules, regulations, codes and laws regarding the importation and exportation of body armor and other types of equipment.

14. **Laboratory Changes That May Affect NIJ Approval Status:** The laboratory shall provide to the CTP within 30 days any changes that affect the laboratory's:

- Legal, commercial, organizational or ownership status.
- Organization and management (e.g., key managerial staff).
- Policies or procedures, where appropriate.

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- Personnel, equipment, location of facilities, working environment or other resources, where deemed significant by the CTP.
- Authorized Representative or Approved Signatories.
- Any changes to NVLAP accreditation status.

Once a test laboratory facility has been NVLAP-accredited and has met the requirements to become NIJ-approved, the CTP, through NLECTC-National, shall issue notification to the laboratory of its acceptance to the CTP as an NIJ-approved test laboratory. Approval status is subject to periodic renewal and continued conformance to the CTP's requirements. A laboratory's NIJ approval status may be suspended, revoked or terminated.

**15. Confidentiality:** NIJ and NLECTC-National shall use reasonable efforts to maintain confidential all information identified as "Confidential Commercial Information" that it obtains from the Test Laboratory. Confidential Commercial Information shall not include information that is (a) publicly available; (b) subsequently acquired by the NIJ CTP from other sources in a manner that does not constitute a breach of this Agreement; (c) disclosed by the NIJ CTP when deemed, at its sole discretion, to be necessary to the NIJ CTP's performance of the requested laboratory assessment; (d) required to be produced pursuant to an order or command of any judicial or regulatory authority; (e) required by any common law or statutory duty; or (f) disclosed in the interest of officer safety.

As the laboratory's Authorized Representative, I have the authority to agree to all of the requirements of this document on the laboratory's behalf and attest that all statements made in this agreement are correct and made in good faith.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Please print/type)