

COMPLIANCE TESTING PROGRAM

August 26, 2024

NIJ CTP Product Conformity Assessment System Document 100-1: General Requirements Version 1.0

This revision (1.0) reflects changes resulting from the publication of National Institute of Justice (NIJ) Standard 0101.07 and the establishment of the corresponding Compliance Testing Program (CTP). The following outlines the revisions made to this document:

- 1) This document is a complete revision of the predecessor document (606.1, Version 1.2) and establishes a new numbering convention for NIJ CTP Product Conformity Assessment Documents.
 - a. The General Requirements Document, previously identified as 606.1, is now 100-1.
 - b. Subordinate scheme documents, previously identified with a 606.x.x numbering convention, are now numbered and identified according to their respective NIJ Standards. The Initial Type Testing (ITT) Scheme and the Follow-Up Inspection and Testing (FIT) Scheme, which were previously separate, have now been combined into a single document for clarity and to reduce duplicative text. For example:
 - Scheme documents associated with the NIJ CTP for NIJ Standard 0101.07, Ballistic Resistant Body Armor, are now identified as Document 101-07;
 - Documents associated with the CTP for NIJ Standard 0115.01, Stab Resistant Body Armor, will be identified as Document 115-01 (upon publication; TBD 2025); and
 - Documents associated with the CTP for NIJ Standard 0112.04, Autoloading Pistols for Law Enforcement, will be identified as Document 112-04 (upon publication; TBD 2025).
- 2) Section 3, Definitions, has been expanded to include many common terms used in association with the NIJ CTP.
- 3) Sections 4 and 6–12 have been reorganized and expanded for greater detail and clarity.
- 4) Section 13, Changes to Program Requirements, has been added.
- 5) Revision History, previously Section 13, is now Section 14.

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Introduction

This document describes the general requirements of the National Institute of Justice (NIJ) Compliance Testing Program (CTP).

The NIJ CTP is operated by the U.S. Department of Justice, [Office of Justice Programs](#), [NIJ](#). NIJ's mission focuses primarily on the improvement of the criminal and juvenile justice systems in the United States and their responses to crime, violence, and delinquency. The NIJ CTP is part of NIJ's efforts to ensure officer safety through the promulgation of voluntary minimum performance equipment standards and compliance testing programs that help ensure equipment used by criminal justice professionals is safe and reliable and that it meets the performance requirements established in selected NIJ Standards. Criminal justice agencies use the results of testing performed through the NIJ CTP to make informed purchasing decisions.

The NIJ CTP is a voluntary program that involves many different stakeholders that choose to participate. NIJ is the scheme owner and, as such, controls strategy, policy, and decisions about certification and evaluation, in accordance with the provisions of this and other applicable subordinate NIJ CTP Scheme documents. NIJ has tasked its Criminal Justice Technology, Testing, and Evaluation Center (CJTTEC), operated by a grantee (currently, RTI International), with administering the NIJ CTP. Equipment producers submit their equipment for testing conducted by accredited private commercial laboratories. Accredited inspection bodies conduct product surveillance activities in accordance with product specific schemes. Finally, criminal justice agencies are the ultimate consumers of the information that is produced by the NIJ CTP.

The primary goal of the NIJ CTP is to publish a [Compliant Products List \(CPL\)](#) to inform criminal justice agencies about products evaluated by the NIJ CTP that meet the minimum performance requirements of NIJ Standards and additional program requirements. NIJ Standards are developed through [NIJ's established process](#), with significant input from criminal justice practitioners. This approach ensures that practitioners' operational needs and requirements are appropriately addressed in evaluating this equipment, with the ultimate goal of reliable and safe performance of these compliant products in field use.

The NIJ CTP conducts third-party conformity assessment. Using the processes established in this General Scheme document and in conjunction with specific subordinate scheme documents, the NIJ CTP evaluates specific types of equipment manufactured by commercial entities and used by criminal justice agencies against the minimum performance requirements of NIJ Standards. Schemes written in support of this system shall be defined using the following functional conformity assessment activities:

- Application
- Selection
- Determination
- Review
- Certification decision
- Surveillance

As a third-party conformity assessment program, a core tenet of the operation of this program is impartiality. The NIJ CTP is structured to be independent of commercial, financial, or other pressures that could influence compliance decisions. As such, the NIJ CTP does not:

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- accept compensation, monetary or otherwise, from CTP Applicants, Participants, NIJ-approved Test Laboratories, or Inspection Bodies in conjunction with the operation or administration of the NIJ CTP;
- design, manufacture, distribute, or maintain (e.g., provide ongoing product support to purchasers) certified products listed on the NIJ Compliant Products List (CPL);
- assume any responsibility that the Applicant may have to examine or test the materials, components, design methodologies, or manufacturing processes of those products, either before or after manufacture or sale; or
- in any way endorse those products or warrant either the safety or performance of those products.

The NIJ CTP operates programs to evaluate the following types of equipment in accordance with the requirements of NIJ Standards:

- [Ballistic Resistance of Body Armor](#)
- [Stab Resistance of Personal Body Armor](#)
- [Autoloading Pistols for Police Officers](#)

This document and the associated schemes follow International Organization for Standardization (ISO) conventions regarding the following verbal forms:

- *Shall* indicates a requirement.
- *Should* indicates a recommendation.
- *May* indicates a permission.
- *Can* indicates a possibility or a capability.

Information marked as **Note** provides guidelines for understanding or clarifying the associated paragraph.

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1. Scope

1.1. General Requirements

- 1.1.1. This product conformity assessment system describes the general conformity assessment requirements of the NIJ CTP for equipment used by criminal justice practitioners to be listed on NIJ's CPL.

1.2. Applicability

- 1.2.1. This product conformity assessment system is only for use by the NIJ CTP and is not open to any other product conformity assessment bodies.

1.3. Hierarchy of Requirements and Supporting Documents

- 1.3.1. Where requirements contained in this document may differ with requirements contained in an applicable NIJ Standard, this document shall take precedence.
- 1.3.2. This document provides the general requirements for all equipment assessed by the NIJ CTP and is designed to be used in conjunction with subordinate scheme documents.
 - 1.3.2.1. Subordinate scheme documents contain additional conformity assessment requirements applicable to specific product categories.
 - 1.3.2.2. Although subordinate scheme requirements may add to the requirements of this system document, they shall not reduce them.

2. References

The following publications are referenced in this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

- 2.1. ISO 9000:2015. Quality management systems—Fundamentals and vocabulary.
- 2.2. ISO/IEC 17000:2020. Conformity assessment—Vocabulary and general principles.
- 2.3. ISO/IEC 17011:2017. Conformity assessment—General requirements for accreditation bodies accrediting conformity assessment bodies.
- 2.4. ISO/IEC 17020:2012. Conformity assessment—Requirements for the operation of various types of bodies performing inspection.
- 2.5. ISO/IEC 17021:2015. Conformity assessment—Requirements for bodies providing audit and certification of management systems.
- 2.6. ISO/IEC 17025:2017. General requirements for the competence of testing and calibration laboratories.
- 2.7. ISO/IEC 17030:2021. Conformity assessment—General requirements for third-party marks of conformity.
- 2.8. ISO/IEC 17065:2012. Conformity assessment—Requirements for bodies certifying products, processes, and services.

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2.9. ISO/IEC 17067:2013. Conformity Assessment—Fundamentals of product certification and guidelines for product certification schemes.

3. Terms and Definitions

If not explicitly defined in this document, the terms and definitions given in ISO/IEC 17065, ISO/IEC 17020, ISO/IEC 17000, or ISO 9000 shall apply in that order of precedence.

3.1. Applicant, *n*

Organization or legal entity requesting to participate in the NIJ CTP through a formal application process established by the NIJ CTP.

3.2. attestation, *n*

The issue of a statement, based on a decision following review, that fulfillment of specified requirements has been demonstrated (ISO 17000, Section 5.2).

3.3. authorized representative, *n*

Any person designated in writing by a *signatory* (see 3.21) of an *entity* (see 3.8) to represent or act on behalf of the entity concerning matters pertaining to the entity's application or participation in the NIJ CTP. An authorized representative can also be a signatory.

3.4. certification, *n*

The NIJ CTP issuing an *NIJ Notice of Compliance* (see 3.18) for a specific model that has been determined to comply with program requirements.

3.5. certification scheme (or, "scheme"), *n*

The specified conformity assessment requirements related to a specific product or program.

Note: The rules, procedures, and management for implementing product, process, and service certification are stipulated by the certification scheme (ISO/IEC 17067).

3.6. Compliance Test Report (CTR), *n*

The official reporting template, issued by the NIJ CTP to NIJ-approved test laboratories, used to document the results of Initial Type Testing (ITT) or Follow-Up Inspection and Testing (FIT) conducted through the NIJ CTP.

3.7. Compliant Products List (CPL), *adj*

NIJ's official published online listing of models that have been tested through the NIJ CTP and found to comply with the requirements of an applicable NIJ Standard.

3.8. entity, *n*

An organization possessing separate and distinct legal rights, such as a Limited Liability Company (LLC), partnership, or corporation. An entity can, among other things, own property, engage in business, enter into contracts, pay taxes, sue, and be sued.

Note: *Entity* refers to Applicants or Participants in the NIJ CTP.

3.9. evaluation, *n*

The combination of the product certification functions "selection" and "determination" (adapted from ISO/IEC 17067, 5.1.1, Note 2).

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3.10. final assembly, *adj*

The completion of a NIJ-compliant product in its finished form, such that it is ready for sale or customer use.

3.11. Follow-Up Inspection and Testing (FIT), *n*

The specific conformity assessment requirements of the NIJ CTP for ongoing product surveillance of models that have been tested in accordance with an NIJ CTP ITT Scheme and are currently listed on NIJ's CPL.

3.12. Initial Type Testing (ITT), *n*

The specific conformity assessment requirements of the NIJ CTP for determining if a unique design (i.e., "model") submitted to the NIJ CTP complies with the requirements of an applicable NIJ Standard and, if so, listing that model on NIJ's CPL.

3.13. listee (also "listed company"), *n*

The name of an entity (see 3.8), designated in writing by a signatory of a Participant, that is displayed on the production label and appears on the NIJ CPL.

3.14. manufacturing location, *n*

Physical location of the production facility where final assembly (see 3.10) of the product (i.e., an NIJ-compliant model) occurs. The product may be produced at a single, or multiple, manufacturing locations.

NOTE: Please refer to subordinate NIJ CTP schemes for additional clarification specific to those Schemes.

3.15. model application, *n*

The request by an Applicant (organization/legal entity), through a formal application process established by the NIJ CTP, to submit a unique design of a product to the NIJ CTP to determine its compliance with the requirements of an applicable NIJ Standard.

3.16. model designation, *n*

Product identification for a unique design, defined by the Participant through documentation provided to the NIJ CTP prior to certification, which is used for the purposes of listing the unique design on the NIJ CPL and labeling production units of that design.

NOTE: Please refer to subordinate NIJ CTP Scheme documents for definition of *unique design*, as it applies to the product being evaluated under that Scheme.

3.17. model submission, *n*

The request by a Participant for a unique design (see 3.26) submitted for product certification and the Participant providing all the information required by the NIJ CTP to complete the model submission process.

3.18. NIJ Notice of Compliance, *n*

The third-party attestation (certification) made by the NIJ CTP that a specific design of a product has met program requirements.

3.19. Participant, *n*

Entity responsible to the NIJ CTP for ensuring that program requirements are fulfilled (adapted from ISO/IEC 17065, 3.1).

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3.20. program (CTP) application, *n*

The request by an Applicant (organization/legal entity), through a formal application process established by the NIJ CTP, to participate in the NIJ CTP.

3.21. Signatory, *n*

The person or persons within an Applicant/Participant's organization designated as having the organizational authority to sign NIJ CTP applications and other documents, legally binding or obligating the Applicant/Participant to the terms and conditions of those applications or documents. Every Participant in the NIJ CTP must have at least one signatory. A signatory also functions as an authorized representative (see 3.3).

3.22. subsidiary, *adj*

A component of an entity (i.e., a CTP Participant), operated as an independent company. *Independent company* means operated with a specific set of models manufactured exclusively at one or more manufacturing locations where no other models of the parent entity are manufactured. A subsidiary can be a licensee.

3.23. Test ID, *n*

The identification number (unique from the model designation [see 3.15]) assigned by the NIJ CTP, to a Participant's unique model application, used for the purpose of tracking the specific model application through ITT.

3.24. Test Item, *n*

An individual unit of equipment identified by a unique serial number that is subject to evaluation under this and subordinate schemes. (Adapted from ATSM 3005.)

3.25. Testing Information Management System (TIMS), *n*

The online data collection tool used by the NIJ CTP that supports program operations.

3.26. unique design, *adj*

The characteristics of a specific set of *test items* (see 3.24), documented by a Participant and identified by a *model designation* (see 3.16), which make that specific set of test items singularly identifiable as an individual model.

Note: Examples of characteristics of a unique design include, but are not limited to, the type, number, sequencing, and orientation of materials; weave count; or stitching.

3.27. variation, *n*

The deviation of a test item from product specifications used by the NIJ CTP to certify the Model Designation with which it is associated.

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4. NIJ Compliance Testing Program

4.1. Program Schema

- 4.1.1. This is an overarching scheme governing the operation of the NIJ CTP. The information presented in this section is intended to be a high-level, general overview of the NIJ CTP process. Certain aspects of the process are addressed in greater detail in subsequent sections of this document.
- 4.1.2. The NIJ CTP shall also issue subordinate schemes to address specific products evaluated by the CTP that includes specific requirements, processes, and procedures for those products.

4.2. Program Structure

4.2.1. General Overview of NIJ CTP Process

- 4.2.1.1. An NIJ CTP *Participant* (see 3.19; i.e., product manufacturer) shall first register with the NIJ CTP through the NIJ CTP's *Testing Information Management System* (TIMS, Section 3.25), currently found at <https://www.nijctp.org>.
- 4.2.1.2. Once approved to participate in the NIJ CTP, Participants may then submit a *model application* (Section 3.15) through TIMS for each model they want to have tested.
- 4.2.1.3. Once the NIJ CTP reviews and accepts the model application, Participants submit *test items* (Section 3.24) for testing (*Initial Type Testing, or ITT*; see Section 3.12) to one of the [NIJ-approved independent test laboratories](#) (see Section 4.3). Each Participant selects, and directly negotiates and pays for testing services to, the NIJ-approved laboratory of their choice (see Section 4.4.2.4.1 for more detail).
- 4.2.1.4. Upon successful completion of the compliance testing process (ITT) at an NIJ-approved laboratory, the laboratory forwards the *Compliance Test Report* (CTR, Section 3.6) and selected tested items to the NIJ CTP. The NIJ CTP *evaluates* (Section 3.9) the CTR and a selection of test items to verify that the tests were performed correctly, and the test items are constructed in accordance with documentation provided by the Participant in the model submission.
 - 4.2.1.4.1. Following a review of the applicable evidence of compliance, NIJ may certify that a product complies with specified requirements.
 - 4.2.1.4.2. **No entity has a right to NIJ certification.** NIJ reserves the right to decline certification for any product that successfully completes the compliance testing process when it is determined by NIJ that to do so is in the best interests of criminal justice practitioners, or the product contains features not fully addressed by the specific requirements.
 - 4.2.1.4.3. The NIJ CTP maintains a selection of test items for each model in a secure facility for future comparison and analysis as part of ongoing surveillance activities or in response to requests for assistance from criminal justice agencies.
 - 4.2.1.5. Upon completion of all NIJ CTP requirements, the Participant will receive an *NIJ Notice of Compliance* (see Sections 3.18 and 6) for the model from the NIJ CTP and the model will be added to the [CPL](#) (see Section 9).

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4.2.1.6. Once a Participant receives the Notice of Compliance and the model is added to the CPL, the Participant can begin producing the model and place the [NIJ Mark](#) (see Section 8) on the label of units sold to criminal justice agencies. See Section 4.4.2.5 for requirements of maintaining certification status and Section 4.4.2.6 for allowable scope changes to a certification.

4.2.2. Confidentiality

4.2.2.1. The NIJ CTP shall use reasonable efforts to maintain as confidential all information identified as “Confidential Commercial Information” that it obtains from the Applicant/Participant and NIJ-approved laboratories. Confidential Commercial Information shall not include information that is:

- (1) publicly available;
- (2) subsequently acquired by the NIJ CTP from other sources in a manner that does not conflict with the requirements of this scheme document;
- (3) disclosed by the NIJ CTP when deemed, at its sole discretion, to be necessary to the performance of the requested Conformity Assessment;
- (4) required to be produced pursuant to an order or command of any judicial or regulatory authority;
- (5) required by any common law or statutory duty; or
- (6) disclosed in the interest of criminal justice practitioner safety.

4.2.2.2. In general, the NIJ CTP does not externally transmit Participant data except for the provisions listed in Section 4.2.2.1. The NIJ CTP shall take reasonable steps to safeguard Participant data within the NIJ CTP systems prior to external transmission and may transmit the Participant’s Confidential Commercial Information and data to the Participant through the internet or any public network, unless otherwise directed in writing by the Participant.

4.2.3. Ownership of Work Product

4.2.3.1. NIJ shall indefinitely retain all rights, title, and interest to all documents, records, communications, photographs, and other work products in any form whatsoever conceived, prepared, or used by the NIJ CTP in the performance of program activities.

4.2.4. Records Retention

4.2.4.1. The NIJ CTP shall retain all records, paper or electronic, related to activities supporting a specific CTP, for no less than the federal requirements for records retention after NIJ has closed the addition of new models to that CTP’s CPL.

4.2.5. Impartiality of the NIJ CTP and NIJ CTP Personnel

4.2.5.1. The program activities of the NIJ CTP shall be undertaken impartially, and shall not allow commercial, financial, or other pressures to compromise impartiality.¹

4.2.5.2. The NIJ CTP shall have top management commitment to impartiality.

¹ A relationship presenting a risk to impartiality of the NIJ CTP can be based on ownership, governance, management, personnel, shared resources, finances, contracts, and other business relationships. (ISO 17065)

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- 4.2.5.3. The NIJ CTP identifies risks to its impartiality (i.e., conflicts of interest) on an ongoing basis. This shall include risks that arise from its activities, from its relationships, or from the relationships of its personnel (see 4.2.5.8). However, such relationships may not necessarily present the NIJ CTP with a risk to impartiality.²
- 4.2.5.4. If a risk to impartiality is identified, the NIJ CTP shall be able to demonstrate how it eliminates or minimizes such risk (i.e., risk mitigation). This information shall be made available to the mechanism specified in 4.2.5.3.
- 4.2.5.5. The NIJ CTP or its staff shall not:
- (1) be the designer, manufacturer, installer, distributor, or maintainer (as it applies to ensuring consistent construction of subsequent production units or addressing purchaser's concerns related to the certified product) of the certified product.
 - (2) offer or provide consultancy to CTP Participants. In the context of this scheme, *consultancy* does not preclude the following:
 - (a) the possibility of exchanging information (e.g., CTP staff providing guidance to prospective Participants/Applicants about CTP processes and procedures);
 - (b) explanations of findings or clarifying requirements between the NIJ CTP and Participants, and
 - (c) the use, installation, and maintenance of certified products that are necessary for the operations of the NIJ CTP (ISO 17065).
 - (3) provide guidance on design elements or methodologies,
 - (4) discuss matters of other Participants,
 - (5) offer or provide management system consultancy³ or internal auditing to NIJ CTP Participants or stakeholders where the certification scheme requires the evaluation of the Participant's or stakeholder's management system.
- 4.2.5.6. The NIJ CTP shall ensure that activities of separate legal entities, with which the NIJ CTP—or the legal entity of which it forms a part—has relationships, do not compromise the impartiality of its certification activities.⁴
- 4.2.5.7. When the separate legal entity in Section 4.2.5.6 offers or produces the certified product (including products to be certified) or offers or provides consultancy, the NIJ CTP's management personnel and personnel in the review and certification decision-making process shall not be involved in the activities of the separate legal entity. The personnel of the separate legal entity shall not be involved in the management of the NIJ CTP, their review processes, or the NIJ CTP's certification decision.
- 4.2.5.8. Impartiality of NIJ CTP Personnel
- 4.2.5.8.1. The NIJ CTP's activities shall not be marketed or offered as linked with the activities of an organization that provides consultancy.

² Identifying risks does not imply risk assessments as stated in ISO 31000 (ISO 17065)

³ *Management system consultancy* is defined in ISO/IEC 17021:2011, definition 3.3. (ISO 17065)

⁴ See Footnote 3.

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- 4.2.5.8.2. NIJ CTP personnel may not be used to review or make a certification decision for a product for which they have provided consultancy within the preceding 2 years.
- 4.2.5.8.3. The NIJ CTP shall take action to respond to any risks to its impartiality, arising from the actions of other persons, bodies, or organizations of which it becomes aware.
- 4.2.5.8.4. All NIJ CTP personnel (either internal or external) or committees who could influence the certification activities shall act impartially.
- 4.2.5.8.5. The NIJ CTP shall confine its requirements, evaluation, review, decision, and surveillance (if any) activities to those matters specifically related to the scope of the certification.
- 4.2.5.8.6. NIJ CTP personnel shall not be an employee of, or receive compensation from, any of the following:
 - (1) CTP Applicants or Participants
 - (2) NIJ-Approved Test Laboratories
 - (3) Inspection Bodies that provide services supporting the NIJ CTP
 - (4) Any other organization (e.g., suppliers to CTP Participants) that provides material support to CTP Stakeholders
- 4.2.5.8.7. If a NIJ CTP staff member was previously employed by one of the entities described in 4.2.5.8.6 (1) through (4), the provisions of Section 4.2.5.8.2 shall apply with respect to the staff member's ability to access/review data pertaining to, as well as conduct reviews of, specific products they were involved with during their previous employment.

4.3. NIJ-Approved Test Laboratories

- 4.3.1 NIJ requires that models of equipment tested for NIJ compliance as part of an NIJ CTP shall be tested at an [NIJ-approved laboratory](#).
- 4.3.2 To be NIJ-approved, a laboratory must meet all the following requirements:
 - 4.3.2.1. Accreditation and General Requirements
 - 4.3.2.1.1. Be accredited by the [National Voluntary Laboratory Accreditation Program](#) of the National Institute of Standards and Technology as meeting:
 - (1) general international standards for laboratory technical competence and quality management, and
 - (2) specific technical requirements to perform the specific tests included in the applicable NIJ Standard(s).
 - 4.3.2.1.2. Testing and inspection activities used by this scheme shall meet the applicable requirements of ISO/IEC 17020 and be performed by organizations accredited by a signatory of the International Laboratory Accreditation Cooperation (ILAC) Mutual Recognition Arrangement. Organizations performing inspection activities shall also be a Type A (third-party) Inspection Body as defined by ISO/IEC 17020:2012, Clause A.1.
 - 4.3.2.1.3. Management System certification activities used by this scheme shall meet the applicable requirements of ISO/IEC 17021 and be performed by organizations accredited by a signatory of the International Accreditation Forum Multilateral Arrangement.

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4.3.2.1.4. Fully meet any other requirements established by NIJ regarding capabilities (e.g., demonstrated expertise, facilities/equipment, subcontracting of testing activities) to perform testing in accordance with a specific NIJ CTP subordinate scheme.

4.3.2.2. Independence, Impartiality, and Freedom from Conflicts of Interest

4.3.2.2.1. An NIJ-approved laboratory shall:

- (1) be an independent, third-party laboratory that is located and conducts all NIJ compliance testing within the United States,⁵
- (2) not be part of a legal entity that is engaged in the design, manufacture, supply, or purchase of a product covered by the requested scope of the laboratory's NIJ-approved status, except where purchase of the product is necessary for the operations of the laboratory, and
- (3) demonstrate freedom from potential conflicts of interest and maintain independent decisional relationships from its clients, affiliates, contractors, and other organizations.

4.3.2.3. Scope of NIJ-Approved Laboratory Status

4.3.2.3.1. A laboratory's NIJ-approved status is specific to the requirements of this scheme, in conjunction with a specific NIJ CTP subordinate scheme. NIJ-approved status for a specific subordinate scheme is also unique and separate from NIJ-approved status for the specific version of the applicable NIJ Standard and for another subordinate scheme. For example:

- (1) NIJ-approved status as a laboratory for Ballistic-Resistant Body Armor in accordance with NIJ Standard 0101.06 does not automatically grant NIJ-approved status for NIJ Standard 0101.07, because the specific requirements for those standards and their associated subordinate schemes differ.
- (2) NIJ-approved status as a Ballistic-Resistant Body Armor laboratory does not automatically grant NIJ-approved status for any other NIJ CTP, such as Stab-Resistant Body Armor or Autoloading Pistols; each NIJ-approved status is granted and maintained separately, in accordance with the requirements of a specific NIJ Standard in conjunction with this and the applicable NIJ CTP subordinate scheme.

4.3.2.3.2. The Laboratory agrees to participate in any NIJ CTP product surveillance activities (e.g., FIT) associated with the laboratory's NIJ-approved scope.

4.3.2.4. Confidentiality

4.3.2.4.1. NIJ-approved laboratories shall use reasonable efforts to maintain as confidential all information identified as "Confidential Commercial Information" that it obtains from NIJ CTP Participants and the NIJ CTP. Confidential Commercial Information shall not include information that is:

- (1) publicly available;

⁵ Currently, it is outside the scope of the NIJ CTP's mission to support third-party laboratories located outside of the United States.

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- (2) subsequently acquired by the NIJ CTP from other sources in a manner that does not conflict with the requirements of this scheme document;
- (3) disclosed by the NIJ CTP when deemed, at its sole discretion, to be necessary to the performance of the requested Conformity Assessment;
- (4) required to be produced pursuant to an order or command of any judicial or regulatory authority;
- (5) required by any common law or statutory duty; or
- (6) disclosed in the interest of criminal justice practitioner safety.

4.3.2.4.2. NIJ-approved laboratories shall take reasonable steps to safeguard Participant data transmitted within TIMS.

4.3.2.4.3. NIJ-approved laboratories may transmit the Participant's Confidential Commercial Information and data to the Participant through the internet or any public network, unless otherwise directed in writing by the Participant.

4.3.2.5. Import/Export Requirements

4.3.2.5.1. An NIJ-approved laboratory shall ensure that:

- (1) their actions resulting from participation in the NIJ CTP will not cause the NIJ CTP to violate any export, trade, or other economic sanction law;
- (2) they have documented policies and procedures for compliance with all applicable federal, state, and local laws regarding the handling, storage, and transfer of test items covered by the requested scope of their NIJ-approved laboratory status. This includes International Traffic in Arms Regulations (ITAR) and U.S. Export Administration Regulations (EAR);
- (3) they have the appropriate federal, state, and local import and/or export licenses required to receive, ship/transfer, and disposition test items covered by the requested scope of their NIJ-approved laboratory status, ensuring said licenses are maintained and current for the entire time they perform services as an NIJ-approved laboratory; and
- (4) they will not use an intermediary to circumvent ITAR or EAR regulations.

4.3.2.5.2. NIJ-approved laboratories shall refer to any additional export control requirements detailed in the applicable NIJ CTP subordinate scheme and ensure those requirements are met.

4.3.2.6. Documents and Records Retention

4.3.2.6.1. NIJ-approved laboratories shall maintain current copies of all applicable:

- (1) NIJ Standards,
- (2) ASTM Standards,
- (3) NIJ CTP scheme documents, and
- (4) Administrative Clarifications (Section 13.2) issued by the NIJ CTP associated with the laboratory's NIJ-approved scope

and make these documents available to all staff involved in the performance of testing within the scope of the laboratory's NIJ-approved status.

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- 4.3.2.6.2. All test reports, quality management, and technical records (paper or electronic) associated with the scope of the laboratory's NIJ-approved status shall be maintained by the laboratory for at least 10 years after the conclusion of the specific version of an NIJ CTP, or the termination (either voluntary or by NIJ) of the laboratory's NIJ-approved status.
- 4.3.2.7. Subcontracting
- 4.3.2.7.1. NIJ-approved laboratories shall not subcontract testing activities (such as test item conditioning) within the scope of their NIJ-approved status to another laboratory or organization unless the subcontracted laboratory or organization is currently listed as an NIJ-approved test laboratory and the work subcontracted is within that laboratory's NIJ-approved scope.
- 4.3.2.7.2. Refer to the specific NIJ CTP subordinate scheme for additional subcontracting requirements applicable to that subordinate scheme.
- 4.3.2.8. Complaints and Reconsideration of Conformity Assessment Decisions Resolution
- 4.3.2.8.1. The NIJ CTP shall handle all complaints from NIJ CTP Participants regarding a laboratory's performance of testing related to their NIJ-approved scope in accordance with Section 12.1 of this scheme document.
- 4.3.2.8.2. NIJ-approved laboratories shall agree to be cooperative and responsive to NIJ's review and investigation of complaints within the scope of their NIJ-approved status. Failure to cooperate or respond in a timely manner to NIJ's requests for information related to complaints may result in suspension or termination of the laboratory's NIJ-approved status.
- 4.3.2.8.3. The NIJ CTP shall handle all requests for reconsideration of conformity assessment decisions from NIJ CTP Participants regarding a laboratory's performance of testing related to their NIJ-approved scope in accordance with Section 12.2 of this scheme document.
- 4.3.2.9. Maintenance and Termination of NIJ-Approved Laboratory Status
- 4.3.2.9.1. NIJ-approved laboratories shall be periodically required to renew their NIJ-approved status for each applicable scope (typically, every 2 years but may be changed by notification by the NIJ CTP) by repeating the application process. Laboratories that fail to renew their NIJ-approved scope when requested may have their NIJ-approved status immediately withdrawn.
- 4.3.2.9.2. NIJ-approved laboratories shall ensure that all requirements of NIJ-approved status in this and any applicable NIJ CTP subordinate scheme are fully maintained during the stated approval period. Failure to comply with all requirements, ensure accuracy of test performance and data, or NIJ CTP-substantiated complaints regarding test performance or technical competency from CTP stakeholders may be grounds for suspension or termination of NIJ-approved laboratory status.
- 4.3.2.9.3. An NIJ-approved laboratory shall provide immediate notice to the NIJ CTP if at any time the laboratory is no longer able to comply with the requirements of their application/

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agreement and the requirements of this and any applicable subordinate scheme within the laboratory's scope of approval.

- 4.3.2.9.4. An NIJ-approved laboratory shall immediately notify the NIJ CTP of any change to its ownership, organizational structure, location/facilities, authorized representative(s), or signatories in writing by executing a revised applicant agreement.
- 4.3.2.9.5. The NIJ CTP may deny access to, or remove, any laboratory from the NIJ-approved laboratory list at any time the laboratory fails to comply with the terms of their agreement or NIJ no longer has confidence in the laboratory's ability to provide reliable and timely testing services.

4.4. NIJ CTP Participants

4.4.1. Participant Eligibility

- 4.4.1.1. Participation in the NIJ CTP by product manufacturers is voluntary.
- 4.4.1.2. This product conformity assessment system is open to all Applicants and Participants without regard to the Applicant's or Participant's size, location, membership of any association or group, or number of certifications already issued, if their activities fall within the scope of the specific NIJ CTP subordinate scheme they seek to participate in.
- 4.4.1.3. NIJ reserves the right to decline Applicants or Participants the opportunity to participate (or continue to participate) in the NIJ CTP when NIJ has determined that their participation (or continued participation) poses an unacceptable level of risk to the scheme's intent to provide confidence in the performance of criminal justice practitioners' equipment manufactured in compliance with this system. Examples of circumstances resulting in declining or removing an Applicant or Participant's participation in the NIJ CTP include, but are not limited to, the Applicant or Participant entity, their Signatories or Authorized Representatives:
 - (1) participating in illegal activities,
 - (2) having a documented history of repeated noncompliance with certification and/or product requirements, or
 - (3) making false or materially false statements or attestations to the NIJ CTP.
- 4.4.1.4. Although NIJ's mission is focused primarily on the improvement of the criminal and juvenile justice systems in the United States and their responses to crime, violence, and delinquency, NIJ acknowledges that NIJ Standards and the certifications issued through the NIJ CTP are recognized worldwide. As such, the NIJ allows entities from outside the United States to participate in the NIJ CTP. However, Applicants and Participants from outside the United States shall comply with all requirements in this and any other subordinate schemes. Additionally, foreign Applicants and Participants:
 - (1) Shall clearly identify the country in which they are established and conduct business. The use of shell companies located in a country other than where the company is established and conducts business is highly discouraged and may be grounds for the NIJ CTP declining or removing an entity's participation in the NIJ CTP.

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4.4.2. Participant Roles and Responsibilities

- 4.4.2.1. An *entity* (Section 3.8) submits a *program application* (Section 3.20) to participate in the NIJ CTP.
- 4.4.2.2. In the program application, the entity identifies an *authorized representative* (or representatives, see Section 3.3) who serve(s) as the point of contact for the entity (now known as an *Applicant*, Section 3.1) and a *signatory* (see Section 3.21) who has the organizational authority to sign documents and legally bind the applying/participating entity to the terms and conditions set forth in this and any other applicable subordinate scheme and supporting application documents.
- 4.4.2.3. When the program application is reviewed and approved by the NIJ CTP, the Applicant then becomes a *Participant* (Section 3.19), and in accordance with the terms and conditions set forth in this and a specific subordinate NIJ CTP scheme, may submit individual *model applications* (Section 3.15) for testing to the NIJ CTP.
 - 4.4.2.3.1. The Participant is solely responsible for research, development, testing, manufacture, marketing, and sale of the product described in the model application.
 - 4.4.2.3.2. Participants submit individual model applications. The model application contains information specific to a *unique design* (Section 3.26), including descriptions of materials used, method and manner of construction, and *manufacturing locations* (Section 3.14) where production models manufactured in accordance with this scheme will be produced. These model applications are reviewed by the NIJ CTP, and if approved, are issued *Test IDs* (Section 3.23).
 - 4.4.2.4. After the NIJ CTP issues a Test ID for a model application, the Participant shall contract with one of the NIJ-approved test laboratories and notify the NIJ CTP which NIJ-approved Test Laboratory it has selected.
 - 4.4.2.4.1. The Participant is responsible for all costs associated with compliance testing and shall pay such costs directly to the selected laboratory.
 - (1) The NIJ CTP does not establish the cost schedule for ITT services at NIJ-approved laboratories. The NIJ CTP establishes the costs for surveillance testing at NIJ-approved laboratories; other surveillance services costs are determined by the NIJ-approved Inspection Body. Refer to the applicable CTP FIT subordinate scheme for details.
 - (2) The Participant is expected to pay NIJ-approved test laboratories for services rendered in a timely fashion.
 - (3) Although the business relationship is between the Participant and an NIJ-approved laboratory, if an NIJ-approved laboratory notifies the NIJ CTP of a Participant's failure to pay for services rendered, the NIJ CTP may suspend the Participant from continued participation in the NIJ CTP, including the submission of new models or evaluation/compliance determination of models in process at the time of suspension, until such time as the non-payment issues are fully resolved. In extreme or repeated circumstances, the NIJ CTP may terminate a Participant's continued participation in the NIJ CTP.
 - 4.4.2.4.2. The Participant shall instruct the test laboratory to comply with applicable requirements contained in the NIJ CTP Product Conformity Assessment System.

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4.4.2.5. Maintaining Compliance Status of a Model

4.4.2.5.1. Once NIJ issues a Notice of Compliance for a specific model, to maintain that model's compliance status, the Participant agrees to participate in ongoing product surveillance (see Section 10).

4.4.2.5.2. Depending on the requirements of the specific NIJ CTP subordinate testing scheme, this surveillance is accomplished through one of two methods⁶:

- (1) An independent inspection body selected by the NIJ CTP performs the manufacturing location surveillance inspections (FIT).
- (2) The manufacturer annually provides the NIJ CTP with a statement (self-declaration) of conformity with the requirements of the standard and certifies that no changes have been made to the materials, construction, or methods of assembly of the product listed on the NIJ CPL.

4.4.2.6. Changes to NIJ-certified products

4.4.2.6.1. Following NIJ certification of a product, the Participant agrees to not make any changes to the product's design, materials, material suppliers, or manufacturing process without first notifying the NIJ CTP.

4.4.2.6.2. Any changes to the product's design are outside the scope of the product's previous NIJ Notice of Compliance until those changes are approved in writing by the NIJ CTP. Participants should refer to the applicable subordinate scheme document regarding allowable scope changes for a specific product and the procedures to accomplish an allowable scope change.

4.4.3. Export Control

4.4.3.1. All NIJ CTP Applicants/Participants shall ensure that:

- (1) their actions resulting from participation in the NIJ CTP will not cause the NIJ CTP to violate any export, trade, or other economic sanction law;
- (2) they will promptly advise the NIJ CTP in writing if a model application involves technology or data that are subject to any government controls, including U.S. export controls or International Traffic in Arms Regulations (ITAR) regulations, and will promptly supply all information needed to comply with those controls; and
- (3) they will not use an intermediary to circumvent U.S. export controls or ITAR regulations.

4.4.3.2. NIJ CTP Participants shall refer to any additional export control requirements detailed in the applicable NIJ CTP subordinate scheme and ensure those requirements are met.

⁶ A cross functional diagram describing the certification process that the NIJ CTP uses is available for reference in the [NIJ CTP Process Charts presentation](#) (PDF).

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4.5. Inspection Body

- 4.5.1. An NIJ CTP-selected, independent inspection body performs the manufacturing location surveillance inspections (FIT). The NIJ CTP-selected independent inspection body:
 - (1) must be accredited by a signatory of the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement and be a Type A (third-party) Inspection Body—as defined by ISO/IEC 17020:2012, Clause A.1.; and
 - (2) shall have the capability to evaluate manufacturing locations worldwide, wherever a Participant of the NIJ CTP has declared they have a manufacturing location.
- 4.5.2. Management System certification activities used by this scheme shall meet the applicable requirements of ISO/IEC 17021 and be performed by organizations accredited by a signatory of the International Accreditation Forum Multilateral Arrangement.
- 4.5.3. Requirements may differ between compliance testing programs that the NIJ CTP operates. The inspection body must be able to fully evaluate a Participant in accordance with the specific requirements of each CTP for which the inspection body is providing evaluation services.
- 4.5.4. Samples inspected by the NIJ CTP may be returned to the Applicant, held by the NIJ CTP for future reference (e.g., ongoing product surveillance), or disposed of when they are no longer needed. Refer to the appropriate NIJ CTP subordinate scheme for details regarding test sample disposition, archiving, and disposal for a specific CTP.

5. Subcontracting

- 5.1. For the purposes of this system, tasks necessary for the performance of product conformity assessment performed by organizations outside of NIJ or CJTTEC shall be considered as subcontracting.
- 5.2. As the NIJ CTP is operated by a grantee, all NIJ CTP subcontracting activities shall be conducted in accordance with the requirements of the [OJP Financial Guide](#) and with the established subcontracting policies and procedures of the grantee.

6. NIJ Notice of Compliance

6.1. General Requirements

- 6.1.1. NIJ certification is documented using an *attestation* (see Section 3.2).
- 6.1.2. The NIJ CTP, in its sole discretion, determines whether the attestation shall be made either exclusively by the NIJ CTP (as a NIJ Notice of Compliance) or by the Participant (a Supplier's Declaration of Conformity [SDOC]) if they meet the requirements established by the NIJ CTP in a subordinate scheme.

6.2. Format, Content, and Authentication

- 6.2.1. The NIJ Notice of Compliance is a letter, issued on NIJ Letterhead and digitally signed by an authorized representative of NIJ, which notifies a NIJ CTP Participant and other interested parties that a specific model of a product evaluated by the NIJ CTP:
 - (1) has successfully completed the NIJ Compliance Testing process,
 - (2) will be listed on an NIJ CPL, and

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(3) is authorized to display the NIJ Mark in accordance with the requirements outlined in Section 8 of this scheme.

6.2.2. The NIJ Notice of Compliance shall include at least the following information. Subordinate schemes may require additional information to be included in the applicable notice:

- (1) model designation,
- (2) product type,
- (3) primary standard used to perform the evaluation,
- (4) applicable marking authorizations, and
- (5) NIJ CTP assigned identification number.

6.2.3. The NIJ CTP shall have the ability to authenticate the Notice of Compliance.

6.3. NIJ CTP Participant Responsibilities Regarding a NIJ Notice of Compliance

6.3.1. CTP Participants shall not alter, modify, or change the NIJ Notice of Compliance in any way.

6.3.2. Any typographical errors or other inaccuracies shall be brought to the immediate attention of the NIJ CTP. Any electronic or physical copies of an incorrect NIJ Notice of Compliance shall be promptly returned to the NIJ CTP, and the NIJ CTP shall promptly issue a corrected version.

6.3.3. The deliberate alteration or modification, inappropriate or unauthorized display of an NIJ Notice of Compliance, or misrepresentation of a model's compliance status by an altered or counterfeit NIJ Notice of Compliance constitutes grounds for suspension or termination of a Participant's participation in the NIJ CTP.

6.3.4. CTP Participants shall only reproduce or otherwise display the NIJ Notice of Compliance in a complete and unedited form. In general, the NIJ Notice of Compliance is intended to be provided to purchasers or other interested parties as proof of a specific model's compliance with an applicable NIJ Standard.

6.3.5. CTP Participants shall provide a complete and unedited copy of the NIJ Notice of Compliance on demand to interested parties (e.g., criminal justice agencies) seeking verification of the compliance status of a model. The NIJ CTP does not provide copies of an NIJ Notice of Compliance to third parties; the NIJ CPL (see Section 7) is NIJ's method of communicating which models are compliant to an NIJ Standard.

6.4. Statement of Conformity

6.4.1. For NIJ compliance testing programs where NIJ has not established or authorized a surveillance component, NIJ may authorize Participants and their Listees of those compliance testing programs to use a Statement of Conformity on the labeling of their products or in product advertising as an indication of the product's compliance status. As of the date of this version of the scheme document, NIJ compliance testing programs that authorize the use of a Statement of Compliance are as follows:

- (1) Stab Resistance of Body Armor, NIJ Standard 0115.00
- (2) Autoloading Pistols for Police Use, NIJ Standard 0112.03

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7. NIJ Compliant Products Lists (CPL)

7.1. General Requirements and Purpose

7.1.1. The NIJ CTP shall publish a CPL for each subordinate scheme included in this system that shall list the model designations of products that have received an NIJ Notice of Compliance and continue to meet the applicable program requirements.

7.1.2. The purpose of each CPL is to:

- (1) identify compliant products available for purchase as new that are currently produced in compliance with the applicable surveillance program, and
- (2) provide a historical record of a product's past compliance with the applicable surveillance program.

7.2. Format, Content, and Required Information

7.2.1. Each CPL shall contain at least the following information:

7.2.1.1. Listee name (or names, if there are multiple Listees) and contact information. The Participant may include additional Listees or brand names on the CPL and apply them to products for which the Participant is responsible.

Note: The specific process and terms for adding multiple Listees is found in the TIMS application.

7.2.1.2. Model designation;

7.2.1.3. Status regarding the surveillance program defined in the applicable scheme:

7.2.1.3.1. Active—The product is currently produced in compliance with the applicable surveillance program.

7.2.1.3.2. Inactive—The product is not currently produced in compliance with the applicable surveillance program, either temporarily or permanently, under one of the following categories:

- (1) Suspended—The active CPL listing of this product and authority to use the NIJ Mark on a specific model has been temporarily halted due to the NIJ CTP's review of a nonconformity. This will typically involve the publication of an Advisory Notice or other notification by the NIJ CTP advising the criminal justice community of this change in status.
- (2) Terminated—The active CPL listing of this product and authority to use the NIJ Mark on a specific model has been halted. A termination can occur in two ways:
 - a) Withdrawn—The Participant or Listee is no longer producing a specific product (i.e., model) and voluntarily removes the active listing of the product (see Section 11.2 for more details).
 - b) Revoked—The CPL listing and authority to use the NIJ Mark on a specific model is permanently removed by NIJ because of a nonconformity. This will typically involve the publication of a Safety Notice or other notification by the NIJ CTP advising the criminal justice community of this change in status (see Section 11.1 for more details).

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Note: An Inactive product may still be listed on the CPL to communicate both its current and historical compliance status.

7.3 Additional information and CTP Transitions

- 7.3.1. Subordinate NIJ CTP schemes may require additional information to be included in the applicable CPL.
- 7.3.2. During periods of transition (e.g., when adopting a new scheme or when moving to a revised edition of an NIJ Standard), the NIJ CTP may publish two CPLs covering the same product category.

8. The NIJ Mark of Conformity (“NIJ Mark”)

8.1. Purpose of the NIJ Mark

- 8.1.1. The purpose of the NIJ Mark of Conformity (“NIJ Mark”) is to identify products that are manufactured under the oversight of the applicable NIJ CTP Surveillance Program and provide confidence to end users that those products will perform similarly to items they represent that were tested and examined by the CTP.
- 8.1.2. The NIJ Mark is **NOT** intended to provide an endorsement of any kind (of the specific product, the manufacturer, or their manufacturing processes) by the United States Department of Justice (DOJ), the Office of Justice Programs (OJP), NIJ, the NIJ CTP, the NIJ grantee that operates the NIJ CTP, or their respective employees/agents.

8.2. Ownership of the NIJ Mark

- 8.2.1. The NIJ Mark is a registered trademark (USPTO # 5,906,126) of the federal government, which retains exclusive rights to control its use.
- 8.2.2. Participants and their Listees have no rights regarding the NIJ Mark except those enumerated in this and any subordinate scheme document.

8.3. Authorization to Use the NIJ Mark

- 8.3.1. Participants and their Listees may be authorized by NIJ to use the NIJ Mark as described in this and other subordinate CTP subordinate scheme documents. Use of the NIJ Mark outside of the limits provided for in these schemes is misrepresentation and infringement of the NIJ Mark.
- 8.3.2. The NIJ Mark shall only be applied by authorized CTP Participants and their Listees to products participating in NIJ CTP’s that NIJ has established an appropriate ongoing surveillance component for. As of the date of this document revision, those compliance testing programs are:
 - (1) Ballistic-Resistant Body Armor (NIJ Standard 0101.06 and NIJ Standard 0101.07).
- 8.3.3. Authorization to apply and reference the NIJ Mark can only be granted by the NIJ CTP if a specific model has both:
 - (1) successfully completed testing through the NIJ CTP in accordance with this and any applicable subordinate scheme, and
 - (2) the Participant or Listee has received a NIJ Notice of Compliance that contains written authorization to apply the NIJ Mark to that specific model.

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8.4. Appearance of the NIJ Mark

8.4.1. An example of the NIJ Mark appears below.



8.4.2. Additional requirements regarding its appearance when used by Participants and their Listees are enumerated in NIJ CTP subordinate scheme documents.

8.5. Conditions of Use of the NIJ Mark on Product Labels

- 8.5.1. NIJ CTP Participants and their Listees may only use the NIJ Mark on the label of the specific product identified and authorized in a NIJ Notice of Compliance.
- 8.5.2. The NIJ Mark may only be applied at facility locations authorized by the NIJ CTP.
- 8.5.3. The NIJ Mark shall stand by itself and shall not be combined with any other logo, symbol, or graphic.
- 8.5.4. The NIJ Mark shall be applied directly to each product.
- 8.5.5. NIJ CTP Participants and their Listees may only apply or affix the NIJ Mark to a product item that:
 - (1) represents the Model Designation included on the label that has been certified as compliant by the NIJ CTP as represented by a valid NIJ Notice of Compliance that has not been withdrawn,
 - (2) is manufactured under the oversight of the applicable NIJ CTP Surveillance Program,
 - (3) is not currently suspended or on production hold,
 - (4) is produced to the same specifications as test items that the NIJ CTP determined by the ITT to be in conformity with the standard, and
 - (5) is produced to the same specifications as described in evidence provided by the Participant during initial conformity assessment.
- 8.5.6. A Participant's application of the NIJ Mark to a product represents the Participant's attestation that the requirements of Section 8.3.3 have been met and apply to that product.
- 8.5.7. The NIJ Mark may only be used on an NIJ-compliant product label when placed adjacent to:
 - (1) the Model Designation as it appears on the applicable Notice of Compliance,
 - (2) the name of the Listee provided to the NIJ CTP,
 - (3) the applicable standard as it appears on the Notice of Compliance, and
 - (4) any additional information required by the NIJ CTP Product Conformity Assessment System.
- 8.5.8. Before usage, all applications of the NIJ Mark must be approved by the NIJ CTP to verify appearance and compliance with program requirements. All changes and additional NIJ Mark applications must receive additional approval from the NIJ CTP.
- 8.5.9. Failure to comply with these conditions shall be considered unauthorized use of the NIJ Mark and unsatisfactory participation in the associated NIJ CTP Surveillance Program. Potential consequences may include, but are not necessarily limited to, the following:

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- (1) Suspension or revocation of a specific model's compliance status until the noncompliant use of the NIJ Mark has been resolved to NIJ's satisfaction,
- (2) Suspension or revocation of a Participant's participation in the NIJ CTP until the noncompliant use of the NIJ Mark has been resolved to NIJ's satisfaction,
- (3) In the event of repeated or habitual offenses, noncompliant use of the NIJ Mark, or non-responsiveness to NIJ's concerns, termination of the Participant's participation in the NIJ CTP, or
- (4) Legal action.

8.6. Participant responsibilities regarding the use of the NIJ Mark

8.6.1. The NIJ CTP has an inherent interest in all products that are marked with compliance marks or phrases to indicate compliance with the NIJ CTP. As such, NIJ CTP Participants and Listees shall:

- (1) cooperate with NIJ in maintaining, renewing, enforcing, and protecting the NIJ Mark,
- (2) not directly or indirectly challenge the NIJ Mark or NIJ's ownership of it,
- (3) not seek to register the NIJ Mark, or any similar marks, anywhere in the world, and
- (4) notify the CTP promptly if a Participant becomes aware of any infringement or misuse involving the NIJ Mark or any conflicting trademark.

8.6.2. The Participant shall cooperate with both the NIJ CTP's review and subsequent removal of compliance marks from Participants' products that may have been marked in violation of this scheme. NIJ CTP reviews may result in any one or combination of the following actions:

- (1) Halts to production,
- (2) Root cause investigations,
- (3) Corrections to products containing variations,
- (4) Corrective actions to prevent reoccurrence of variations,
- (5) Communications to end users,
- (6) Recalls, or
- (7) Disposition of products containing variations.

8.6.3. The Participant shall keep a record of all complaints made known to it concerning products marked in compliance with the NIJ CTP program and:

- (1) take appropriate action with respect to such complaints and any deficiencies found in products that affect compliance with requirements,
- (2) document the actions taken, and
- (3) make these records available to the NIJ CTP when requested.

8.7. Suspension or Termination of Compliance Status and Discontinuing Use of NIJ Mark

8.7.1. If NIJ compliance status is suspended or terminated for any reason, the Participant shall:

- (1) promptly confirm, in writing, to the NIJ CTP that Participant has discontinued use of the NIJ Mark on its applicable products and in any literature and advertising related to the applicable products, and
- (2) surrender, efface, or otherwise dispose of, in a manner acceptable to the NIJ CTP, any unused Marks, data labels, dyes, molds, stencils, marking devices, literature, advertisement, or other information bearing a Mark or referencing NIJ CTP certification.

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- 8.7.2. If the NIJ CTP has reason to question conformance by the Participant with these provisions, the Participant agrees to allow the NIJ CTP or its authorized agent (e.g., inspection body) reasonable access to the Participant's facilities to conduct inspections to verify conformance.

9. Indicating Conformity of Production Items

9.1. General CTP Principles and Guidance

- 9.1.1. Manufacturing products that have been tested through the NIJ CTP in accordance with the requirements of this and any applicable subordinate scheme, and found to be in compliance with NIJ CTP requirements, enables NIJ CTP Participants and their Listees to make declarations about that compliance.
- 9.1.2. The NIJ CTP has established methods by which CTP Participants and their Listees can properly identify their products that have been tested through the NIJ CTP and found to comply with the requirements of the NIJ Standard and associated CTP. **No other marks, symbols, or statements except those expressly authorized by the NIJ CTP in this and any applicable subordinate scheme documents are allowed to indicate a product's conformity to, or compliance with, NIJ Standards or NIJ CTP requirements.**
- 9.1.2.1. Authorized actions that Participants and Listees may take to identify compliant products include the following:
- (1) Provide customers with a link to the NIJ CPL on cjttec.org or nij.gov,
 - (2) Provide customers with an unedited/unaltered copy of the NIJ Notice of Compliance (see Section 6.3.5), and
 - (3) Refer customers to the NIJ CTP at askctp@nijctp.org for further information.
- 9.1.2.2. Refer to Appendix B of this document for further guidance regarding general guidelines for marketing NIJ-compliant products.
- 9.1.3. Following a product's certification by the NIJ CTP and until that product is withdrawn from NIJ CTP Surveillance, NIJ CTP Participants and their Listees may use the appropriate NIJ Mark or, where the use of the NIJ Mark is not authorized by NIJ, a Statement of Conformity (see Sections 6.3 and 9.2) on the product label as an indication of a product's current compliance status.
- 9.1.4. The NIJ Mark shall not be used in a manner that brings NIJ or the NIJ CTP into disrepute, is inaccurate or misleading, or misrepresents the purpose of the NIJ Mark. The NIJ Mark shall not be used in such a way that a direct relationship is implied between the NIJ Mark and any one or combination of the following:
- (1) a general product type or group of products,
 - (2) the Participant,
 - (3) a manufacturing location, or
 - (4) a test laboratory.

9.2. Use of NIJ Statement of Conformity by Participants/Listees

- 9.2.1. Following a product's certification by the issuance of a Notice of Compliance by NIJ and until that product is suspended or withdrawn from the NIJ CPL, the Participants and their Listees may use the following Statement of Conformity (see Section 6.3) in advertising as an indication of a product's current compliance status:

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“Model (***model designation***) has been tested through the National Institute of Justice Compliance Testing Program (NIJ CTP) and found to comply with the requirements of (***applicable NIJ Standard***).”

- 9.2.2. Participants and their Listees may no longer use the above statement after a product is removed from the NIJ CPL.

9.3. Supplier’s Declaration of Conformity

- 9.3.1. For certain CTPs operated as part of the NIJ CTP, NIJ may determine that an SDOC⁷ is appropriate.
- 9.3.2. The specific processes and requirements for the SDOC shall be described in the subordinate NIJ CTP scheme for the applicable product, as well as the processes for communicating the compliance status of those products to interested parties.

10. Product Surveillance (Follow-Up Inspection and Testing, or FIT)

10.1. General Overview

- 10.1.1. The goal of the NIJ CTP is to provide criminal justice practitioners with confidence that the products they use or the protective equipment they wear daily meet minimum performance requirements and perform as expected. However, the NIJ CTP’s initial evaluation (“initial type testing”) is limited to a specific set of samples that are destroyed by the end of the evaluation process. The destructive nature of this process makes it impossible to test every product before a practitioner uses it. In addition to this impracticality, testing large numbers of a given product would be prohibitively expensive and would increase the cost of product development, which ultimately would be passed on to the purchaser.
- 10.1.2. To give practitioners additional confidence in the actual products they use, the NIJ CTP has implemented surveillance of manufacturers through FIT activities. The NIJ CTP operates these activities, which relies on the concept that fielded products constructed in the same way as those products inspected and tested by the NIJ CTP should perform similarly.
- 10.1.3. Implementing this method requires a thorough record of the design and construction of the product samples that the NIJ CTP has inspected and tested. Subsequent periodic product inspections are then able to verify whether the manufacturer continues to construct the product in the same way.

10.2. General Requirements

- 10.2.1. All products certified by NIJ and placed on the NIJ CPL shall participate in NIJ CTP surveillance activities (in some compliance testing programs, known as FIT) as documented in the applicable subordinate NIJ CTP scheme.
- 10.2.2. NIJ CTP surveillance activities may consist of any one or a combination of the following:
- (1) Documentation review,

⁷ For more information on SDOC, see <https://www.nist.gov/system/files/documents/standardsgov/Sdoc.pdf>

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- (2) Testing and inspection of samples from the open market,
- (3) Testing and inspection of samples from the factory,
- (4) Assessment and inspection of the production process, and
- (5) Management system audits.

10.2.3. The Participant is responsible for all costs associated with NIJ CTP surveillance testing (FIT) and shall pay such costs directly to the NIJ-authorized Inspection Body.

10.2.3.1. The NIJ CTP establishes the costs for surveillance testing services at NIJ-approved laboratories; other surveillance services costs are determined by the NIJ-approved Inspection Body; refer to the applicable NIJ CTP subordinate scheme for details.

10.2.3.2. The Participant is expected to pay the NIJ-authorized Inspection Body for services rendered in a timely fashion.

10.2.3.3. Although the business relationship is between the Participant and the NIJ-authorized Inspection Body, if the NIJ-authorized Inspection Body notifies the NIJ CTP of a Participant's failure to pay for services rendered, the NIJ CTP may determine that the Participant is not in good standing and as appropriate, may suspend the Participant from continued participation in the NIJ CTP, including the submission of new models or evaluation/compliance determination of models in process at the time of suspension, until such time as the non-payment issues are fully resolved. In extreme or repeated circumstances, the NIJ CTP may terminate a Participant's continued participation in the NIJ CTP.

10.2.4. The Participant shall participate in the applicable surveillance activities for as long as the product is listed in an Active status on an NIJ CPL.

10.2.5. The Participant shall provide Notice to the NIJ CTP, without delay, of changes that may affect its ability to conform to the requirements of this agreement.

11. Product Certification Termination

11.1. Product Certification Termination by the NIJ CTP

11.1.1. The NIJ CTP may at any time, by providing written notice to a Participant at their most recently supplied contact information, terminate a product's certification, participation in the NIJ CTP, and the product's status reflected on the CPL if the NIJ CTP determines that:

- (1) the product no longer complies with the requirements of the applicable standard or NIJ CTP subordinate scheme (e.g., FIT testing failure, construction variation),
- (2) the evaluation process was performed incorrectly,
- (3) the evaluation process was based on inaccurate or incomplete information,
- (4) the certification is reconsidered because of information not available during the initial evaluation process, or
- (5) such action is in the best interests of criminal justice personnel safety.

11.2. Product Certification Termination by the Participant (Voluntary Termination, or Withdrawal)

11.2.1. The Participant may voluntarily terminate (withdraw) a product's participation in the NIJ CTP at any time by providing written notice to the NIJ CTP.

11.2.2. Withdrawing a product's participation in the NIJ CTP also terminates all previous authorizations contained in the product's NIJ Notice of Compliance. The Participant shall immediately:

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- (1) stop applying any markings to the product or its packaging that indicate the product is compliant with NIJ CTP requirements,
- (2) cease and desist all advertising or statements claiming the compliance status of the affected product,
- (3) stop distribution of NIJ Notices of Compliance for the affected product,
- (4) take all appropriate steps to promptly notify any purchasers of the affected product's change of NIJ Compliance Status, and
- (5) enforce these requirements regarding any multiple Listees.

11.2.3. After a product's participation is withdrawn, the NIJ CTP may continue to publish information regarding the product's NIJ CTP compliance status. Products that have withdrawn participation in the NIJ CTP may be referred to as Inactive.

11.2.4. Stopping NIJ CTP Surveillance activities regarding a withdrawn product may take up to 30 days.

11.2.5. Reinstatement of a Withdrawn (Voluntarily Terminated) Model

11.2.5.1. A Participant may request to reinstate a withdrawn (voluntarily terminated) model to an Active status.

11.2.5.2. The request to reinstate a withdrawn model must be made to the NIJ CTP in writing.

11.2.5.3. If NIJ accepts the reinstatement request, the withdrawn model must also successfully complete an FIT test series and post-FIT test review by the NIJ CTP.

11.2.5.4. Once the reinstated model has been returned to Active status on the NIJ CPL, it is subject to the same ongoing NIJ CTP surveillance activities as any other Active model. (Refer to the appropriate subordinate scheme document for specific requirements).

11.2.6. Voluntary Product Termination (Withdrawal) during CTP Transition

11.2.6.1. When NIJ opens a new version of a CTP and begins to close out the prior version of the CTP, Participants may elect to voluntarily withdraw models listed on the prior CTP's CPL.

11.2.6.2. In this scenario, the provisions of Section 11.2.5 do not apply, and the Withdrawal will be considered permanent, as that version of the CTP will be closed and no longer supported by the NIJ CTP.

12. Complaints and Requests for Reconsideration of Conformity Assessment Decisions

12.1. Complaints – General Requirements

12.1.1. Any complaints concerning NIJ CTP conformity assessment activity shall be expressed in writing to the NIJ CTP.

12.1.2. When investigation reveals that the complaint is other than frivolous, action shall be taken by the NIJ CTP to respond.

12.1.3. If the NIJ CTP's response to a complaint is not satisfactory to the complainant, the complainant may request a reconsideration.

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12.2. Reconsideration of Conformity Assessment Decisions – General Requirements

- 12.2.1. Participants may request a reconsideration of a NIJ CTP decision regarding a complaint or matter where there are concerns that the processes described in an NIJ Standard, this, or an applicable NIJ CTP subordinate scheme document were not followed.
- 12.2.2. Circumstances where a Participant generally disagrees (e.g., from a nontechnical or philosophical standpoint) with an outcome of testing or decision made by the NIJ CTP are not grounds for reconsideration and shall not be deliberated.
- 12.2.3. The request for reconsideration must be:
- (1) submitted in writing to the NIJ CTP (i.e., **not** NIJ, the NIJ Director, the U.S. DOJ, or any other non-DOJ organization/entity [e.g., Congressional representatives]),
 - (2) include all evidence (e.g., documentation, test reports/data, photographs, etc.) pertinent to the reconsideration, and
 - (3) signed by an authorized representative of the entity submitting the request.
- 12.2.4. The NIJ CTP shall make all final decisions concerning complaints or requests for reconsideration.

13. Changes and Revisions to Program Requirements

13.1. General Requirements

- 13.1.1. The NIJ CTP may make changes to the conformity assessment requirements contained in this system at any time and set associated implementation deadlines.
- 13.1.2. The NIJ CTP shall notify Participants in writing (e.g., publication of notice on the program website, email notice) of any changes and implementation times.
- 13.1.3. Products that have not demonstrated compliance with revised requirements before the conclusion of the mandatory transition time shall be removed from the program, and the CPL shall reflect this change in status.

13.2. Administrative Clarifications

- 13.2.1. The NIJ CTP shall issue Administrative Clarifications to address concerns or issues that arise during the operation of a particular CTP that are not specifically addressed in this or an applicable subordinate NIJ CTP scheme.
- 13.2.2. Administrative Clarifications may include, but not specifically limited to, the following:
- (1) introduction of new or modified test requirements or procedures for unique designs of a product where the existing test requirements or procedures may not, in the CTP's sole discretion, adequately evaluate the performance of the unique design feature,
 - (2) clarify, expand, or introduce new requirements for a specific CTP scheme, or
 - (3) address emerging issues for a specific CTP.

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14. Revision History

Revision	Section	Change	Name	Date
Revision 1.0	Initial release	Complete revision of predecessor document (606.1), with updated NIJ CTP document numbering convention; expanded definitions; discussions of program structure, roles and responsibilities; and expanded discussion of program requirements.	Mark Greene and Jared Gardner, NIJ; Lance Miller and R. Alex Sundstrom, NIJ CTP (RTI International)	August 26, 2024

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Annex A:
NIJ CTP Conformity Assessment System

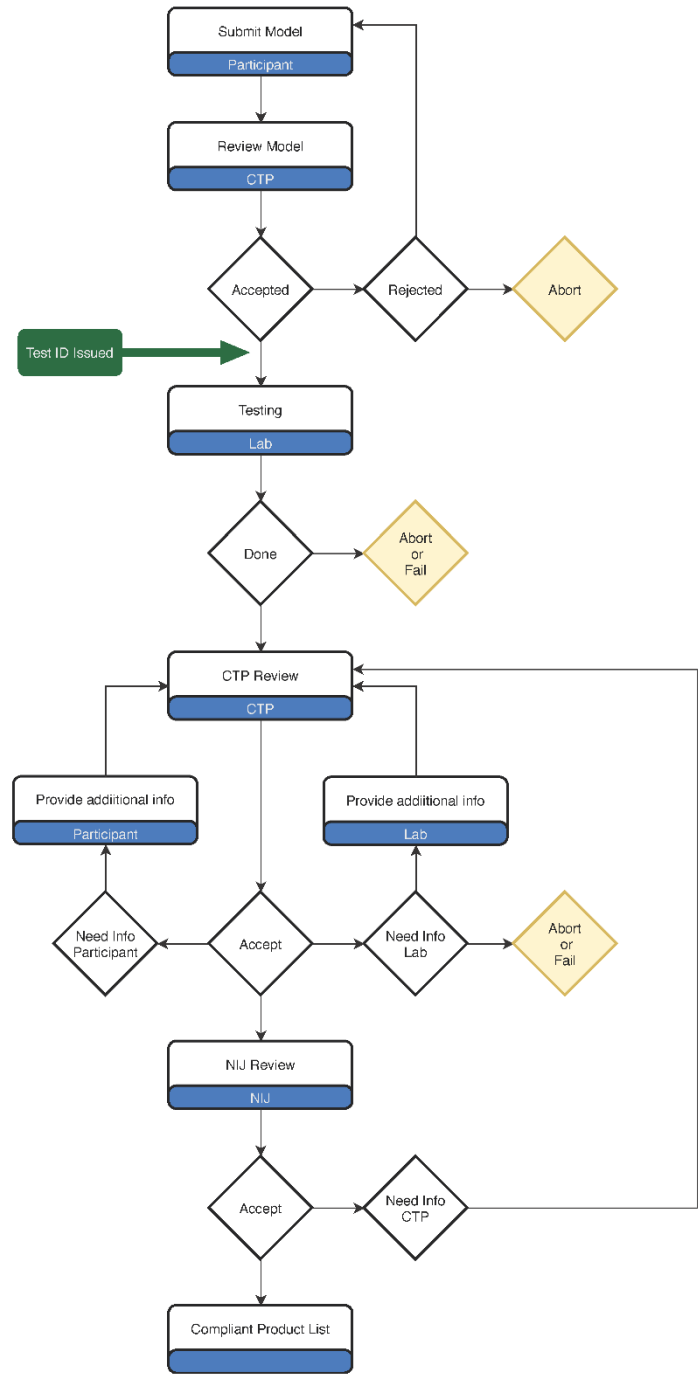
Document Identification	Title	Revision
100-1 <i>(Supersedes 606.1, Version 1.2 – July 2020)</i>	NIJ CTP Conformity Assessment System – General Requirements	1.0 (August 26, 2024)
101-07	NIJ CTP Conformity Assessment System – Ballistic-Resistant Body Armor Scheme (NIJ Standard 0101.07)	1.0 (August 26, 2024)
606.2.1 <i>(Archived as of August 26, 2024)</i>	<i>NIJ CTP Conformity Assessment System – Ballistic-Resistant Body Armor Initial Type Testing (ITT) Scheme (NIJ Standard 0101.06)</i>	<i>1.1 (July 6, 2020)</i>
101-06-FIT <i>(Formerly 606.2.2)</i>	NIJ CTP Conformity Assessment System – Ballistic-Resistant Body Armor Follow-up Inspection and Testing (FIT) Scheme (NIJ Standard 0101.06)	2.0 (August 26, 2024)
<i>115-01 (Forthcoming)</i>	<i>NIJ CTP Conformity Assessment System – Stab-Resistant Body Armor Scheme (NIJ Standard 0115.01)</i>	<i>1.0 (TBD 2025)</i>
606.4	NIJ CTP Conformity Assessment System – Autoloading Pistol Scheme (NIJ Standard 0112.03, Revision A)	2.1 (July 6, 2020)
<i>112-04 (Forthcoming)</i>	<i>NIJ CTP Conformity Assessment System – Autoloading Pistol Scheme (NIJ Standard 0112.04)</i>	<i>1.0 (TBD 2025)</i>

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Appendix A:
NIJ CTP Process Flow Charts

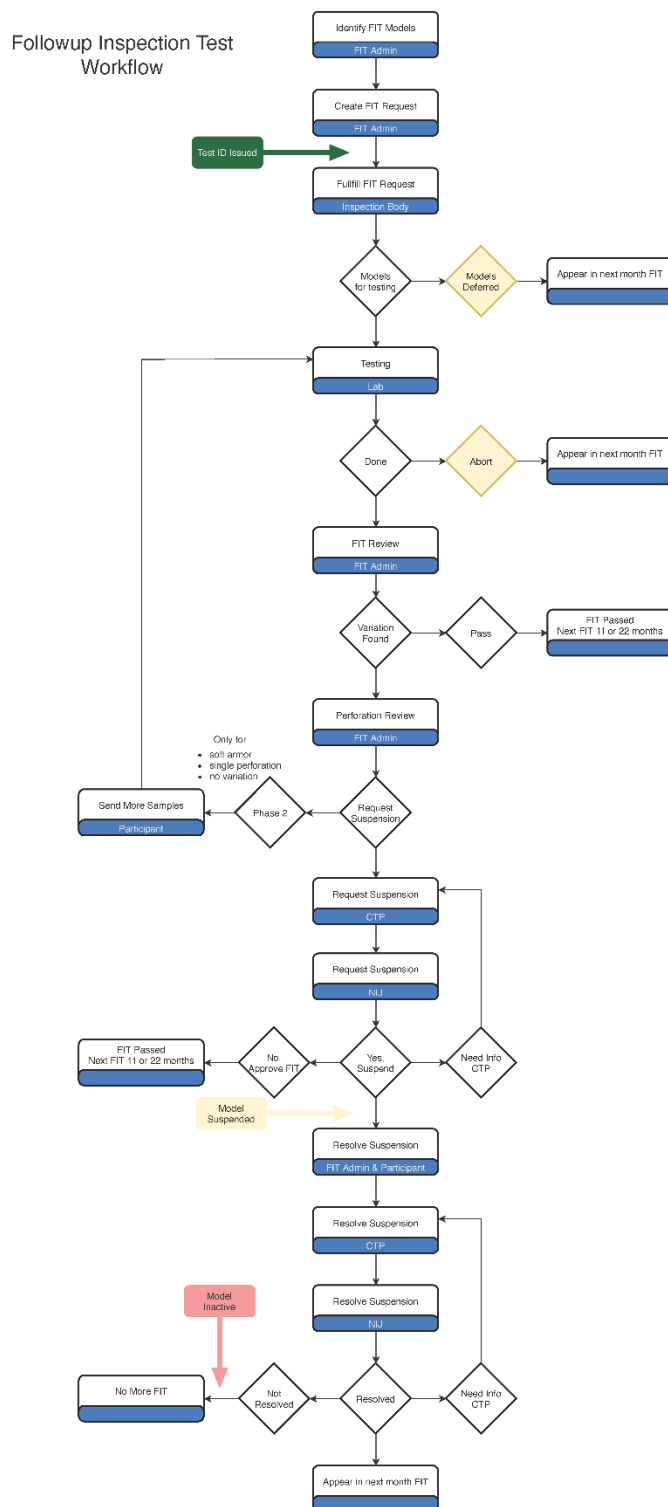
Initial Type Testing (ITT):

Initial Type Test
Workflow



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Follow-up Inspection and Testing (FIT):



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Appendix B:

General Guidelines for Participant Marketing of NIJ Certifications

General marketing guidelines and rules for NIJ Mark use:

- 1) Ensure that the NIJ Mark used in advertising, promotion or packaging is consistent with the certification that has been issued by NIJ to you. For example, the NIJ Mark used in advertising, promotion, or packaging must match the NIJ Mark appearing on your product.
- 2) Correctly indicate which product is NIJ-certified.
- 3) Any advertising or promotional references to NIJ, the NIJ CTP, and the CJTTEC must be complete and accurate.
- 4) References to NIJ, the NIJ CTP, and CJTTEC can be made **only** once you are authorized by NIJ to use the NIJ Mark.
- 5) The NIJ Mark may never appear more prominently in any promotions or packaging than the company or brand name associated with the product.
- 6) The NIJ Mark and any words used to describe a NIJ certification must be large enough to be clearly legible.
- 7) Promotional materials, advertising and packaging should only illustrate the specific product(s) that are consistent with an NIJ certification. Do not create a misleading impression as to the nature of an NIJ certification in any promotional or advertising material.
- 8) If NIJ certification is suspended or withdrawn for any reason, remove all references to NIJ, the NIJ CTP, and NIJ certification from your advertising, promotions, and packaging and discontinue any further use of any associated NIJ/NIJ CTP/CJTTEC references and the NIJ Mark.
- 9) No degree of acceptability, or level of safety or protection, should be implied in promotional materials of an NIJ-certified product. This does not preclude the manufacturer from stating the threat/protection level from the applicable NIJ Standard to which the product has been evaluated or certified by NIJ.
- 10) Products evaluated to NIJ Standards by organizations other than the NIJ CTP are not eligible to use the NIJ Mark for any purpose. Do not use the NIJ Mark or refer to NIJ, the NIJ CTP, or CJTTEC in advertising, social media/websites, promotions or packaging for products that are not NIJ-certified.

IN-SCOPE AND OUT-OF-SCOPE USES OF MARKETING NIJ CERTIFICATIONS

The NIJ Mark can be used, in accordance with the following guidelines, in marketing collateral, advertising, social content, internal and distribution chain communications, product catalogs, websites, news releases, point-of-sales, trade shows, and imagery promoting a specific NIJ-certified product.

- 1) Do not use the NIJ Mark or reference to NIJ certification on company stationery, email signature block, business cards, signs or vehicles, or within internet domain names or company names. Use of these references on such materials could incorrectly imply more than a third-party certification relationship between your company and NIJ, or incorrectly imply that all of your products have been certified by NIJ.

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- 2) Ensure that any marketing claims based solely on the declaration of a manufacturer cannot be misconstrued as attributes evaluated as part of an NIJ certification. Avoid placing self-declared marketing claims in close proximity to the NIJ Mark. It is important that buyers and users clearly understand that self-declared marketing claims are outside the scope of NIJ's certification.
- 3) If some products featured in a website, brochure, ad, or catalog have earned NIJ certification but others have not, you must ensure the wording and placement of statements referencing NIJ certification and the NIJ Mark make it clear which products have and which have not been certified by NIJ.
- 4) It is acceptable to use a QR code on advertising, promotional literature, or trade show exhibits that links directly to NIJ's CPL. It is not acceptable for the QR code to link to any other non-NIJ-sanctioned list (e.g., listing on manufacturer's website) of NIJ-compliant models.
- 5) Do not use the NIJ Mark in general advertising or promotional material to suggest that noncertified products have, in fact, been certified or to infer that a Participant's entire product line is NIJ-certified.
- 6) The NIJ Mark may not be used in association with products that have not been certified by NIJ or to imply that any such products have been certified by NIJ.
- 7) The use or display of a NIJ Notice of Compliance is governed by the procedures detailed in Section 6.3 of NIJ Scheme Document 100-1. NIJ CTP Participants may link an NIJ Notice of Compliance on a web page in association with the specific product listed on the NIJ Notice of Compliance.
- 8) If an NIJ-certified product has its certification suspended because of a Follow-Up Testing and Inspection (FIT) failure or revoked as the result of a NIJ Safety Notice, the Participant must immediately cease using or distributing any printed material and take down any website or social media posting that references the compliance status of the model and must remove the NIJ Mark associated with the product from said web or printed materials.

NIJ MARK COLOR AND ARTWORK

- 1) To display the NIJ Mark, you may use black on a white background. No other colors are acceptable.
- 2) Do not try to reproduce the NIJ Mark. Only use authorized artwork files provided by the NIJ CTP.