

**Informative Guidance: Select Q&A for the 2022 ANSI Essential Requirements**  
([www.ansi.org/essentialrequirements](http://www.ansi.org/essentialrequirements))

**Q1: How can we utilize Cleo's assistance in outreach?**

A: Please contact Cleo Stamatatos at [cstamatatos@ansi.org](mailto:cstamatatos@ansi.org) if you would like to discuss outreach efforts to engage consumers in the American National Standards (“ANS”) process.

**Q2: Are the Essential Requirements updated on an annual basis?**

A: The ANSI Essential Requirements document is not substantively revised every year, though most years some changes are made. Regardless of whether revisions are incorporated, an Annual Compliance Form is issued and all ASDs are required to return it. This is one of the checks-and-balances in the ANS process whereby ASDs confirm compliance with ANSI’s procedural requirements by submitting a binding statement of compliance.

**Q3: Is one compliance form per ASD sufficient or do we need to submit a form for each Accredited Standards Committee or each accredited set of procedures?**

A: An ASD Annual Compliance Form is required to be returned to [psa@ansi.org](mailto:psa@ansi.org) for each separately accredited set of procedures. If your organization maintains multiple sets of accredited procedures, including for example, a set for an entity entitled “ASC xxx”, then a separate Compliance Form for each is required.

**Q4: Are audits done in office or online?**

A: All audits are conducted remotely using electronic records. We expect this to continue in the future. If an ASD does not have an electronic system that lends itself to the ANSI Audit, ANSI offers a Sharepoint-based confidential Audit document repository for the transfer of audit-related documentation.

**Q5: Can you confirm what the maintenance cycle is for a technical report?**

A: Technical Reports that are registered with ANSI in accordance with the applicable and standalone set of ANSI procedures are to be revised, reaffirmed or withdrawn by the 10<sup>th</sup> anniversary of the registration date. See *Procedures for the Registration of Technical Reports with ANSI*. ([www.ansi.org/asd](http://www.ansi.org/asd))

**Q6: Do the 2022 revisions to the “Balance” requirements affect the BSR-9 form?**

A: The 2022 revisions to sections 1.3 and 2.3 *Balance* of the *ANSI Essential Requirements* have not prompted any corresponding revisions to the BSR-9 form. If an ASD’s related procedures are revised,

then the updated Balance provision should be submitted on future BSR-9 forms – See Q6. The Balance guidance document has been updated to include the 2022 language. See [www.ansi.org/asd](http://www.ansi.org/asd) in the sub-folder “Procedures, Interpretations, Guidance and Forms”.

**Q7: Is a standards developer required to provide notices when it proposes and begins work on a new Standard?**

A: Yes, in addition to a PINS form (see [www.ansi.org/anskeysteps](http://www.ansi.org/anskeysteps)), the *ANSI Essential Requirements* requires:

**1.5 Notification of standards development**

Timely and adequate notice of standards development activity shall be announced in media suitable to demonstrate that a meaningful opportunity for participation, debate and deliberation by all directly and materially interested parties in a fair and equitable manner was provided.

For examples of outreach, see the Balance guidance document located at [www.ansi.org/asd](http://www.ansi.org/asd) in the sub-folder “Procedures, Interpretations, Guidance and Forms”.

**Q8: Does Section 1.5 quoted in Q7 require notice of meeting details, such as when standard writing committees are meeting?**

A: Typically notice-of-standards-development procedures apply to the initiation of standards development work, e.g., a new or revised standard, and consensus body meetings, unless a developer’s accredited procedures expressly require public notice about sub-group meetings. In general, the expectation is that timely and adequate information (with sufficient detail and a contact) about standards development activities will be published to promote transparency and engagement. ASDs convene the subject matter experts and it is expected that ASDs will be in the best position to understand which outreach mechanisms, publications, social media, etc., are best positioned to reach directly and materially interested stakeholders for any given standard.

**Q9: What is the purpose of providing names of consensus body members? What if a third party, such as an attorney, asks for a list of the names of the individual members on a consensus body?**

A: The consensus body membership is required to be public information, upon request. This information promotes transparency and has been a long-standing requirement of the ANS process, as the voting membership for a voluntary consensus standard should be knowable, not intentionally hidden. There is no requirement to provide contact information.

Provision of this information supports “due process” and “openness” as ANSI’s procedures define the terms, allowing stakeholders to know who is voting on a standard that may impact them, their business interests and the public interest. See also OMB A-119 which also addresses openness in the voluntary consensus standards development process.

**Q10: Must ASDs incorporate all new text from ER revisions into their procedures?**

A: Whether an ASD’s procedures require revision depends on whether text from past editions of the *ANSI Essential Requirements* has been incorporated into a set of accredited procedures and whether any text in a current set of accredited procedures renders old text inconsistent. If the implementation

of any text in an ASD's procedures would be inconsistent - with the 2022 *ANSI Essential Requirements*, it must be updated. Each ASD must make its own assessment based on the text of its own procedures.

**Q11: What happens when an ASD is out of balance in an interest category and do outreach multiple times, but are not successful in balancing the consensus body?**

A: The answer depends on how an ASD's procedures are written. If they require a strict numerical balance, then that requirement must be met. If they track the *ANSI Essential Requirements*, in which balance is always the goal and outreach including targeted outreach is required as needed, then some flexibility exists. In the latter case, outreach and targeted outreach is required and must be documented, then explained on the BSR-9 form. See Balance guidance located at [www.ansi.org/asd](http://www.ansi.org/asd) in the sub-folder "Procedures, Interpretations, Guidance and Forms".

Documentation of the targeted outreach undertaken must be submitted with the BSR-9 form and kept in the ASD's records, subject to review by the ANSI BSR and the ANSI audit, or for Audited Designators, subject to audit.

**Q12: Does ANSI need to be notified if a new Standard is in the development stages? When does an ASD need to submit a PINS? What if this Standard does not have an official document number? What if the Standard isn't yet approved by the ASD?**

A: Once a decision has been made to advance a standard for consideration for approval as an American National Standard (ANS), a PINS is required to be filed with ANSI. If an ASD's procedures include a trigger for the submittal of a PINS, e.g., a vote of a particular governance body, then the PINS should be submitted within 30-days of that decision unless otherwise specified in an ASD's procedures. See PINS Guidance document for more information about PINS requirements. See Key Steps in the ANS Process for an understanding of the sequence of steps/public announcements in the ANS process from ANSI's perspective ([www.ansi.org/anskeysteps](http://www.ansi.org/anskeysteps)).

ANSI's approval of a document as an ANS is based on evidence of procedural compliance and it is secondary to approval of a document by the sponsoring ASD. In other words, if a standard is not supported by an ASD it may not be submitted to ANSI for approval as an ANS.

Every proposed ANS must have a unique designation and title. It is possible for these to change during the development cycle (unless an ASD's procedures prohibit such changes), but if the designation and/or title changes between the filing of a PINS & BSR-8 or BSR-8 & BSR-9, then identification of the prior designation and title under which the most recent PINS or BSR-8 was submitted is required information that must be clearly identified, e.g., in the online form notes field. For online forms, see: <https://www.ansi.org/portal/psawebforms/Default>.

**Q13: What happens when a voter belongs to more than one interest group?**

A: A consensus body voting member can only be classified in one interest category per standard. Please ensure that all interest classifications are discretely defined, cover directly and materially interested parties and differentiate each category from the other categories.

**Q14: Is an ASD required to classify all interest categories and their definitions on the PINS form?**

A: The new field on the PINS form requires that the interest categories that will or are expected to be represented on the ANS consensus body be listed. The definition of each interest category is not required to be included in the PINS field; however, every interest category must be discretely defined, and differentiate each category from the other categories. In addition, such definitions must be available upon request. Depending upon how an ASD's procedures are written, some interest categories may only apply to certain standards and consensus body members may be permitted to change their interest category on a per-standard basis depending upon the nature of the standard.

**Q15: Does the sponsorship disclosure requirement apply to current consensus body members or only new applicants?**

A: The 2022 *ANSI Essential Requirements* states in part that in "cases where a consensus body member receives funding from the sponsoring ANSI-Accredited Standards Developer (ASD) or other entities, that information shall be disclosed to determine if it will impact the member's interest classification." In addition, the following applies:

The affiliation of a consensus body member refers to the entity that the consensus body member represents, which may or may not be that person's employer. If the consensus body member is serving in an individual capacity, then the name of the individual, their sponsors<sup>1</sup> (if any) and interest category shall be made available upon request. Contact information is not required.

Each ASD will need to assess how best to implement and meet these requirements. Consensus body membership applications or the like should address these provisions as of a date certain (prior to March 1, 2023) and apply to all new applicants. In addition, as part of the ASD's regular review of the consensus body roster and participation rates, an ASD could survey all members or request missing information from each existing consensus body member with a goal of ensuring that consensus body members are properly classified. Other approaches may be used as well, but ASDs should be mindful that all consensus body members, regardless of interest category, should be treated fairly. Records that demonstrate compliance with these provisions are to be maintained by the ASD and are subject to audit.

**Q16: How do you determine "Balance" when one person may represent numerous other organizations such as NGOs, trade /industry orgs?**

A: Unless an ASD's procedures expressly provide for the use of proxies (or the like), each consensus body member should have one vote and one interest classification. The 2022 *ANSI Essential Requirements* necessitates that a consultant<sup>2</sup> or other participant's sponsor be disclosed. A sponsor is defined as an organization that provides funds specifically to support the individual's participation in the standards activities of the consensus body. In addition, consensus body members, including

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<sup>1</sup> A sponsor is defined as an organization that provides funds specifically to support the individual's participation in the standards activities of the consensus body.

<sup>2</sup> For purposes of this section, a "consultant" is someone who agrees to provide professional service in exchange for compensation, financial or otherwise.

consultants, typically are classified in accordance with the business or other interests of their employers or the sponsors they represent in connection with the standards development activity.

**Q17: Does the WTO 60-day rule govern how the Essential Requirements' various mentions of "reasonably timely manner", "timely notice", etc. will be interpreted?**

A: In response, no, the terms cited are not meant to require "60-days notice" in each instance. An ASD's procedures may specify timeframes or rely on the more general terminology. Whenever "reasonable" is used, the ASD should consider past precedent, norms in the standards community and whether an ordinary person would consider the duration of the notice to be fair and sensible in light of the context in which it applies.

**Q18: The Interest Category field on the PINS web form is currently not a required field. Will it be in the future?**

A: Yes, it will be a required field on or around April 1, 2022.

**Q19: How should an ASD prepare for an audit?**

A: Many audit preparation guidance documents are available in the "Procedures, Guides and Forms" sub-folder within [www.ansi.org/asd](http://www.ansi.org/asd). These include guidance on file formats and organization of electronic records related to the ANS process. A self-audit questionnaire is also included in the *ANSI Standards Developer Auditing Policies and Procedures* (See Annex B). In addition, if your organization concluded a previous audit, obtain a copy of past audit reports and study them to ensure you understand any issues of concern, have taken steps to correct them and have retained related documentation. Specific questions may be addressed to the Audit Director, Jay Moskowitz at [jmoskowitz@ansi.org](mailto:jmoskowitz@ansi.org).

**Q20: Can you post the link to where we can see an up-to-date list of standards under Continuous Maintenance?**

A: The list of ASDs that maintain ANS under the Continuous Maintenance option is updated regularly and posted in a sub-folder of [www.ansi.org/asd](http://www.ansi.org/asd). See "ANS Under Continuous Maintenance".

**Q21: Does a standard automatically expire after 10 years even if a PINS to revise it has been submitted?**

A: Yes. The *ANSI Essential Requirements* states that:

an ANS maintained under the periodic maintenance option **shall not retain its status as a current American National Standard beyond ten years from the date of approval. Such approval automatically expires on the tenth anniversary date** of approval as an American National Standard. [emphasis added]

If a PINS to revise the standard has been submitted, and the standard then expires as an ANS on its 10<sup>th</sup> anniversary of approval as such, the PINS remains valid, i.e., you do not have to start the process over by submitting a new PINS, but when you submit the BSR-8 and BSR-9, the project intent should be "new" because the standard at issue is no longer an ANS.

**Q22: Does ANSI have any suggestions on how to or when to challenge self-selected interest categories?**

A: As the administrator of the ANS process for an ASD, you have an obligation seek to ensure that procedural requirements are fulfilled. This includes reasonable questioning of a self-selected interest category. A discussion with the consensus body applicant/member would be in order. In addition, be sure to review the definition of each interest category – it is possible that the definitions require updating so that they are clear, discretely defined and differentiate one from the other.

**Q23: If a Standard Developer doesn't develop a new ANS within 5 years, but is doing revisions of their current ANSs, does that count or do they have to send in their procedures for reaccreditation every 5 years?**

A: If an ASD has any number of active ANS, i.e., not withdrawn ANS, then the 5-year reaccreditation and justification requirement in 4.1.3 *Maintenance of Accreditation* (below) does not apply. Rules that apply to ASDs that do not sponsor any ANS within a 5-year window relate to approved ANS, not those in development or under active revision or reaffirmation – so if your organization only has PINS or BSR-8s in play, and you do not sponsor any current ANS, the 5-year reaccreditation and justification for accreditation requirement would apply. Also, the new special audit tracking provision applies to an ASD that has not submitted a proposed ANS for special audit within 5 years of the ExSC's decision to require a special audit. See *ANSI Auditing Policy and Procedures*.

If an accredited standards developer does not maintain one or more approved American National Standards, then the developer shall submit their accredited procedures for review and approval by the ExSC on a five-year cycle as well as a justification as to why they have not submitted any standards to ANSI for approval and why their accreditation remains relevant. The ExSC may suspend or withdraw the accreditation if the justification is not provided or is otherwise unsatisfactory.

**Q24: Can a developer revise/reaffirm a standard while their Procedures are still being revised for compliance? In other words, can the BSR-8/9s for a standard be submitted even though the revised Procedures are yet to be submitted, reviewed and approved?**

A: In general, yes, unless your current accredited procedures (which may be under revision) do not address or require implementation of a key requirement of the *ANSI Essential Requirements*. The Essential Requirements does allow an ASD to utilize revised procedures prior to reaccreditation if the ASD believes the revised procedures are compliant and agrees to redo any work if the ExSC does not find them to be in compliance. See section 4.1.3 Maintenance of accreditation. Note, however, that each ASD has to assess the appropriateness and fairness of the implementation of revised procedures during the course of an active standards development cycle. Changing procedures in mid-stream is not generally recommended and participants must be made aware in a timely manner of any changes to the procedures that govern their participation in any given standards development activity.

**Q25: Should an ASD submit revised procedures with this year's compliance form or submit them separately?**

A: You may submit the revised procedures with this year's compliance form, but please summarize the revisions included in the attached procedures. In addition, if an ASD intends to submit procedures with the 2022 Compliance Form and the revisions are as a result of an Audit, please contact Jay Moskowitz directly (jmoskowitz@ansi.org). In either case, please be sure that you highlight that revised procedures are attached and list the revisions included.

**Q26: In light of the 2022 revisions removing professional associations and trade associations as consensus body groups, are ASDs required to revise their procedures to reflect that change? Can the interest category "professional society" still be used?**

A: The 2022 ANSI Essential Requirements clarify that

Consensus body members, including consultants<sup>3</sup>, **typically are classified in accordance with the business or other interests of their employers or the sponsors they represent in connection with the standards development activity.** In cases where a consensus body member receives funding from the sponsoring ANSI-Accredited Standards Developer (ASD) or other entities, that information shall be disclosed to determine if it will impact the member's interest classification. [emphasis added]

In addition

**The interest categories appropriate to the development of consensus in any given standards activity are a function of the nature of the standards being developed. Interest categories shall be discretely defined, cover directly and materially interested parties and differentiate each category from the other categories.** Such definitions shall be available upon request. [emphasis added]

The ExSC views representatives of "trade associations" and "professional societies" as examples of participants who, for most standards (except perhaps, for example, standards about trade associations or professional societies, respectively) represent the interests of their organization's members. Accordingly, they should be classified – or reclassified -- as such, e.g, producer or user. This does not preclude trade associations or professional societies from participating in the ANS process, rather they must be classified in accordance with the interests they represent in relation to the nature of the standard.

Depending on the nature of the standards under development and how your organization's interest categories are defined, you may very well need to revise associated procedures and reclassify consensus body members.

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<sup>3</sup> For purposes of this section, a "consultant" is someone who agrees to provide professional service in exchange for compensation, financial or otherwise.

**Q27: Where can ASDs find the updated BSR9 form?**

A: The BSR-9 form is a Word document and is available in the “Procedures, Interpretations, Guidance and Forms” sub-folder at [www.ansi.org/asd](http://www.ansi.org/asd).

**Q28: Where can ASDs find the red-line version of the 2022 revisions?**

A: The red-line version of the 2022 *ANSI Essential Requirements* is available in a sub-folder within “Procedures, Interpretations, Guidance and Forms”. See [www.ansi.org/asd](http://www.ansi.org/asd).

**Q29: What are the basic steps in the standards-development process, e.g., 1. PINS, 2. Public Review and 3. BSR-9**

A: The steps in the ANS process are presented in one-page here: [www.ansi.org/anskeysteps](http://www.ansi.org/anskeysteps). These steps are the “ANSI layer”, so ASDs will need to review their accredited procedures to see what underlying or additional processes (and in what sequence) their organization requires as part of the ANS consensus standard development process.

**Q30: Sometimes consultants represent more than one paying client on a consensus body. What should they do in this instance?**

A: Each voting member can only be classified in one interest category, unless some special circumstances are detailed in an ASD’s accredited procedures. The 2022 *ANSI Essential Requirements* state that a “consultant” is someone who agrees to provide professional service in exchange for compensation, financial or otherwise. And that consensus body members, including consultants, typically are classified in accordance with the business or other interests of their employers or the sponsors they represent in connection with the standards development activity.

**Q31: Sometimes a consultant on a consensus body is funded by a new party after the standards development work commences. If the funding source is in a different interest category than the consultant’s original interest category, should the consultant’s interest category change during the process?**

A: Yes, an interest category can change during the consensus process if the sponsor or source of financial support for a consultant’s participation changes necessitating a change to a different interest category.

**Q32: Does the revision to 2.5.1 PINS extend beyond 30 days the PINS comment period during which a claim of conflict or duplication may be filed?**

No. It is not the intent of the revision to the PINS process to change the procedures that trigger a PINS Deliberation. If someone wishes to make a claim of conflict or duplication, it is to be based on the published PINS notice per section 2.5.1.2 and within the 30-day window - not after - if the intent is to require a PINS Deliberation. Access to additional information about the proposal and an opportunity to engage with the ASD about the project is the goal of the 2022 revision, particularly for those ASDs that have procedures that do not include regular (or any) consensus body meetings. As is the case now, a commenter/voter can still claim a conflict or duplication as part of the consensus body vote or during a formal public review and such comments would have to be addressed and fully processed, but would not trigger the specific PINS Deliberation requirement.