

Anne Caldas

From: Anne Caldas
Sent: Wednesday, March 1, 2023 11:39 AM
To: Melike Oncu
Cc: Anne Caldas; Jim Thompson
Subject: ANSI ExSC Response to Public Comments - ExSC 055 - Audited Designator Revision
Attachments: ExSC_055_2022_AD_SA.pdf; ExSC_055C_ICC_2022.pdf

Greetings –

Thank you for submitting the attached public comments in response to the proposed procedural revisions shown in ExSC_055_2022. The ExSC discussed all public comments as part of their February 15, 2023 meeting agenda. ExSC Members employed by staff of ANSI-Accredited Standards Developers that are also Audited Designators did not participate in the review and discussion of any of the public comments concerning proposed revisions to the *ANSI Essential Requirements*. In addition, ICC’s comments about IAPMO (see paragraph 3, page 2), were considered by the ExSC in Executive Session and will be taken under advisement.

In response to the concern about raising the threshold from 10 to 75-100 ANS, it is noted that this criterion is but one consideration “among other things” and so a lower number of ANS would not preclude the possibility that the ExSC would grant Audited Designator status to an applicant that sponsors fewer than 75 ANS. With respect to the concern that grandfathering existing Audited Designators is not appropriate, the ExSC noted that current Audited Designators meet both the existing and proposed criteria and it is a common practice to grandfather existing qualified and approved entities that hold a particular status when new rules are implemented; further, an appeals process through the ExSC has always existed for the vetting of relevant procedural grievances against current Audited Designators and this safeguard will not change.

In response to ICC’s request for an audit of the origin of the proposed revisions shown in ExSC_055_2022, the first draft of the proposed revision to the Audited Designator procedures was drafted by ANSI staff based on comments from past ExSC discussions, Appeals Board discussions and the original principles (dating to the 1990s) that formed the basis of the Audited Designator option. None of the proposed revisions were suggested by ASDs that hold the status of Audited Designator. By way of background, the intent of the Audited Designator option was never to enable every ANSI-Accredited Standards Developer to become an Audited Designator, eliminating the critical oversight function provided by the ANSI Board of Standards Review (BSR) to the vast majority of ASDs, but rather to provide an option for qualified ASDs who are active in the ANS process, with relatively large ANS portfolios and vetted reliable appeals processes, to obtain this special status enabling them to publish multiple ANS immediately after their organization’s consensus approval decisions. A key consideration has also always been whether the ASD’s appeals process as written and in practice clearly meets ANSI’s high standards for an impartial procedural appeals process. As well, since the full implementation of the Standards Developer Audit Program, Audited Designators (and applicants) are expected to have a history of audits that demonstrates consistent process integrity and compliance with ANS procedural requirements in place over time.

Again, thank you for taking the time to review the proposed revisions and submit comments.

Sincerely,
Anne

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