

**STATEMENT OF
AMERICAN HIGH PERFORMANCE BUILDING COALITION
AND
RESILIENT FLOOR COVERING INSTITUTE
AT THE
GSA GREEN BUILDING ADVISORY COMMITTEE MEETING**

NOVEMBER 27, 2012

Good morning. My name is Bill Hall and I am pleased to present comments on behalf of both the American High Performance Building Coalition (AHPBC or Coalition) and the Resilient Floor Covering Institute (RFCI), a member of the Coalition.

The Coalition consists of 32 leading organizations representing a wide range of products and materials used in the building and construction industry. Our organizations are committed to promoting consensus, performance-based, energy-efficient, and sustainable building standards. We support the common objective of improving energy efficiency and environmental performance in buildings. The Coalition's mission is to promote green building codes, standards, rating systems, and credits that are developed in conformance with full American National Standards Institute (ANSI) or International Organization for Standardization (ISO) – type consensus processes, are data-driven, supported by science, and performance-based. Among the Coalition members is RFCI – a trade association representing manufacturers of vinyl, rubber, and linoleum flooring products and suppliers of raw materials and sundry products for the North American market.

As reported earlier, GSA is in the midst of performing its statutory obligation under the Energy Independence and Security Act (EISA) to evaluate every five years green building certification systems for use by the federal government and to recommend to DOE systems “deem[ed] to be most likely to

encourage a comprehensive and environmentally sound approach to certification of green buildings.” Of critical importance, EISA requires that a recommended rating system be based on its ability “to be developed and revised through a consensus-based process” (emphasis added) and the ability of the “standard-setting organization to collect and reflect public comment.” EISA, § 436(h)(2)(C) & (D). Likewise, the National Technology Transfer and Advancement Act of 1995 (NTTAA) requires the federal government to use technical standards that are developed by “voluntary consensus standards bodies.” 15 U.S.C. § 272 note (d)(1) (emphasis added).

As recognized by Congress, the requirement for using consensus standards is fundamental to ensuring that all interested parties have a fair opportunity to participate and comment, that their concerns are fairly and legitimately considered in a balanced way, and that fundamental fairness and due process are the cornerstones of green building rating systems recommended by GSA and adopted by DOE.

As explained by OMB, the essential elements of a consensus standard are: (1) openness; (2) balance of interests; (3) due process; (4) a meaningful appeals process; and (5) general agreement among interested parties and a process to resolve objections after fair consideration, disposition, and explanation. The antithesis of a consensus, standard is one where critical decisions are made by narrow interest groups behind closed doors, without consideration and resolution

of substantive comments, and without using sound scientific and data-driven decision-making.

It is particularly important that there be a “balance of interests” at every step in the decision-making process of a standard that fairly balances the representation of interested stakeholders. If a product is covered by a standard, for example, it is readily apparent that both the stakeholders who will use the product and those who make it are critical participants in the standard development process.

For a green building standard, the balance of interest requirement is critically important in considering material avoidance credits. These credits are controversial, often targeting proven and beneficial products with inadequate scientific justification and providing no clear benefit to building owners or occupants. Such credits absolutely require that all interests, including product manufacturers, be fairly represented and that well-established principles of risk assessment and life cycle analysis be followed. The required balance of interests does not occur if committees with narrow interests quietly develop material avoidance credits without adequate notice that are then “sprung upon” the organization’s larger membership as part of a voluminous standard with scores of other credits for comment and a vote. To repeat, the balance of interests requirement needs to be used at every step in the standard’s development process.

As GSA evaluates the three rating systems that have passed its initial screening review, the Coalition urges the agency to compare the development

process actually used by each system with the consensus criteria required by EISA and NTTAA. While we believe that a choice among competing, privately-developed ratings systems is of great value, the choice must be made among standards that are actually the product of consensus development processes. We are concerned that two of the three rating systems screened by GSA do not follow the statutory criteria for consensus development, and therefore should not be considered for recommendation by GSA. In contrast, Green Globes was developed using the ANSI standard-setting process.

The Coalition looks forward to working with any and all green building systems to further our mission of promoting consensus, performance-based, energy-efficient, and sustainable building rating systems. Thank you for your consideration of this statement, and I'm happy to answer any questions.

For further information, please direct your inquiries regarding the Coalition to info@betterbuildingstandards.com and inquiries regarding RFCI to dean.thompson@rfci.com.