

June 30, 2021

Attn: AICPA Professional Ethics Executive Committee  
Ethics-Exposuredraft@aicpa.org

Re: Proposed interpretations and definition - Responding to Noncompliance with Laws and Regulations

The views expressed herein are written on behalf of the Professional Standards Committee (PSC) of the Texas Society of CPAs. The PSC has been authorized by the Texas Society of CPAs' Board of Directors to submit comments on matters of interest to the membership. The views expressed in this document have not been approved by the Texas Society of CPAs' Board of Directors or Executive Board and, therefore, should not be construed as representing the views or policy of the Texas Society of CPAs. Please find our responses below to the amendments proposed in the above-referenced exposure draft.

**AICPA Exposure Draft:**

Do you agree with the differentiation in requirements applicable to members in public practice providing services other than financial statement attest services?

**Response:**

The PSC agrees with the differentiation in requirements applicable to members in public practice and that the requirements should apply to all public practice attest engagements.

**AICPA Exposure Draft:**

Do you agree that a litigation or investigation engagement as defined in, and subject to, SSFS No. 1, and an engagement to which the protections set forth in IRC Section 7525 apply, should be excluded from the proposed interpretation for members in public practice? If not, why? Are there other nonattest services that should be excluded from the proposed interpretation? If yes, please identify which services and explain why.

**Response:**

The PSC agrees that litigation and investigation engagements should be excluded from the proposed interpretation for members in public practice. However, the PSC suggests that all nonattest engagements be excluded, whether performed by auditors or non-auditors. On page 8 paragraph 9 of the exposure draft, the "PEEC bifurcated the guidance for members in public practice, so that there are now separate requirements for members providing financial statement attest services and members providing services other than financial statement attest services." It is clear in this statement that it is the intention of the PEEC to include nonattest services in the scope of the proposed requirements. The PSC does not agree with this position and believes that all non-attest services performed by auditors or non-auditors should be excluded.

**AICPA Exposure Draft:**

Is a one-year transition period for the effective date appropriate? If not, why?

**Response:**

The PSC thinks that a one-year transition period is adequate for the effective date. However, timely implementation would be more effective if a specific date was provided rather than pending a future publication date.

We appreciate the opportunity to provide input on this Exposure Draft of revised interpretations of records requests.

Sincerely,

A handwritten signature in black ink, reading "Lyle C. Joiner". The signature is written in a cursive style with a large initial "L" and a distinct "C" and "J".

Lyle C. Joiner, CPA  
Chair, Professional Standards Committee  
Texas Society of Certified Public Accountants