

Operating Procedures

For

**The USNC/IEC Technical Advisory Group
for IEC/TC29**

**Approved by the USNC 6-16-2005
Endorsed by USNC 6-8-/2011**

Operating Procedures for USNC/IEC Technical Advisory Groups

1. General¹

These procedures for the USNC/IEC Technical Advisory Group for IEC/TC29 meet the requirements for due process and coordination in the development of U.S. positions for IEC activities as given in ANSI "Criteria for the Development and Coordination of U.S. Positions in the International Standardization Activities of the ISO and IEC" (Annex B).

The USNC/IEC TAG consists of its Technical Advisor (TA), its members, and its TAG Administrator. The membership of the TAG receives advice and assistance from the Individual Experts and Working Group Chairs of the related national standards committees (S1 and S3).

Subgroups of USNC/IEC TAGs or separate USNC/IEC TAGs may be formed to relate to Subcommittees of an IEC Technical Committee. Where the USNC/IEC TAG to an IEC Subcommittee is not independently recognized, the degree of independent authority to take actions shall be defined in writing (as part of the TAG procedures, or as a policy or agreement) and shall be approved by the parent USNC/IEC TAG, and a copy provided to the USNC TMC.

2. Technical Advisor (TA) and Deputy Technical Advisor (DTA)

A TA shall be appointed for a four (4) year term of office by the USNC Technical Management Committee (TMC) for each IEC TC and SC on which the USNC elects to be a "P"articipating member. A TA shall be nominated by the responsible Group Manager (GM) to the TMC for its approval, on recommendation from the related TAG, if one exists. TAs shall be eligible for reappointment subject to approval by the TMC. The TA may serve as Chair of the TAG and Co-TAs may also be appointed where appropriate.

Upon recommendation of the TAG, or TA, if so authorized by the TAG, and the concurrence of the Group Manager, one or more Deputy Technical Advisors (DTAs) may be appointed by the TMC. The DTA shall work with the TA in accordance with any agreement reached between them. The DTA may attend meetings of the TMC and shall have the privilege of the floor. The term of office for the DTA will be concurrent with that of the TA and he/she may be reappointed. The General Secretary shall notify all members of the USNC of each appointment.

Nominations for TA and DTA, submitted to the General Secretary, shall include:

- a) a nomination confirming the endorsement by the related TAG;
- b) complete coordinates of the candidate(s) (i.e. affiliation, mailing address, phone, fax, and E-mail numbers);
- c) a brief biographical sketch;

¹ Reference: Status and Rules of Procedures of the USNC/IEC Approved by the ANSI Board of Directors August 2000 with revised ANSI Procedures substituted by USNC Council March 2001.

- d) statement of support from the candidate's employer.

2.1 Qualifications of TAs

Consideration should be given to the following criteria in the selection of a TA:

- a) technical expertise;
- b) knowledge of the related industrial sector;
- c) financial and administrative support for travel and activities;
- d) employer support and recognition;
- e) ability to communicate electronically;
- f) familiarity with IEC standards development process.

2.2 Responsibilities of TAs

With the consensus of a TAG, a TA will perform the following functions and fulfill the following responsibilities. A number of these responsibilities may be carried out by the TA or by the Head of Delegation to a TC/SC meeting.

- a) When the TAG is first formed, recommend an appropriate TAG which shall be subject to approval by the USNC TMC;
- b) Guide the TAG in selecting qualified delegates to IEC TC/SC meetings;
- c) Arrange for the distribution of IEC documents to TAG members and all interested parties, collection and correlation of comments and preparation of suitable U.S. documents for transmission, through the USNC General Secretary, to the Central Office when such documents are necessary or desirable. The TA must forward TAG recommendations to the USNC regarding voting positions **WITHIN THE DEADLINES ESTABLISHED**. Also arrange for distribution of appropriate WG documents to the TAG for collection and preparation of suitable documents for transmission, through the WG expert. (Note: This responsibility may be performed by the TAG Administrator.);
- d) Initiate action by the TAG to obtain nominees for U.S. Experts who can participate on desired Working Groups;
- e) Arrange for existing U.S. national standards to be used as initial discussion drafts in related IEC TCs/SCs, wherever appropriate and with the authorization of the standards developing organization;
- f) Promote harmony between U.S. and IEC standards and, where appropriate, advocate the adoption or adaptation of IEC standards by U.S. standards developers;
- g) Maintain liaison with other USNC TAs where required for consistency in U.S. positions for agreement on basic policies, or where they have mutual interests;
- h) Anticipate future programs of TC/SC to permit the maximum possible time for establishing a U.S. consensus;

- i) Respond to IEC organizational changes and take the necessary steps to acquire additional Secretariats and Chairs for the U.S.;
- j) Keep all U.S. participants acquainted with the work and the disposition of their recommendations, nominations, determinations, proposals and positions;
- k) After TAG approval and TAG arrangement for finances, recommend to the USNC that an international meeting of a particular TC or SC be hosted by the USNC TAG. This includes guaranteeing that financing and administrative support is assured in writing. Arrange, with the USNC General Secretary, for the official invitation to be extended;
- l) Provide for the continuity of U.S. participation;
- m) Assure that a U.S. position is presented for each agenda item at a given meeting of a TC or SC;
- n) Assure that the consensus of the U.S. TAG is represented in U.S. positions and in oral opinions expressed by the U.S. delegations to TC/SC meetings;
- o) Keep assigned GMs informed about the progress of the TC/SC's work and any problems at the IEC level or within the TAG. It is especially important that the TA consult with the GM on:
 - Matters involving the proper organization and operation of the TAG.
 - Difficulties in finding delegates to international meetings or in obtaining financial support for such delegates.
 - Proposed U.S. position papers and comments on matters before the Committee and recommended actions on New Work Item Proposal, Working Draft, Committee Draft, Committee Draft for Vote, Final Draft International Standard ballots, particularly negative ballots.
 - The U.S. response to “Questions of Principle” shown on reports of the TC/SC.
 - Proposals for:
 - Committee Secretariat and possible USNC acceptance
 - Committee Chairs
 - Hosting of Committee meetings in the U.S.
- p) Confirm, at least annually, each member of the TAG and report membership to the USNC General Secretary and GM. Non-U.S. national persons shall not have voting membership on TAGs.
- q) Ensure compliance with the TAG's procedures and the USNC's Statutes and Rules of Procedure, in concert with the TAG Administrator.

3. Technical Advisory Group (TAGs)

For each IEC TC and SC on which the USNC is a “P”articipating member, there shall be a U.S. Technical Advisory Group (TAG). Exceptions to this policy require the specific approval of the USNC TMC.

3.1 Criteria for Viability

A viable USNC TAG is defined as one that has:

- a) an appointed TAG Administrator which is an ANSI Member (Organization, Company or Government Agency) or which pays the equivalent fee.
- b) an appointed TA;
- c) three(3) or more Voting Members including those who have paid requisite fees and those with approved waivers. Resource Experts shall not count toward the required number for viability (See Section 7-Membership).

4. TAG Functions and Responsibilities

Among the responsibilities of a TAG are the following:

- a) Nominate a Technical Advisor (TA) or multiple Technical Advisors for approval by the USNC TMC;
- b) Recommend registration of USNC as a “P”articipating or “O” bserver Member of an IEC TC or SC or recommend a change in membership status;
- c) Initiate and approve U.S. proposals for New Work and Maintenance Items for consideration by the related IEC TC or SC;
- d) Initiate and approve U.S. working drafts for submittal to IEC TC, SC (and, where applicable WG) for consideration as draft proposals;
- e) Establish the U.S. consensus positions on an IEC New Work Item Proposal (NP), Working Draft (WD), Committee Draft (CD), Committee Draft for Vote (CDV), Final Draft International Standard (FDIS), and other appropriate IEC documents;
- f) Provide U.S. representation to IEC TC or SC meetings, confirm TA Head of Delegation or, designate alternate Heads of Delegations and members of delegations;
- g) Make every effort to assure that necessary funds needed to carry out the U.S. work in the related IEC TC/SC are secure. Delegates and experts are expected to have sufficient support activities from their employer to participate;
- h) Determine U.S. consensus positions on agenda items of IEC TC, SC and where appropriate, WG meetings, and advise the U.S. delegation or WG expert of these positions and of any flexibility that may exist concerning them;

- i) Nominate U.S. Experts, Project Leaders and Conveners to serve on IEC working groups and similar groups;

Note: When the USNC has the opportunity to name U.S. Conveners or Experts to IEC Working Groups (WGs), Project Teams (PTs), Maintenance Teams (MTs), etc. it is the responsibility of the related TAG, to nominate the best qualified individual(s) to do the job. Such individuals must be adequately supported to accomplish their mission. The names and addresses of the nominees are submitted by the TA/TAG Administrator to the USNC General Secretary who in turn officially submits them to the related TC/SC Secretary. Changes in U.S. Experts on Working Groups shall also be transmitted through the USNC General Secretary to the TC/SC Secretary.

- j) Provide assistance to U.S. Secretaries of IEC TCs or SCs, upon request, including resolving comments on NPs, WDs, CDs, CDVs, and FDISs;
- k) Identify and establish close liaison with other U.S. TAGs in related fields, or identify ISO or IEC activities that may overlap the TAG's scope;
- l) Recommend to USNC the acceptance of Secretariats for IEC TCs or SCs after considering the obligations and responsibilities that include individuals with related expertise and source of secretarial services with funding;
- m) Recommend that USNC invite IEC TCs or SCs to meet in the United States after considering the obligations and responsibilities which include available facilities and funding;
- n) Recommend to USNC U.S. candidates for Chairs of IEC TCs or SCs after considering the obligations and responsibilities of that office and whether a candidate has the experience, time and funding.

5. TAG Administrator

Each TAG shall be administered by a TAG Administrator acceptable to the TAG and endorsed by the USNC/TMC. The TAG Administrator should be an ANSI Member (Organization, Company, or Government Agency) or pay the equivalent fee.

Among the responsibilities of the TAG Administrator are the following:

- a) Support the TA in organizing and maintaining the TAG and applying to USNC TMC for designation;
- b) Provide for administrative services, including arrangements for TAG meetings, timely preparation and distribution of documents related to the work of the U.S. TAG and maintenance of appropriate records, including TAG rosters, minutes of meetings and voting results.

Note 1: Requires full electronic document handling and communication capability to meet USNC and IEC requirements;

Note 2: TAG Administrators are not required to fund TAG meetings.

- c) In accordance with IEC, USNC and its own approved procedures, arrange for the distribution of IEC documents to TAG members, all interested parties, collection and

correlation of comments, and preparation of suitable U.S. documents for transmission, through the USNC General Secretary, to the Central Office when such documents are necessary or desirable. Arrange for distribution of appropriate WG documents to the TAG for collection and preparation of suitable documents for transmission, through the WG Expert;

- d) Transmittal of U.S. positions on relevant IEC TC/SC issues and votes to the USNC General Secretary;
- e) Work to maintain the viability of the TAG as part of the USNC TAG Participation Fee Program;
- f) Ensure compliance with the TAG's Procedures and the USNC's Status and Rules of Procedures, in concert with the TA.

Note: As of the date of approval of these Procedures, the ANSI recommended records retention guideline is as follows: "Records shall be prepared and maintained to provide evidence of compliance with these procedures. Records concerning new, revised, or reaffirmed IEC Standards shall be retained for one complete standards cycle, or until the standard is revised. Records concerning withdrawn standards shall be retained for at least five years from the date of withdrawal."

6. Officers

There shall be a Chairman, who may be the TA, and other Officers if required, appointed by the TA from the individual members of the TAG, subject to approval by a majority vote of the TAG. Each will serve until a successor is selected and ready to serve.

7. Membership

Membership shall be open to all U.S. national interested parties (see note) who indicate that they are directly and materially affected by the activity of the TAG, after being informed concerning the TAG's working procedures and scope of activities.

There shall be no undue financial barriers to participation. A USNC TAG Participation Fee will be assessed and TAG Administrators may, in addition, charge an administrative fee but in all cases procedures for requesting a waiver of the fees shall be available. Participation shall not be conditional upon membership in any organization, or unreasonably restricted on the basis of technical qualifications or other such requirements.

Note: U.S. National Interested Party: One of the following entities directly and materially affected by the relevant standards activity:

1. an individual representing a corporation or an organization domiciled in the U.S. (including U.S. branch offices of foreign companies authorized to do business in one or more states as defined by the relevant State's Corporation law within the U.S.);
2. an individual representing a U.S. federal, state or local government entity; or
3. a U.S. citizen or permanent resident.

7.1 Application

A request for membership shall be addressed to the cognizant TA or TAG Administrator, and shall indicate:

- a) the applicant's direct and material interest in the TAG's work;
- b) the applicant's willingness to participate actively (See section 7.10-Membership Obligations);
- c) the applicant's interest category;
- d) whether the applicant is a representative of an organization, company or government agency;
- e) name and complete coordinates of representative and, if desired, one or more alternates.

7.2 Recommendation

The TA/TAG Administrator shall consider:

- a) the appropriateness of the involvement of each interest in the work of the TAG;
- b) the potential for dominance by a single interest;
- c) the extent of interest expressed by the applicant, and the applicant's willingness to participate actively.

The TA/TAG Administrator may consider reasonable limits on TAG size.

7.3 Diverse Interests

If representatives from distinct divisions of an organization can demonstrate independent interests and authority to make independent decisions in the area of the activity of the TAG, each may apply for membership.

7.4 Combined Interests

When appropriate, the TA/TAG Administrator may recommend that the applicant seek representation through an organization that is already represented by a member who represents the same or similar interests.

7.5 Resource Expert

Each USNC TAG shall be allowed to designate, each year, one individual as a "RESOURCE EXPERT"(RE) for the TAG. The RE should be an individual whose knowledge and expertise are deemed vital for the TAG's work, and is unable to obtain the needed funding for TAG membership from their employer or other sources. This RE shall be exempt from paying applicable annual USNC TAG Participation Fee. The TAG RE shall be nominated by the TA, elected by vote of the TAG, and confirmed by the USNC General Secretary for a period of one year. The RE shall not count towards the minimum number of TAG participants required to establish a viable TAG.

7.6 USNC Conveners and Experts

USNC appointed Working Group, Project Team, and Maintenance Team Conveners and Experts are considered Participating Members of their respective TAGs.

7.7 Liaison Participants

TAGs may designate Liaison participants from other bodies with which ongoing contact is desired. These contacts are exempt from the TAG Participation Fee and do not vote. They include the following:

- a) desired contacts for Canada and Mexico;
- b) entities with which the TAG desires to maintain technical liaison;
- c) TAs for SC TAGs participating on parent TC TAG.

7.8 Ex- Officio Participants

TAGs may include Ex-Officio participants by virtue of their office. These contacts are exempt for the TAG Participation Fee and do not vote. They include the following:

- a) U.S. Chairmen of related IEC TCs/SCs;
- b) U.S. Secretaries of related IEC TCs/SCs;
- c) Assigned GMs.

7.9 Observers

Individuals and representatives of organizations having an interest in the TAG's work may request listing as Observers. Observers shall be advised of the TAG activities and may attend meetings, but shall not vote. They are subject to the USNC TAG Participation Fee.

7.10 Representation of Interests

All directly and materially affected U.S. national interested parties shall have the opportunity for fair and equitable participation without dominance by any single interest.

Dominance means a position or exercise of dominant authority, leadership, or influence by reason of superior leverage, strength, or representation. The requirement implicit in the phrase "without dominance by any single interest" normally will be satisfied if a reasonable balance among interests can be achieved.

Unless it is claimed by a directly and materially affected person that a single interest dominated the standards activity, to the exclusion of fair and equitable consideration of other viewpoints, no test for dominance is required.

7.11 Membership Roster

The TA or TAG Administrator shall submit the initial list of USNC/IEC TAG members and the organizations they represent (preferably prior to the initiation of work) to the USNC General Secretary and assigned GM for designation by the TMC. Rosters shall be

submitted for review annually to the USNC General Secretary and GM or when additions in membership take place.

The roster shall include the following:

- a) title and designation of the TAG;
- b) scope of the TAG;
- c) Technical Advisor(s) (Name, Affiliation, Mailing Address, Phone, Fax and E-Mail Numbers);
- d) Deputy Technical Advisor(s) (same as for TA);
- e) TAG Administrator (Name of Organization, Name of Secretary, Mailing Address, Telephone, Fax and E-Mail Number);
- f) other TAG Officers (if applicable);
- g) Voting Members:
 - Name of the Voting Members and alternates (as applicable) and their business affiliations including name of the organizations they are representing on the TAG; their mailing addresses, phone, fax and e-mail numbers;
 - The interest category of each individual and alternate (as applicable);
- h) USNC appointed Conveners and Experts to IEC Working Groups, Project Teams, Maintenance Team, etc.;
- i) Non-Voting Participants including:
 - TAG appointed Liaison contacts
 - TAG appointed Resource Experts
 - Observers

7.12 Membership Obligations

Members are expected to participate actively by fulfilling attendance, voting, correspondence, and other obligations.

7.13 Review of Membership

The TA/TAG Administrator shall review the membership list annually with respect to the criteria in 7.1-7.10. Members are expected to participate actively by fulfilling attendance, voting, correspondence, and other obligations. Where a member is found in default of these obligations, the TA/TAG Administrator shall direct the matter to the TAG for appropriate action, which may include termination of membership. Meetings Rosters shall be submitted for review annually to the USNC General Secretary and assigned GM.

8. Meetings

Meetings of the TAG and meetings of the U.S. delegates to international meetings should be scheduled to respond to international activities. TAG meetings shall be held, as determined by the Chairman/TA or TAG Administrator or by petition of a majority of the members.

A quorum shall be a majority of the voting members of the TAG. Quorum requirements shall be available in writing upon request.

8.1 Open Meetings

Meetings of the TAG shall be open to all members and others having direct and material interest. At least four weeks' notice of regularly scheduled meetings shall be given by the TA or TAG Administrator which may be publicly announced in ANSI's *Standards Action* or in other media designed to reach directly and materially affected interests. The notice shall describe the purpose of the meeting and shall identify a readily available source for further information. An agenda shall be available and shall be distributed in advance of the meeting to members and to others expressing interest.

9. Voting

In matters related to approval of U.S. position on technical matters brought before the U.S. TAG (i.e., NP, CD, CDV, FDIS), the TAG for IEC/TC29 adopts the Expedited Voting Process described in Annex A. In regard to determining that a consensus exists, the TA will consider the timely votes and comments of all interested parties. Consensus may be deemed by the TA to exist where at least 2/3 of those responding agree on a position.

9.1 Vote

Each member shall vote one of the following positions:

- a) Affirmative;
- b) Affirmative with comment;
- c) Negative with reasons; (In all but administrative matters, the reasons for a negative vote shall be given and, if possible, should include specific wording or actions which would resolve the objection.)
- d) Abstain with reason.

9.2 Vote of Alternate

An alternate's vote is counted only if the principal representative fails to vote.

9.3 Voting Period

The voting period for letter ballots shall be established to allow for timely response to international time limits. An extension may be granted at the option of the TA, Chairman

or TAG Administrator when warranted (e.g. when the requirements for approval of disapproval specified by 9.5 or 9.6 are not achieved).

9.4 Authorization of Letter Ballots

A letter ballot may be authorized by:

- a) majority vote of those present at a TAG meeting;
- b) the Technical Advisor;
- c) the Chairman;
- d) the TAG Administrator;
- e) petition of five members of the TAG or a majority of the TAG, whichever is less

9.5 Actions Requiring Approval by Majority

The following actions require a letter ballot or an equivalent formal recorded vote with approval by a majority of the TAG membership voting:

- a) Approval of officers appointed by the TA/TAG Administrator or nominated by members of the TAG;
- b) Formation of a subgroup, including its procedures, scope, and duties;
- c) Disbandment of a subgroup;
- d) Other actions of the TAG not specified elsewhere.

9.6 Actions Requiring Approval by Two-Thirds of Those Voting

The following actions must be approved by at least two-thirds of those voting by letter ballot, excluding abstentions, or if at a meeting, by two-thirds of those present, excluding abstentions, provided that a majority of the total voting membership of the TAG is present. If a majority is not present, the vote shall be confirmed by letter ballot:

- a) Adoption of TAG procedures, categories of interests, or revisions thereof;
- b) Approval of recommendation to change the TAG scope;
- c) Approval of recommendation of appointment of the U.S. TAG Administrator;
- d) Approval of U.S. position on technical matters brought before the U.S. TAG (i.e., NP, CD, CDV, FDIS, except when processed using the "Expedited Voting Process given in Annex A;
- e) Approval of recommendation to terminate the TAG.

9.7 Consideration of Views and Objections on Letter Ballots

The TA, in cooperation with Chair and Administrator of the TAG, shall determine whether the expressed views and objections shall be considered by telephone, correspondence, or at a meeting.

Prompt consideration shall be given to the expressed views and objections of all participants including those commenting on a Final Draft International Standard (FDIS) listed in ANSI's *Standards Action*. A concerted effort to resolve all expressed objections

shall be made and each objector shall be advised of the disposition of the objection and the reasons therefore.

Substantive changes required to resolve objections, and unresolved objections, shall be reported to the TAG members to afford all members an opportunity, within appropriate time limits, to respond, to reaffirm, or to change their position.

9.8 Report of Final Result

The final result of the voting shall be reported to the TAG.

9.9 Submittal of U.S. Position

Upon completion of the procedures for voting, consideration of views and objections, and appeals, the U.S. position shall be submitted to the USNC General Secretary's Office by the TA or TAG Administrator in electronic format and utilizing the required Form 8CE for comments.

The USNC, as the IEC member body, is responsible for providing all official U.S. positions to IEC.

9.10 Information Submitted

By the designated deadline, each TA or TAG Administrator shall transmit to the General Secretary of the USNC:

- a) title and designation of the document;
- b) recommended votes and/or comments, proposals, documents, or other informational material suggesting the course of action to be followed on matters before the international committee;
- c) status of any appeal action related to approval of the proposed U.S. position;
- d) identification of all unresolved views and objectives, names of the objector(s), and a report of attempts toward resolution.

The TA or TAG Administrator shall ensure transmittal of the recommendations, positions and related reasons to the members of the TAG.

The USNC General Secretary shall transmit to the IEC Central Office or TC/SC Secretary, votes, comments, proposals, or informational material for consideration by the international Technical Committees or Subcommittees.

Note: When a national standard is recommended as a New Work Item Proposal the authorization of the standard's originating organization must be obtained prior to submittal.

10. Termination of TAG

Any directly and materially affected interest may propose to terminate a TAG. The proposal shall be submitted in writing to the USNC General Secretary and to the TA and TAG Administrator and shall include the reasons why the TAG should be terminated. The

TAG shall take action in accordance with 9.6. Based on the results of the vote and concurrence of the TMC, the USNC General Secretary shall take action promptly to change the USNC's TC/SC registration accordingly.

In the event that the U.S. holds the secretariat for an IEC TC or SC for which the TAG is considering termination, the organization serving as Administrative Secretariat shall be informed promptly and shall submit their position regarding termination of the TAG to the USNC General Secretary.

As a result of action taken in accordance with 9.6, should termination of the TAG be approved, notification of such action shall be announced in ANSI's *Standards Action*. The announcement shall note that dissolution of the TAG will result in the U.S. relinquishing its "P"-participating status in the international activity. Also, if the U.S. serves as international Secretariat, the announcement shall state that the U.S. will resign this position. The appropriate notification(s) shall be sent to the IEC Central Office regarding the change in status, and the relinquishment of the Secretariat, if applicable.

11. Communications

The primary form of TAG communications shall be via electronic means. Written correspondence of the TAG, its Officers and Administrator, should preferably be on "TAG correspondence" letterhead. If not, correspondence should clearly show in the title/subject that it concerns TAG matters. E-mail correspondence should indicate in the subject field that it is TAG business.

External communications such as inquiries relating to the TAG, should be directed to the TA and/or the TAG Administrator, and members should so inform individuals who raise such questions. All replies to inquiries shall be made through the TA and/or TAG Administrator.

12. Appeals

Directly and materially affected U.S. National Interested Parties who believe they have been or will be adversely affected by a significant procedural action or inaction of the TAG or its Administrator shall have the right to appeal.

12.1 Complaint

The appellant shall file a written complaint with the TAG Administrator, copying the TA, within thirty days after the date of action or at any time with respect to omissions. The complaint shall state the nature of the objections(s) including any adverse effects, the section(s) of these procedures of the specific actions or omissions that are at issue, and the specific remedial action(s) that would satisfy the appellant's concerns. Previous efforts to resolve the objection(s) and the outcome of each shall be noted.

12.2 Response

Within thirty days after receipt of the complaint, the TAG Administrator shall reply in writing to the appellant, specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.

12.3 Hearing

If the appellant is not satisfied with the response of the TAG Administrator, they shall so inform the TA/TAG Administrator within 10 working days. The TA/TAG Administrator shall schedule a hearing with an Appeals Panel on a date agreeable to all participants, giving at least ten working days notice.

12.4 Appeals Panel

The Appeals Panel shall be appointed by the TA or the TAG Administrator, and shall consist of three individuals who have not been directly involved in the matter in dispute, and who will not be materially or directly affected by any decision made or to be made in the dispute. At least two members shall be acceptable to the appellant and at least two shall be acceptable to the respondent.

12.5 Conduct of the Hearing

The appellant has the burden of demonstrating adverse effects, improper actions, or omissions and the efficacy of the requested remedial action. The respondent has the burden of demonstrating that the TAG, the TA and the TAG Administrator took all actions in compliance with these procedures and that the requested remedial action would be ineffective or detrimental. Each party may adduce other pertinent arguments, and members of the Appeals Panel may address questions to individuals. Robert's Rules of Order (latest edition) shall apply to questions of parliamentary procedure not covered herein for the hearing.

12.6 Decision

The Appeals Panel shall render its decision in writing within thirty days, stating findings of fact and conclusions, with related reasons, based on a preponderance of the evidence. Consideration may be given to the following positions, among others, in formulating the decision:

- a) Finding for the appellant and remanding the action to the TA, TAG or the TAG Administrator with a specific statement of the issues and facts in regard to which fair and equitable action was not taken;
- b) Finding for the respondent with a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's objections;
- c) Finding that new, substantive evidence has been introduced and remanding the entire action to the TA, TAG or the TAG Administrator for appropriate reconsideration.

12.7 Further Appeal

If the appellant give notice that further appeal to the USNC TMC in intended, a full record of the complaint, response, hearing, and decision shall be submitted by the TA or TAG Administrator to the USNC General Secretary. Subsequent to an appeal to the USNC TMC, a final appeal is possible, if appropriate, to the standing ANSI Appeals' Board.

12.8 Informal Settlement

The USNC encourages settlement of disputes at any time if the settlement is consistent with the objectives of the USNC Procedures. Any settlement to which the parties agree in writing, that is consistent with these procedures, or an agreement to withdraw the appeal, will terminate the appeal process.

ANNEX A:

EXPEDITED VOTING PROCESS

Rationale:

The TAG for IEC/TC29 includes experts and representatives of a number of different and specialized technical areas of interest. Not every member or expert wishes to participate in review of every document. This expedited voting process offers every member the opportunity to participate in reviewing documents from every subject area of IEC/TC29, but also allows members to self-select to participate only in those reviews of documents of particular interest to them.

Process:

In an effort to obtain the views and opinions of the largest number of U.S. interested parties, when a document is referred to the TAG for IEC/TC29 for review, the TAG Administrator will announce it to:

- the voting members of the TAG;
- liaisons, resource experts, Ex-Officio participants, observers, U.S. convenors and appointed experts,
- the individual experts and working group chairs of the parallel national standards committees (S1 and S3) and to
- such other experts or interested parties as the TA may determine.

For any specific document, the TAG shall consist of those parties who respond to the announcement and indicate that they choose to participate by submitting their comments and recommendations.

The TA shall appoint a coordinator of comments for each review. Wherever possible the same individual will be asked to serve as coordinator at each stage of processing for a document. If the document is at any stage except FDIS, the coordinator shall receive the comments from participants and assemble them on the form provided by the IEC. All substantive, technical comments will be included except where there is conflict. The TA will resolve conflicts and objections in a manner consistent with section 9.7.

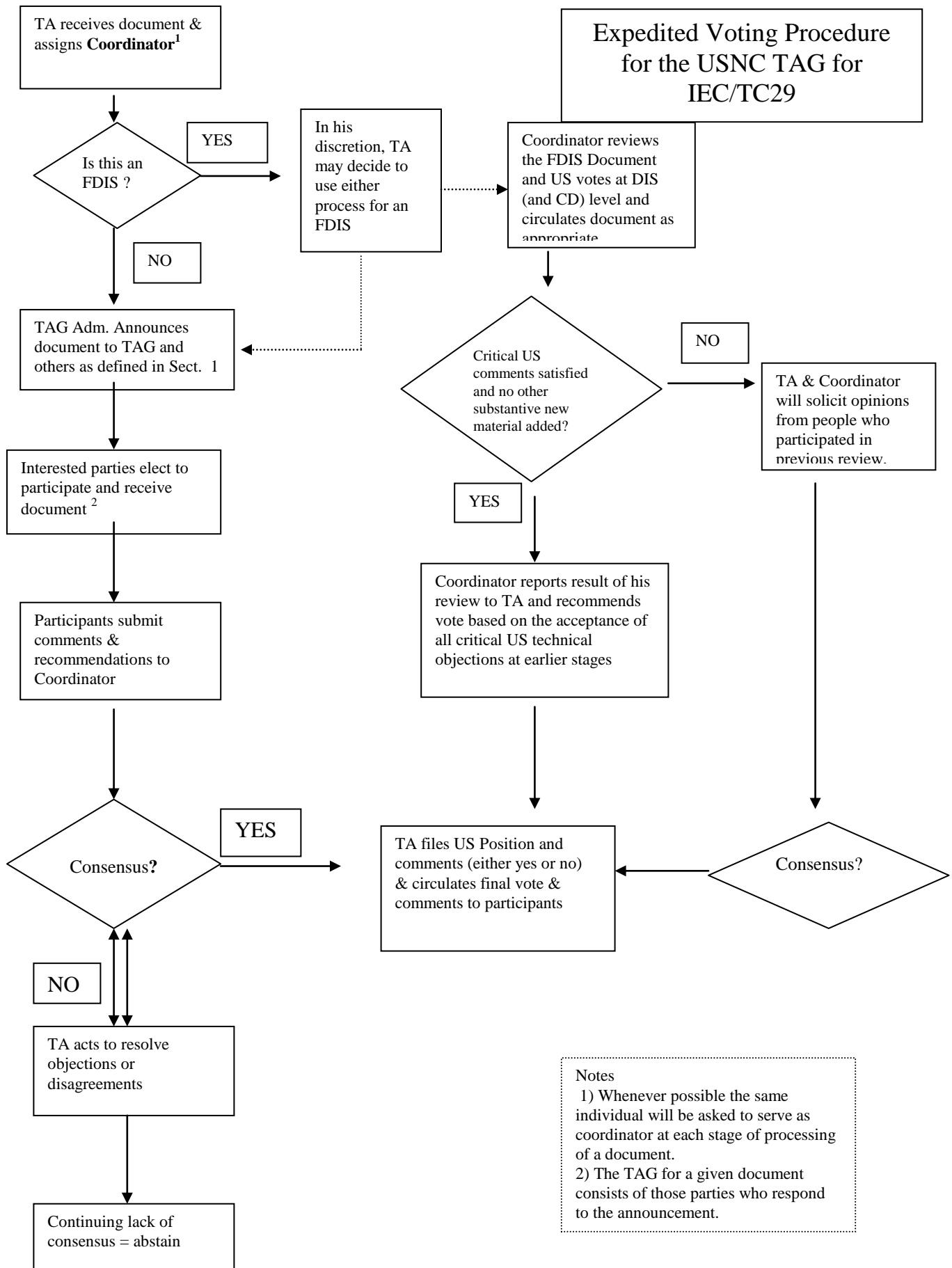
If the document is an FDIS, the TA may elect to circulate it again for full review or simply assign the coordinator to review the final text to assure that all critical US comments from the earlier stages have been incorporated and no other substantive new material has been introduced. After this review, the coordinator will report his findings and recommendation to the TA. If the US objections have been satisfied, the coordinator will recommend that the US vote "yes." If the US objections have not been satisfied the coordinator will recommend that the US vote "no." If the previous vote was "abstain" and the issues that prevented the development of a consensus still exist, the vote of "abstain" shall be recommended. If the US objections have not been satisfied or substantive new material has been added, the document will be circulated to those who participated in the earlier review for reconsideration.

Based upon consideration of the comments received, the Coordinator and the TA shall recommend the US Position. Consensus may be deemed by the TA to exist where at least 2/3 of those responding agree on a position.

Where consensus cannot be achieved within the timeframe allowed by the IEC, the TA shall recommend that the USNC abstain.

The following chart depicts the process for documents under consideration in any of the stages of the IEC process i.e. PNWI, CD, CDV, and FDIS.

There may be times when unusual documents, for example those that are not generated by IEC/TC29, come to the attention of the TA. In these unusual cases, the TA shall exercise his best judgement.



ANNEX B:

Criteria for the Development and Coordination of U.S. Positions in the International Standardization Activities of the ISO and IEC

Participation in international standards activities of interest to members of the American National Standards Institute (ANSI) requires membership in two international non-treaty standardization organizations, namely the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC). ANSI is the U.S. member body of ISO and the U.S. National Committee of the IEC, a committee of ANSI, is the U.S. member of the IEC. To assure that positions presented to these international bodies are representative of U.S. interests a mechanism must exist for the development and coordination of such positions. This document outlines ANSI's criteria for an appropriate mechanism.

ANSI normally looks to the body that develops national standards in a particular standards area in order to determine the U.S. position in a similar international standardization activity. Such national consensus bodies are designated by ANSI as "U.S. TAGs" for specific ISO or IEC activities. Where no national standards group exists, or is available to serve, or where several separate national standards groups exist, special bodies will be established for this purpose. The makeup of U.S. TAGs may include participants from companies, technical and trade organizations, government agencies and individuals.

B1 Applicability

These requirements apply to the development and coordination of U.S. positions for ISO and IEC activities.

B2 International Requirements²

Operating procedures for the development of U.S. positions shall comply with the requirements imposed on members by the relevant international standards body. For example, time limits are imposed on all participating international members of the international body with regard to voting, commenting, and other related matters. Reasonable time extensions may be requested for good cause.

B3 General

The operating procedures of existing or newly established groups which develop U.S. positions for the standardization activities of ISO shall, at a minimum, meet the criteria for the organization, accreditation and operation of U.S. TAGs as provided herein. The operating procedures of existing or newly established groups which develop U.S. positions for the standardization activities of IEC shall, at a minimum, meet the criteria for the organization and operation of U.S. TAGs as provided for in the *Operating Manual of the U.S. National Committee for the IEC*.

B4 Criteria for Organization

The following minimum criteria shall be met in the organization of U.S. TAGs, which develop U.S. positions on international standards activities:

B4.1 Openness. Participation shall be open to all U.S. national interested parties who are directly and materially affected by the activity in question. There shall be no undue financial

² See the ISO/IEC Directives, Part 1: Procedures for the technical work; Part 2: Methodology for the development of International Standards; Part 3: Drafting and presentation of International standards

barriers to participation. Participation shall not be conditional upon membership in any organization, or unreasonably restricted on the basis of technical qualifications or other such requirements.

Timely and adequate notice of the formation of new activities related to international standards shall be provided to all known directly and materially affected interests. Notice should include a clear and meaningful description of the purpose of the proposed activity and shall identify a readily available source for further information.

B4.2 Balance. The process of developing U.S. positions shall provide an opportunity for fair and equitable participation without dominance by any single interest.

Dominance means a position or exercise of dominant authority, leadership, or influence by reason of superior leverage, strength, or representation. The requirement implicit in the phrase “without dominance by any single interest” normally will be satisfied if a reasonable balance among interests can be achieved. Unless it is claimed by a directly and materially affected person (organization, company, government agency, individual, etc.) that a single interest category dominated the development of the U.S. position, no test for dominance is required.

In defining the interest categories appropriate to U.S. TAG membership, consideration shall be given to at least the following:

- Producer
- User
- General interest

Where appropriate, more detailed subdivisions should be considered.³

B5 Criteria for Operation

The following minimum criteria shall be met in the development of U.S. positions in international standards activities:

B5.1 Written Procedures. Written procedures shall govern the methods used for the development of U.S. positions and shall be available to any interested party.

B5.2 Listing in *Standards Action*. Appropriate⁴ international standards activities shall be listed in *Standards Action* in order to provide an opportunity for public comment. The comment period shall be appropriate to the required timing for the action.

³ Further subdivisions that may be used to categorize directly and materially affected persons consist of, but are not limited to, the following:

- Consumer
- Directly affected public
- Distributor and retailer
- Industrial/Commercial
- Insurance
- Labor
- Manufacturer
- Professional society
- Regulatory agency
- Testing Laboratory
- Trade association

⁴ Examples of appropriate activities are in the ANSI Procedures for U.S. Participation in the International Standards Activities of the ISO

B5.3 Consideration of Views and Objections. Prompt consideration shall be given to the written views and objections of all participants including those commenting on the listing in *Standards Action*. A concerted effort to resolve all expressed objections shall be made, and each objector shall be advised of the disposition of the objection and the reasons therefor.

Unresolved objections and any substantive change made to a proposed U.S. position shall be reported to the participants.

B5.4 Records. Records shall be prepared and maintained to provide evidence of compliance with these criteria.

Records shall be retained for an appropriate period of time after the issuance of the international standard to which they pertain.

B5.5 Appeals. The written procedures shall contain an identifiable, realistic, and readily available appeals mechanism for the impartial handling of substantive and procedural complaints regarding any action or inaction.

B6 Guidelines for Determining a U.S. Voting Position

The development of a U.S. position with regard to voting on international documents is a matter of great complexity. Firm rules for casting affirmative votes, negative votes, or abstentions would be presumptuous and unworkable in many cases. However, efforts should be made to achieve consistency in the perceived conduct of the United States as a participant in international, non-treaty standards development. Toward that end, guidelines for determining a voting position are included herein in order to provide direction toward a consistent voting policy. These guidelines cannot cover all of the factors that must be considered in determining the U.S. vote. They do, however, represent generally accepted principles that should be applied to normal situations.

B6.1 If there is an existing U.S. national standard (i.e., an American National Standard or, in the absence of an American National Standard, another standard generally accepted within the United States) and:

1. If the national standard can be considered equivalent⁵ to the requirements in the international document, vote affirmative
2. If the international document includes different, additional, or more stringent requirements than are in the national standard and the U.S. consensus indicates that such requirements are:
 - a) Acceptable, and should be considered for inclusion in the national standard (see section B7.2), vote affirmative, or
 - b) Not acceptable, vote negative
3. If the national standard includes different, additional, or more stringent requirements than are in the international document and the U.S. consensus indicates that such requirements:
 - a) Should be modified in accordance with the international document, (see section 7.2) vote affirmative, or
 - b) Must be maintained, vote negative, or
 - c) Must be maintained, but the proposed document is considered to represent the best agreement which can be attained at the present time from an international point of view,

⁵ The word “equivalent” is intended to convey the thought that any product or procedure that meets the requirements of the national standard will also meet the requirements of the international standard and vice versa when tested for conformance by accepted means.

vote abstain with a statement that the U.S. cannot modify its national standard for stated reasons.

B6.2 If no national standard exists and

1. If U.S. consensus establishes that the international document is:
 - a) Technically acceptable and could be used as the basis for the development of a national standard, vote affirmative, or
 - b) Not technically acceptable, vote negative
2. If the international document is of little or no interest to the U.S., abstain
3. If the international document unnecessarily creates a barrier to domestic or international trade or impedes innovation or technical progress, vote negative

B6.3 Regardless of whether or not a national standard exists, if no U.S. consensus has been established, abstain.

B6.4 The U.S. vote, if negative, must be accompanied by reasons and supporting information such as technical data and logical argument. Also, any known exceptions and/or additions that will be required to conform to U.S. safety practices or regulations shall be noted.

B6.5 Exceptions. Exceptions to the above stated voting guidelines should be carefully considered.

B7 Criteria for Approval of U.S. Positions on International Standards Activities

B7.1 Introduction. Implicit in the transmittal of U.S. positions on international standards activities to ANSI is the verification that the requirements of this document have been met and that consensus in support of the U.S. position has been established.

B7.2 Consensus. Consensus for a U.S. position is established when substantial agreement has been reached by the U.S. national interests that are directly and materially affected by the proposed international standard. Additionally, if the proposed U.S. position is based on giving consideration to changes in an existing U.S. national standard, the consensus process shall include U.S. national interests that are directly and materially affected by the U.S. national standard.

B7.3 U.S. Proposals of Documents as the Basis for the Initiation of International Standards
All U.S. proposals for the initiation of new work items for the development of international standards shall be approved by the appropriate U.S. TAG. Such proposals shall be based on appropriate American National Standards, when they exist. In the absence of American National Standards, other appropriate, generally accepted standards may be proposed. In this instance, permission from the sponsor to propose documents as the basis for the initiation of international standards shall be obtained. In the absence of either ANSI standards or other appropriate, generally accepted standards, proposals may be based on a rationale, or a standard under development.

B7.4 U.S. Proposals to Fast Track a National Standard. The U.S. may submit a nationally accepted standard using the fast-track procedure approved by the ISO and IEC if the following criteria are met:

- 1) The U.S. is a P-member of a concerned technical committee
- 2) The proposed standard must have the approval of both the originating organization and appropriate U.S. TAG

The procedures in B7.3 shall be used in determining U.S. support for the proposed standard.

B8 Criteria for Appeals

The provision of appeals is important for the protection of directly and materially affected interests and for the organizations involved in the development of U.S. positions in international activities and is required as a part of due process. This section provides for the right to appeal, indicates what may be appealed, and gives general criteria regarding the appeals mechanism.

B8.1 Right to Appeal. Directly and materially affected U.S. national interested parties have the right to appeal any significant procedural action or inaction in the development of U.S. positions on international standards activities.

B8.2 Appeals Mechanism. The following general criteria shall apply to any appeals mechanism provided by the U.S. TAG pursuant to these procedures:

- 1) Appeals shall be addressed promptly and a decision made expeditiously
- 2) The right of the involved parties to present their cases shall not be denied
- 3) Appeals procedures shall provide for participation by all parties concerned without imposing an undue burden on them
- 4) Consideration of appeals shall be fair and unbiased and shall fully address the concerns expressed
- 5) Records of appeals shall be kept and made available to the involved parties

B8.3 Access. Appeals shall be directed in accordance with the written procedures used for the development of pertinent U.S. positions. (See B5) The ANSI Appeals Board will not normally hear an appeal of an action or inaction until all other