



United States
National Committee
of the IEC

USNC COUNCIL RULES OF PROCEDURE

Approved by US National Committee on 23 July 2021
Approved by ANSI Executive Committee on 18 November 2021

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1. INTRODUCTION

The US National Committee of the [International Electrotechnical Commission](#) (USNC) serves as the focal point for US parties who are interested in the development, promulgation and use of globally-relevant standards for the electrotechnical industry. As the US member of the IEC and many related regional standardization bodies, the USNC – acting through the USNC Council -- serves as a conduit to the global standards-setting community for technical and policy positions arising in the US and brings issues from the global arena to the US for review, consideration, and response. The USNC is a totally integrated committee of the American National Standards Institute (ANSI) who provides administrative support to the USNC.

This document contains the USNC Council's Rules of Procedure which apply to the operation of the USNC in accordance with the USNC Statutes.

2. RESPONSIBILITIES AND FUNCTIONS OF THE USNC COUNCIL

Responsibility for the USNC is exercised exclusively by the USNC Council, an International Relations Committee of ANSI. (See ANSI By-Laws at Section 4.07.) The USNC Council is subject to the oversight of the ANSI Board Executive Committee ("Executive Committee"). The USNC Council's responsibilities include, but are not be limited to, the following:

- (1) Representing and coordinating United States involvement in the IEC and other electrotechnical bodies associated with the IEC concerning IEC standardization and conformity-assessment issues, including management advisory groups, on behalf of ANSI;
- (2) Recommending to the Finance Committee and the Executive Committee an annual budget to cover IEC-related activities;
- (3) Managing programs and adjudicating disputes arising from authorized USNC activities;
- (4) Promoting consistency between international and national activities that fall within the scope of the IEC;
- (5) Reporting annually to the Board on United States participation in IEC activities and coordinating with the ANSI International Policy Advisory Group on issues affecting United States interests in more than one international forum; and
- (6) Establishing, as appropriate, Technical Advisory Groups to cover United States participation in IEC activities.

The USNC shall not be dissolved without the two thirds majority consent of the USNC Council.

2.1 USNC Council Membership and Membership Rights

USNC Council members have the right to: (a) access all USNC Council documents, including meeting minutes and agendas; (b) participate in electronic communications and correspondence; (c) attend all USNC Council meetings; (d) participate in discussions at all USNC Council meetings; and (e) vote on all matters coming before the USNC Council.

2.2 USNC Council Member Responsibilities

USNC Council members are expected to actively participate in USNC Council meetings, debates and votes. They should have sufficient experience to offer recommendations on positions USNC should take as the member body to IEC as well as make decisions on the responsibilities set forth in Section 1. USNC Council members have the obligation to read materials distributed in advance of meetings and commit the time and resources that are necessary and appropriate to fulfill the missions of the USNC.

The USNC Council members are required to abide by ANSI's Conflict of Interest and Related Party Transaction Policy, as well as the ANSI Code of Conduct.

2.3 Conflict of interest

USNC Council members shall comply with ANSI's Conflict of Interest Policy. USNC Council members representing the US in IEC activities shall comply with the IEC Code of Conduct. USNC Council members shall act at all times in a manner that promotes confidence in the integrity and impartiality of the USNC Council and avoid a conflict of interest or the appearance of a conflict of interest in connection with all USNC Council activities. A conflict of interest can arise from involvement by a USNC Council member with the subject matter of an issue or dispute under consideration by the USNC Council or from any relationship between the USNC Council member and a party to an action or appeal before the USNC Council, whether past or present, that reasonably raises a question of a USNC Council member's impartiality.

If a directly and materially affected party believes a member of the USNC Council has or may have a conflict of interest, that party is required to state the reason(s) for its belief. That information shall then be forwarded to the identified USNC Council member for that member's response. If that USNC Council member disagrees with the assertion, the Chair of the USNC Council shall make a final determination as to whether a conflict of interest exists.

Members of the USNC Council who are disqualified from a particular discussion shall not participate in the deliberations or decisions.

The USNC Council does not consider it to be a conflict of interest for a member to vote for oneself during an election.

2.4 Subcommittees or task forces

The USNC Council may establish such additional subcommittees and task forces as are considered desirable to accomplish its mission. Chairs of task forces and subcommittees established by the USNC Council shall be appointed by the USNC Council for a renewable three-year term. Specific details on the operations of these subcommittees and task forces shall be outlined by the respective subcommittee(s) and task forces and approved by the USNC Council. Subcommittees and task forces may appoint/elect a Vice-Chair for special assignments and duties under terms decided by the the same subcommittee or task force.

The USNC Council shall maintain the following two policy advisory groups: (a) the USNC Council Technical Management Committee (TMC) (as a mirror committee to the IEC Standardization Management Board (SMB)); (b) the USNC Council Conformity Assessment Policy Coordination Committee (CAPCC) (as a mirror committee to the IEC Conformity

Assessment Board (CAB)). It shall also maintain the following standing committees: (1) the Nominations Committee; (2) the Finance Committee; (3) the Communications Committee; (4) the Rules and Procedures Committee; and (5) the Young and Emerging Professionals Committee.

3. PROCEDURE FOR TMC MANAGEMENT OF THE TECHNICAL WORK OF THE USNC

3.1 General-TC/SC/SyC Participation

US participation in the Technical Committees (TCs), Subcommittees (SCs), and Systems Committees (SyCs) of the IEC is conducted through USNC Technical Advisory Groups (TAGs). The TMC of the USNC Council designates a USNC TAG to cover each TC, optionally one or more SCs of that TC, and the SyC. (See 3.4.)

3.2 USNC Endorsement of US Participants as IEC TC, SC, and SyC Chairs

Chairs of the TCs, SCs and SyCs are nominated by the appointed Secretariat (see Section 3.3. below) and, in the case of US nominees, the appointment is subject to the approval of the USNC TMC.

Before the USNC TMC endorses the appointment of a US nominee as the Chair of an IEC TC, SC, or SyC, it shall have reasonable assurance the nominee will have adequate financial support and will be able to meet the time requirements of the assignment. It should be understood that the USNC does not provide financial support for US Chairs.

NOTE: The IEC Council delegates to the decision-making body called the SMB the appointment of Chairs of TCs and SyCs. For IEC procedures on appointment of Chairs, see Article 11 of the IEC *Statutes and Rules of Procedure*.

3.3 USNC Assignment of IEC TC, SC, and SyC Secretariats

The Secretariat of a TC or SyC is appointed by the SMB to a National Committee. The Secretariat of an SC is allocated by the parent TC.

For those Secretariats appointed to the USNC, the duties are further assigned by the USNC Council through the TMC to a US-based organization that will act as an Administrative Secretariat. To be named as Administrative Secretariat, the US-based organization must first:

- a) Demonstrate it is willing to serve as the USNC Administrative Secretariat
- b) Confirm in writing its intent to support an individual to function as the Secretary including:
 - 1) Confirmation of its willingness to commit sufficient financial, administrative, technical support and resources
 - 2) Confirmation that it will serve an initial period of four years
- c) Be approved by the USNC TMC.

The Administrative Secretariat appoints a Secretary.

This assignment of an Administrative Secretariat is not further assignable to another organization without the approval of the USNC TMC.

The USNC TMC may revoke any assignment made to an Administrative Secretariat. In making a determination of revocation, the USNC TMC will review all relevant facts and circumstances, including any concerns or complaints raised by third parties, and provide the Administrative Secretariat with the opportunity to address any concerns or complaints that have been raised. A decision to revoke an Administrative Secretary shall be made only upon full discussion in an open meeting of the USNC TMC and a vote of the USNC TMC supporting the revocation.

The Administrative Secretariat agrees to give the USNC TMC at least one year advance notice (or two years advance notice if still serving its initial term) before it will no longer fulfill the responsibility of the Administrative Secretariat.

NOTE: The IEC Council delegates to the SMB the appointment of Secretariats of TCs. For IEC procedures on appointment of the Secretariat, see Article 11 of the IEC *Statutes and Rules of Procedure*.

3.4 USNC Technical Advisory Groups (USNC TAGs): Criteria for Operation

Written procedures are required for each USNC TAG, and shall be in accordance with the Model Operating Procedures for USNC Technical Advisory Groups (USNC TAGs). See [USNC TAG Model Operating Procedures](#).

4. PROCEDURE FOR CAPCC MANAGEMENT OF THE CONFORMITY ASSESSMENT WORK OF THE USNC

4.1 Acceptance of IEC CA System Participation

4.1.1 General – CAPCC Participation

US participation in an IEC Conformity Assessment (CA) System shall be approved by the USNC CAPCC. This USNC CAPCC appointed activity is called a USNC CA Mirror Committee. A viable USNC CA Mirror Committee is defined as one having a Secretariat, a Secretary, and three (3) or more members in good standing.

The USNC CA Mirror Committee shall select Officers to include a Chair, one or more Vice-Chair(s), and a Treasurer. The officers shall coordinate the work of the mirror committee.

Each USNC CA Mirror Committee shall be administered by a Secretariat designated by a majority vote of the mirror committee and approved by the USNC CAPCC. The Secretariat, with the concurrence of the mirror committee, shall appoint a Secretary to carry out the day-to-day work of the mirror committee and to take action as instructed by the mirror committee or as directed by the Chair.

USNC CA Mirror Committee must notify the CAPCC of new Schemes under consideration and/or for approval by the USNC CA Mirror Committee, which will then be reported out to the USNC Council.

4.1.2 Requests for Acceptance of a New Field of IEC CA System

4.1.2.1 Proposal for the Development of a New IEC CA System by the USNC

USNC CAPCC shall consider any written requests to initiate a new field of IEC CA activity. Such requests shall include:

- a) An assessment of the market sector needs to determine if it can support an international conformity assessment system;
- b) A business plan regarding the new field of IEC CA activity, including its ability to be self-financing.

Based on the results of the above information, the USNC CAPCC will determine a US position on the proposed new IEC CA System. If the USNC CAPCC supports the proposal, it will then submit the proposal to the IEC CAB via the US CAB delegate. The US CAB delegate is the Chair of the CAPCC with the Vice Chair of CAPCC serving as the US CAB Member and Alternate.

4.1.2.2 Development of a USNC Position on a Proposal for a New IEC CA System

US National Interested Parties who might reasonably be expected to be, or who indicate that they are affected by the proposed scope of the activity, shall have an opportunity to express their views. According to the USNC Statutes, US National Interested Parties are defined as 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 US (including US 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 US);
2. An individual representing a US federal, state or local government agency; or
3. A US citizen or permanent resident.

Members of USNC Council and the public shall be notified through ANSI's Standards Action and other appropriate publications of the opportunity to comment on a new field of IEC CA System activity.

The US position shall be guided by the following criteria:

- a) Documented evidence that US National Interested Parties support the new field of IEC CA System activity
- b) Confirmation that technical requirements for use within the proposed IEC CA System are recognized within the US

Based on the results of the above information the USNC CAPCC will establish a US position on the proposed new IEC CA System and submit its position to the IEC CAB via the US CAB delegate.

4.1.3 Participation or Withdrawal in a (New) IEC CA System

4.1.3.1 Participation in a New IEC CA System

Members of USNC and the public shall be notified through ANSI's Standards Action and other appropriate communications of the opportunity to participate, including a call for membership and Secretariat, in the new IEC CA System activity.

Establishment of a new USNC CA Mirror Committee will be based on a confirmation of minimum membership and a documented commitment by a Secretariat to:

- a) Provide a minimum of a three year financial and technical commitment to support the activity to support effective US participation in the work of the IEC CA System;
- b) Undertake the responsibilities of Secretariat in accordance with 4.1.5.1

The CAPCC shall approve the new Secretariat by a simple majority vote of the CAPCC.

Once formed, the membership of the USNC CA Member Body will be responsible for electing officers and ensuring the execution of an MOA between ANSI and the proposed Secretariat in agreement with the USNC Rules of Procedure and additional operating documentation.

4.1.3.2 Withdrawal from a IEC CA System

The USNC CA Mirror Committee will notify the USNC CAPCC with a rationale and timeline for their intended withdrawal.

In consultation with the USNC CAPCC, the USNC CA Mirror Committee will recommend a proposal for an orderly withdrawal from the IEC CA System. The USNC CAPCC will determine appropriate actions.

4.1.4 Delegation of Administration of Secretariats to a USNC CA Mirror Committee

The USNC CAPCC shall make all decisions concerning the assignment of the administration of secretariats to a USNC CA Mirror Committee, including the granting, continuance, transfer or withdrawal of such assignments.

4.1.4.1 Delegation of a Secretariat to a USNC CA Mirror Committee

A Secretariat of a USNC CA Mirror Committee shall be a USNC Member. Any responses to the announcement to serve as Secretariat of the USNC CA Mirror Committee shall demonstrate that the following criteria are met:

- a) Documented evidence the organization is a US national interested party with the ability to hold the secretariat.
- b) The organization is a member of the USNC and has committed to encourage interested parties to join the USNC.
- c) The organization has sufficient documented technical and administrative competence.
- d) The organization has complied and shall take all appropriate measures to comply with US antitrust laws and foreign competition laws.
- e) Documented evidence from members of USNC CAPCC demonstrating support for the organization seeking to hold the secretariat.

- f) The organization has made a financial commitment for not less than three years covering the costs associated with holding the secretariat, including the defined costs incurred by USNC CAPCC for administrative support and oversight of the delegated secretariat.
- g) The organization agrees that, should it be unable to continue to serve, it will provide sixty (60) days prior written notice to USNC CAPCC of its intent to relinquish the secretariat.
- h) The organization agrees to comply with the requirements of the USNC CAPCC oversight of USNC CA Mirror Committee secretariats in accordance with 4.1.5.
- i) The organization has committed in writing to comply with all applicable rules and policies of the USNC and the IEC CAB.
- j) The organization agrees to complete training offered by the USNC CAPCC and IEC to support compliance with IEC CAB and USNC CAPCC procedures governing the administration of the USNC CA Mirror Committee secretariat.
- k) The organization executes a Memorandum of Agreement between the American National Standards Institute and secretariat.

4.1.4.2 Relinquishing of a Secretariat of a USNC CA Mirror Committee

The secretariat will notify the USNC CA Mirror Committee, the USNC CAPCC, and ANSI with a rationale and timeline for its intended withdrawal.

In consultation with the USNC CAPCC, the USNC CA Mirror Committee will recommend initiation for a call for a new secretariat (4.1.5.1) and take appropriate action.

The relinquishing secretariat will make final notification that they have fulfilled their obligations under their MOA.

4.1.4.3 Termination of a Secretariat of a USNC CA Mirror Committee

A proposal to terminate assignment of a secretariat of a USNC CA Mirror Committee may be initiated by a USNC Council, CAPCC or CA Mirror Committee Member. The proposal shall be submitted in writing to notify the USNC CA Mirror Committee, the USNC CAPCC, and ANSI and shall include the reasons including cause and documented evidence why the secretariat should be terminated.

In consultation with the USNC CAPCC, the USNC CA Mirror Committee will recommend action related to the resolution of the request for termination of the MOA with the secretariat, in accordance with 4.1.5.2.

4.2 USNC CAPCC Oversight of USNC CA Mirror Committees

The USNC Conformity Assessment Mirror Committee Operating Procedures (USNC CA 01), under the responsibility of the USNC CAPCC, and their associated supplement shall be adopted fully by each USNC CA Mirror Committee as its operating procedures.

5. PROCEDURE FOR SUSPENSION OR EXPULSION

5.1 General

Any USNC member organization and/or its individual representative(s) may be suspended or expelled from membership by the USNC Council for any of the following reasons:

- a) Failure to conform to the provisions of the ANSI By-laws or the USNC Statutes and Rules of Procedure;
- b) Any unethical or unlawful conduct unbecoming of a member of the USNC or calculated to bring ANSI or the USNC into disrepute;
- c) Failure to continue to meet membership or eligibility requirements.

5.2 Procedure for suspension or expulsion of USNC Member Organization or Individual Representative

Once a USNC Member Organization or Individual Representative has been found to have engaged in actions that would constitute grounds for suspension or expulsion per USNC Statutes, Section 3.1.1., and upon a two-thirds vote of the USNC Council, the member or individual shall be suspended or expelled. However, the suspended or expelled member or individual may appeal such suspension or expulsion following the procedure under Section 5. Upon receipt of such notice, the USNC President shall schedule a hearing at the next USNC Council meeting to review the appeal under such procedures as it shall determine in advance thereof.

5.3 Procedure for immediate suspension of Individual Representative

Any individual representative may be immediately suspended for cause by the USNC President at his/her discretion.

6. USNC APPEAL PROCEDURE

6.1 Right to appeal

All directly and materially interested parties¹ who have been or will be adversely affected by an action or inaction of the USNC Council or USNC policy committees have the right to appeal in accordance with these procedures.

The USNC Council may also hear appeals remanded or referred to the USNC by the ANSI Appeals Board.

Other concerns of a directly and materially interested party¹ who have been or will be adversely affected by any other kinds of actions or inactions of the USNC Council or USNC policy committees should be brought to the attention of the USNC General Secretary. The USNC Council will address such concerns in a manner that it deems fair and reasonable, consistent with the *ANSI By-Laws* and these operating procedures.

6.2 Status of decision pending conclusion of an appeal and related communications

Pending a decision by the USNC Council Appeals Panel ("USNC Appeals Panel"), the decision of the body that initially rendered the decision that is the subject of the appeal shall remain in effect unless the USNC Appeals Panel convened in accordance with section 6.4, determines otherwise, in accordance with section 6.3. No party to an appeal may communicate with any unrecused member of a USNC Appeals Panel on the subject of the appeal while the matter is pending. All communications regarding pending appeals shall be directed to the General

¹ "Party" includes organizations, companies, government agencies, individuals, etc.

Secretary of the USNC.

6.3 Request to stay a decision pending the conclusion of an appeal

In the event that a party to a duly filed appeal wishes to request a stay from the USNC Council of the decision at issue pending the conclusion of the review process, these procedures apply. The party requesting the stay will be allowed to submit a one-page statement to succinctly explain the extraordinary basis for the request and the other party, if it opposes, will be allowed to submit a one-page statement to succinctly explain why the USNC Council should not grant the request.

- a) The requestor shall contact the USNC General Secretary to request implementation of the stay process.
- b) The requestor will be allowed one week to submit a one-page statement in support of its request.
- c) The one-page request will be provided to the other party(ies), which will in turn be allowed one week to submit a one-page response. (The one-page request/response shall be single spaced and in 12 point font or larger.)
- d) Both documents will be provided to the USNC Appeals Panel via an accelerated electronic ballot.
- e) The USNC General Secretary will issue a written decision to both parties on behalf of the USNC Appeals Panel.

6.4 USNC Appeals Panel

Hearing of appeals by the USNC Council shall be handled by the USNC Appeals Panel of at least three (3) USNC voting members (including the Appeals Panel Chair) who have been vetted in accordance with the conflict of interest provisions set forth in section 10. If three (3) members of the USNC are not available to serve on the USNC Appeals Panel, the Chair of the USNC Council may appoint one or more additional panel members who shall be persons knowledgeable about the *USNC Rules of Procedure and/or the USNC Model Operating Procedures*, as applicable. Such appointment(s) of non-USNC members shall be with the concurrence of all parties to the appeal.

6.5 Content, Form and Timing of Appeal

All Appeals, along with the required filing fee, shall be directed to the USNC General Secretary on or before midnight Eastern time of the due date. The filing fee may be waived or reduced only upon sufficient evidence of hardship.

All parties filing an appeal or authoring letters of support must be clearly identified, and contact information provided, at the time of filing. Anonymous filings will not be accepted.

All appeals shall be made in writing. The appeal shall be comprised of a brief, written statement ("Appeals Statement") of the matter and the reason(s) why the appellant believes the decision is in error. The Appeals Statement should include/append as appropriate the following:

- a) a copy of the decision from which the appeal is taken;
- b) an explanation of the issue and the procedural history;
- c) arguments that explain why appellant believes the decision was in error;
- d) references to the provision(s) of the USNC procedures upon which appellant relies;

- e) relevant evidence that directly supports appellant's position and upon which appellant relies;
- f) letters of support for the appeal, if any, per section 6.7; and
- g) the specific relief sought by appellant from the USNC.

The Appeals Statement (exclusive of exhibits submitted pursuant to (a), (e) and (f), above, and table of contents) shall not be more than 30 pages, double-spaced, in 12 point font or larger. The USNC General Secretary shall have discretion to extend this page limit for good cause shown.

Unless otherwise instructed by the USNC General Secretary, the required Appeals Statement shall be submitted via electronic means (with one complete hard copy mailed to the General Secretary) within fifteen (15) working days following the date of the decision that is the subject of the appeal or at any time with respect to an inaction by the USNC Council or USNC policy committee. If the appellant is unable to provide the required Appeals Statement within the fifteen (15) working day deadline, an extension may be requested, with the grounds for such request noted. Such request must be directed to the USNC General Secretary within the fifteen (15) working day deadline or the appellant shall forfeit the right to appeal. Extensions of time to submit an appeal may be granted at the discretion of the Chair of the USNC Council, or, if the Chair is unavailable, the USNC General Secretary. No supplemental filing prior to the forthcoming hearing shall be permitted without a showing of good cause.

6.6 Response

The Appeals Statement shall be distributed by the USNC General Secretary to respondent(s) identified or approved by the USNC Council and such respondent(s) will be provided the opportunity to respond. The respondent(s) shall have fifteen (15) working days of distribution to submit their response to the appeal on or before 11:59PM Eastern time of the due date.

All parties responding to an appeal or authoring letters of support must be clearly identified, and contact information provided, at the time of filing. Anonymous filings will not be accepted.

The response shall be comprised of a brief, written statement ("Appeals Response") of the matter and the reason(s) why the respondent believes the decision is not in error. The Appeals Response should include/append as appropriate the following:

- a) the reasons why respondent believes the decision under appeal was correct and a reference to the provisions in the USNC procedures upon which the respondent relies;
- b) relevant evidence that directly supports respondent's position and upon which respondent relies; and
- c) letters of support for the response, if any, per section 6.7.

The Appeals Response (exclusive of exhibits submitted in response to (b) and (c), above, and table of contents) shall not be more than 30 pages, double-spaced, in 12 point font or larger. The USNC General Secretary shall have discretion to extend this page limit for good cause shown.

The response shall be distributed by the USNC General Secretary to the USNC Appeals Panel, subject to applicable conflict of interest procedures, and to the appellant. No supplemental filing prior to the forthcoming hearing shall be permitted without a showing of good cause.

If the respondent is unable to provide the required response within fifteen (15) working days, an extension may be requested, with the grounds for such request noted. Such request must be directed to the USNC General Secretary within the fifteen (15) working day deadline or the respondent shall forfeit the right to respond. Upon receipt of the response it shall be provided to the appellant for information only. Extensions of time to submit a response may be granted at the discretion of the Chair of the USNC Council Appeals Panel, or, if the Chair is unavailable, the USNC General Secretary. No reply to the response prior to the forthcoming hearing shall be permitted without a showing of good cause.

6.7 Letters of support by non-parties to the appeal

A person or organization that is not a party to the appeal may submit a letter of support for a position taken by the appellant or respondent to the appeal by contacting that party and requesting that such a letter be included in that party's formal appeals brief or response.

Such party-supporting letters shall be clearly marked as such, may not include new evidence, may not exceed three single-spaced pages in length and 12 point font or larger, and shall address procedural issues only. Letters not meeting the requirements of this section will not be accepted without the approval of the USNC Appeals Panel Chair. Authors of such letters do not have any special standing with respect to the USNC's appeals processes, are not considered parties to the appeal and do not have the right to address the adjudicating body at the hearing on the matter.

6.8 Hearing

A hearing date for an appeal shall be set by the USNC General Secretary after consultation with the USNC Appeals Panel Chair. However a later date may be scheduled if mutually agreeable to the participants in the hearing. All parties shall be given at least fifteen (15) working days notice of the hearing date. Panel members shall receive copies of the appeals record at least fifteen (15) working days prior to the date of the appeals hearing. The name and affiliation of all speakers and any observers must be provided to the USNC General Secretary in advance of the hearing date.

At the hearing, the appellant's position shall be presented first, followed by the respondent. Each side is then allowed to respond until their total allotted time is exhausted. A half hour total, for the initial presentation and subsequent responses, is allotted for each side, with a limit of three speakers per side. Additional time is allotted for a question and answer session directed by the USNC Appeals Panel. At the hearing, speakers are not permitted to make assertions about facts or issues not in the record. The hearing may not be recorded in any way. At the close of the question and answer period, the USNC Appeals Panel shall go into executive (closed) session for the purpose of arriving at a decision.

Should any party not be present at the hearing, the decision of the USNC Appeals Panel shall be based on the presentations made by the parties that are present at the hearing in addition to the written submissions on record.

6.9 Decision

Decisions of USNC Appeals Panels shall require a majority vote of the panel, shall represent the decision of the USNC Council, and shall be provided to the USNC Council for their information. Notice of a decision reached by the USNC Appeals Panel shall be sent by the USNC General Secretary to the parties within thirty (30) working days, unless the USNC General Secretary requests an extension that is authorized by the USNC Appeals Panel Chair.

The decision shall specify the outcome of the appeal, and shall be accompanied by an explanation of the reasons for such outcome, and the specific relief granted, if any. The outcome of the appeal shall be announced in *Standards Action*.

7. ACCESSIBILITY OF APPEALS DECISIONS

A copy of the appeals decision shall be made available upon request.

8. APPEAL OF USNC ACTIONS

In accordance with the *ANSI Appeals Board Operating Procedures*, an appeal from a final decision of the USNC Council may be filed with the Appeals Board.

9. INFORMAL SETTLEMENT

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

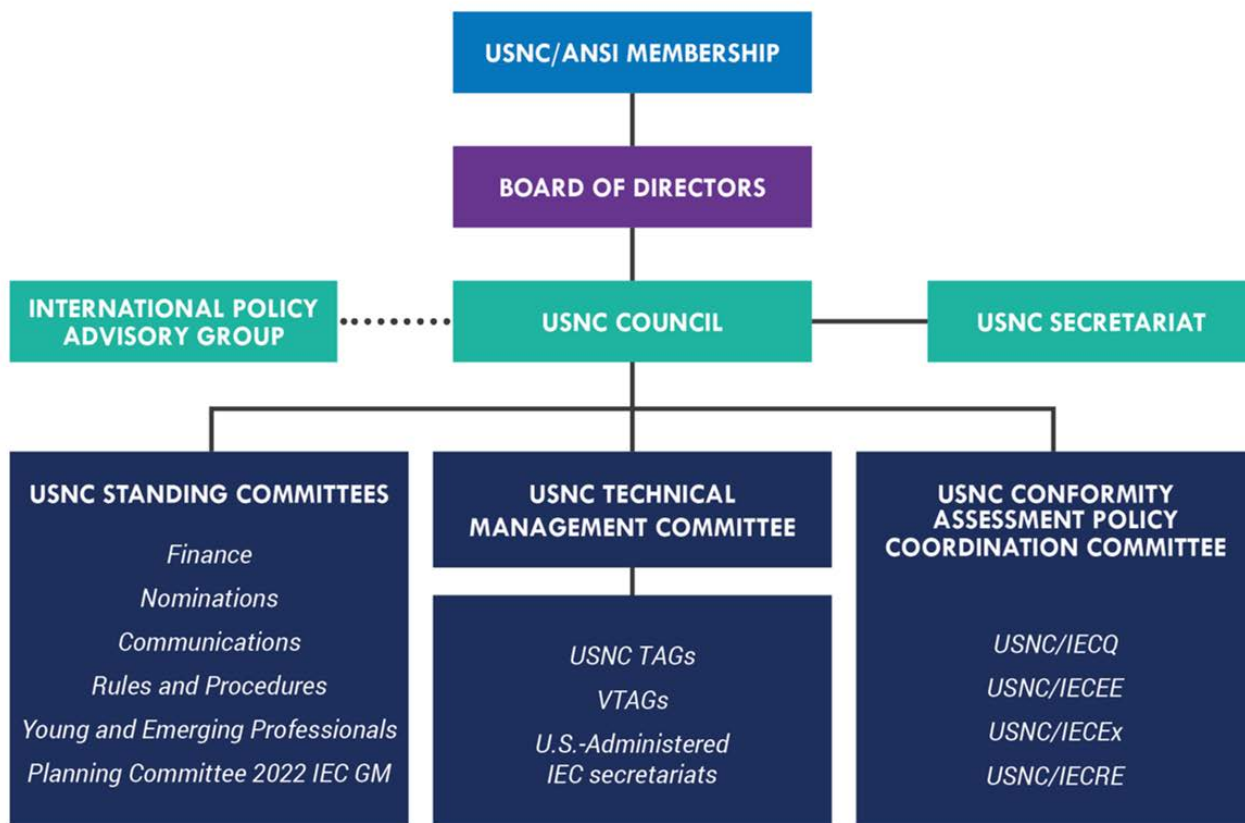
10. CONFLICT OF INTEREST

Members of the USNC Council must comply with ANSI's general Code of Conduct. In addition, such members shall act at all times in a manner that promotes confidence in the integrity and impartiality of the USNC's processes and procedures and should avoid a conflict of interest or the appearance of a conflict of interest in connection with all USNC Council activities. A conflict of interest can arise from involvement by a USNC Council member with the subject matter of a dispute under consideration by the USNC Council or from any relationship between the USNC Council member and a party to an action before the USNC Council whether past or present, that reasonably raises a question of a USNC Council member's impartiality.

Typically, a potential conflict of interest arises when a member of the USNC Council previously participated in activities integral to the particular issue under review or that person is employed by, or a member of the governing body of, an organization that has an interest in the outcome of the dispute. If a materially affected party (such as a possible appellant or complainant) asserts that it believes that a member of the USNC Council has a conflict of interest, that materially affected party is required to state the reason(s) for its belief. That information shall then be forwarded to the member of the USNC Council identified as having a possible conflict for that person's response. If that council member disagrees with the assertion, then the Chair of the USNC Council shall make a final determination as to whether a conflict of interest exists.

Members of the USNC Council who are disqualified from a particular discussion shall not participate in the deliberations or decisions.

ANNEX A: USNC/IEC ORGANIZATION STRUCTURE



As of April 22, 2021