



# ***ANSI PROCEDURES FOR U.S. PARTICIPATION IN THE INTERNATIONAL STANDARDS ACTIVITIES OF ISO***

**Edition: January 2018**

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## FOREWORD

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, the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC). ANSI's membership in these organizations provides U.S. interests with the opportunity to participate in the work of ISO and IEC toward the development of international standards. ANSI provides financial and administrative support for overall U.S. ISO and IEC membership together with management leadership. The U.S. National Committee (USNC) is responsible for the interface with IEC, and operates in accordance with the Rules of Procedure of the USNC for IEC.

As the U.S. member body of ISO, ANSI is responsible for participation in those technical areas of work where U.S. interests have indicated support. Each participation is implemented by the selection/establishment of U.S. technical advisory groups (U.S. TAGs) for ISO committees and, as appropriate and consistent with ANSI's mission to promote U.S.-based technology globally, through the establishment of Partnership Standards Developing Organization (PSDO) agreements with ISO through ANSI.

To assure that positions presented to ISO are representative of U.S. interests, a mechanism must exist for the development and coordination of such positions. These procedures provide such a mechanism. Reference should also be made to *Annex B, "Criteria for Development and Coordination of U.S. Positions in the International Standardization Activities of the ISO and IEC"* included in these procedures.

ANSI normally looks to the body that develops national standards in a particular standards area 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 activities. Where no national standards group exists, or is available to serve, or where several separate national standards groups exist, special bodies may be established for this purpose to serve as U.S. TAGs. The makeup of U.S. TAGs may include participants from companies, technical and trade organizations, government agencies, academia and individuals.

In addition to ANSI-Accredited U.S. TAG activities, as appropriate and consistent with ANSI's mission to promote U.S.-based technology globally, ANSI may approve the establishment of Partnership Standards Developing Organization (PSDO) agreements with ISO. For existing American National Standards (ANS), the PSDO is required to seek and obtain the approval of the applicable ANSI-Accredited U.S. TAG prior to its submission of a standard to ISO under a PSDO agreement. In addition, to coordinate both activities with the ANS process, ANSI requires early notification by an ANSI-Accredited Standards Developer of its intent to submit any proposed ANS for consideration for approval as an ISO or ISO/IEC JTC-1 standard even if not part of a PSDO agreement. *See ANSI Essential Requirements: Due process requirements for American National Standards (ANSI Essential Requirements).*

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# 1 ANSI Procedures for Determination of U.S. Interest in ISO Technical Activities

## 1.1 Definitions

**Appeals Board:** The Appeals Board was established by the ANSI Board of Directors and shall be responsible for considering all final appeals by directly and materially affected persons who believe that they have been or will be adversely affected by action or inaction of the Institute. For further information see the *Appeals Board Operating Procedures*.

**ANSI ISO Council:** The ANSI ISO Council (AIC) makes decisions concerning the acceptance, transfer or relinquishment of the secretariats of ISO committees and is responsible for policy and position decisions relating to the International Organization for Standardization (ISO) (except as otherwise delegated by the Board to another body or to the extent such decision would significantly change or affect the strategic direction of the Institute or the federation).

**Executive Standards Council:** The Executive Standards Council (ExSC) was established by the ANSI Board of Directors to coordinate the overall national and international standardization activities of the Institute. The ExSC shall be responsible for the procedures and criteria for national and international standards development activities of the Institute. In addition, the ExSC accredits national standards developers and U.S. TAGs to ISO. For further information, see the *Operating Procedures of the Executive Standards Council*.

**International Electrotechnical Commission:** The International Electrotechnical Commission (IEC), a non-governmental organization composed of National Committees, is the body responsible for preparing and publishing international standards for the electrical and electronics fields.

**International Organization for Standardization:** The International Organization for Standardization (ISO), one of the largest voluntary groups for industrial and technical cooperation, is a non-governmental organization bringing together the interests of producers and users in the preparation of international standards. Its work covers virtually every area of technology, with the exception of electrotechnical.

**International Policy Committee (IPC).** The International Policy Committee shall be responsible for broad-based policy and position decisions on regional and international standards, public policy and related issues that are not exclusively related to either ISO or IEC (except as otherwise delegated by the Board to another body or to the extent such decision would significantly change or affect the strategic direction of the Institute or the federation). The International Policy Committee also shall be responsible for decisions on issues that significantly impact or affect more than one international and/or regional standards body.

**ISO Committees:** The general term used within the context of these procedures to refer to ISO technical activities at various levels including ISO technical committee (TC), subcommittee (SC), project committee (PC) and other such structures that may be created in the future. Where a particular procedural requirement does not apply, it is so noted in this document. Where a particular procedural requirement applies to Working Groups (WG), it is also noted.

**Partnership Standards Development Organization.** A PSDO is an ANSI Member that has entered into an alliance with ISO in accordance with the *ANSI Policy Regarding Rights to Enter "PSDO" Agreements with ISO*. Such arrangements are approved by ANSI, consistent with its mission to promote U.S.-based technology globally.

**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.

**U.S. National Committee:** The responsibility of the Institute for United States representation in the IEC and other electrotechnical bodies associated with the IEC has been delegated by the Board of Directors to the USNC. This responsibility shall be exclusively exercised by the USNC Council subject to the oversight of the Board of Directors of the Institute.

**United States Technical Advisory Groups:** U.S. Technical Advisory Groups (TAGs) are committees accredited by ANSI for participation in ISO technical activities or appointed by the USNC for participation in IEC technical activities, which operate in compliance with the ANSI *Criteria for the Development and Coordination of U.S. Positions in the International Standardization Activities of the ISO and IEC*. Such U.S. TAGs are administered by U.S. TAG Administrators, organizations that are appointed by ANSI to be responsible for ensuring compliance with TAG procedures.

## 1.2 New Field of ISO Technical Activity

**1.2.1 General.** A proposal<sup>1</sup> for a new field of ISO technical activity for the preparation of international standards in a field that is not covered by an existing ISO committee is circulated to all ISO member bodies for comment and, if approved by the ISO Technical Management Board, may result in the formation of a new ISO committee. As a member body of ISO, ANSI has the opportunity to initiate or comment on all such proposals.

**1.2.2 Determination of U.S. Position on a New Field of ISO Technical Activity.** A basic consideration in determining the U.S. position on a new field of ISO technical activity is that those U.S. national interested parties who might reasonably be expected to be, or who indicate that they are, directly and materially affected by the proposed scope of the activity shall have an opportunity to express their views. Members of ANSI and the public shall be notified through ANSI's *Standards Action* and other appropriate media of the opportunity to comment on a new field of ISO technical activity. The U.S. position shall be based on consideration of the following factors, as applicable:

1. The need for such an international standards activity
2. Whether the proposed scope of the activity is acceptable
3. Whether there is sufficient indicated support from those U.S. national interested parties directly and materially affected to provide effective U.S. participation in the work if a new ISO committee is established
4. Whether ANSI should offer to undertake the secretariat in accordance with 1.5.

A U.S. position on a new field of ISO technical activity may be submitted by ANSI to ISO only with the approval of the AIC.

**1.2.3 U.S. Initiation of a New Field of ISO Technical Activity.** ANSI shall consider any written requests to initiate a new field of ISO technical activity. Such requests shall include a draft of the proposal prepared in accordance with a special ISO form available from ANSI. The procedure followed in evaluating a request for the initiation of such a proposal and determining the U.S. position on it shall be the same as that described in 1.2.2. In these instances, no additional public review period to determine the U.S. vote on the TS/P (technical study proposal) is necessary as it is assumed that the U.S., as the submitter, will vote to approve.

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<sup>1</sup> ISO proposals are assigned reference numbers by the ISO Central Secretariat, (ISO TS/P...)

### **1.3 Determination of U.S. Membership Status in ISO Committee**

**1.3.1 General.** As a member body of ISO, ANSI has the right to participate in the work of any ISO committee. Generally, ANSI may register to participate in one of two ways:

1. As a P-member if it intends to participate actively in the work, with an obligation to vote on all questions formally submitted for voting within the ISO committee, on new work item proposals, enquiry drafts and final draft International Standards, and to contribute to meetings.
2. As an O-member, if it intends to follow the work as an observer, and therefore wishes to receive committee documents, and to have the right to submit comments and to attend meetings.

All member bodies of ISO have the right to vote on all draft International Standards (DIS) at the enquiry stage and final draft International Standard (FDIS) stage irrespective of their status in technical committees. It is an ANSI policy, however, not to vote on DIS or FDIS if there is no U.S. TAG, unless, in exceptional circumstances, a position is established by the AIC.

As a member body of ISO, ANSI may, at any time, begin or end membership or change its membership status in any committee. ANSI will register as a member of an ISO committee only when the provisions of 1.3.2 are met.

Membership in a technical committee does not imply automatic membership in a subcommittee or the like; specific registration in a subcommittee, or the like, is required and is not contingent upon registration as a P- or O-member of the parent technical committee.

**1.3.2 Determination of U.S. Membership Status in ISO Committees.** Formation and accreditation (pursuant to the accreditation requirements outlined in 2.5) of a U.S. TAG is required for the U.S. to register as a P-member of an ISO committee. Requests for P-membership shall be referred to the ExSC or its designee. Such requests shall propose a group of individuals to be designated by ANSI as the U.S. TAG. This group shall comply with the accreditation requirements contained in section 2 and 2.5.4. In addition, an organization to be appointed by the ExSC to serve as the administrator for the U.S. TAG shall be proposed.

Registration by ANSI as a P-member of an ISO committee shall be based on consideration of the following factors:

1. The need for U.S. participation
2. Whether there is sufficient support indicated from those directly and materially affected to ensure effective U.S. participation
3. Whether there is an acceptable, competent organization willing to serve as administrator for the U.S. technical advisory group

ANSI may register as a P-member of an ISO committee during the TAG application and accreditation approval process. Continued P-membership shall be contingent upon subsequent approval and accreditation of a TAG Administrator and TAG.

ANSI registration as an O-member of an ISO committee shall be based on consideration of requests and the need for such a level of U.S. participation. ANSI may initially register as an O-member to facilitate outreach and the formation of a TAG. If ANSI registers as an O-member at the request of a group of stakeholders, a U.S. TAG shall be established and the provisions in section 2 shall apply.

The formation and accreditation of a U.S. TAG is required in order for the U.S. to submit comments or vote on a DIS or an FDIS, unless, in exceptional circumstances, a position is established by the AIC. If the U.S. holds O-membership and there is no accredited U.S. TAG, individuals wishing to attend meetings must obtain approval from ANSI.

## **1.4 Issuing Invitations and Conducting Meetings of ISO Committees and Working Groups in the United States**

**1.4.1 General.** The ISO committee secretariat announces a meeting of an ISO technical committee when the committee considers this necessary for the proper progress of the work. The date and place of such meetings shall be subject to an agreement between the chairman and the secretariat of the committee and the national body acting as host. In the case of a subcommittee meeting, the subcommittee secretariat shall consult with the secretariat of the parent TC in order to ensure coordination of meetings. As the U.S. member body of ISO, only ANSI may invite an ISO committee to meet in the United States. An invitation for a Working Group to meet may be extended by the U.S. convener or appointed U.S. expert, subject to prior consultation with and approval of the relevant TAG Administrator and ANSI.

When an ISO meeting is held in the U.S., ANSI is the official host and is responsible for the effective and efficient conduct of the meeting and shall coordinate with other involved hosting organizations as needed. During each meeting, ANSI may send professional staff or an ANSI-designated protocol officer to ensure that meetings are conducted in an effective manner and in accordance with applicable procedural requirements.

**1.4.2 Invitations.** The U.S. Head of Delegation to a meeting of an ISO committee may propose to host a meeting in the U.S. with the proviso that the actual invitation is subject to confirmation by ANSI, upon recommendation from the U.S TAG and the TAG Administrator. Immediately following any meeting at which such a proposed invitation has been extended, the Head of Delegation shall notify ANSI and the U.S. TAG of the proposed invitation and ensure that a written request to host the meeting is submitted to ANSI.

ANSI shall consider any written request to host an ISO meeting in the U.S. Such requests shall state that the U.S. TAG or other sponsoring organization(s) shall bear the meeting costs. In addition, such requests shall include proposed meeting dates, location and a point of contact for meeting arrangements.

After approving a written request to host an international meeting, ANSI shall issue an invitation to the secretariat of the committee concerned, with a copy to the ISO Central Secretariat.

## **1.5 Acceptance of ISO Committee Secretariats**

**1.5.1 General.** The secretariat of an ISO technical committee is appointed by the ISO Technical Management Board from among the P-member countries of the technical committee. The secretariat of an ISO subcommittee is appointed by the parent technical committee from among the P-members of the subcommittee if there is a single applicant. The secretariat of an ISO project committee is assigned to the national body that submitted the proposal. If the proposal did not originate from a national body, then the ISO Technical Management Board selects from among the offers received.

In all other cases, the ISO Technical Management Board makes the appointment. When ANSI registers as a P-member of a newly created committee or of a committee whose secretariat is being reallocated, it may offer to undertake the secretariat.

**1.5.2 Ultimate Responsibility.** As the U.S. member body of ISO, ANSI is ultimately responsible to ISO for the proper performance of all secretariats assigned to the United States. Accordingly, before a secretariat is assigned, the delegation of a secretariat to ANSI should be considered when appropriate and supported by the affected interested parties. Any offer to undertake a secretariat in the U.S. shall only be issued by ANSI.

**1.5.3 Tentative Offers to Accept Secretariat.** To the extent feasible, ANSI will engage in discussions with relevant U.S. interested parties prior to any international meeting at which the availability of a secretariat is expected to be made known. Informed by such a discussion, the U.S. Head of Delegation to a meeting of an ISO committee may make an offer to accept a secretariat. In such cases, the Head of

Delegation shall clearly state that the offer is subject to confirmation by ANSI. Immediately following any meeting at which such a tentative offer has been made, the Head of Delegation shall notify ANSI and the U.S. TAG of the offer and ensure that a written request to undertake the secretariat is submitted in accordance with 1.5.4.

**1.5.4 Requests for Acceptance or Retention of Secretariats.** The AIC shall make all decisions concerning the acceptance, transfer or relinquishment of the secretariat of ISO committees. The AIC will assign the secretariat to ANSI or to an external organization, taking into account the support of the affected interested parties. The AIC shall consider any written request to undertake the secretariat of a new or existing ISO committee or to retain the secretariat of an ISO committee. For consultative purposes, such requests shall be provided to the responsible U.S. TAG, where one exists, and a notice shall be placed in ANSI's *Standards Action* and other appropriate publications. Such requests shall indicate the willingness of ANSI or an external organization to provide professional and financial resources to support the secretariat function. Such requests shall include the basis for the recommendation that the proposed U.S. secretariat should be administered by ANSI or by another organization on behalf of ANSI in accordance with section 1.5.5.2 or 1.5.5.3, as applicable. Such requests shall also address the four points listed below and provide supporting documentation when appropriate. If no U.S. TAG exists, the request should also include a commitment to establish a U.S. TAG in accordance with these procedures.

When considering such requests, the AIC shall be guided by the following criteria:

1. Documented evidence of strong U.S. interest on the part of materially affected parties
2. Evidence that affected and interested ANSI members support the commitment and if appropriate, support the recommendation of ANSI to serve as secretariat
3. Availability of a minimum three year financial and technical commitment to support the activity
4. Availability of competent staff and administrative resources to administer the secretariat, including an agreement to complete mandatory training offered by ANSI to support compliance with ISO and ANSI procedures governing the administration of the international secretariat

**1.5.5 Delegation of Administration of Secretariats to ISO Committees.** The AIC shall make all decisions concerning the assignment of the administration of secretariats, including the granting, continuance, transfer or withdrawal of such assignments to ANSI or external organizations.

**1.5.5.1 Decision by ANSI ISO Council (AIC).** In determining the assignment or transfer of administration of a secretariat, the AIC, in consultation with relevant ANSI leadership, shall follow the guiding principle that assignment or delegation shall be made to ANSI if supported by the affected interested parties or if not, then to an external organization based on support by the affected interested parties and feasibility, pursuant to the criteria in 1.5.5.2 and 1.5.5.3, respectively.

Any decision of the AIC pursuant to section 1.5.4 or 1.5.5 shall be announced in ANSI's *Standards Action*. Any directly and materially affected interest may appeal the decision of the AIC in accordance with section 3. The appeal shall be filed in writing with the Secretary of the AIC within 15 working days of the announcement of the action by the AIC in *Standards Action*.

If more than one organization is interested in administering a secretariat, the AIC shall base its decision on all relevant information provided.

**1.5.5.2 Assignment of a Secretariat to ANSI.** Any request that the assignment of the administration of a secretariat be assumed by ANSI accept shall demonstrate that the following criteria are met:

1. The affected technical sector, organizations or companies desiring that the U.S. hold the secretariat request that ANSI perform this function;
2. The relevant U.S. TAG has been consulted with regard to ANSI's potential role as secretariat;



3. ANSI is able to fulfill the requirements of a secretariat; and
4. The affected interested parties have made a financial commitment for not less than three years covering all defined costs incurred by ANSI associated with holding the secretariat.

**1.5.5.3 Delegation of a Secretariat to an External Organization.** Any request that the assignment of the administration of a secretariat be delegated to an external organization, rather than ANSI, shall demonstrate that the following criteria are met:

1. Evidence of a strong U.S. materially affected party interested in holding the secretariat has been documented and the relevant U.S. TAG has been consulted with regard to the external organization's potential role as secretariat.
2. The external organization is a member of ANSI and has committed to encourage its members to join ANSI.
3. The external organization has sufficient documented technical and administrative competence.
4. The external organization has sufficient experience in administering a secretariat on behalf of ANSI or agrees to be mentored by ANSI, to ANSI's satisfaction, to ensure that they are properly trained to carry out their responsibilities.
5. Evidence of support for the external organization seeking to hold the secretariat by members of ANSI impacted by the standards area for which the secretariat is sought has been documented.
6. The external 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 ANSI for administrative support and oversight of the delegated secretariat.
7. The external organization agrees that, should it be unable to continue to serve, it will provide fifteen (15) months prior written notice to ANSI of its intent to relinquish.
8. The external organization has agreed to comply with the requirements associated with ANSI oversight of the activities of all parties holding secretariats in accordance with 1.6.
9. The external organization has committed in writing to comply with all applicable rules, regulations and policies of ANSI and ISO.
10. The external organization has agreed to complete mandatory training offered by ANSI to support compliance with ISO and ANSI procedures governing the administration of the international secretariat.
11. The external organization has agreed that the person(s) administering the secretariat shall be a U.S. citizen (or seeking U.S. citizenship) residing in the U.S., or a U.S. citizen (or seeking U.S. citizenship) living or working abroad, or otherwise legally authorized to work in the U.S. (which would also include lawful permanent residents and individuals in the U.S. on temporary work visas).
12. A mutually acceptable written agreement between ANSI and the external organization concerning the terms and conditions of the secretariat assignment has been executed, providing, in part, that the external organization shall not assign or delegate any of its responsibilities to a third party without the prior approval of ANSI and, as appropriate, the AIC.

Additionally, in the case where no U.S. TAG exists, the external organization shall notify ANSI if it intends to apply to the ExSC for approval as the TAG Administrator.

## **1.6 ANSI Oversight of U.S. Secretariats to ISO Committees**

Secretariats are required to follow ISO rules and procedures, maintain close liaison with the ISO Central Secretariat, and to meet certain ISO reporting requirements, including an annual report. Since U.S. secretariats act on behalf of ANSI, and ANSI is ultimately responsible to ISO for the performance of U.S. secretariats, it is necessary that ANSI maintain oversight of U.S. secretariats. Such oversight shall apply both to secretariats held by external organizations pursuant to delegation and to secretariats administered by ANSI itself.

Oversight shall consist of the following elements, designed to demonstrate appropriate performance and to ensure that liabilities are not created for ANSI, while minimizing the burden on secretariats.

**1.6.1 Annual Report.** An annual report, in summary narrative form, to be submitted to ANSI not later than January 31 of the following year, shall be prepared by each secretariat documenting its activity during the past year. In satisfying this requirement, any relevant reports sent to ISO may be incorporated or appended. It shall include, at a minimum, an expressed certification by the secretariat that it has been and continues to be operated in a manner that complies with all ISO directives and applicable ANSI procedures that have been communicated to it.

**1.6.2 Complaint Notification.** Each secretariat shall forward to ANSI, upon receipt, a copy of any formal complaint concerning the manner in which the secretariat function is being administered. Copies of the secretariat response to the party lodging the complaint, and all subsequent related correspondence, shall also be sent.

**1.6.3 ANSI Audit.** An audit of each secretariat may be made at selected intervals as directed by the AIC, depending upon need as indicated by routine secretariat documentation received by ANSI. The purpose of the audit is to validate the secretariat's annual certification that it is operating according to applicable ISO directives and ANSI procedures and to identify areas where ANSI can help the secretariat improve its operation. The date and time of such audit shall follow reasonable notice and be agreed to by the auditor and the secretariat. During the audit the secretariat shall make such records available as needed including a copy of applicable procedures and arrange for someone to be available who is knowledgeable about the secretariat operations. The cost of the audit shall be borne by the secretariat.

Following each audit, a report shall be prepared by the auditor documenting their findings, and recommendations, if any. A copy of the report shall be provided to the involved secretariat for review, and the report and any secretariat comment shall be submitted to the AIC. The AIC shall take whatever action it deems appropriate, based upon the report, and any final AIC action may be appealed to the ANSI Appeals Board.

## **1.7 Transfer or Relinquishment of a U.S. Held Secretariat**

ANSI staff and the AIC shall consider problems related to ANSI-held ISO secretariats and ANSI shall review such problems with the affected interested parties to try to resolve them. If ANSI or an external organization serving as secretariat is unable to continue serving in that capacity or if ANSI determines that a transfer of responsibility is in the best interest of the U.S., an announcement shall be made in *Standards Action* and the following actions will be considered:

1. Transfer the secretariat to ANSI or another external organization in accordance with section 1.5.5
2. Relinquish the secretariat

In the event that the external organization is unable to continue serving as secretariat, the external organization shall provide notice of its intent to relinquish, giving fifteen (15) months prior written notice to ANSI.

## **2 Formation and Accreditation of U.S. TAGs for ISO**

### **2.1 Formation of a U.S. TAG**

**2.1.1 General.** U.S. TAGs are committees accredited by ANSI for participation in ISO technical activities, which operate in compliance with the ANSI *Criteria for the Development and Coordination of U.S. Positions in the International Standardization Activities of the ISO and IEC.*<sup>2</sup> Such U.S. TAGs are

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<sup>2</sup> See Annex B.

administered by U.S. TAG Administrators, organization that are appointed by ANSI to be responsible for ensuring compliance with TAG procedures. The accreditation of a U.S. TAG and the approval of a related TAG Administrator are related issues that are addressed jointly by the ExSC. All TAGs shall be in compliance with the requirement for openness and balance as outlined in sections B4.1 and B4.2 of the *Criteria for the Development and Coordination of U.S. Positions in the International Standardization Activities of the ISO and IEC*. In addition, each accredited U.S. TAG shall be referred to as an “ANSI-Accredited U.S. TAG” (or alternatively, the “ANSI/[SDO] TAG to ISO/TC XX” or the equivalent) and U.S. TAG Administrators shall so refer to the TAG in their communications with TAG members and all other parties regarding TAG activities.

The model operating procedures given in Annex A may be adopted fully by a U.S. TAG as its operating procedures, thus meeting the requirements of the *Criteria for the Development and Coordination of U.S. Positions in the International Standardization Activities of the ISO and IEC*. As an alternative, the U.S. TAG may devise its own operating procedures so long as they meet the requirements in the *Criteria for the Development and Coordination of U.S. Positions in the International Standardization Activities of the ISO and IEC*. Existing U.S. TAGs have evolved very effective and successful operating procedures that may differ from the model U.S. TAG procedures of Annex A, but still comply with ANSI’s criteria for openness and due process. It is intended that existing U.S. TAGs (and any new U.S. TAG that finds it necessary or desirable to modify the model) shall adopt operating procedures, subject to review and approval by the U.S. TAG Administrator and ANSI (see 2.5).

Subgroups of U.S. TAGs or separate U.S. TAGs may be formed to relate to subcommittees of an ISO technical committee. Where the U.S. TAG to an ISO subcommittee is not independently accredited in accordance with 2.5.4, 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 U.S. TAG and TAG Administrator, and a copy provided to ANSI.

**2.1.2 Formation of the U.S. TAG.** The TAG Administrator shall take the responsibility of contacting U.S. national interested parties who might reasonably be expected to be, or who indicate that they are, directly and materially affected by the ISO committee’s work, to solicit requests for membership on the U.S. TAG. A notice of the formation of a U.S. TAG shall appear in ANSI’s *Standards Action* and other appropriate publications.

Requests for membership on the U.S. TAG shall be addressed to the TAG Administrator. A person not accepted for membership may appeal such decision within the appeals system established by the U.S. TAG and the related TAG Administrator, and thereafter to the ExSC.

**2.1.3 Registration as P-Member.** Typically, before ANSI registers as a P-member of an ISO committee, an appropriate body shall be designated to serve as the U.S. TAG and an organization shall be identified to serve as the TAG Administrator following the procedures in sections 2.2 and 2.3. A P-membership may be taken during the formation of a new ISO committee and its associated U.S. TAG. Such membership shall be contingent upon subsequent completion, approval and accreditation of a U.S. TAG Administrator and TAG.

## 2.2 U.S. TAGs

**2.2.1 Approval of U.S. TAGs.** The Executive Standards Council (ExSC) upon recommendation of its designee if any, shall approve an appropriate body to serve as the U.S. TAG in accordance with section 2.4. ANSI normally looks to the body that develops national standards in a particular standards area to serve as the U.S. TAG. Where no national standards group exists, or is available to serve, or where several separate national standards groups exist, a special body will be established for this purpose. If a special body is established, all requirements for U.S. TAGs shall apply.

**2.2.2 Scope.** The scope of a U.S. TAG shall be consistent with the applicable portion of the scope of the

ISO committee.

**2.2.3 Functions.** Within the scope of the ISO committee and to the extent allowed by the procedures established by ISO, a U.S. TAG shall perform the following functions:

1. Recommend registration of ANSI as a P- or O-member on an ISO committee, recommend a change in ANSI membership status on an ISO committee or recommend termination of membership as a P- or O-member on an ISO committee
2. Initiate and approve U.S. proposals for new work items for submission by ANSI for consideration by an ISO committee<sup>3</sup>
3. Initiate and approve U.S. working drafts for submission by ANSI to ISO technical committees (and, where appropriate, Working Groups) for consideration as committee drafts
4. Determine the U.S. position on an ISO draft international standard, draft technical report, committee drafts, ISO questionnaires, draft reports of meetings, etc.
5. Provide adequate U.S. representation to ISO committee meetings, designate heads of delegations and members of delegations, and ensure compliance with the ANSI *Guide for U.S. Delegates to IEC/ISO Meetings* (including preparation and submission of a Head of Delegation report by the designated Head of Delegation)
6. Determine U.S. positions on agenda items of ISO committee meetings and advise the U.S. delegation of any flexibility it may have on these positions
7. Nominate U.S. technical experts to serve on ISO Working Groups
8. Provide assistance to U.S. secretariats of ISO committees, upon request, including resolving comments on draft international standards, draft technical reports and committee drafts
9. Identify and establish close liaison with other U.S. TAGs in related fields, or identify ISO or IEC activities that may overlap the U.S. TAG's scope
10. Recommend to ANSI the acceptance of secretariats for ISO committees
11. Recommend that ANSI invite ISO committees to meet in the United States (see 1.4)
12. Recommend to ANSI U.S. candidates for the chair of ISO committees and U.S. conveners of ISO Working Groups

## **2.3 U.S. TAG Administrator**

**2.3.1 Approval of a U.S. TAG Administrator.** The ExSC, upon recommendation of its designee if any, shall make all decisions concerning the assignment of U.S. TAG Administrators for all U.S. TAGs, including the granting, continuance, or withdrawal of assignment to an external organization or to ANSI in accordance with section 2.4. ANSI normally looks to the body that develops national standards in a particular standards area to serve as the U.S. TAG Administrator.

In determining the assignment of a U.S. TAG Administrator, the ExSC and its designee shall follow the guiding principle that assignment shall be made to an external organization wherever reasonably possible, pursuant to the criteria in 2.3.1.2.

**2.3.1.1 Assignment of U.S. TAG Administrator to ANSI.** Assignment as U.S. TAG Administrator shall be accepted by ANSI itself if affected interests have made a financial commitment for not less than three years covering all defined costs incurred by ANSI associated with the U.S. TAG Administrator assignment, and if:

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<sup>3</sup> Consistent with ANSI's mission to promote U.S.-based technology globally, ANSI may approve a PSDO agreement. In all instances, ANSI-Accredited Standards Developers are required to provide public notice of their intent to submit a proposed American National Standard (ANS) for consideration for approval as an ISO or ISO/IEC JTC-1 standard. Further, in such instances, it is expected that ANSI-Accredited U.S. TAGs will raise any concerns related to the proposed ANS during its development cycle so that if the standard is subsequently balloted for approval at the ISO or ISO/IEC JTC-1 level, the U.S. position will be to support its approval. For existing ANS, the PSDO is required to seek and obtain the approval of the applicable ANSI-Accredited U.S. TAG prior to its submission of a standard to ISO under a PSDO agreement.

1. The affected technical sector, organizations or companies, including an existing U.S. TAG, request that ANSI perform this function, or
2. There is no external organization eligible pursuant to the criteria in 2.3.1.2, or
3. Circumstances otherwise dictate that ANSI itself serve as U.S. TAG Administrator consistent with the best interests of effective U.S. participation in ISO standards activities

**2.3.1.2 Assignment of U.S. TAG Administrator to an External Organization.** The ExSC and its designee if any, when considering the assignment of a U.S. TAG Administrator to an external organization, shall determine that the following criteria are met:

1. The external organization is incorporated, registered or otherwise recognized as a legal entity
2. The external organization is a member of ANSI
3. The external organization possesses the requisite technical competence related to the technical activity
4. The external organization has adequate resources to administer the U.S. TAG
5. The external organization is willing to make a three year commitment to cover all costs associated with serving as U.S. TAG Administrator, including the defined costs incurred by ANSI for administrative support, oversight and supervision of the assigned U.S. TAG Administrator
6. The external organization agrees that, should it be unable to continue to serve, it will provide three (3) months prior written notice to ANSI of its intent to relinquish its role as U.S. TAG Administrator
7. The external organization has agreed to follow all applicable ANSI and ISO procedures
8. The external organization has agreed to complete mandatory training offered by ANSI to support compliance with ANSI procedures governing the administration of the U.S. TAG and representation of U.S. interests at ISO
9. The external organization has agreed to comply with the requirements associated with ANSI oversight and supervision of the activities of all parties serving as U.S. TAG Administrators in accordance with 2.5.4

As long as these criteria are met, the U.S. TAG Administrator will retain the administrative responsibilities. The ExSC shall make all decisions concerning exceptions to the above criteria.

**2.3.2 Multiple Administrators.** Assignment of multiple administrators shall be avoided wherever possible, but may be authorized under exceptional circumstances by the ExSC upon recommendation by its designee, if any. Co-administrators shall agree in writing among themselves on appropriate procedures for implementing administrative responsibilities. This agreement shall be on file with ANSI. To avoid the need for ANSI to deal with multiple organizations, one of the organizations shall be designated as the party with whom ANSI shall interface.

**2.3.3 Functions.** The duties of the U.S. TAG Administrator include:

1. Organizing the U.S. TAG and applying to ANSI for approval of the TAG Administrator and initial TAG membership list and accreditation of the TAG
2. Submitting the U.S. TAG membership list, annual compliance form and annual report to ANSI by established deadlines for review by the ExSC or its designee
3. Determining that the members of the U.S. TAG participate actively
4. Providing for administrative services, including arrangements for meetings, timely preparation and distribution of documents related to the work of the U.S. TAG, and maintenance of appropriate records, including minutes of meetings and results of letter ballots
5. Upon request by an interested party, making available the roster of the TAG including each member's name (or if membership is by organization, the name of the organization with a point of contact), affiliation<sup>4</sup> and interest category

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<sup>4</sup> "Affiliation" refers to the entity that the U.S. TAG member represents (which may or may not be that person's employer). If the TAG member is serving in an individual capacity, then the name of the individual, that person's employer (if employed),

6. Transmitting to ANSI U.S. proposals and U.S. positions, as developed and approved by the U.S. TAG
7. Transmitting to ANSI U.S. delegates lists for all international meetings
8. Establishing a procedure to hear appeals of actions or inactions of the U.S. TAG
9. Establishing a written antitrust policy reflecting the TAG's practice to conduct all business and activity in compliance with applicable antitrust laws
10. Complying with the requirements associated with ANSI oversight and supervision of the activities of the U.S. TAG and its administrator in accordance with 2.5
11. Ensuring compliance with applicable ANSI and ISO procedures
12. Completing mandatory training offered by ANSI to support compliance with ANSI procedures governing the administration of the U.S. TAG and representation of U.S. interests at ISO
13. Paying all relevant fees to ANSI
14. Providing to ANSI three (3) months prior written notice if the organization that serves as the TAG Administrator is unable to continue to serve and intends to relinquish this role

**2.3.4 Records.** Records shall be prepared and maintained to provide evidence of compliance with these procedures. Records concerning new, revised, or reaffirmed ISO 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.

## **2.4 Application for Accreditation of the U.S. TAG and for Approval of the U.S. TAG Administrator and Initial Membership of the U.S. TAG**

**2.4.1 Application.** The U.S. TAG Administrator shall submit an application for accreditation of the U.S. TAG, and for approval of the U.S. TAG Administrator and the initial U.S. TAG membership list to the ExSC or its designee for approval. The application shall include verification of the requirements found in section 2.3.1.2, the initial list of U.S. TAG members<sup>5</sup> and their representatives.

**2.4.2 Public Review.** A notice with regard to the application for approval of the U.S. TAG Administrator, the U.S. TAG membership list and accreditation of the U.S. TAG shall be published in *Standards Action* with a call for comment. Copies of the pertinent operating procedures, scope, and membership list shall be available from the applicant upon request.

Prompt consideration shall be given to the written views and objections of all participants, including those commenting on the listing in *Standards Action*. An 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.

**2.4.3 Approval of TAG Administrator.** The ExSC shall consider the information supplied by the applicant and any comments received as a result of public review and the recommendation from its designee if any, in approving the U.S. TAG Administrator and initial U.S. TAG membership list. If the designee, for whatever reason, is unable to make a final recommendation, all relevant information from the designee shall be provided to the ExSC for final action.

## **2.5 Accreditation of U.S. TAGs**

**2.5.1 General.** U.S. TAGs shall be accredited by ANSI and must operate in compliance with the ANSI *Criteria for the Development and Coordination of U.S. Positions in the International Standardization Activities of the ISO and IEC*.

**2.5.2 Criteria for Accreditation.** U.S. TAG accreditation shall be based on compliance with the following criteria:

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sponsor (if other than employer) and interest category should be available. Contact information is not required.

<sup>5</sup> See section 2.5.5.2 for the format of membership lists.

1. The U.S. TAG Administrator shall agree to comply with the criteria for balance and openness as outlined in sections B4.1 and B4.2 of the *ANSI Criteria for the Development and Coordination of U.S. Positions in the International Standardization Activities of the ISO and IEC* (see Annex B)
2. The U.S. TAG operating procedures for developing and coordinating U.S. positions shall conform to the requirements of the *ANSI Criteria for the Development and Coordination of U.S. Positions in the International Standardization Activities of the ISO and IEC* (see Annex B)
3. The U.S. TAG Administrator shall agree to assume the functions given in section 2.3.3
4. The U.S. TAG Administrator shall agree to pay to ANSI all relevant fees
5. The U.S. TAG Administrator shall agree that the person(s) serving as the administrator of the TAG shall be a U.S. citizen (or seeking U.S. citizenship) residing in the U.S., or a U.S. citizen (or seeking U.S. citizenship) living or working abroad, or otherwise legally authorized to work in the U.S. (which would also include lawful permanent residents and individuals in the U.S. on temporary work visas).

**2.5.3 Application.** The prospective U.S. TAG Administrator shall submit an application to ANSI for U.S. TAG accreditation as well as an application for approval of the U.S. TAG Administrator and the initial U.S. TAG membership list and shall provide the pertinent operating procedures.

Following the public review period the ExSC shall consider the information supplied by its designee if any, the applicant, and any comments received. The ExSC shall determine whether the application for accreditation of the U.S. TAG, the application for approval as U.S. TAG Administrator, and the initial U.S. TAG membership list should be approved. The applicant shall meet all of the criteria in section 2.5.2 before accreditation can be granted. If there is no designee, the application for approval of the U.S. TAG Administrator and the U.S. TAG membership list and the application for accreditation shall be forwarded directly to the ExSC. Upon accreditation, the applicant shall be notified and a notice shall appear in *Standards Action*.

In the event that accreditation is not granted, the ExSC shall advise the applicant of the reasons and the applicant shall have the opportunity to reapply and, if desired, appeal the decision (see 2.6).

**2.5.4 Accreditation of U.S. TAGs for Subcommittees of ISO Technical Committees.** If a U.S. TAG to an ISO subcommittee has the authority to perform all of the functions of a U.S. TAG as outlined in section 2.2.3 without oversight by the U.S. TAG to the ISO technical committee, then the U.S. TAG for the ISO subcommittee shall be accredited in accordance with sections 2.4 and 2.5 of these procedures.

**2.5.5 Maintenance of Accreditation.** In order to maintain accreditation by ANSI, a TAG Administrator shall continue to maintain its status as an incorporated, registered or otherwise recognized legal entity. The ExSC shall provide for oversight and supervision of accredited U.S. TAGs and TAG Administrators to confirm adherence to the criteria for accreditation and to confirm that the procedures and practices of the accredited U.S. TAG continue to be consistent with those that formed the basis for accreditation. This oversight and supervision activity shall apply to all U.S. TAGs regardless of whether an external organization or ANSI serves as U.S. TAG Administrator. The activity shall consist of the following elements, designed to achieve the objectives while minimizing the burden on U.S. TAGs and U.S. TAG Administrators.

**2.5.5.1 Review of Revisions to U.S. TAG Procedures.** The procedures of the U.S. TAG shall be in compliance with the *ANSI International Procedures* at all times. Whenever the procedures of the accredited U.S. TAG are revised, the ExSC shall be notified. If the changes are considered by the ExSC to be substantive and were not made at the request of the ExSC, notice of the revisions shall appear in *Standards Action* with a call for comment. Copies of the revised procedures shall be available from the U.S. TAG Administrator upon request.

Following the comment period, the ExSC shall consider the comments received, the latest audit of the accredited U.S. TAG if any, and any additional information available to determine whether to reaccredit. Notice of reaccreditation shall be sent to the U.S. TAG Administrator and shall appear in *Standards*

*Action.*

**2.5.5.2 Annual Reporting.** Each U.S. TAG Administrator shall submit to ANSI a completed TAG Annual Compliance Form. In addition, an annual report shall be prepared by each U.S. TAG Administrator, describing in summary narrative form the U.S. TAG activity during the past year. The report shall be submitted to the ExSC or its designee no later than January 31 of the following year. In satisfying this requirement, meeting minutes and other appropriate reports and documents may be incorporated or appended, or referred to if previously distributed by ANSI. The annual report shall include:

1. Information on TAG meetings (including attendees), actions taken, and the work program
2. Current TAG membership list which shall include:
  - a) Title and designation of the U.S. TAG
  - b) Scope of the U.S. TAG
  - c) U.S. TAG Administrator (name of organization, name of secretary, address(es), telephone number)
  - d) U.S. TAG officers (chairman and other officers)
  - e) Members:
    - i) Names of the individuals and alternates (as applicable) and their addresses and business affiliations including names of the organizations they are representing on the U.S. TAG
    - ii) The interest categories of the U.S. TAG shall be defined and the category of each member identified
3. A list of any problems encountered during the past year in the functioning of the U.S. TAG or U.S. TAG Administrator that required assistance by ANSI
4. An express certification by the U.S. TAG Administrator that the U.S. TAG has been and continues to be operated in a manner that complies with all applicable ANSI and ISO procedures
5. The results of any self-audit held during the past year

If the U.S. TAG or TAG administrator has a concern with either the conduct or results of a self-audit completed to assure adherence to its own procedures and applicable ANSI and ISO criteria and procedures, it may be brought to the attention of the ExSC.

**2.5.5.3 Complaint Notification.** Each U.S. TAG Administrator shall forward to the ExSC or its designee, upon receipt, a copy of any complaint concerning the manner in which the U.S. TAG is operating or the U.S. TAG administration is being conducted. Copies of the U.S. TAG Administrator response to the party lodging the complaint, and all subsequent related correspondence, shall also be sent to the ExSC or its designee.

**2.5.5.4 ANSI Audits.** The ExSC, in accordance with its procedures, may arrange for audits of accredited U.S. TAGs and TAG Administrators. The purpose of such audits is to validate the U.S. TAG's annual certification that it is operating according to applicable ANSI and ISO procedures, and to identify areas where ANSI can help the U.S. TAG improve its operation. The audit will examine:

1. Procedures in use by the U.S. TAG governing the development of U.S. positions
2. Knowledge of and compliance with ISO and ANSI requirements
3. Records of compliance and their maintenance
4. Adherence to ANSI due process and consensus criteria
5. Balloting procedures and results
6. Documentation of attempts to resolve objections
7. Appeal mechanism and its implementation

An audit report shall be prepared and provided to the U.S. TAG Administrator for review. Thereafter the report and comment by the U.S. TAG and TAG Administrator, if any, shall be submitted to the ExSC. The ExSC shall take appropriate actions with respect to the audit findings.



**2.5.5.5 Transfer of U.S. TAG Administrator.** In those instances where a U.S. TAG Administrator is unable to continue serving, the organization shall provide notice of its intent to relinquish the role, giving three (3) months prior written notice to ANSI. Subject to ExSC approval, if a change in the entity that serves as the TAG Administrator is sought by both the TAG and the TAG Administrator and the new TAG Administrator agrees to use the TAG's existing procedures or the *Model Operating Procedures for U.S. TAGs to ANSI for ISO Activities* contained in Annex A, then the following shall apply:

- (a) The current or the proposed TAG Administrator shall prepare and circulate a ballot for TAG approval of the new TAG Administrator.
- (b) Upon closure of the ballot, a copy of the voting results shall be transmitted to the TAG pursuant to the TAG's currently accredited procedures:
  - If a two-thirds affirmative vote of the total voting membership of the TAG, excluding abstentions, is not achieved, and the TAG Administrator does not wish to continue to serve, then the ExSC shall be so notified in writing. The accreditation of the TAG shall be withdrawn by the ExSC as a result in accordance with 2.5.6 herein.
  - If a two-thirds affirmative vote of the total voting membership of the TAG, excluding abstentions, is achieved, then the following procedures shall apply.
- (c) A notice shall be sent to the Secretary of the ExSC notifying it of the change in TAG Administrator, the reasons therefore, a copy of the voting results that indicate the TAG's acceptance of the proposed change and a certification that the new TAG Administrator shall operate in accordance with the TAG's currently accredited procedures or the *Model Operating Procedures for U.S. TAGs to ANSI for ISO Activities*.
- (d) The Secretary of the ExSC shall place an announcement of the transfer of responsibility to the new TAG Administrator in *Standards Action* to solicit public comment. The comment period shall be 30 days.
- (e) The ExSC shall consider any comments received during the public comment period. If no comments are received, then an informative announcement confirming the change of TAG Administrator shall be made in *Standards Action*. If comments are received, the ExSC shall require that the TAG and the proposed new TAG Administrator respond adequately to such comments prior to final approval by the ExSC.

**2.5.5.6 Termination of U.S. TAG.** A proposal to terminate a U.S. TAG may be made by directly and materially affected interests. The proposal shall be submitted in writing to ANSI and to the U.S. TAG Administrator and shall include the reasons why the U.S. TAG should be terminated. The U.S. TAG in accordance with A7.6<sup>6</sup> shall take action. In the event that the U.S. holds the secretariat for an ISO committee for which the U.S. TAG is considering termination, the organization serving as secretariat shall be informed promptly and shall submit their position regarding termination of the TAG to ANSI and to the TAG Administrator.

As a result of action taken in accordance with A7.6<sup>7</sup>, if termination of the TAG is approved, notification of such action shall be announced in *Standards Action*. The announcement shall note that dissolution of the TAG will result in the U.S. relinquishing its P- (participant) status in the international activity. Also, if the U.S. serves as international secretariat, the announcement shall state that the U.S. will resign as international secretariat. The appropriate notification(s) shall be sent to ISO by ANSI regarding the change in status, and the relinquishment of the secretariat, if applicable.

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<sup>6</sup> If the U.S. TAG utilizes accredited procedures other than the model, then those procedures shall apply.

<sup>7</sup> Ibid.

**2.5.6 Withdrawal of Accreditation.** If the conditions upon which accreditation was granted are not maintained, the U.S. TAG Administrator shall be advised of the conditions which need to be corrected and requested to take corrective action. If such action is not taken within the time period designated by the ExSC, notification of the intent to withdraw accreditation shall be given, stating the conditions that require correction. Thereafter, the ExSC is authorized to withdraw accreditation upon 30 days written notice unless corrective action has been taken. The U.S. TAG shall be notified of the withdrawal of accreditation and a notice shall appear in *Standards Action*.

## **2.6 Appeal of an ExSC Decision**

Any materially or directly affected interest may appeal a decision of the ExSC made pursuant to sections 2.2, 2.3, 2.4 or 2.5 in accordance with section 3. Any appeal shall be filed in writing with the Secretary of the ExSC within fifteen (15) working days of the announcement of the action by the ExSC.

## **3 Appeals**

### **3.1 Right to Appeal**

Persons who have directly and materially affected interests and who have been or will be adversely affected by any action or inaction of the AIC with regard to the assignment of secretariats or the ExSC with regard to the accreditation of U.S. TAGs have the right to appeal. The burden of proof to show adverse effect shall be on the appellant. Appeals of actions shall be made within fifteen (15) working days of the announcement of the action; appeals of inactions may be made at any time

### **3.2 Appeals Mechanism**

Appeals shall be directed to the Secretary of the AIC or ExSC, as appropriate. Appeals to the ExSC shall be handled in accordance with the applicable section of the *Operating Procedures of the ANSI Executive Standards Council*. Appeals to the AIC shall be handled in accordance with these procedures.

**3.2.1 AIC Appeals Mechanism.** A written statement shall be provided by the appellant which shall state the nature of the objection(s) including any adverse effects, the section(s) of the procedures or the specific actions or inactions that are at issue, and the specific remedial action(s) that would satisfy the appellant's concerns. Any previous efforts to resolve the objection(s) and the outcome of each shall be noted. The respondent(s) shall be notified of the appeal and be given fifteen (15) working days after receipt of notification to submit a statement in response, specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.

If the appellant is unable to provide all the appeals materials within the fifteen (15) working day filing period, the appellant shall request an extension from the Secretary of the AIC, and shall provide a justification therefor, within the fifteen (15) working days, or shall forfeit the right to further appeal. The appeals materials shall be accompanied by a filing fee. This fee may be waived or reduced upon sufficient evidence of hardship. The appeal notice and statement shall be distributed by the Secretary of the AIC to the potential respondent to allow them the opportunity to respond, if they so desire. Thereafter, this party shall have fifteen (15) working days to submit their response to the appeal statement. The response shall include the reasons why the respondent(s) believe(s) the decision under appeal was correct and a reference to the provisions in the *ANSI International Procedures* upon which they rely, and all evidence in support of the respondent's position. If the respondent is unable to provide all the appeals materials within fifteen (15) working days, the respondent shall request an extension from the Secretary of the AIC, and shall provide a justification therefor, within the fifteen (15) working days, or shall forfeit the right to respond.

Extensions of time to submit an appeal statement or response may be granted at the discretion of the Chair of the AIC, or, if the Chair is unavailable, by the Secretary of the AIC.

As appropriate, and subject to conflict of interest procedures, an appeals panel of the AIC consisting of at least five members shall be established to hear the appeal. If the appeal consists of allegations concerning actions of both the AIC and the ExSC, a joint panel of AIC and ExSC members shall be established on which at least one member from each body shall have representation. The Secretary of the AIC, as appropriate, shall schedule a hearing on a date agreeable to all participants, giving at least fifteen (15) working days notice.

**3.2.2 Appeals Hearing.** At the hearing, the appellant's position shall be presented first, followed by the respondent's. A half-hour is allotted for each side, with a limit of three speakers per side. Additional time is allotted for a question and answer session. Following the presentations and question and answer session, the appeals panel will conduct an executive (closed) session.

**3.2.3. Appeals Decisions.** Decisions of such appeals panels shall require a majority vote of the panel and shall be rendered in writing within thirty (30) days, stating findings of fact and conclusions, with reasons therefor. Thereafter the decision shall be provided to all participants, and may be appealed to the ANSI Appeals Board in accordance with the ANSI Appeals Board Operating Procedures. The final AIC appeals decision shall be provided to the AIC for information.

#### **4 Amendments**

The National Policy Committee (NPC) may make changes in these procedures at any time after consultation with, or upon recommendation of, the ExSC or the AIC. Except under emergency situations, the NPC shall not amend these procedures without first notifying the public of the proposed changes and providing an opportunity for comment concerning such changes. Notice of the changes and the length of comment period shall be announced in *Standards Action*.

## **Annex A: Model Operating Procedures for U.S. TAGs to ANSI for ISO Activities**

### **A1 General**

These procedures for U.S. Technical Advisory Groups (U.S. TAGs) meet the requirements for due process and coordination in the development of U.S. positions for ISO 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.*" A U.S. TAG consists of its members and its U.S. TAG Administrator. A particular U.S. TAG is related to a particular ISO committee (e.g., "U.S. TAG for ISO/TC xx.").

Subgroups of U.S. TAGs or separate U.S. TAGs may be formed to relate to subcommittees of an ISO technical committee. Where the U.S. TAG to an ISO subcommittee is not independently accredited in accordance with 2.5.4, 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 U.S. TAG, and a copy provided to ANSI.

### **A2 Functions and Responsibilities**

The functions and responsibilities of the U.S. TAG, subject to ISO rules and limitations, are:

1. Recommend registration of ANSI as a P- or O-member on an ISO committee , recommend a change in ANSI membership status on an ISO committee or recommend termination of membership as a P- or O-member on an ISO committee
2. Initiate and approve U.S. proposals for new work items for submission by ANSI for consideration by an ISO committee<sup>8</sup>
3. Initiate and approve U.S. working drafts for submission by ANSI to ISO committees (and, where appropriate, Working Groups) for consideration as committee drafts<sup>9</sup>
4. Determine the U.S. position on an ISO draft International Standard, draft technical report, committee drafts, ISO questionnaires, draft reports of meetings, etc.<sup>10</sup>
5. Provide adequate U.S. representation to ISO committee meetings, designate heads of delegation and members of delegations, and ensure compliance with the ANSI *Guide for U.S. Delegates to IEC/ISO Meetings* (including preparation and submission of a Head of Delegation report by the designated Head of Delegation)
6. Determine U.S. positions on agenda items of ISO committee meetings and advise the U.S. delegation of any flexibility it may have on these positions
7. Nominate U.S. technical experts to serve on ISO Working Groups
8. Provide assistance to U.S. secretariats of ISO committees, upon request, including resolving comments on draft international standards, draft technical reports, and committee drafts
9. Identify and establish close liaison with other U.S. TAGs in related fields, or identify ISO or IEC activities that may overlap the U.S. TAG's scope
10. Recommend to ANSI the acceptance of secretariats for ISO committees
11. Recommend that ANSI invite the ISO committees to meet in the United States (see 1.4)
12. Recommend to ANSI U.S. candidates for the chair of ISO committees and U.S. conveners of ISO Working Groups

### **A3 U.S. TAG Administrator**

The U.S. TAG Administrator shall be designated by the ExSC upon recommendation of its designee if any, and shall accept, in writing, the responsibilities described below:

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<sup>8</sup> See Footnote 3.

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

1. Organizing the U.S. TAG and applying to ANSI for approval of the TAG Administrator and initial TAG membership list and accreditation of the TAG
2. Submitting the U.S. TAG membership list, annual compliance form and annual report to ANSI by established deadlines for review by the ExSC or its designee
3. Determining that the members of the U.S. TAG participate actively
4. Providing for administrative services, including arrangements for meetings, timely preparation and distribution of documents related to the work of the U.S. TAG, and maintenance of appropriate records, including minutes of meetings and results of letter ballots
5. Upon request by an interested party, making available, the roster of the TAG including each member's name (or if membership is by organization, the name of the organization with a point of contact), affiliation<sup>11</sup> and interest category
6. Transmitting U.S. proposals and U.S. positions, as developed and approved by the U.S. TAG, to ANSI
7. Transmitting to ANSI U.S. delegates lists for all international meetings
8. Establishing a procedure to hear appeals of actions or inactions of the U.S. TAG
9. Establishing a written antitrust policy reflecting the TAG's practice to conduct all business and activity in compliance with applicable antitrust laws
10. Complying with the requirements associated with ANSI oversight and supervision of activities of the U.S. TAG and its administration in accordance with 2.5.5
11. Ensuring compliance with applicable ANSI and ISO procedures
12. Completing mandatory training offered by ANSI to support compliance with ANSI procedures governing the administration of the U.S. TAG and representation of U.S. interests at ISO
13. Paying all relevant fees to ANSI
14. Providing to ANSI three (3) months prior written notice if the organization that serves as the TAG Administrator is unable to continue to serve and intends to relinquish this role

#### **A4 Officers**

There shall be a chairman, and other officers if required, either appointed by the U.S. TAG Administrator from the individual members of the U.S. TAG, subject to approval by a majority vote of the U.S. TAG, or nominated and elected by the members of the U.S. TAG. Each will serve until a successor is selected and ready to serve. The secretary shall be appointed by the U.S. TAG Administrator.

#### **A5 Membership**

Membership shall be open to all U.S. national interested parties who indicate that they are directly and materially affected by the activity of the U.S. TAG, after being informed concerning U.S. TAG working procedures and scope of activities. There shall be no undue financial barriers to participation. Administrative fees may be charged by the TAG Administrator, but in all cases procedures for requesting a waiver of the fees must 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.

The addition of a new U.S. TAG member is subject to approval, by letter ballot or an equivalent formal recorded vote, by at least a majority of the U.S. TAG membership.

**A5.1 Application.** A request for membership shall be addressed to the U.S. TAG Administrator, shall

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<sup>11</sup> "Affiliation" refers to the entity that the U.S. TAG member represents (which may or may not be that person's employer). If the TAG member is serving in an individual capacity, then the name of the individual, that person's employer (if employed), sponsor (if other than employer) and interest category should be available. Contact information is not required.

indicate the applicant's direct and material interest in the U.S. TAG's work and willingness to participate actively (see A5.8), the applicant's interest category, and, if the applicant is a representative of an organization, company, or government agency, shall identify an alternate, if desired.

**A5.2 Recommendation.** In recommending appropriate action on applications for membership, the administrator shall consider:

1. The appropriateness of the involvement of each interest in the work of the U.S. TAG
2. The potential for dominance by a single interest
3. The extent of interest expressed by the applicant, and the applicant's willingness to participate actively

The U.S. TAG Administrator may consider reasonable limits on U.S. TAG size.

**A5.3 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 U.S. TAG, each may apply for membership.

**A5.4 Combined Interests.** When appropriate, the U.S. 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.

**A5.5 Observers.** Individuals and representatives of organizations having an interest in the U.S. TAG's work may request listing as observers. Observers shall be advised of the U.S. TAG activities, may attend meetings, and may submit comments for consideration, but shall not vote.

**A5.6 Representation of Materially Affected 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.

**A5.7 Membership Roster.** The administrator shall maintain the list of U.S. TAG members and the organization they represent.

The roster shall include the following:

1. Title and designation of the U.S. TAG
2. Scope of the U.S. TAG
3. U.S. TAG Administrator (name of organization, name of secretary, address(es), telephone number)
4. U.S. TAG officers (chairman and other officers)
5. Members:
  - a) Names of the individuals and alternates (as applicable) and their addresses and business affiliations including name of the organization they are representing on the U.S. TAG
  - b) The interest category of each individual and alternate (as applicable)

In addition, the member's name (or if membership is by organization, the name of the organization with a point of contact), affiliation<sup>12</sup> and interest category of each member of the TAG shall be made available to

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<sup>12</sup> *Ibid.*

interested parties upon request.

**A5.8 Membership Obligations.** Members are expected to participate actively by fulfilling attendance, voting, correspondence, and other obligations. Members are expected to participate in good faith and in accordance with professional standards, respectful of the rules of the TAG and the authority given to the Officers of the TAG and TAG Administrator.

**A5.9 Review of Membership.** The U.S. TAG Administrator shall review the membership list annually with respect to the criteria of A5. 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 U.S. TAG Administrator shall direct the matter to the U.S. TAG for appropriate action, which may include termination of membership. Members are expected to participate in good faith and in accordance with professional standards, respectful of the rules of the TAG and the authority given to the Officers of the TAG and TAG Administrator. As appropriate, the TAG and TAG Administrator may refer to Robert's Rules of Order, Disciplinary Procedures, for guidance.

## **A6 Meetings**

Meetings of the U.S. TAG and meetings of the U.S. delegates to international meetings should be scheduled to respond to international activities. U.S. TAG meetings shall be held, as determined by the chairman/U.S. TAG Administrator or by petition of a majority of the members. U.S. TAGs shall determine for themselves the quorum requirements. The quorum requirements shall be available in writing upon request.

**A6.1 Open Meetings.** Meetings of the U.S. TAG shall be open to all members and others having direct and material interest. At least four weeks' notice of regularly scheduled meetings should be given by the administrator, and shall be announced in ANSI's *Standards Action* or suitable 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.

## **A7 Voting**

**A7.1 Vote.** Each member shall vote one of the following positions:

- Affirmative
- Affirmative with comment
- 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.)
- Abstain with reason

**A7.2 Vote of Alternate.** An alternate's vote is counted only if the principal representative fails to vote.

**A7.3 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 chairman or administrator when warranted (e.g., when the requirements for approval or disapproval specified by A7.5 or A7.6 are not achieved).

**A7.4 Authorization of Letter Ballots.** A letter ballot may be authorized by:

1. Majority vote of those present at a U.S. TAG meeting
2. The chairman

3. The U.S. TAG Administrator
4. Petition of five members of the U.S. TAG or a majority of the U.S. TAG, whichever is less

**A7.5 Actions Requiring Approval by Majority.** The following actions require a letter ballot or an equivalent formal recorded vote with approval by at least a majority of the U.S. TAG membership:

1. Approval of officers appointed by the administrator or nominated by members of the U.S. TAG
2. Formation of a subgroup, including its procedures, scope, and duties
3. Disbandment of a subgroup
4. Addition of new U.S. TAG members
5. Approval of minutes
6. Other actions of the committee not specified elsewhere

**A7.6 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 U.S. TAG is present: (If a majority is not present, the vote shall be confirmed by letter ballot.)

1. Adoption of U.S. TAG procedures, categories of interests, or revisions thereof
2. Approval of recommendation to change the U.S. TAG scope
3. Approval of U.S. position on technical matters brought before the U.S. TAG (i.e., NP, CD, DIS, FDIS)
4. Approval of recommendation to terminate the U.S. TAG

The TAG Administrator shall report successful ballots on items 1, 2 and 4 to the ExSC, along with its views on the action.

**A7.7 Consideration of Views and Objections on Letter Ballots.** The administrator of the U.S. TAG shall forward the views and objections received to the chairman of the U.S. TAG, or his designee. The chairman 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 draft international standard (DIS) 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.

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

**A7.8 Report of Final Result.** The final result of the voting shall be reported to the U.S. TAG.

**A7.9 Submittal of U.S. Position.** Upon completion of the procedures for voting, consideration of views and objections, and appeals, the U.S. position, which represents the U.S. consensus, shall be submitted to ANSI by the U.S. TAG Administrator. ANSI, as the official ISO member body, is responsible for providing the U.S. position to ISO.<sup>13</sup>

**A7.10 Information Submitted.** The information supplied to ANSI shall include:

1. Title and designation of the document
2. Indication of the type of action requested (for example, approval of a new draft international standard or reaffirmation, revision, or withdrawal of an existing draft international standard, questionnaire, etc.)
3. Status of any appeal action related to approval of the proposed U.S. position

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<sup>13</sup> See footnote 3.



4. A summary of the voting and U.S. TAG member responses
5. Identification of all unresolved views and objections, names of the objector(s), and a report of attempts toward resolution

## **A8 Termination of U.S. TAG**

A proposal to terminate a U.S. TAG may be made by directly and materially affected interests. The proposal shall be submitted in writing to ANSI and to the U.S. TAG Administrator and shall include the reasons why the U.S. TAG should be terminated. The U.S. TAG shall take action in accordance with A7.6. Information regarding the termination of a U.S. TAG shall be promptly provided to the secretariat of the associated ISO committee. In the event that the U.S. holds the secretariat for an ISO committee for which the U.S. TAG is considering termination, the organization serving as secretariat shall be informed promptly and shall submit their position regarding termination of the TAG to ANSI and to the TAG Administrator.

As a result of action taken in accordance with A.7.6, should termination of the TAG be approved, notification of such action shall be announced in *Standards Action*. The announcement shall note that dissolution of the TAG will result in the U.S. relinquishing its P- (participant) status in the international activity. Also, if the U.S. serves as international secretariat, the announcement shall state that the U.S. will resign as international secretariat. The appropriate notification(s) shall be sent to ISO Central Secretariat regarding the change in status, and the relinquishment of the secretariat, if applicable.

## **A9 Communications**

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

## **A10 Appeals**

Directly and materially affected U.S. national interested parties who believe they have been or will be adversely affected by an action or inaction of the U.S. TAG or its administrator shall have the right to appeal.

**A10.1 Complaint.** The appellant shall file a written complaint with the U.S. TAG Administrator within thirty days after the date of notification of action or at any time with respect to inaction. The complaint shall state the nature of the objection(s) including any adverse effects, the section(s) of these procedures or the specific actions or inactions 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.

**A10.2 Response.** Within thirty days after receipt of the complaint, the respondent shall respond in writing to the appellant, specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.

**A10.3 Hearing.** If the appellant is not satisfied with the response of the respondent, they shall so inform the U.S. TAG Administrator within ten (10) working days. The U.S. TAG Administrator shall schedule a hearing with an appeals panel on a date agreeable to all participants, giving at least ten (10) working days notice.

**A10.4 Appeals Panel.** The appeals panel shall be appointed by the U.S. 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.

**A10.5 Conduct of the Hearing.** The appellant has the burden of demonstrating adverse effects, improper actions, or inactions and the efficacy of the requested remedial action. The respondent has the burden of demonstrating that the committee and the U.S. 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.

**A10.6 Decision.** The appeals panel shall render its decision in writing within thirty days, stating findings of fact and conclusions, with reasons therefor, based on a preponderance of the evidence. Consideration may be given to the following positions, among others, in formulating the decision:

1. Finding for the appellant and remanding the action to the U.S. TAG or the U.S. TAG Administrator with a specific statement of the issues and facts in regard to which fair and equitable action was not taken
2. 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
3. Finding that new, substantive evidence has been introduced and remanding the entire action to the U.S. TAG or the U.S. TAG Administrator for appropriate reconsideration

**A10.7 Further Appeal.** An appeal of a U.S. TAG appeals decision may be filed with the ExSC in accordance with the *Operating Procedures of the ANSI Executive Standards Council*.

**A10.8 Informal Settlement.** ANSI encourages settlement of disputes at any time if the settlement is consistent with the objectives of the ANSI 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.

#### **A11 Antitrust Policy**

U.S. positions developed by ANSI-Accredited U.S. TAGs shall be developed in accordance with applicable antitrust and competition laws and meetings amongst competitors to develop U.S. positions are to be conducted in accordance with these laws.

#### **A12 Parliamentary Procedures**

On questions of parliamentary procedures not covered in these procedures, Robert's Rules of Order (latest edition) may be used to expedite due process.

## **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 (USNC) 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. This document does not supersede an ISO TAG's accredited procedures.

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. Each accredited U.S. TAG to ISO shall be referred to as an "ANSI-Accredited U.S. TAG" (or alternately, "ANSI/[SDO] TAG to ISO/TC XX" or the equivalent) in all communications with TAG members and other parties regarding TAG activities. Where no national standards group exists, or is available to serve, or where several separate national standards groups exist, special bodies may be established for this purpose. The makeup of U.S. TAGs may include participants from companies, technical and trade organizations, government agencies, academia and individuals.

In addition to U.S. TAG activities, as appropriate and consistent with ANSI's mission to promote U.S.-based technology globally, ANSI may approve the establishment of Partnership Standards Developing Organization (PSDO) agreements with ISO. To coordinate both activities with the American National Standards process, ANSI also requires early notification by an ANSI-Accredited Standards Developer of its intent to submit a proposed American National Standard (ANS) for consideration for approval as an ISO or ISO/IEC JTC-1 standard. See *ANSI Essential Requirements: Due process requirements for American National Standards*. In such instances, it is expected that ANSI-Accredited U.S. TAGs will raise any concerns related to the proposed ANS during its development cycle so that if the standard is subsequently balloted for approval at the ISO or ISO/IEC JTC-1 level, the U.S. position will be to support its approval. For existing ANS, the PSDO is required to seek and obtain the approval of the applicable ANSI-Accredited U.S. TAG prior to its submission of a standard to ISO under a PSDO agreement.

### **B1 Applicability**

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

### **B2 International Requirements<sup>14</sup>**

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.

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<sup>14</sup> See the IEC/ISO Directives, Part 1 Official procedures to be followed when developing and maintaining an International Standard; Part 2: Principles to structure and draft documents intended to become International Standards, Technical Specifications or Publicly Available Specifications, ISO, IEC, JTC 1 supplements.

### 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 *Rules of Procedure of the U.S. National Committee of 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 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.<sup>15</sup>

In addition, the member's name (or if membership is by organization, the name of the organization with a point of contact), affiliation<sup>16</sup> and interest category of each member of the TAG shall be made available to interested parties upon request.

**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.

Interest categories shall be discretely defined, cover all materially affected parties and differentiate each category from the other categories. Such definitions shall be available upon request. In defining the interest categories appropriate to a standards activity, consideration shall be given to at least the following:

- Producer
- User
- General interest

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<sup>15</sup> See also related notification requirements in 2.5 of the ANSI Essential Requirements with respect to candidate standards that may be submitted for approval as an ISO or ISO/IEC JTC-1 standard.

<sup>16</sup> "Affiliation" refers to the entity that the U.S. TAG member represents (which may or may not be that person's employer). If the TAG member is serving in an individual capacity, then the name of the individual, that person's employer (if employed), sponsor (if other than employer) and interest category should be available. Contact information is not required.

Where appropriate, more detailed subdivisions should be considered.<sup>17</sup>

## **B5 Criteria for Operation**

The following minimum criteria shall be met in the development of U.S. positions in international standards activities<sup>18</sup>:

**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*.** Appropriate<sup>19</sup> 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.

**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 concerning new, revised, or reaffirmed ISO 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.

**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.

**B5.6 Antitrust Policy.** U.S. positions developed by ANSI-Accredited U.S. TAGS or USNC appointed U.S. TAGs shall be developed in accordance with applicable antitrust and competition laws and meetings amongst competitors to develop U.S. positions are to be conducted in accordance with these laws.

## **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

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<sup>17</sup> 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

<sup>18</sup> See Footnote 3.

<sup>19</sup> Examples of appropriate activities are in the *ANSI Procedures for U.S. Participation in the International Standards Activities of the ISO*.

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 (ANS)<sup>20</sup> or, in the absence of an ANS, another standard generally accepted within the United States) and:

1. If the national standard can be considered equivalent<sup>21</sup> 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, 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.

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<sup>20</sup> See Footnote 3.

<sup>21</sup> 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.

Consistent with ANSI's mission to promote U.S.-based technology globally, ANSI may approve a PSDO agreement. In all such instances, an ANSI-Accredited Standards Developer is required to provide public notice of its intent to submit a proposed American National Standard (ANS) for consideration for approval as an ISO or ISO/IEC JTC-1 standard. See *ANSI Essential Requirements: Due process requirements for American National Standards*. Further, in such instances, it is expected that ANSI-Accredited U.S. TAGs will raise any concerns related to the proposed ANS during its development cycle so that if the standard is subsequently balloted for approval at ISO, the U.S. position will be to support its approval. For existing ANS, the PSDO is required to seek and obtain the approval of the applicable ANSI-Accredited U.S. TAG prior to its submission of a standard to ISO under a PSDO agreement.

**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 may be based on American National Standards (ANS), as appropriate. In the absence of ANS, other appropriate, generally accepted standards may be proposed. In all instances, permission from the sponsor to propose documents as the basis for the initiation of international standards shall be obtained. In the absence of either ANS 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 ISO 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 Participation in the formulation of U.S. positions**

U.S. TAG Members and other contributors are expected to participate in good faith and in accordance with professional standards, respectful of the rules of the TAG and the authority given to the Officers of the TAG and TAG Administrator. As appropriate, the TAG and TAG Administrator may refer to Robert's Rules of Order, Disciplinary Procedures, for guidance.

## **B9 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.

**B9.1 Right to Appeal.** Directly and materially affected U.S. national interested parties have the right to appeal any procedural action or inaction in the development of U.S. positions on international standards activities.

**B9.2 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

**B9.3 Access.** Appeals shall be processed in accordance with the written procedures used by the U.S. TAG for the development of pertinent U.S. positions. (See B5) ANSI will not normally hear an appeal of an action or inaction until all other appeal procedures have been exhausted.