



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

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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 *Statutes and Rules of Procedure of the USNC/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 and TAG Administrators) 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.

A mechanism for development and coordination must exist to seek to ensure the positions developed by ANSI-Accredited U.S. TAGs to ISO are representative of U.S. interests before presentation to ISO. These procedures provide such a mechanism and include both Annex A *Model Operating Procedures for U.S. TAGs to ANSI for ISO Activities* and Annex B *Criteria for Development and Coordination of U.S. Positions in the International Standardization Activities of the ISO and IEC*.

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 (ASD) 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*).

These procedures should be implemented consistent with applicable U.S. laws.

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

## 1.1 Definitions

**ANSI Appeals Board:** The ANSI Appeals Board was established by the ANSI Board of Directors and is responsible for considering all final appeals by directly and materially interested parties<sup>1</sup> 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).

**ANSI Executive Standards Council:** The ANSI 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 is 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 Advisory Group:** The International Policy Advisory Group (IPAG) provides views and proposes policies regarding regional and international standards and conformity assessment issues, including related public policy issues.

**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.

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<sup>1</sup> "Parties" includes organizations, companies, government agencies, individuals etc.

**U.S. National Interested Party:** A U.S. National Interested Party is directly and materially interested in the relevant standards activity and is:

1. a corporation or an organization domiciled in the U.S.; or
2. a U.S. branch office of a foreign company registered or authorized to do business in one or more U.S. states or territories<sup>2</sup>; or
3. a U.S. federal, state or local government entity; or
4. a U.S. citizen or permanent legal resident.

**U.S. National Committee:** The responsibility for United States representation in the IEC and other electrotechnical bodies associated with the IEC has been delegated by the Board to the USNC whose responsibilities are set forth in the United States National Committee Statutes and Rules. The responsibility for the USNC is exclusively exercised by the USNC Council, an International Relations Committee, subject to the oversight of the Executive Committee.

**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 (Annex B)*. 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>3</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 (TMB), 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 interested in 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 U.S. National Interested Parties 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

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<sup>2</sup> A U.S. Nationally Interested Party does not include employees of other ISO or IEC National Member Bodies (NMB). Such employees should participate in international standards development through their own NMB.

<sup>3</sup> ISO proposals are assigned reference numbers by the ISO Central Secretariat, (ISO TS/P...)

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.

### **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 submit comments or 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. Such requests shall propose a preliminary 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. 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 U.S. National Interested Parties to ensure effective U.S. participation
3. Whether there is an acceptable, competent organization willing to serve as TAG 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 manager 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 Chair and the committee manager and the national body acting as host. In the case of a subcommittee meeting, the subcommittee manager 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 U.S. 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 manager of the committee concerned, with a copy to the ISO Central Secretariat.

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

**1.5.1 General.** The role of an ISO secretariat is to provide administrative and procedural support to the ISO technical committee or subcommittee to which it is appointed, in accordance with ISO's and ANSI's rules and procedures. 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 directly and materially 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 directly and materially 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 administered by a TAG Administrator 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 directly and materially interested parties
2. Evidence that directly and materially 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, or, if not to ANSI, then to another external organization 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 U.S. National Interested Party 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 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 directly and materially 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. The affected technical sector, organizations or companies desire that an external organization hold the secretariat and request that such external organization perform this function.
2. The relevant U.S. TAG has been consulted with regard to the external organization's potential role as secretariat.
3. The external organization is a member of ANSI, has committed to encourage its members to join ANSI and is a U.S. National Interested Party
4. The external organization has sufficient documented technical and administrative competence.
5. 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.
6. 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.
7. The external organization has made a written 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.
8. Unless the external organization administers the U.S. TAG, it has agreed to serve as a voting or non-voting member of the U.S. TAG.
9. 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.
10. 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.
11. The external organization has committed in writing to comply with all applicable rules, regulations and policies of ANSI and ISO.
12. 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.
13. 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).
14. ANSI delegates the authority to nominate the ISO Chair to the external organization.
15. 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 U.S. Individuals Serving as ISO Chair**

The ISO Directives grant authority to the committee secretariats (TC or SC) to nominate the Chair. ANSI delegates this authority to the ANSI-delegated secretariat organization noting that, pursuant to the *ANSI International Procedures*, it is a U.S. TAG function to recommend to ANSI U.S. candidates for the Chair of ISO committees. In cases where a U.S. individual is nominated to be Chair where ANSI does not hold the Secretariat, the corresponding U.S. TAG will be consulted. If there is no U.S. TAG, ANSI will be consulted for approval.

U.S. individuals serving in this role must complete mandatory leadership training offered by ANSI and are also expected to participate as a member of the corresponding U.S. TAG, if applicable.

Note: If an ANSI-delegated secretariat nominates a non-US Chair, the corresponding ANSI-Accredited U.S. TAG will be consulted and the National Standards Body (NSB) which the non-U.S. Chair represents shall confirm the nomination.

### **1.7 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.

**1.7.1 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.

**1.7.2 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.

**1.7.3 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.

### **1.8 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>4</sup> 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. The accreditation of a U.S. TAG and 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 and U.S. TAG Administrator as the TAG’s 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 and TAG Administrator 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 and TAG Administrators 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 and subgroups of U.S. TAGs may be formed to relate to working groups of an ISO

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<sup>4</sup> See Annex B.

technical committee or subcommittee. Where the U.S. TAG to an ISO subcommittee subgroup is not independently accredited in accordance with 2.5.4, the degree of independent authority to take actions (including determining consensus on documents) shall be defined in writing and provided for in the TAG's accredited procedures and shall be approved by the parent U.S. TAG and TAG Administrator, and a copy provided to ANSI. Rules and procedures governing the parent TAG operations and membership shall also apply to the subgroup of the U.S. TAG. The TAG Administrator is responsible for ensuring procedural compliance at the subgroup level and for submitting all U.S. positions and votes 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 interested in 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) shall approve a proposed or existing 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 and TAG Administrator.

**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>5</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.

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<sup>5</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 (ASDs) 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.

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 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. If more than one organization is interested in serving as the TAG Administrator, the ExSC shall base its decision on all relevant information provided.

In determining the assignment of a U.S. TAG Administrator, the ExSC 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 may be accepted by ANSI itself if one or more U.S. National Interested Parties have made a written financial commitment for not less than three years to cover all defined costs incurred by ANSI associated with the U.S. TAG Administrator assignment, and if:

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, 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 and is a U.S. National Interested Party
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 2.5.5

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 TAG Administrators shall be avoided wherever possible, but may be authorized under exceptional circumstances by the ExSC. 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. Monitoring 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 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>6</sup> and interest category
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 TAG Administrator in accordance with 2.5
11. Monitoring 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

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<sup>6</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, their sponsors (if any) and interest category shall be made available upon request. Contact information is not required. A sponsor is defined as an organization that provides funds specifically to support the individual's participation in the standards activities of the TAG.

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 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>7</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 in approving the U.S. TAG Administrator and initial U.S. TAG membership list.

## **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:

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 the applicant and

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<sup>7</sup> See section 2.5.5.2 for the format of membership lists.

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. 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 (Chair 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 ensure 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 interested parties. 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>8</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>9</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.

**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**

Directly and materially interested parties who have been or will be adversely affected by an action or inaction of the ExSC have the right to appeal 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.

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<sup>8</sup> If the U.S. TAG utilizes accredited procedures other than the model, then those procedures shall apply.

<sup>9</sup> Ibid.

### 3 Appeals

#### 3.1 Right to Appeal

U.S. National Interested Parties 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 National Adoption of ISO or IEC Standards as American National Standards**

Eligible ANSI-Accredited Standards Developers (ASDs) that wish to adopt an ISO or IEC standard as an American National Standard (ANS) shall comply with the requirements set forth in the *ANSI Procedures for the National Adoption of ISO or IEC Standards as American National Standards* and the *ANSI Policy Regarding Rights to Nationally Adopt IEC and ISO Standards or Otherwise Use IEC and ISO Material* (National Adoption Policy). Decisions made by TAG Administrators under the National Adoption Policy are final and not subject to appeal at ANSI through its Program Oversight Committees or otherwise.

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

Note: These model procedures are to be used by ANSI-Accredited U.S. TAGs that are accredited by the ANSI Executive Standards Council (ExSC) to use these procedures. If a U.S. TAG is accredited under other operating procedures, then this Annex does not apply.

### **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., "ANSI-Accredited U.S. TAG for ISO/TC xx."). If a TAG is accredited by the ExSC to implement these model procedures, the TAG and TAG Administrator shall comply with all provisions that follow and with Annex B and Annex C (or comparable) of the *ANSI International Procedures*.

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>10</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>11</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>12</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 ISO and IEC 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

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<sup>10</sup> See Footnote 3.

<sup>11</sup> *Ibid.*

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

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 and shall accept, in writing, the responsibilities described below:

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. Appointing members to the U.S. TAG
4. Monitoring that the members of the U.S. TAG participate actively
5. 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 ballots
6. 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>13</sup> and interest category
7. Transmitting U.S. proposals and U.S. positions, as developed and approved by the U.S. TAG, to ANSI
8. Transmitting to ANSI U.S. delegates lists for all international meetings
9. Establishing a procedure to hear appeals of actions or inactions of the U.S. TAG
10. Establishing a written antitrust policy reflecting the TAG's practice to conduct all business and activity in compliance with applicable antitrust laws
11. 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
12. Monitoring compliance with applicable ANSI and ISO procedures
13. 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
14. Paying all relevant fees to ANSI
15. 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 TAG Chair, and other officers if required, 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. Each will serve until a successor is selected and ready to serve. The secretary shall be appointed by the U.S. TAG Administrator.

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<sup>13</sup> The affiliation of a TAG member refers to the entity that the 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, their sponsors (if any) and interest category shall be made available upon request. Contact information is not required. A sponsor is defined as an organization that provides funds specifically to support the individual's participation in the standards activities of the TAG.

#### **A4.1 Role of the TAG Chair**

The Chair (or Cochairs) is a member of the TAG who also serves as the TAG's presiding officer, at the pleasure of the organization that serves as TAG Administrator. The Chair (or Cochairs) of the TAG is expected to fulfill the following important responsibilities:

1. Preside over meetings of the U.S. TAG in a professional manner and in accordance with the accredited procedures of the TAG.
2. Work with the TAG Administrator to ensure that decisions made by the TAG are implemented or advanced.
3. Serve as a neutral convenor with respect to the work of the U.S. TAG. If a Chair wishes to advocate for a position, then they must give over the role of Chair to an impartial TAG member for the duration of such discussions.
4. Preside over the productive work of the TAG while promoting an environment that encourages open, balanced and fact-based information sharing and debate, not dominated by any single interest, individual or topic.
5. Be well versed in the accredited procedures of the TAG, ANSI's requirements for due process, ISO's Directives, the TAG's *Code of Conduct* and ISO's *Code of Conduct for the technical work*.
6. Work with the TAG Administrator to establish the TAG's work program, meeting schedule and meeting agendas so as to advance the timely work and goals of the TAG.
7. Serve as an impartial facilitator for the resolution of informal complaints, and if a formal appeal is to be considered, provide oversight to ensure fairness in the implementation of the TAG's appeals process, e.g., make decisions related to disputed conflict-of-interest claims.
8. Work with the TAG Administrator to monitor compliance with and enforcement of the TAG's Code of Conduct.
9. Other duties as described in these procedures or as necessary to ensure the smooth operation of the TAG in fulfillment of its role.

#### **A5 Membership**

Membership shall be open to all U.S. National Interested Parties interested in 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 or reduction 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 TAG Administrator shall be responsible for determining the membership of the TAG in accordance with Section A5.2 and the due process criteria (e.g., balance, lack of dominance, openness, etc.) set forth in Annex B of the *ANSI International Procedures*.

**A5.1 Application.** A request for membership by a U.S. National Interested Party shall be addressed to the U.S. TAG Administrator, shall indicate the applicant's direct and material interest in the U.S. TAG's work and willingness to participate actively (see A5.8) and the applicant's interest category based on their affiliation (if any). If the applicant is a representative of an organization, company, or government agency, and an alternate is desired, the alternate shall also be identified.

A Membership application that reflects the stated provisions of these procedures may be required as a condition of applying to serve as a voting member of the TAG. The application may require an explanation of the applicant's direct and material interest in the work of the TAG as well as submission of a resume or summary of relevant experience. All approved applicants shall agree to abide by the TAG's

Code of Conduct.

**A5.2 Appointment.** In appointing a new member, the TAG Administrator shall consider:

1. Interest categories represented on the TAG.
2. Balance on the TAG.
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 Intra-company 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.**

U.S. National Interested Parties 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 with prior approval, and may submit comments for consideration, but shall not vote.

**A5.6 Lack of Dominance.** All 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 U.S. National Interested Party 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 TAG Administrator shall maintain the list of U.S. TAG members and the organization (if any) 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 (Chair 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)

**A5.8 Membership Obligations and Review of Membership.** 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. Approved TAG members shall agree to comply with the TAG's Code of Conduct, which must be consistent with the *ANSI International Procedures*. Annex C provides a sample Code of Conduct.

The U.S. TAG Administrator shall review the membership list annually with respect to the criteria of



A5. TAG members who regularly and without good cause fail to attend meetings, do not return ballots, or otherwise exhibit lack of interest or responsibility, may be removed for the stated causes, after one written warning of pending removal, by the TAG Administrator.

TAG members who fail to comply with the TAG's Code of Conduct or, in connection with ISO meetings, ISO's Code of Conduct, are subject to removal by the TAG Administrator. Removal from TAG membership is subject to the TAG's appeals process.

As appropriate, the TAG and TAG Administrator may refer to Robert's Rules of Order, Disciplinary Procedures (or other comparable due-process-based rules), 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 Chair, the 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 other U.S. National Interested Parties approved in advance by the Chair or the TAG Administrator. At least four weeks' notice of regularly scheduled meetings should be given by the TAG 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 ballots shall be established to allow for timely response to international time limits. An extension may be granted at the option of the Chair or TAG 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 Ballots.** A ballot may be authorized by:

1. Majority vote of those present at a U.S. TAG meeting
2. The U.S. TAG Chair
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 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 TAG Administrator, which may or may not have been 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. Approval of meeting reports
5. 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 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 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, which must reflect the scope of the related ISO committee (or equivalent)
3. Approval of U.S. position on technical matters brought before the U.S. TAG (i.e., NP, CD, DIS, FDIS, or other ISO deliverable)
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 Ballots.** The Administrator of the U.S. TAG shall forward the views and objections received to the Chair of the U.S. TAG, or their designee. The Chair 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.

Material changes to a proposed U.S. position or proposed U.S. comments required to resolve objections, and unresolved objections to the proposed U.S. position or proposed U.S. comments, 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. A material change is one that alters or modifies the U.S. position or the intent of the U.S. comments at issue.

**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>14</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
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

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<sup>14</sup> See footnote 3.

attempts toward resolution

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

A proposal to terminate a U.S. TAG may be made by a U.S. National Interested Party. 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. 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 by ANSI 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**

U.S. National Interested Parties who believe they have been or will be adversely affected by a procedural action or inaction of the U.S. TAG or its TAG Administrator shall have the right to appeal. Procedural appeals include whether a technical issue was afforded due process.

**A10.1 Complaint.** The appellant shall file a written complaint with the U.S. TAG Administrator within fifteen (15) working days after the date of notification of action or within a reasonable time after becoming aware of the inaction and within the current standard development cycle. 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.

A procedural complaint concerning the development of a U.S. position is expected to be filed in a timely manner, in sufficient time to allow the U.S. to cast its vote. The TAG Administrator is expected to take all reasonable efforts to ensure that procedural appeals are considered in a timely manner so that the resolution of an appeal can conclude prior to submission of a timely U.S. position/vote.

1. Appeals should not be filed by aggrieved parties late in the process simply to delay the submission of a U.S. vote to ISO; the standards development process through ISO provides ample opportunity for issues to be vetted and adjudicated during the development process rather than at the final voting stage.
2. The filing of an appeal does not automatically require the stay of an action or vote, if the time required to conclude the TAG appeals process would preclude the U.S. from submitting an approved timely vote or position.

When international deadlines preclude the use of routine appeals procedures, the TAG Chair in consultation with the Appeals Panel Chair, other officers or Appeals Panel Members, will establish an

expedited mechanism and schedule for consideration of the appeal in a manner that they deem fair and reasonable. Such an alternative expedited mechanism is subject to further review by the ANSI ExSC, should an appeal of the decision be filed with ANSI. The expedited mechanism shall include a full and fair consideration of the written filings.

**A10.2 Response.** Within twenty-one (21) calendar days after receipt of the complaint, the TAG Administrator (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 fifteen (15) calendar days. The U.S. TAG Administrator shall schedule a hearing with an appeals panel on a date agreeable to all participants, giving at least fifteen (15) calendar days notice.

Panel members and all parties shall receive a copy of the appeals record at least fifteen (15) calendar days prior to the date of the appeals hearing. The name and affiliation of all speakers and any observers, if allowed, shall be provided to the TAG Administrator in advance of the hearing by a date certain.

**A10.4 Appeals Panel.** The appeals panel shall be appointed by the U.S. TAG Chair 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. Members of the TAG that voted on an issue under appeal may not serve on a related appeals panel. At least two members shall be acceptable to the appellant and at least two shall be acceptable to the respondent. Unresolved claims of a conflict of interest against a potential panelist shall be decided by the TAG Chair after a review of each party's written concerns. If a panel cannot be agreed upon within fifteen (15) calendar days, the TAG Chair working with the TAG Administrator, may appoint an impartial panel, taking any prior conflict of interest concerns stated by the parties into account. The names and affiliations of the panel shall be provided to the parties to the appeal.

**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 TAG and the U.S. TAG Administrator took all actions in compliance with these procedures and applicable ISO procedures, and that the requested remedial action would be ineffective or detrimental.

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

Otherwise, the decision of the panel shall be based on the written submissions on record, supplemented by any written questions issued by the panel and responded to by the party or parties to whom the questions were directed.

**A10.6 Decision.** The appeals panel shall render its decision in writing within thirty (30) calendar 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 International 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 (or other comparable due-process-based meeting rules and practices) may be used for guidance.

## **Annex B: Criteria for the Development and Coordination of U.S. Positions in the International Standardization Activities of the ISO and IEC**

Note: This Annex is mandatory for all ANSI-Accredited U.S. TAGs to ISO and is supplemental to Annex A if the TAG is accredited by the ANSI Executive Standards Council (ExSC) under Annex A of the ANSI International Procedures. If the TAG is accredited under operating procedures other than Annex A, this Annex B still applies.

### **Background**

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 seek to ensure 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 Annex outlines ANSI's criteria for an appropriate mechanism.

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 (ANS) process, ANSI also requires early notification by an ANSI-Accredited Standards Developer (ASD) of its intent to submit a proposed 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>15</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.

### **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

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<sup>15</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.

minimum, meet the criteria for the organization and operation of U.S. TAGs as provided for in the *Statutes and Rules of Procedure of the USNC/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. 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 U.S. National Interested Parties. 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>16</sup>

In addition, the member's name (or if membership is by organization, the name of the organization with a point of contact), affiliation and interest category of each member of the TAG shall be made available to interested parties upon request. The affiliation of a TAG member refers to the entity that the 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, their sponsors (if any) and interest category shall be made available upon request. Contact information is not required.

**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 in writing by a U.S. National Interested Party (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 directly and materially interested parties and differentiate each category from the other categories. Such definitions shall be available upon request.

TAG Members, including consultants<sup>17</sup>, typically are classified in accordance with the business or other interests of their employers or the sponsors they represent in connection with the standards development activity. In cases where a TAG member receives funding from the TAG Administrator or other entities, that information shall be disclosed to determine if it will impact the TAG member's interest classification.

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<sup>16</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>17</sup> For purposes of these procedures, a "consultant" is someone who agrees to provide professional service in exchange for compensation, financial or otherwise.

In determining the interest categories appropriate to a standards development activity, the TAG Administrator shall give consideration to at least the following three categories:

Producer  
User  
General interest

If, after consideration, a "General Interest" category is deemed appropriate, that interest category should include only those whose business or other interests are not covered by another discretely defined interest category.

Where appropriate, more detailed subdivisions should be considered.<sup>18</sup> However, interest categories shall not be created for the purpose of avoiding balance requirements.

### **B5 Criteria for Operation**

The following minimum criteria shall be met in the development of U.S. positions in international standards activities<sup>19</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.

A TAG Administrator shall require members and observers to agree to comply with a Code of Conduct, consistent with the *ANSI International Procedures*. Annex C provides a sample Code of Conduct.

**B5.2 Listing in Standards Action.** Appropriate<sup>20</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 material change made to a proposed U.S. position shall be reported to U.S. TAG members to afford all members an opportunity within appropriate time limits to respond, to reaffirm, or to change their position. A material change is one that alters or modifies the U.S. position or the intent of the U.S. comments at issue.

**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

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<sup>18</sup> Further subdivisions that may be used to categorize directly and materially interested parties consist of, but are not limited to, the following: Consumer, Directly affected public, Distributor and retailer, Industrial/Commercial, Insurance, Labor, Manufacturer, Regulatory agency, Testing Laboratory

<sup>19</sup> See Footnote 3.

<sup>20</sup> Examples of appropriate activities are in the *ANSI Procedures for U.S. Participation in the International Standards Activities of the ISO*.



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 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>21</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>22</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

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<sup>21</sup> See Footnote 3.

<sup>22</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.

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.

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 (ASD) is required to provide public notice of its intent to submit a proposed 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 U.S. National Interested Parties. 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 Interested Parties that are 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 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. A TAG Administrator may require TAG members and any observers to agree to comply with a Code of Conduct, consistent with the *ANSI International Procedures*. Annex C provides a sample Code of Conduct.

As appropriate, the TAG and TAG Administrator may refer to Robert's Rules of Order, Disciplinary Procedures (or other comparable due-process-based meeting rules and practices), for guidance.

## **B9 Criteria for Appeals**

The provision of appeals is important for the protection of U.S. National Interested Parties who have been or will be adversely affected by any procedural action or inaction within the scope of the *ANSI International Procedures*, as well as 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.** U.S. National Interested Parties who have been or will be adversely affected by any procedural action or inaction within the scope of the *ANSI International Procedures* 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 filed in a timely manner and 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 U.S. National Interested Parties who have been or will be adversely affected by any procedural action or inaction of the TAG or TAG Administrator 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 by the TAG Administrator and made available to the involved parties during the course of the appeals process

**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.

## **Annex C: Model Code of Conduct for Participation on an ANSI-Accredited U.S. TAG**

This model Code of Conduct<sup>23</sup> may be adopted as is or adapted as part of a TAG Membership application or other document. A TAG Administrator shall require TAG members and observers to agree to comply with this Code (or comparable document, consistent with the *ANSI International Procedures*) as a condition of participation. It is recommended that this Code be published and distributed annually along with a copy of the TAG's accredited procedures, links to the ISO/IEC Directives and contact information for the individual(s) serving as TAG Administrator.

### **General Principles**

1. To promote and support the work of the ANSI-Accredited U.S. TAG to ISO xxx as well as the purposes and objectives of the voluntary consensus standards system.
2. To maintain a process that is open, honest, and fair to all participants.
3. To promote the development of consensus through the broad participation of a variety of interests and through a full airing and discussion of all points of view.
4. To adhere, both in letter and in spirit, to all duly established rules, regulations, and policies governing the work of the ANSI-Accredited U.S. TAG to ISO xxx.

### **Participant Obligations**

1. All TAG members, authorized observers and public commenters ("Participants") shall act honestly, in good faith, and with the highest professional standards.
2. Although it is recognized that legitimate differences of opinion can exist on individual issues, Participants should act in a dignified and courteous manner, so as to avoid injuring others, their property, reputation, or employment by false, malicious or improper action and to avoid acting in a disrespectful or unprofessional manner towards other Participants or staff.
3. Participants who have been retained to represent the interests of another with respect to a specific issue or issues that are to be addressed by the TAG shall declare those interests.
4. In order that the points of view and information Participants advance can be accurately evaluated by others, Participants should always endeavor to make known their business, commercial, organizational, or other affiliations that might affect their interests or points of view, avoiding real or perceived conflicts of interest whenever possible.
5. In all discussion, debate, and deliberation, Participants should confine their comments to the merits of the issues under review. Although Participants may forcefully advocate their views or positions, they should be candid and forthcoming about any weaknesses in their position, and they should refrain from debate and discussion that is disrespectful or unprofessional in tone or that is unduly personalized or damaging to the overall process of achieving consensus.
6. In circumstances where duly established policies and procedures related to the TAG's work permit deliberations to take place in Executive Session, participants should respect and observe the confidentiality of those Executive Sessions.
7. No Participant should ever attempt to withhold or prohibit information or points of view from being disseminated, particularly on the grounds that the Participant is in disagreement with the information or points of view. Disagreements should be addressed and resolved through full presentation and discussion of all information and points of view not through withholding information or preventing points of view from being expressed.

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<sup>23</sup> See *ANSI Code of Conduct* (<https://www.ansi.org/resource-center/code-conduct>) and *ISO Code of Conduct for the technical work* (<https://www.iso.org/publication/PUB100397.html>).

8. Participants should treat all persons with respect and fairness and should not offer or appear to offer preferential treatment to any person or group.
9. Participants should refrain from disseminating false or misleading information.
10. Participants should obey all applicable laws, ANSI and ISO policies.
11. Participants should safeguard ANSI's reputation and integrity by ensuring that any public statements relating to ANSI or the work of the TAG, which are not official statements of ANSI or the ANSI-Accredited U.S. TAG Administrator (as the case may be), are properly portrayed as the opinion of the individual making them.

### **TAG Administrator Obligations**

The TAG Administrator is expected to comply with all applicable Participant obligations.

### **Violations of this Code**

Informal resolution of an alleged violation of this code is encouraged, consistent with the *ANSI International Procedures* and ANSI's obligations as the U.S. National Member Body to ISO.

Violations of this Code will result in disciplinary action against the offending TAG Member, which may include termination of a TAG Member's (or authorized observer's) continued participation. The Chair of the TAG along with the TAG Administrator, as appropriate, shall consider any violations brought to their attention in a timely manner.

Any claim that the TAG Administrator has violated this Code shall be considered through the TAG's appeals process.