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Via Email

PSA@ANSI.org

Munich, 25 July 2016

RE: Standards Action Notice, SAV4724, June 10, 2016, on Proposed Changes to the Operating Procedures of the ANSI Appeals Board, ANSI Board of Standards Review, and ANSI Executive Standards Council ('Standards Notice Action').

Dear Madame / Sir,

Fraunhofer-Gesellschaft (Fraunhofer) welcomes the opportunity to provide comment in relation to the Standrads Notice Action

1 General Comments

Fraunhofer supports good governance and the rights relating to fair hearing.

2 Appeals Process

Fraunhofer does not support the introduction of a limitation on pages for an appeal statement, nor the introduction of specified formatting. It is considered important that a party is able to present its case. This same comment applies to letter of support by non-parties to the appeal, any party to an appeal requesting reconsideration of an Appeals Board hearing decision, appeals to ANSI BSR and any other .

In relation to filing fees payable, it is unclear if a bank transfer would suffice with evidence of transfer.

In relation to the appeal document(s), query whether it should be a requirement that one complete hard copy of the appeal be mailed to ANSI in an age when courts now allow electronic filing. This comments applies to ANSI's response to the appeal, whether at Appeals Board or BSR level.

3 Conflict of Interest

Good governance indicates that a party to an appeal should not communicate with any member of the ANSI ExSC or BSR on the subject of the appeal, or that – if permitted – a party to an appeal can communicate with any recused member of the ANSI ExSC on the subject matter of the appeal while the matter is pending, provided only that recused member does not communicate with any unrecused member of the ANSI ExSC on the subject of the appeal while the matter is pending.

4 Time Frames regarding Appeal

The times frames should remain intact for the handing down of a decision on appeal, from any level. This is a fundamental element of the right to be heard and the right to a fair hearing. It is not sufficient to state that a decision by ANSI will be sent to the parties within a reasonable time of the hearing.

5 Right to inspect and copy files

It would seem more cost efficient if any appeal-related document could be requested and provided by email in all cases, as with a formal complaint lodged against an ANSI-Accredited US TAG to ISO.

Yours faithfully,

Ms Stefanie Mielert