

**Operating Procedures for the  
ANSI-Accredited U.S. TAGs to  
ISO/TC 108, ISO/TC 108/SC 2,  
ISO/TC 108/SC4, ISO/TC 108/SC 5,  
ISO/TC 43, ISO/TC 43/SC 1  
and ISO/TC 43/SC 3**

**Administered by the Acoustical Society of America**

Note: These procedures were approved by ANSI on 19 January 2018.

## **1 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 technical committee or subcommittee (e.g., "U.S. TAG for ISO/TC xx.").

Subgroups of U.S. TAGs or separate U.S. TAGs may be formed to relate to subcommittees of an ISO technical committee. Where the U.S. TAG to an ISO subcommittee is not independently accredited in accordance with 2.5.4, the degree of independent authority to take actions shall be defined in writing (as part of the TAG procedures, or as a policy or agreement) and shall be approved by the parent U.S. TAG, and a copy provided to ANSI.

## **2 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<sup>1</sup>, 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
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
4. Determine the U.S. position on an ISO draft International Standard, draft technical report, committee drafts, ISO questionnaires, draft reports of meetings, etc.
5. Provide adequate U.S. representation to ISO committee meetings, designate heads of delegation and members of delegations, and ensure compliance with the ANSI Guide for U.S. Delegates to IEC/ISO Meetings (including preparation and submission of a Head of Delegation report by the designated Head of Delegation)
6. Determine U.S. positions on agenda items of ISO committee meetings and advise the U.S. delegation of any flexibility it may have on these positions

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<sup>1</sup> 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.

7. Provide the pool of U.S. technical experts to serve on ISO working groups
8. Provide assistance to U.S. secretariats of ISO committees, upon request, including resolving comments on draft international standards, draft technical reports, and committee drafts
9. Identify and establish close liaison with other U.S. TAGs in related fields, or identify ISO or IEC activities that may overlap the U.S. TAG's scope
10. Recommend to ANSI the acceptance of secretariats for ISO committees
11. Recommend that ANSI invite the ISO committees to meet in the United States (see 1.4 of the ANSI Procedures for U.S. Participation in the International Standards Activities of ISO)
12. Recommend to ANSI U.S. candidates for the chair of ISO committees and U.S. conveners of ISO working groups.

In the TAGs administered by the ASA, the following TAG functions are delegated to the TAG Chairs:

1. Nomination of experts to serve on ISO working groups.
  - a) Members of the U.S. TAGs have identified themselves and their organizations as having a direct and material interest in the work of the TAG. Therefore, it is presumed that TAG members who request appointment to ISO working groups in their area of expertise and who can make a reasonable commitment to participate actively by attending meetings, submitting comments, etc., will be nominated to those WGs subject to the need for additional U.S. participation on those WGs.
  - b) On a case by case basis, the TAG chair may appoint experts from outside the TAG where specific expertise is not available among the existing TAG membership.
  - c) The TAG chair shall provide the TAG Administrator with the necessary contact information and interest category for each expert to be transmitted to ANSI.
2. The TAG chair shall serve as Head of Delegation at ISO meetings. In the event that the TAG Chair is unable to attend the meeting or otherwise unable to serve as HOD, (s)he shall appoint an alternate in consultation with the TAG Administrator.
3. The TAG Chair shall approve the roster of U.S. delegations to ISO meetings and circulate the delegation roster to the TAG. Delegations will normally be made up of the appointed U.S. members of each working groups.

### **3 U.S. TAG Administrator**

The U.S. TAG administrator shall be designated by the ANSI Executive Standards Council (ExSC) upon recommendation of its designee if any, 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. Determining that the members of the U.S. TAG participate actively
4. Providing for administrative services, including arrangements for meetings, timely preparation and distribution of documents related to the work of the U.S. TAG, and maintenance of appropriate records, including minutes of meetings and results of letter ballots
5. Upon request by an interested party, making available the roster of the TAG including each member's name (or if membership is by organization, the name of the organization with a point of contact), affiliation<sup>2</sup> and interest category
6. Transmitting U.S. proposals and U.S. positions, as developed and approved by the U.S. TAG, to ANSI
7. Transmitting to ANSI U.S. delegates lists for all international meetings
8. Establishing a procedure to hear appeals of actions or inactions of the U.S. TAG
9. Establishing a written antitrust policy reflecting the TAG's practice to conduct all business and activity in compliance with applicable antitrust laws
10. Complying with the requirements associated with ANSI oversight and supervision of activities of the U.S. TAG and its administration in accordance with 2.5.5
11. Ensuring compliance with applicable ANSI and ISO procedures
12. Completing mandatory training offered by ANSI to support compliance with ANSI procedures governing the administration of the U.S. TAG and representation of U.S. interests at ISO
13. Paying all relevant fees to ANSI

#### **4 Officers**

There shall be a chairman, and other officers if required, either appointed by the U.S. TAG administrator from the individual members of the U.S. TAG, subject to approval by

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<sup>2</sup> "Affiliation" refers to the entity that the U.S. TAG member represents (which may or may not be that person's employer). If the TAG member is serving in an individual capacity, then the name of the individual, that person's employer (if employed), sponsor (if other than employer) and interest category should be available. Contact information is not required.

a majority vote of the U.S. TAG, or nominated and elected by the members of the U.S. TAG. Each will serve until a successor is selected and ready to serve. The secretary shall be appointed by the U.S. TAG administrator.

## **5 Membership**

Members of the TAG shall be organizations, companies, government agencies, and individuals. Membership shall be open to all U.S. national interested parties who indicate that they are directly and materially affected by the activity of the U.S. TAG, after being informed concerning U.S. TAG working procedures and scope of activities. There shall be no undue financial barriers to participation. Administrative fees may be charged by the TAG administrator, but in all cases procedures for requesting a waiver of the fees must be available. Participation shall not be conditional upon membership in any organization, or unreasonably restricted on the basis of technical qualifications or other such requirements.

### **5.1 Application.**

A request for membership shall be addressed to the U.S. TAG administrator, on the form provided and shall indicate the applicant's direct and material interest in the U.S. TAG's work and willingness to participate actively (see 5.8), the applicant's interest category, and, if the applicant is a representative of an organization, company, or government agency, shall identify an alternate, if desired.

### **5.2 Recommendation.**

In recommending appropriate action on applications for membership, the administrator shall consider:

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

In most cases, membership approval should be automatic and effective immediately upon receipt of the application and payment of TAG membership dues. The current membership roster of each TAG shall be distributed to the members of the TAG at least once a year or more often as determined by the Secretariat. The current roster may always be found on the Committee or Subcommittee web site:

<http://acousticalsociety.org/standards> or may be obtained from the Secretariat upon request.

In the event that the Secretary (in consultation with the TAG Chair) recommends denial of membership based on any of the factors above, or for any other reason, the recommendation shall be submitted to the TAG for consideration and final decision. The membership application in question shall be held in abeyance until the completion of the TAG ballot. The final decision is then made by the TAG ballot.

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

### **5.3 Diverse Interests.**

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

### **5.4 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.

### **5.5 Representation of Materially Affected Interests.**

The U.S. TAG shall strive to achieve and maintain balance among the interest categories affected. Participants from diverse interest categories shall be sought with the objective of achieving balance.

All directly and materially affected U.S. national interested parties shall have the opportunity for fair and equitable participation without dominance by any single interest. Dominance means a position or exercise of dominant authority, leadership, or influence by reason of superior leverage, strength, or representation. The requirement implicit in the phrase "without dominance by any single interest" normally will be satisfied if a reasonable balance among interests can be achieved. Unless it is claimed by a directly and materially affected person that a single interest dominated the standards activity, to the exclusion of fair and equitable consideration of other viewpoints, no test for dominance is required.

Each member shall propose its own interest category as appropriate and in accordance with the U.S. TAGs established categories. The membership categories approved by the U.S. TAGs administered by ASA are Producer, User, Government, Trade Association, and General Interest.

The interest categories shall be established or revised by a vote of the U.S. TAG upon recommendation by the Secretariat.

The same member may have different interest categories in different U.S. TAGs.

In selecting its proposed interest category for membership in any one of these TAGs, the member should consider the following definitions:

**Producer.** A company or organization whose primary activity is the manufacture or sale of products or goods that are likely to be affected by the standards developed by the particular Committee or Subcommittee.

A consultant whose primary business involves representing Producers is considered to be in the Producer interest category.

**User.** A company or organization whose primary activity causes it to use or employ the products, goods or services that are affected by the standards developed by the particular Committee or Subcommittee. A User may also be an organization that represents the health and safety interests of the general public or of specific groups including workers.

A professional society made up of individuals whose scientific interest is centered in the field of knowledge affected by the standards developed by the particular Committee or Subcommittee that is primarily focused on the educational and professional development of those individuals may be considered a User.

A consultant whose primary business involves representing Users is considered to be in the User interest category.

**Government.** Any branch of the U.S. military or any Federal or State agency will be classified as Government.

A consultant whose primary business involves representing Government is considered to be in the Government interest category.

**Trade Association.** An association of companies in a given field that is established for the mutual benefit of the member companies.

**General Interest.** A General Interest organization or company is one that does not fit into the above categories. A company or organization (including a consultant) that **regularly** represents two or more interest categories may be classified as General Interest.

A professional society or trade association whose membership or focus is divided between two or more interest categories may be identified as a General Interest organization.

## **5.6 Membership Roster.**

The administrator shall maintain the list of U.S. TAG members and the organization they represent.

The roster shall include the following:

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

In addition, the member's name (or if membership is by organization, the name of the organization with a point of contact), affiliation<sup>3</sup> and interest category of each member of the TAG shall be made available to interested parties upon request.

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<sup>3</sup> "Affiliation" refers to the entity that the U.S. TAG member represents (which may or may not be that person's employer). If the TAG member is serving in an individual capacity, then the name of the individual, that person's employer (if employed), sponsor (if other than employer) and interest category should be available. Contact information is not required.

### **5.7 Membership Obligations.**

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

### **5.8 Review of Membership.**

The U.S. TAG administrator shall review the membership list annually with respect to the criteria of clause 5, Membership. Members are expected to participate actively by fulfilling voting, correspondence, and other obligations. Where a member is found in default of these obligations, the U.S. TAG administrator may direct the matter to the U.S. TAG for appropriate action, which may include termination of membership. Members are expected to participate in good faith and in accordance with professional standards, respectful of the rules of the TAG and the authority given to the Officers of the TAG and TAG Administrator. As appropriate, the TAG and TAG Administrator may refer to Robert's Rules of Order, Disciplinary Procedures, for guidance.

### **5.9 TAG Membership fees**

The ASA Committee on Standards is charged with determining fees for participation in the standards program and recommending such fees to the ASA Executive Council. Membership fees shall be billed annually and are payable by January 31 each year.

Membership in the Acoustical Society of America is not a requirement for membership in any of the TAGs administered by the Acoustical Society of America

### **5.10 Procedure for requesting waiver of fees**

The ASA Committee on Standards assesses organizational membership fees and administrative fees for appeals at a fraction of the actual cost of the services provided. Nevertheless, there may be times when a party has a legitimate need to participate and inability to pay.

In his/her sole discretion, the Chair of ASACOS may grant a one-time fee waiver or reduction of either membership or appeals fees to an applicant. Requests for waiver of fees should be mailed or emailed to the office of the Secretariat addressed to the Chair of ASA Committee on Standards (ASACOS).

A waiver request must include a reason demonstrating a financial hardship (such as temporary unemployment, etc.). If the request is for waiver of organizational membership fees, the letter must include the commitment to return to paying status within one year. The TAGs cannot make any provision for subsidizing students, retirees, consultants, etc. whose reason is not a temporary financial hardship.

## **6 Meetings and Quorum**

The TAGs administered by the ASA primarily conduct their business by correspondence. Annual administrative meetings are held in conjunction with a meeting of the ASA. Additional meetings of the U.S. TAG and meetings of the U.S. delegates to international meetings may be scheduled as needed to respond to international activities as determined by the TAG Chair, U.S. TAG administrator or by petition of a majority of the members.



For the US TAGs administered by the Acoustical Society of America, members having a vote on any specific action coming before the U.S. TAG shall mean those members of the TAG who respond to the preliminary announcement of the document and indicate an interest in participating in the voting process for that item. For the purposes of conducting U.S. TAG business a quorum shall mean a majority of those members of the TAG who respond to the announcement of the activity and elect to participate.

### **6.1 Open Meetings.**

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

## **7 Voting**

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

### **7.1 Vote.**

Each member\* (\* Note--Members having a vote on any specific TAG matter shall mean those members of the TAG who respond to the preliminary announcement of the document and indicate an interest in participating in the voting process) 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 or without reason

### **7.2 Vote of Alternate.**

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

### **7.3 Voting Period.**

The voting period for letter ballots shall be established to allow for timely response to international time limits. An extension may be granted at the option of the chairman or administrator when warranted (e.g., when the requirements for approval or disapproval specified by 7.5 or 7.6 are not achieved.)

#### **7.4 Authorization of Letter Ballots.**

A letter ballot may be authorized by:

1. Majority vote of those present at a U.S. TAG meeting
2. The chairman
3. The U.S. TAG administrator
4. Petition of five members of the U.S. TAG or a majority of the U.S. TAG, whichever is less

#### **7.5 Actions Requiring Approval by Majority.**

The following actions require a letter ballot or an equivalent formal recorded vote with approval by at least a majority of the U.S. TAG membership:

1. Approval of officers appointed by the administrator or nominated by members of the U.S. TAG
2. Formation of a subgroup, including its procedures, scope, and duties
3. Disbandment of a subgroup
4. Decision to approve or deny membership, where the Secretary recommends that such membership be denied or decision to ratify or overrule any action of the TAG Chair.
5. Approval of minutes
6. Other actions of the TAG not specified elsewhere

#### **7.6 Actions Requiring Approval by Two-Thirds of Those Voting.**

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

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

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

#### **7.7 Consideration of Views and Objections on Letter Ballots.**

The administrator of the U.S. TAG shall forward the views and objections received to the Chair of the U.S. TAG, or his 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.

Substantive changes required to resolve objections, and unresolved objections, shall be reported to the U.S. TAG members\* (\*NOTE--TAG members shall refer to those

members of the TAG who respond to the preliminary announcement of the document and have participated in the voting process.) to afford all members an opportunity within appropriate time limits to respond, to reaffirm, or to change their position.

### **7.8 Report of Final Result.**

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

### **7.9 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.

### **7.10 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 attempts toward resolution

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

A proposal to terminate a U.S. TAG may be made by directly and materially affected interests. The proposal shall be submitted to ANSI with three (3) months prior written notice 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 7.6. Information regarding the termination of a U.S. TAG shall be promptly provided to the secretariat of the associated ISO committee. In the event that the U.S. holds the secretariat for an ISO committee for which the U.S. TAG is considering termination, the organization serving as secretariat shall be informed promptly and shall submit their position regarding termination of the TAG to ANSI and to the TAG administrator.

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

## **9 Communications**

The primary form of TAG communications shall be via email. Correspondence of U.S. TAG officers and the administrator should clearly show in the title/subject that it concerns U.S. TAG matters. E-mail correspondence should indicate in the subject field that it is TAG business.

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

## **10 Appeals**

Directly and materially affected 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 administrator shall have the right to appeal. A procedural complaint may include whether a technical issue was afforded due process.

### **10.1 Complaint.**

The appellant shall file a written complaint with the U.S. TAG administrator within thirty days after the date of notification of action or at any time with respect to inaction. The complaint shall state the nature of the objection(s) including any adverse effects, the section(s) of these procedures or the specific actions or inactions that are at issue and the specific remedial action(s) that would satisfy the appellant's concerns. Previous efforts to resolve the objection(s) and the outcome of each shall be noted. An administrative fee of \$1,500.00 shall accompany the complaint.

### **10.2 Response.**

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

### **10.3 Hearing.**

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

### **10.4 Appeals Panel.**

The three members of the appeals panel shall be chosen by the appellant from a pool consisting primarily of past Chairs and Vice Chairs of the ASA Committee on Standards, past Chairs of each of the four S Committees, and past U.S. TAG Chairs. In every case the appellant will have seven (7) candidates to choose from. These seven candidates will be selected from the appeals panel pool by the Standards Director. No person may serve on an appeals panel if (s)he has been directly involved in the matter in dispute or will be materially or directly affected by the decision. The overall pool of potential candidates shall number at least ten (10). If there are insufficient willing candidates from the group above, then the Standards Director shall draw additional pool members from people who are familiar with the ASA Standards development process.

The Chair of the ASA Committee on Standards will provide information about the candidates to the appellant. The appellant shall choose a panel within ten (10) business days of being provided with information about the prospective panel members. The appellant shall notify the Chair of the ASA Committee on Standards immediately of any perceived conflicts of interest.

If the appellant fails to select a panel, the Chair of the ASA Committee on Standards shall appoint a panel and the appellant shall be deemed to have waived his/her right to participate in the selection process.

### **10.5 Conduct of the Hearing.**

At the discretion of the Chair of the ASA Committee on Standards, the hearing may be held by teleconference or at a face-to-face 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 that the requested remedial action would be ineffective or detrimental. Each party may adduce other pertinent arguments, and members of the appeals panel may address questions to individuals. Robert's Rules of Order (latest edition) shall apply to questions of parliamentary procedure not covered herein for the hearing.

### **10.6 Decision.**

The appeals panel shall render its decision in writing within thirty days, stating findings of fact and conclusions, with reasons therefor, based on a preponderance of the evidence. A copy of the decision shall be provided to the appellant.

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

### **10.7 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.

### **10.8 Informal Settlement.**

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

## **11 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.

## **12 Parliamentary Procedures**

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

ANNEX A:

## **EXPEDITED VOTING PROCESS**

### **Rationale:**

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

### **Process:**

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

- the voting members of the TAG;
- liaisons, resource experts, Ex-Officio participants, observers, U.S. convenors and appointed experts,
- such other experts or interested parties as the TAG Chair or TAG Administrator may determine.

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

The TAG Chair shall appoint a coordinator of comments for each review. Wherever possible the same individual will be asked to serve as coordinator at each stage of processing for a document. If the document is at any stage except FDIS, the coordinator shall receive the comments from participants and assemble them on the form provided by the ISO. All substantive, technical comments will be included except where there is conflict. The TAG Chair will resolve conflicts and objections in a manner consistent with section 7.7.

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

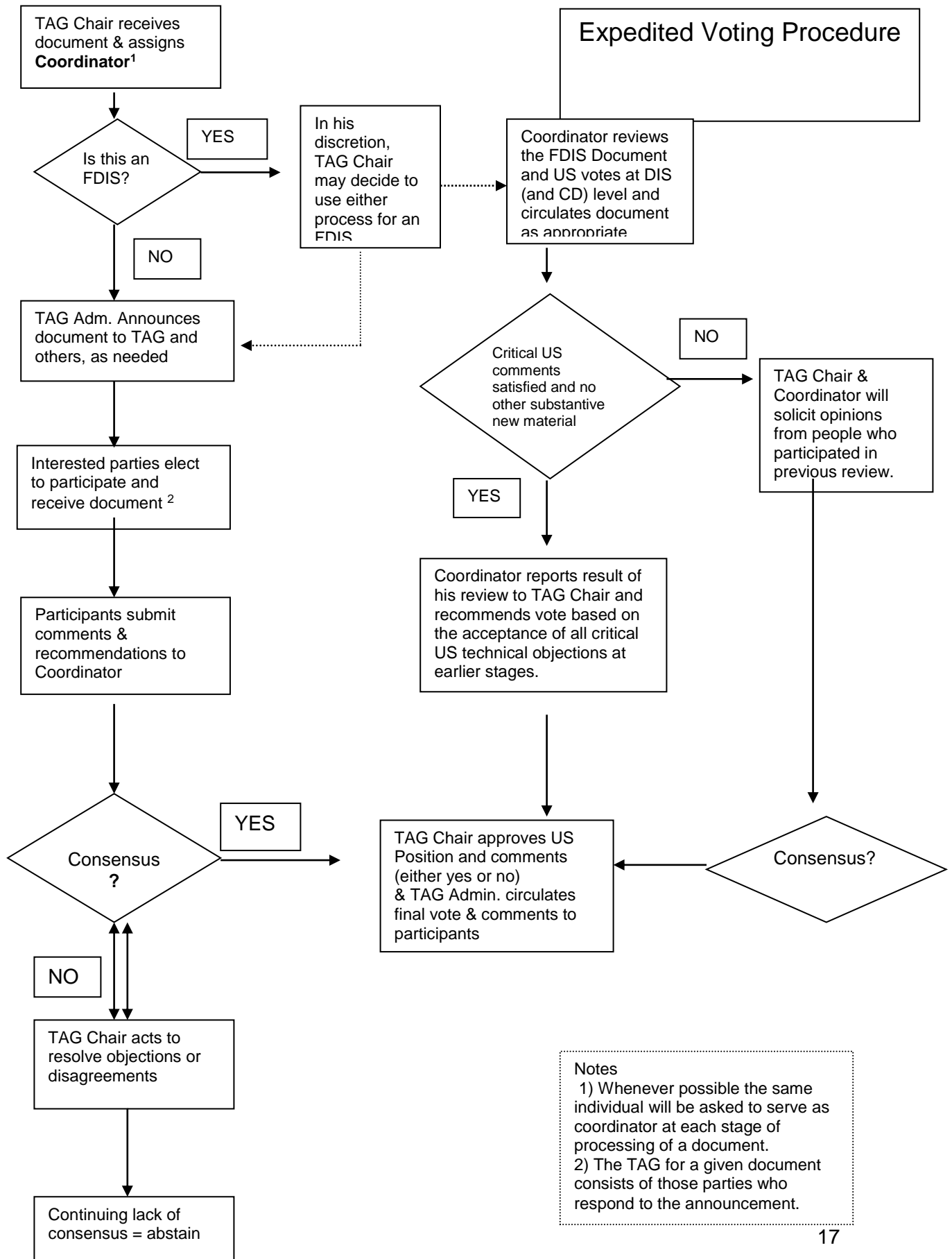
Based upon consideration of the comments received, the Coordinator and the TAG Chair shall recommend the US Position. Consensus may be deemed by the TAG Chair to exist where at least 2/3 of those responding agree on a position.

Where consensus cannot be achieved within the timeframe allowed by the ISO, the TAG Chair shall recommend that the vote be to abstain.

The following chart depicts the process for documents under consideration in any of the stages of the ISO process i.e. NP, CD, DIS, and FDIS.

There may be times when unusual documents, for example those that are generated by an unrelated ISO committee, may come to the attention of the TAG Chair. In these unusual cases, the TAG Chair shall exercise his best judgment and attempt to coordinate with the Chair of the relevant TAG.





ANNEX B:

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

Participation in international standards activities of interest to members of the American National Standards Institute (ANSI) requires membership in two international non-treaty standardization organizations, namely the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC). ANSI is the U.S. member body of ISO and the U.S. National Committee of the IEC, a committee of ANSI, is the U.S. member of the IEC. To assure that positions presented to these international bodies are representative of U.S. interests a mechanism must exist for the development and coordination of such positions. This Annex outlines ANSI's criteria for an appropriate mechanism to develop these positions. This Annex does not supersede an ISO TAG's accredited procedures.

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

### **B1 Applicability**

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

### **B2 International Requirements<sup>4</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 minimum, meet the criteria for the organization and operation of U.S. TAGs as provided for in the Operating Manual of the U.S. National Committee for the IEC.

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<sup>4</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.

## **B4 Criteria for Organization**

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

### **B4.1 Openness.**

Participation shall be open to all U.S. national interested parties who are directly and materially affected by the activity in question. There shall be no undue financial barriers to participation. Participation shall not be conditional upon membership in any organization, or unreasonably restricted on the basis of technical qualifications or other such requirements.

Timely and adequate notice of the formation of new activities related to international standards shall be provided to all known directly and materially affected interests. Notice should include a clear and meaningful description of the purpose of the proposed activity and shall identify a readily available source for further information.<sup>5</sup>

In addition, the member's name (or if membership is by organization, the name of the organization with a point of contact), affiliation<sup>6</sup> and interest category of each member of the TAG shall be made available to interested parties upon request.

### **B4.2 Balance.**

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

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

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

Producer

User

General interest

Where appropriate, more detailed subdivisions should be considered.<sup>7</sup>

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<sup>5</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>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, that person's employer (if employed), sponsor (if other than employer) and interest category should be available. Contact information is not required.

## **B5 Criteria for Operation**

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

### **B5.1 Written Procedures.**

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

### **B5.2 Listing in Standards Action.**

Appropriate<sup>8</sup> international standards activities shall be listed in Standards Action in order to provide an opportunity for public comment. The comment period shall be appropriate to the required timing for the action.

### **B5.3 Consideration of Views and Objections.**

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

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

### **B5.4 Records.**

Records shall be prepared and maintained to provide evidence of compliance with these criteria. Records concerning new, revised, or reaffirmed ISO Standards shall be retained for one complete standards cycle, or until the standard is revised. Records concerning withdrawn standards shall be retained for at least five years from the date of withdrawal.

### **B5.5 Appeals.**

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

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

## **B6 Guidelines for Determining a U.S. Voting Position**

The development of a U.S. position with regard to voting on international documents is a matter of great complexity. Firm rules for casting affirmative votes, negative votes, or abstentions would be presumptuous and unworkable in many cases. However, efforts

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<sup>7</sup> Further subdivisions that may be used to categorize directly and materially affected persons consist of, but are not limited to, the following: Consumer; Directly affected public; Distributor and retailer; Industrial/Commercial; Insurance; Labor; Manufacturer; Professional society; Regulatory agency; Testing Laboratory; Trade association.

<sup>8</sup> Examples of appropriate activities are in the ANSI Procedures for U.S. Participation in the International Standards Activities of the ISO.

should be made to achieve consistency in the perceived conduct of the United States as a participant in international, non-treaty standards development. Toward that end, guidelines for determining a voting position are included herein in order to provide direction toward a consistent voting policy. These guidelines cannot cover all of the factors that must be considered in determining the U.S. vote. They do, however, represent generally accepted principles that should be applied to normal situations.

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

1. If the national standard can be considered equivalent<sup>9</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 B7.2) vote affirmative, or
  - b. Must be maintained, vote negative, or
  - c. Must be maintained, but the proposed document is considered to represent the best agreement which can be attained at the present time from an international point of view, vote abstain with a statement that the U.S. cannot modify its national standard for stated reasons

**B6.2 If no national standard exists and**

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

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<sup>9</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.

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

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

**B6.5 Exceptions.**

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

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

**B7.1 Introduction.**

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

**B7.2 Consensus.**

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

**B7.3 U.S. Proposals of Documents as the Basis for the Initiation of International Standards.**

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

**B7.4 U.S. Proposals to Fast Track a National Standard.**

The U.S. may submit a nationally accepted standard using the fast-track procedure approved by the ISO and IEC if the following criteria are met:

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

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

## **B8 Criteria for Appeals**

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

### **B8.1 Right to Appeal.**

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

### **B8.2 Appeals Mechanism.**

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

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

### **B8.3 Access.**

Appeals shall be 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.