

# **EIA ENGINEERING PUBLICATION**

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## **Manual of Standards & Technology Organization and Procedure**

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### **EP-20-B-1**

(Revision of EP-20-A)

Ongoing

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**ELECTRONIC COMPONENTS ASSOCIATION**  
Standards & Technology Department



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Developed by the Standards & Technology Policy Council – STPC  
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## Electronic Industries Alliance

### MANUAL OF STANDARDS & TECHNOLOGY OPERATIONS AND PROCEDURE

#### 1 Introduction & Scope

The Electronic Components Association (ECA) is a nonprofit industry organization representing manufacturers of electronic component products and providers of services to manufacturers and consumers. Its purpose is to promote the legitimate and lawful interests of its members and the industry-at-large.

In promoting these interests, ECA engages in numerous activities. A major function of ECA is the development and maintenance of voluntary industry standards and related documents, formulation of positions for presentation on behalf of the United States in international standards fora, and preparation of technical information and reports for use by industry and government.

These activities are carried out by the members of EIA standards formulating groups operating under the oversight of the Standards & Technology Policy Council (STPC) established by the Electronic Components Association (ECA) which was designated by the EIA to administer these programs. The EIA Standards & Technology Department resides within ECA, administers and supports the activities of the STPC, is responsible for EIA standardization activities and provides other appropriate technical and engineering services.

This manual describes the manner in which EIA standards activities are organized and the manner in which these activities are conducted. A further purpose of this manual is to provide policy, rules, and procedures for the formulation and conduct of engineering committees, subcommittees, and working groups. It specifies how such entities are formed or disbanded; how leadership is chosen and maintained; membership requirements; program of work development and implementation; conduct of meetings; administrative processing of contributions, drafts, and correspondence; relations with other Standards Development Organizations (SDOs); and officer responsibilities. These activities are conducted under strict policies designed to promote and stimulate our free enterprise system and to ensure that laws for maintaining and preserving the system are vigorously followed.

All annexes to this document are non-normative; i.e., they are for information only.

All activities shall be conducted in accordance with appropriate legal guidance and the provisions of EP-20-B as appropriate.

#### 2 Definitions

ANSI – American National Standards Institute, the national accreditation body. ([www.ansi.org](http://www.ansi.org))

BSR – The Board of Standards Review is the ANSI body responsible for the approval of American National Standards (with the exception of those proposed American National Standards submitted by ANSI Audited Designators).

Bulletin—A document that, although not a standard, is of informative value to industry and users. Use of a bulletin is not required to comply with the normative elements of a standard.

NOTE--Throughout this manual, the term "bulletin" refers generically to documents that may be titled as either "Guideline," "Recommended Practice," "Bulletin." Instructive terms, such as "shall," "must," or "will," are not permitted in bulletins.

ECA – the Electronic Components Association (ECA) represents the electronics industry sector comprised of manufacturers and producers of passive and active electronic components, component assemblies, and commercial and industrial electronic materials and supplies.

Errata—A list of technical error(s) in a published standard or bulletin, discovered after publication, and shown with its (their) correction(s).

Formulating Group—A EIA Standards & Technology committee or subcommittee with responsibility for formulation and adoption of standards or specifications.

NOTE— EIA Standards & Technology committees and subcommittees are consensus bodies, as defined in the ANSI Essential Requirements. Specifically, "Consensus body: The group that approves the content of a standard, and whose vote demonstrates evidence of consensus."

Guideline—A type of bulletin that is informative and provides information concerning the technical processes or ancillary regulatory requirements that are the subject of a standard.

NOTE--Compliance with a guideline shall not be required to achieve compliance with a standard.

IEC – International Electrotechnical Commission ([www.iec.ch](http://www.iec.ch))

ISO – International Organization for Standardization ([www.iso.ch](http://www.iso.ch))

Meeting—Includes face-to-face meetings, audio-, video-, or web teleconferences.

NOTE--In instances where requirements differ based on the type of meeting, those differences are specified.

Member (ECA)—An eligible company that has paid current membership dues.

Member (Formulating Group)—A company, government agency, liaison or other representative that has requested membership in a EIA Standards & Technology committee or subcommittee, complied with the appropriate eligibility criteria in section 5, and received confirmation of appointment. A member (formulating group) may participate on a voting or non-voting basis.

Publication --- A document that provides general engineering information on products, procedures, or services within the scope of the EIA Standards & Technology Department, a formulating group, or other EIA sector, group, or division that are not necessarily appropriate for standardization. This information may concern materials, parts, accessories, installation, maintenance or test procedures, application, reliability, quality assurance, etc. The document also may provide background information concerning the technical processes or ancillary regulatory requirements that are the subject of a standard.

Recommended Practice—A type of bulletin that provides information related to a process or procedure that, in some circumstances, may assist the user of a standard in achieving compliance.

NOTE--Compliance with a recommended practice shall not be required to achieve compliance with a standard.

**Representative**—An individual, designated by a member of a formulating group or sub element, to participate in that formulating group or sub element, on that member's behalf.

**Relevant Patent**—A patent that is or may be required for compliance with the normative elements of a standard.

**Standard**--A document that establishes engineering and technical requirements for processes, procedures, practices and methods that have been decreed by authority or adopted by consensus. Standards may also be established for selection, application and design criteria for material.

NOTE--Throughout this manual, the term "standard" refers generically to documents that may be titled as either "Standard" or "Specification."

**Standards Proposal**—A document that is submitted for ANSI public review prior to approval as an American National Standard.

**Specification**--A type of standard prepared specifically to facilitate procurement that clearly and accurately describes the essential technical requirements for purchased material. Procedures necessary to determine that the requirements for the purchased material covered by the specification have been met shall also be referenced or included.

### **3 References**

#### **3.1 Normative Reference List**

These procedures contain provisions that, through reference in the text, constitute normative references of these procedures. At the time of publication, the editions indicated were valid. All standards are subject to revision, and parties to agreements based on these procedures are encouraged to investigate the possibility of applying the most recent editions of the standards listed in 3.1.

ANSI:

Essential Requirements, January, 2007

EIA

- EP-20-B, Manual of Standards and Technology Organization and Procedure, October 2007
- EIA Legal Guides
- Robert's Rules of Order

#### **3.2 Normative Reference Acquisition**

ANSI:

- American National Standards Institute, New York, NY Internet: <http://www.ansi.org/>

ECA:

- Electronic Components Association, 2500 Wilson Blvd., Suite 310, Arlington, VA 22201-3834, Phone 703-907-8023; Fax 703-875-8908; Internet: <http://www.ecaus.org>. For more information, email [engineering@ecaus.org](mailto:engineering@ecaus.org).

Robert's Rules of Order:

- <http://www.constitution.org/rror/rror--00.htm>

## **4 Organization**

EIA Standards & Technology is organized to conduct standardization and to provide other appropriate technical and engineering services within the scope of ECA's by-laws or subject to policies established by the ECA Board of Directors. All activities shall be conducted within the legal guidelines published in EIA's *Legal Guides*.

EIA delegates the authority to organize and administer its standards activities to ECA. ECA delegates this to the Standards & Technology Policy Council (STPC) Chair. The Chair is elected by the STPC and confirmed by the ECA Board of Directors, and is responsible for the conduct of the activities assigned to the department. The Chair, with the advice of the STPC, may establish such department committees as required to conduct the engineering activities of the Department. The Chair also, with the advice of the STPC, may delegate such authority and responsibility to establish other engineering committees to councils or panels as necessary to conduct other standards activities.

### **4.1 EIA Standards & Technology Department Organization**

The EIA Standards & Technology Department is headed by a Vice President who is responsible for carrying out the activities of the department.

### **4.2 EIA Standards & Technology Committee Organization Elements**

**Annex A**, EIA Standards & Technology Committee Organization, is an illustrative organization chart reflecting the relationship of various elements within the EIA Standards & Technology Committee organization.

#### **4.2.1 Standards & Technology Policy Council (STPC)**

The Standards & Technology Policy Council should consist of technical personnel and is responsible for EIA standardization programs, providing input to EIA on technology issues, and advising on standards policy matters. The STPC is responsible for approving creation of new EIA Standards & Technology committees and their scopes, maintenance and revision of EP-20, as well as appointment of committee Chairs. The STPC is also responsible for disbanding committees. See 4.2.3.3.

#### **4.2.2 STPC Executive Committee**

The STPC Executive Committee (STPC Excom) is an executive group of the STPC. The STPC Executive Committee is authorized to act on behalf of the STPC between STPC meetings. A request by a single STPC Executive Committee member is sufficient to refer an issue to STPC for consideration.

#### **4.2.3 Formulating Group**

A formulating group is an EIA Standards & Technology committee or subcommittee with responsibility for formulation of standards or specifications.

##### **4.2.3.1 Standards & Technology Committee**

The primary responsibility of a committee is to develop voluntary industry standards. Standards & Technology committees have no fixed term of existence and are intended to continue to exist until there is no need. A Standards & Technology committee may establish subcommittees, working groups, or task groups, and, when doing so, shall approve an associated scope. The establishment of a subcommittee, working group or task group and definition of a scope shall be approved by a majority vote. Working groups can form task groups per provisions of 4.2.5. The STPC, or the STPC Executive Committee, may disband a committee, and reassign that committee's program of work to another formulating group, when the Standards & Technology committee is no longer required. See 4.2.3.3.

#### **4.2.3.2 Standards & Technology Subcommittee**

Technology & Standards subcommittees normally are formed when it is desirable to divide responsibility for the subject matter falling within the scope of a Standards & Technology committee. Subcommittees, like their parent committees, have no fixed term of existence and are intended to continue to exist until there is no need. A Standards & Technology subcommittee may establish working groups or task groups, and, when doing so, shall approve an associated scope. The establishment of a working group or task group and definition of a scope shall be approved by a majority vote. The Chair of the parent Standards & Technology committee may disband the subcommittee when the subcommittee is no longer required. At that time, the subcommittee's program of work shall be reassessed, and responsibility for each project reassigned to another formulating group. See 4.2.3.3.

#### **4.2.3.3 Disbanding a Formulating Group**

Prior to the dissolution of a formulating group, responsibility for the maintenance of existing standards shall be reassigned to, and accepted by, another formulating group, or those standards shall be withdrawn or archived. Similarly, responsibility for other projects in the formulating group work program shall be reassigned to, and accepted by, another formulating group, or those projects shall be withdrawn.

NOTE--In the case of joint committees (see section 4.2.6) and their subordinate units, procedures for reassignment shall be established in accordance with the Memorandum of Understanding.

#### **4.2.4 Working Group**

Working groups are established by an EIA Standards & Technology formulating group for specific purposes. When a working group is established, the parent body shall also approve a scope for the effort, such as (but not limited to) developing a draft of a specific standard or specification. See 7.4.1. The Chair of the parent body should disband the working group when its function is no longer required. The Chair of the working group is appointed by the Chair of the parent body. Working Groups may meet informally.

#### **4.2.5 Task Group**

Task groups are ad hoc bodies that are formed by an EIA Standards & Technology committee, subcommittee, or working group to address a specific problem as part of the larger body. Task groups meet informally and do not have a standard-formulating mission. They are dissolved by the Chair of the parent body when the purpose for which they were formed has been completed. Appointment of a task group Chair (where appropriate) and dissolution of the task group are functions of the Chair of the parent body.

Note: Working groups form task groups by consensus, not by majority vote.

#### **4.2.6 Joint Committees**

In some instances, EIA Standards & Technology formulating groups may engage in joint standardization efforts with other organizations. Agreements shall be set out in a Memorandum of Understanding (MOU).

If the other organization is also a standards developing organization, then a determination shall be made upon initiation of the effort concerning which organization's standardization procedures shall govern, which organization shall be responsible for maintaining committee membership information, and which organization shall provide other secretariat services for the effort. As an alternative, EIA and the other organization may agree to rotate responsibility in these areas.

If the other organization is not a standards developing organization, then the standardization activity shall be conducted in accordance with the procedures contained in this manual.

NOTE--For purposes of fee assessment, if any (see 5.4), for joint committees or subcommittees, companies or individuals holding membership in either organization shall be considered members.

#### **4.3 Appointment of Chairs and Vice Chairs**

The Chair of a Standards & Technology committee is appointed by the STPC Chair and the EIA Standards & Technology Vice President. Subcommittee Chairs shall be appointed by the Chair of the parent body and EIA Standards & Technology Vice President. The Chair, in conjunction with EIA Standards & Technology staff, may appoint a Vice Chair, other officers or the Chair of a subordinate group. All appointments may be ratified by the formulating group.

Candidates for these appointments should be selected from among formulating group members with voting status. Candidates should demonstrate a high level of activity consistent with the formulating group scope. In limited cases, the STPC, in consultation with the EIA Standards & Technology Vice President, may elect to consider other candidates for committee appointments, and the Chair of the parent body and staff may elect to do so for subcommittee appointments. No consultant, paid by ECA for this purpose, shall chair an EIA Standards & Technology committee, subcommittee, or working group (unless such chair is approved, on a case-by-case basis, by the STPC).

Appointment as Chair or Vice Chair attaches to a specific individual rather than a company. There are no limits on the length of time an individual can serve as formulating group Chair; however, each appointment as Chair is subject to annual reaffirmation. If the Chair is unable to continue to perform this role, the Vice Chair shall assume responsibilities until a new chair is appointed.

#### **4.4 Responsibilities of a Chair**

The Chair of a Standards & Technology formulating group is responsible for the conduct of formulating group activities in accordance with the procedures prescribed in EP-20-B and the EIA Legal Guides, and consistent with the formulating group scope. Additionally, each Chair is responsible for overseeing subcommittees and working groups operating under that formulating group's auspices. Chairs of key committees are also appointed to the STPC Executive Committee, see 5.3.2. Chairs of all formulating groups are appointed to the STPC, see 5.3.1.

Chairs of Standards & Technology formulating groups and staff are encouraged to obtain representation of affected interest categories in formulating groups under their jurisdiction and to avoid domination by any one group. For information on interest categories, see section 5.1.

### **5 Membership Eligibility Criteria**

Membership in formulating groups is open to companies or organizations with a direct and material interest in a matter within the respective jurisdiction of the formulating groups. Membership in ECA is not a requirement for participation. Government representatives may also participate as described in 5.2.2, and liaison representatives may participate as described in 5.2.3.

Participating individuals should be technical personnel. Under some circumstances, eligibility for membership may be limited by circumstances beyond EIA control, such as government regulations, etc. Any questions concerning eligibility shall be referred to EIA Standards & Technology and Legal staff.

Any company or organization desiring to participate on a formulating group shall notify EIA Standards & Technology staff in writing. EIA Standards & Technology staff shall then inform the party of the fees involved, if any, and the procedure to follow for participation. The requirements to maintain voting rights shall also be provided.

While membership in Standards & Technology committees, subcommittees, working groups is open to those with a legitimate technical interest, members of the working press (including electronic media) shall not be permitted membership in those bodies, nor shall members of the working press be permitted to attend the meetings of those bodies.

## **5.1 Interest Categories**

For a formulating group to work effectively, all interest categories should be represented, and no interest category shall be intentionally excluded. Because standards development depends on consensus rather than the will of a majority, participation in the consensus-building process is of far greater significance than the final act of voting in a formulating group.

Unless it is claimed by a directly and materially affected interest that a single interest category dominated the standards development process, no test for dominance is required.

Interest categories are defined relative to each standards activity: producer; user; and general interest. See ANSI Essential Requirements for further information.

### **5.1.1 Producer**

Producers are formulating group members that supply electronic products, equipment or services covered by the standard.

### **5.1.2 User**

Users are members that utilize electronic products, equipment or services covered by the standard to provide services to an end user.

### **5.1.3 General Interest**

General Interest members are neither producers nor users. This category includes, but is not limited to, regulatory agencies (state and federal), researchers, other organizations and associations, end users and consumers.

## **5.2 Member Organizational Types**

Formulating group member organizations may be companies, government agencies or trade associations, professional societies, technical or educational institutions, and consumer interests.

### **5.2.1 Companies**

Membership in EIA Standards & Technology formulating groups is vested in companies or organizations regardless of ECA membership. Companies who are not members of ECA may be charged a non-member participation fee per individual per formulating group per year. A company is placed on the formulating group list upon written request by an individual representing that company, and enjoys full membership privileges after the company has been a member for one month and voting eligibility shall be attained according to the provisions of 6.1, 6.2 and 6.3. EIA Standards & Technology staff shall maintain each formulating group list and shall publish attendance information and voting status with the minutes of each formulating group meeting.

Companies who have met eligibility and fee requirements shall designate appropriate participating representatives (as shown on the formulating group list) to receive formulating group information. Representatives who attend a formulating group meeting are considered to be acting for their respective companies (organizations) in developing an industry position on issues before such formulating groups. Any company or organization is limited to one vote on any single formulating group.

### **5.2.2 Government Entities**

EIA desires and encourages the active participation in its standards-developing activities of all parties having a direct and material interest in its standards, including U.S. (or other) federal, state, and local government entities when they have such a direct and material interest.

Contribution to the standards development process may take the form of liaison with appropriate formulating groups, participation in the ANSI public review process, and active participation in formulating groups.

Agencies at all levels of federal, state, and local government are encouraged to observe standards development activities when they have a direct and material interest in the standards work and are willing and able to commit to full and consistent participation. When a government entity chooses to participate in a formulating group as an observer, entitling those representatives to all formulating group-related correspondence, all fees are waived. The level of active participation by such government representatives shall be reviewed periodically, and the representatives may be removed for non-participation.

When a government entity or independent agency requests voting status on a formulating group in writing, such status will be granted, subject to the provisions of 6.3 for maintaining voting eligibility, and fees may be waived with the prior approval of the EIA Standards & Technology Vice President. The number of such memberships shall be limited to not more than 10% of the total voting membership on any formulating group.

### **5.2.3 Liaison Organizations**

Formulating group Chairs may appoint liaison representatives from other trade associations, professional societies or technical institutions, such as universities and independent research centers, when appropriate. Liaison arrangements are usually made on a reciprocal basis. A liaison representative has full privileges of participation in formulating group activities and may be designated as an observer or voting member at the discretion of the EIA Standards & Technology Vice President. Non-ECA member participation fees may be waived when a reciprocal arrangement exists.

### **5.2.4 Consultants**

Consultants who participate in a EIA Standards & Technology formulating, working or task group, shall, on joining, declare an affiliation from among the following options:

- a) single-member affiliated; OR
- b) independent.

#### **5.2.4.1 Single-Member Affiliated Consultants**

Those consultants who represent a single company or organization for purposes of all of the consultant's work related to a single formulating group are designated as single-member affiliated consultants.

For all of the work under the auspices of a single formulating group, a single-member affiliated consultant shall reaffirm that affiliation at each meeting. In addition, a single-member affiliated consultant shall notify EIA Standards & Technology staff when such affiliation changes.

Single-member affiliated consultants shall count among the total individual representatives of that member assigned to a specific formulating group. This shall include payment of fees as provided in 5.4, and voting. In addition, single-member affiliated consultants shall sign-in and announce their company or organization affiliation during meetings.

Should the affiliation of a single-member affiliated consultant change, EIA Standards & Technology staff shall re-evaluate the voting rights of the consultant, and affected members, and notify affected formulating group members, as well as the Chair, of any changes in voting status.

#### **5.2.4.2 Independent Consultants**

Those consultants who represent multiple companies or organizations, or on occasion, themselves, for purposes of their work related to any formulating or working group are designated as independent consultants.

Independent consultants shall pay fees as provided in 5.4. In instances where EIA Standards & Technology elects to waive the participation fee, the independent consultant shall not be eligible to gain voting rights in a formulating group.

### **5.3 EIA Standards & Technology Committee Structure Elements**

The EIA Standards & Technology committee structure consists of a number of different types of organizational units. Unique membership eligibility criteria for specific units follow.

#### **5.3.1 Standards and Technology Policy Council**

The Standards & Technology Policy Council (STPC) consists of the STPC Chair and STPC Vice Chair, and Chairs of the EIA Standards & Technology committees and subcommittees, as well as the EIA member Chairs of joint committees and subcommittees. Chairs of EIA Standards & Technology committees and subcommittees and EIA member Chairs of joint committees and subcommittees shall represent the committee or subcommittee interests on the STPC. At Large members shall represent the interests of the electronic products, equipment or service industry.

The STPC chair and vice chair positions are elected by the STPC, confirmed by the ECA Board of Directors, and shall hold office for two years and thereafter until his or her successor has been elected or appointed and qualified.

In addition, on a case-by-case basis, the STPC Chair, in conjunction with the EIA Standards & Technology Vice President, may appoint up to 2 at-large STPC members, particularly those who offer a broader, more policy oriented view, and are willing to participate actively in STPC activities.

Quorum requirements (see 7.2.3) shall apply to STPC activities. Voting eligibility requirements (see 6) shall not apply to STPC activities.

At-large appointees shall be full-time employees of a single ECA member company. To encourage rotation among ECA members with an interest in STPC at-large membership, at-large members shall be appointed for a term of two years and thereafter until his or her successor has been elected or appointed and qualified. At-large appointees may petition the STPC Chair and the EIA Standards & Technology Vice President, for appointment to subsequent terms. At-large STPC members may select another individual from their respective company to attend STPC meetings in their stead.

NOTE--Situations where a single ECA member has two at-large STPC representatives should be avoided. When a single ECA member company has two at-large STPC representatives, the one company/one vote policy shall apply.

At their discretion, the STPC Chair and the EIA Standards & Technology Vice President may appoint an ex officio (non-voting) individual from the ECA Board of Directors or its Executive Committee to ensure appropriate liaison.

Joint or standing committee/subcommittee Chairs, who also represent ECA members, may refuse service on STPC. At the discretion of the STPC Chair and the EIA Standards & Technology Vice President, an alternate may be appointed to STPC, or an alternate may be selected from the voting formulating group membership to serve as that formulating group's STPC representative, or to attend an STPC meeting.

NOTE—If two individuals represent the same committee or subcommittee, the committee or subcommittee receives one vote, cast at the discretion of the individuals involved.

When necessary, at a formulating group Chair's discretion, the committee Vice Chair or another designated representative may substitute for the formulating group Chair, representing formulating group interests for STPC purposes.

For purposes of determining quorum, each committee and each subcommittee is counted as a single member, and may cast one vote. In addition, each at-large member is counted as a single member, and may cast one vote. In the case of members representing a formulating group, the Chair, or the Vice Chair (or other authorized representative) at the formulating group Chair's discretion, may cast the vote. In cases where a formulating group is represented by Co-Chairs, the formulating group receives one vote, cast at the Co-Chairs' discretion, reflecting formulating group interests.

### **5.3.2 STPC Executive Committee**

The STPC Executive Committee shall consist of:

- (a) the STPC Chair and STPC Vice Chair;
- (b) the chairs of the following EIA Standards & Technology committees:
  1. S-1 Passive Component Committees Steering Group
  2. CE-2.0 National Connector and Sockets Standards
  3. Automated Component Handling
  4. Soldering Technology, and;
- (c) up to two additional members selected from Chairs of other EIA Standards and Technology committees.
- (d) up to two at-large STPC members.

STPC Executive Committee at-large members shall be appointed by the STPC Chair in conjunction with the EIA Standards & Technology Vice President for a specified term. All STPC Executive Committee members shall be STPC members. Quorum requirements (see 7.2.3) apply to STPC Executive Committee activities. Those STPC Executive Committee members who chair a standing committee should represent the views of that committee. Those STPC Executive Committee members who serve on an at-large basis should represent the views of the industry.

When necessary, at a committee Chair's discretion, the committee Vice Chair or another designated representative may substitute for the committee Chair, representing committee interests for STPC Executive Committee purposes.

For purposes of determining quorum and voting, each standing committee is counted as a single member, and may cast one vote. In addition, each at-large member is counted as a single member, and may cast one vote. In the case of members representing a standing committee, the Chair, or the Vice Chair (or other authorized representative) at the committee Chair's discretion, may cast the vote. In cases where a committee is represented by Co-Chairs, the committee receives one vote, cast at the Co-Chairs' discretion, reflecting committee interests.

### **5.3.3 Standards & Technology Committees and Subcommittees**

Standards & Technology committees and subcommittees are made up of members of the industry and other interested parties. See 4.4.

#### **5.4 Fees**

ECA member companies may designate a maximum of three representatives per formulating group per year without charge. ECA members may designate additional representatives upon payment of a fee per representative per formulating group per year.

Those companies who are not members of ECA may designate representatives upon payment of a fee per representative per formulating group per year. Much of ECA's costs of supporting standards activities in its EIA Standards & Technology committees requires support in the form of meeting/teleconference costs and staff support services. To equalize the cost burden between ECA member companies (who help defray these costs through their ECA membership dues) and non-member companies/organizations, and to make the process more self-sustaining, a non-member participation fee is assessed to companies that are not members of ECA.

The EIA Standards & Technology Vice President may, on a case-by-case basis, waive this fee (or may hold payment of all fees in abeyance). This fee is typically waived on a reciprocal basis. Where EIA receives reciprocal participation, for example, in another standards developing organization's (SDO's) efforts, the other organization's representatives may participate in EIA standards activities, on the same basis as ECA members, without additional fee, and with eligibility to gain voting rights.

When the EIA Standards & Technology Vice President elects to waive a participation fee, and reciprocity is not available, the prospective member may or may not be eligible to gain voting rights. ECA shall specify the conditions of participation when the fee waiver is granted, and shall review the arrangement on, at minimum, an annual basis thereafter.

### **6 Consensus Development**

Standards and bulletins shall be produced by consensus, i.e. work shall continue until substantial agreement is reached by the formulating group members. Although unanimity is desirable, it is not required to produce a work product. Consensus is achieved through a process of discussion, correspondence, draft contributions, and revision, all leading to the final result.

#### **6.1 Voting**

Any employee or representative of a formulating group member may be designated by their organization to exercise formulating group membership privileges, including voting, on behalf of that organization. Only one such representative may vote, per the requirements of 5.2.1. It is the organization's responsibility to coordinate its vote. A majority of eligible members with voting rights shall determine the outcome of all votes, except where otherwise noted in EP-20-B. For example, a two-thirds majority is required to adopt a standard or bulletin.

#### **6.2 Obtaining Voting Status**

To obtain voting status on a formulating group, a member shall:

- (a) be a member of the formulating group for the one month period preceding the vote at a meeting or for a one month period preceding the date the letter ballot is issued, AND
- (b) have been represented by a person or persons with authority to vote for the member at:
  - i. a minimum of two of the three immediately preceding meetings of the formulating group, or
  - ii. all of the meetings of the formulating group held during the one hundred twenty day period preceding the vote.

This rule does not apply to voting in the first two meetings of a newly created formulating group. All members of the new formulating group shall have voting rights at the first two meetings. At the third meeting, companies that were not represented at either of the first two formulating group meetings shall lose their voting rights. Thereafter, normal rules for obtaining voting rights apply.

### **6.3 Maintenance of Voting Status**

Maintenance of voting status depends upon the formulating group member's active participation in the work program.

The criterion for removal of a formulating group member from voting status is the member's absence from two consecutive meetings. Attendance shall be determined by the attendance roster for each meeting, as reflected in the approved minutes of that meeting. A copy of the formulating group list with present attendance information and voting status shall be reflected in the minutes of each meeting of the group.

Participation by teleconference is considered valid attendance at the meeting when the teleconference process is originated by the formulating group.

When a member holding voting status in a formulating group has gone unrepresented for two consecutive meetings, voting privileges are automatically revoked.

On a case-by-case basis, the Chair and EIA Standards & Technology staff may excuse failure to attend, for cause, and as requested prior to the meeting. The minutes staff shall so note if an absence is excused.

Reinstatement of voting privileges requires a resumption of active participation in the formulating group's work by the member, and occurs after attendance at two consecutive meetings (or all meetings held within 120 days of a vote). Voting rights are reinstated at the beginning of the third consecutive meeting attended. The distributed minutes shall serve as notification to the member of their voting status.

Formulating group Chairs, with the assistance of EIA Standards & Technology staff, shall enforce the rules governing maintenance of voting status.

### **6.4 Multiple Votes**

No individual may vote or cast a ballot on behalf of more than one formulating group member. No proxy or absent ballots shall be allowed. Independent consultants are subject to the provisions of 5.2.4. Members who are unable to participate in formulating group meetings may provide non-binding comments in advance of the meeting. Such comments shall not be counted as attendance at a meeting.

## **7 Operations**

### **7.1 General**

The standardization program of the EIA Standards & Technology Department is conducted through its formulating groups with the assistance of EIA Standards & Technology staff. Efforts shall be made to encourage member participation, conduct the work of these groups in an efficient fashion, and maintain due process as defined in ANSI Essential Requirements.

It is the responsibility of the formulating group Chair and staff to maximize productivity during each meeting. This includes following the agenda, and keeping discussion on point.

When any formulating group, working group, or task group has become inactive, the group's continued existence shall be reviewed by the parent body.

The business of formulating groups shall be conducted via electronic means to the extent practical. In most cases, this means distributing correspondence and other relevant information via e-mail. When standards related information is distributed via e-mail:

- a) a single identifiable master copy of an electronic document shall be maintained, either by EIA Standards & Technology staff or a designated document custodian;
- b) EIA Standards & Technology staff shall maintain adequate records and audit trails of specified distributions; and,
- c) while all standards-related material may be disseminated electronically, provisions should be made to provide hard copies to those prospective reviewers who do not have access to the necessary electronic technology.

## **7.2 Meetings**

EIA recognizes the resources, both time and financial, associated with participation in standards development efforts. To ensure continued progress, while minimizing costs, efforts should be made to conduct the majority of standardization activities via e-mail or teleconference to the extent practical.

NOTE—It is preferred that working and task group meetings be scheduled as teleconferences. In those circumstances where a working or task group believes that a face-to-face meeting is the more productive means of conducting business, based on the nature of the agenda items, the working or task group Chair shall seek prior approval for a face-to-face meeting from the EIA Standards & Technology staff assigned to that group.

When face-to-face meetings are scheduled, formulating, working and task groups and Chairs should consider location convenience, travel and other meeting costs, as well as appropriateness of facilities, when recommending meeting locations. Every effort should be made to secure a member as a meeting host. Potential face-to-face meeting locations, and associated requirements, include:

- EIA conference rooms: EIA conference rooms are available on a space available basis, and EIA Standards & Technology staff shall ensure that appropriate arrangements are made.
- Company facilities: Companies hosting such meetings may underwrite reasonable costs associated with the meeting. Gifts and other promotional items of value should not be given to attendees. Requirements for security clearances for attendees should be minimized or avoided.
- Hotels or other commercial properties: When it is necessary to schedule a meeting that involves costs to ECA, only ECA staff shall contract with a hotel for meeting room space and related services.

### **7.2.1 Notices**

Every effort should be made to provide notice of a formulating group meeting to formulating group members sufficiently in advance to allow maximum member participation. This meeting notice shall include the phone and e-mail contacts of responsible EIA Standards & Technology staff. A response mechanism directed to EIA Standards & Technology staff, shall also be included. A meeting notice should also be posted to ECA's web site, and should include a preliminary agenda.

In the case of face-to-face formulating group meetings, EIA Standards & Technology staff should issue meeting notices at least four weeks prior to the meeting date. The phone number and physical address of the meeting location shall also be included.

In the case of audio- or video- teleconferences, or virtual meetings, EIA Standards & Technology staff should issue meeting notices at least one week prior to the meeting date.

### **7.2.2 Agendas**

The formulating group or subsidiary unit Chair (or designee) is responsible for generating the agenda and providing it to EIA Standards & Technology staff in sufficient time for advance distribution. The formulating group or sub element should draft a tentative agenda for the following meeting during the current meeting. The agenda shall include, at a minimum, the following elements:

- a) Time and place of the meeting or teleconference;
- b) For formulating groups, determination of whether or not a quorum is present;
- c) Review of any action items from the previous meeting;
- d) Any proposed voting items identified at the time the agenda is issued;

NOTE--Whether or not voting items are listed on the proposed agenda, a formulating group may vote, provided: 1) a quorum is present; 2) the action that is the subject of the vote falls within the formulating group's scope and authority; 3) the action is in compliance with EIA Legal Guides. and 4) it is not a vote on a standard, bulletin or publication. For votes on standards, bulletins or publications, the provisions of 8.5.1 apply.

- d) Significant items to be discussed;
- e) Determination of the next two meeting dates; and
- f) Preparation of the next meeting agenda.

At the Chair's discretion, the agenda may be revised prior to the next meeting. A preliminary agenda, subject to revision, should be distributed with the meeting notice. Participants, chairs and staff are encouraged to make reasonable efforts to identify agenda items prior to the start of meeting, and present those to participants in advance of a meeting.

If a voting item is not included on the published agenda prior to a meeting, and a formulating group wishes to add a voting item to the agenda during the meeting, then:

- g) A quorum shall be present during the meeting;
- h) Two thirds of the voting members present and voting either yes or no (excluding those who abstain) shall accept the voting item before it may be placed on the agenda for consideration; and,
- i) Two thirds of the voting members present and voting either yes or no (excluding those who abstain) shall agree to the proposed action for the voting item to pass.

### **7.2.3 Quorum**

For the purpose of conducting business at a formulating group meeting, a quorum consisting of a majority of formulating group members who have voting rights is required to take final action. If a quorum is not present, no final action may be taken. While discussion may take place, and those present may make recommendations and develop material, such recommendations are subject to subsequent affirmation by a quorum of the formulating group.

### **7.2.4 Meeting Cancellation**

EIA Standards & Technology staff may cancel a scheduled meeting if:

- a) it is anticipated, with cause, that a quorum for conducting business will not be present due to insufficient attendance;
- a) no Chair or Vice Chair will be available to conduct the meeting; or,
- b) an emergency or act of nature precludes attendance.

#### **7.2.4.1 Notice of Cancellation**

Notice of cancellation of a meeting shall be announced 14 days prior to the date of a face-to-face meeting, or one day prior to a teleconference date, except in cases where an emergency or act of nature precludes attendance. It is recommended that e-mail be employed to expedite notice of cancellation of a meeting.

#### **7.2.5 Conduct**

Meetings shall be conducted in a manner accommodating due process considerations, the need to expedite the work of EIA Standards & Technology formulating groups, efforts to use group member and staff resources efficiently, and relevant legal considerations as defined in the current EIA Legal Guides. Formal meetings shall be conducted following Robert's Rules of Order.

General Guides Applicable to all EIA Activities shall be printed on the reverse side of the attendance roster distributed during each face-to-face meeting (see **Annex E**). Each face-to-face meeting attendee shall sign the attendance roster and thereby attest to familiarity with and adherence to these guides.

In addition, all attendees shall indicate their affiliation (company, organization or client whose interests are represented for purposes of that meeting) on the attendance roster (for face-to-face meetings) or during introductions (for audio- or video-teleconferences), to ensure compliance with one company/one vote provisions. See 8.11.

For participation in meetings, appropriate electronic alternatives may be adopted with the approval of the EIA Standards & Technology Vice President and EIA Legal Counsel.

### **7.3 Legal Issues and Intellectual Property Rights (IPR)**

All formulating groups shall adhere to the general rules applicable to all EIA activities, noting specifically Intellectual Property Rights (IPR) in accordance with EIA Legal Guides in all matters pertaining to EIA and its standardization programs. When developing an ANSI/EIA standard, ANSI's legal guidelines in the ANSI Essential Requirements shall be followed.

The EIA Legal Guides shall govern all standards development activities conducted by EIA Standards & Technology formulating groups. Copies of the EIA Legal Guides are available on request from EIA Standards & Technology staff or on the ECA web site ([www.ecaus.org](http://www.ecaus.org)). **Annex E** contains an excerpt from the EIA Legal Guides.

#### **7.3.1 Disclosure of Relevant Patents**

There is no objection in principle to drafting a proposed EIA standard or American National Standard in terms that include the use of a patented item, if it is considered that technical reasons justify this approach. If the formulating group receives notice that a proposed standard may require the use of a patented invention, the patent holder shall provide the IP proffer to a EIA Standards & Technology staff representative, prior to approval.<sup>1</sup>

The standards development and approval process is made more efficient if the existence of relevant patents (and relevant pending patents) is made known as early as possible in the development work. Conversely, the discovery at the final stages of standards development of a

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<sup>1</sup> Ordinarily the proffer should be provided no later than 7 days prior to the vote to approve.

relevant patent (or pending patent) that is not available for licensing under reasonable terms and conditions may result in the loss of years of formulating group effort. It is therefore required that formulating group members to disclose any knowledge they may have of existing relevant patents (or an intent to patent items whenever appropriate) affecting the work. Chairs and EIA Standards & Technology staff should remind formulating group members of this responsibility.

### **7.3.2 General Patent Policy Guidelines**

Discussion of a pending or existing patent does not constitute an acknowledgment of the validity of the patent since validity is based on prior art and determination of who first made application or discovered the technique or process. Discussion, if any, shall concern whether the patent's technical content is suitable for, or applies to, the standardization effort at hand.

By its terms, the EIA patent policy applies with equal force to situations involving (1) the discovery of relevant patents that may be required for use of a standard subsequent to its adoption and (2) the initial issuance of a relevant patent after adoption. Once disclosure is made, the holder is obligated to provide the same assurance to EIA as is required in situations where relevant patents exist or are known prior to approval of a proposed standard as a EIA standard.

Thus, if notice is given of a patent that may be required for use of an already approved EIA standard, a standards developer may wish to make it clear to its participants that the EIA procedures require the patent holder to provide the assurances contained in the patent policy or suffer the withdrawal of EIA approval of the document as a EIA standard and ultimately as an American National Standard.

### **7.3.3 EIA and ANSI Patent Policies**

Reasonable efforts shall be made to notify participants that they are required to identify relevant patents at the earliest point in standards development. These efforts shall include a call for intellectual property (IP) proffers on all draft standards. In addition, calls for disclosure may be made during meetings. Requirements in EIA standards that are known to call for use of a patented item or process may not be knowingly considered by formulating groups unless the responsible Chair and EIA Standards & Technology staff has received a statement from the patent applicant or holder indicating compliance with the EIA intellectual property rights policy by stating one of the following:

- a) a license shall be made available without charge to applicants desiring to use the patent for the purpose of implementing the standard(s) under reasonable terms and conditions that are demonstrably free of any unfair discrimination, or
- b) a license shall be made available with charge to applicants under reasonable terms and conditions that are demonstrably free of any unfair discrimination.

**Annex F** is the standard statement from IP holders.

In either event, the statements from the patent holders shall be submitted to the EIA Legal Counsel for review. EIA does not have the expertise to evaluate each patent, application or license, and relies on the applicant's or holder's statement. In addition, EIA shall not be responsible for identifying any patents for which a license may be required by a EIA or ANSI/EIA standard, or for conducting inquiries into the legal validity or scope of those patents that are brought to its attention.

In general, EIA and ANSI have similar patent policies. Both EIA and ANSI patent policies were designed to balance the rights of the patent holder to exploit its legal monopoly in connection with its technology and the rights of users of the standard to have access to technology that is relevant to implement the standard. EIA and patent holders both have responsibilities in connection with EIA's and ANSI's patent policies. EIA shall respond to any assertion by a patent holder, request

that the holder by some date certain state definitively whether the holder's technology is "relevant", and if so, ask the holder if it is willing to license the technology on reasonable terms and conditions demonstrably free from unfair discrimination.

Each EIA or ANSI/EIA standard shall carry the following notification in its "Notice":

Standards and Publications are adopted by EIA in accordance with American National Standards Institute (ANSI) patent policy. By such action, EIA does not assume any liability to any patent owner, nor does it assume any obligation whatever to parties adopting the Standard or Publication. EIA takes no position with respect to the validity of any claimed patent rights relating to this standard. EIA is not responsible for identifying patents for which a license may be required in order to comply with any EIA standard.

The statement from the patent holder should be stated in exactly the words prescribed above or in alternative language approved by the EIA Legal Counsel. EIA will not accept statements which are conditional or which reveal the terms of licensing. **Annex F** should be used as a template for the statement.

When the formulating group receives from a patent holder the assurance set forth above, the standard shall include a note as follows:

NOTE—The user's attention is called to the possibility that compliance with this standard may require use of an invention covered by patent rights.

By publication of this standard, no position is taken with respect to the validity of this claim or of any patent rights in connection therewith. The patent holder has, however, filed a statement of willingness to grant a license under these rights on reasonable and nondiscriminatory terms and conditions to applicants desiring to obtain such a license. Details may be obtained from the publisher.

A patent holder, under no circumstances, is required to permit the use of its technology for free or on reasonable terms and conditions. If the patent holder chooses not to make its technology available and the technology is relevant to implementation of the EIA or ANSI/EIA standard, then it may be necessary to revise or withdraw the standard. A copy of all identified statements from patent holders received by EIA shall be forwarded to ANSI.

#### **7.3.4 Copyrighted Material**

If, in developing a standard, a formulating group proposes to incorporate verbatim material from a publication copyrighted by another organization, a formulating group member or EIA Standards & Technology staff shall obtain written permission from the owner of the copyright for EIA to reprint the material, forward the letter granting permission to the EIA Standards & Technology staff member, and include an appropriate reference to such permission in the standard as a footnote.

Contributors shall place on the cover page of any written contribution intended for inclusion in a EIA document (for which the contributor currently possesses a copyright) the following copyright statement:

The contributor grants a free, irrevocable license to EIA to incorporate text or other copyrightable material contained in this contribution and any modifications thereof in the creation of a EIA document; to copyright and sell portions of this contribution; and at EIA's sole discretion, to permit others to reproduce in whole or in part such contributions or the resulting EIA document. The contributor will grant licenses under such copyrights to third parties on reasonable, non-discriminatory terms and conditions, if appropriate,

including the right to develop derivative works by EIA and implementers of the EIA document that incorporates this text.”

Reference to such permission shall be noted in the standard

If a formulating group proposes to incorporate verbatim material, in whole or in part, from an ISO/IEC standard, the Chair shall consult appropriate EIA Standards & Technology staff for appropriate procedures and further details.

### **7.3.5 Audio/Video Recording**

By opening meetings to non-members, formulating groups are in no way relinquishing their rights to privacy. For this reason, communication with either internal or external organizations on behalf of a formulating group should emanate from the appropriate Chair. See 7.5.

Audio or video recording of any portion of a meeting shall not be permitted without the prior knowledge and consent of *all* meeting attendees. EIA Standards & Technology staff shall either: a) announce at the beginning of the meeting that no audio or video recording is permitted; or b) include such information on the proposed agenda.

If an attendee still wishes to audio or video record a meeting, it is the responsibility of the attendee who wishes to record to offer a proposal to do so at the outset of the meeting. The attendee shall:

- a) Announce their intention to do so prior to any recording;
- b) Agree to use the tape solely for personal purposes in a manner that benefits the work of the formulating group, and to prohibit any further distribution; and
- c) Make a motion to permit audio or video recording of the meeting.

To authorize such recording, all attendees (including EIA Standards & Technology staff) shall vote, and the tally shall be recorded in the minutes. Unanimous approval from all meeting attendees shall be required to permit such recording. If the motion fails, no recording shall take place.

### **7.3.6 Minutes**

At the beginning of each meeting or teleconference, an individual shall be designated to serve as recording secretary for that meeting. The minutes shall include, at a minimum:

- a) a list of all individuals (and their respective affiliations) present;
- b) for formulating groups, an indication of whether the members of the group that is meeting are present or absent, and their voting status for this meeting;
- c) a list of action items developed at the meeting and assigned individual(s);
- d) for formulating groups and STPC, an indication of whether or not a quorum is present;
- e) a statement of all significant matters discussed; and
- f) a description of any actions taken with any reasons for such actions.

Where votes are taken, the vote tallies, reflecting the vote of each member, at a minimum, shall be recorded.

EIA Standards & Technology formulating groups and sub elements do not enter into confidentiality agreements. All statements made or material presented in a meeting become a matter of record and subject to recording in meeting minutes.

Whenever possible, those providing reports or making presentations during a meeting are encouraged to provide an electronic version of this information to the recording secretary on-site, or immediately following the meeting. This practice facilitates electronic distribution of minutes.

To ensure that the business of a formulating group is conducted as efficiently as possible, minutes should be drafted within two weeks after a meeting. Minutes should be approved by the Chair and responsible EIA Standards & Technology staff prior to distribution. Minutes shall be approved by EIA Legal Counsel prior to distribution. If the Chair's approval is not forthcoming prior to distribution, minutes shall reflect this information.

Upon approval, minutes shall be distributed to all members of the formulating group. In addition, the above approval requirements for minutes also apply to any correspondence intended for transmittal to other EIA organizational units or outside organizations. The approval requirements also apply to any documents intended for transmittal to other EIA organizational units or outside organizations.

#### **7.4 Program of Work**

Formulating group members should make every effort to maximize member participation and move a group's work toward completion, while observing the principles of due process. It is the responsibility of the Chair and EIA Standards & Technology staff to ensure that the progress of a formulating group's program of work is monitored periodically, that formulating group resources are sufficient to accomplish this program of work, and that all formulating group members are encouraged to contribute.

##### **7.4.1 Scope Identification**

When a formulating group or a working group is established, its parent body shall clearly define the new group's scope. Revisions to a formulating or working group's scope require the approval of the Chair of the parent body, and should be affirmed as soon as practical by a quorum of the parent body. Revisions in a standards project scope do not require formulating group approval, since the final standard is subject to formulating group adoption.

##### **7.4.2 Project Purpose**

EIA does not encourage or exclude the possibility of multiple standards for the same purpose, but identifies the purpose of standards as follows:

“EIA standards are designed to serve the public interest by eliminating misunderstandings between manufacturers and purchasers, facilitating interchangeability and improvement of products, and assisting the purchaser in selecting and obtaining with minimum delay the proper product for this particular need. Existence of such standards shall not in any respect preclude any member or non-member of ECA from manufacturing or selling products not conforming to such standards.” [EIA Legal Guides, Part II, Section B]

In general, the marketplace is best served when one standard is recognized for a specific purpose. The use of one standard can reduce consumer confusion and contribute to economies of scale as well as competition among users. However, situations may occur in which more than one standard covering one technical area becomes possible. These situations might result, for example, from a new technology in which more than one approach is supported.

When one or more formulating group(s) is/are considering the development of duplicative standards, several factors should be considered:

- a) Is there significant provider/user support for each of the proposed standards?
- b) How much overlap of purpose will result from separate standards (e.g., will there be uniqueness in application? Are there unique groups of potential users or providers?)
- c) Is the nature of the standard such that the standards accomplish the same purpose, do not increase confusion or reduce economies of scale (e.g., a measurement procedure)?

- d) Is it best to permit independent development of duplicative standards first, then to harmonize them after they are completed, perhaps resulting in a better, more comprehensive standard?

With respect to harmonization, formulating groups, and where appropriate, their parent body should always attempt harmonization whenever possible.

#### **7.4.3 Project Initiation**

To initiate a project, either: 1) a majority of voting formulating group members may approve project initiation; or 2) between regularly scheduled meetings, the formulating group chair may authorize formation of a working group (where no working group exists) and project initiation, with subsequent formulating group approval scheduled as soon as practical. The following information shall be presented for review:

- a) a proposed project title;
- b) a proposed scope for the proposed standard or bulletin;
- c) a justification or an explanation of the need for the proposed standard;
- d) an initial listing of individuals committed to active participation in the project
- e) a listing of candidates to chair the working group (for a new working group) ; and
- f) identification of the stakeholders likely to be directly impacted by the standard.

In addition, for new standards, as well as revision, reaffirmation or rescission of existing standards, the following information shall be submitted to EIA Standards & Technology staff:

- a) a project title that is as close as possible to the expected title of the finished standard;
- b) a statement of scope of the expected work.

EIA Standards & Technology staff shall coordinate with the Chair to complete a Project Initiation Form for standards, and bulletins and an ANSI Project Initiation Notification System (PINS) form for standards.

#### **7.4.4 Project Monitoring**

At a minimum, on a biannual basis, each formulating group shall review the progress of the standards projects under its auspices. This review shall include those standards due for reaffirmation, revision or rescission, as well as any standards that are approaching their five-year life span. Formulating groups should consider the extent of their current program of work, and evaluate proposed work items, in light of the formulating group and staff resources available to accomplish such work, and the extent of industry need for such work.

#### **7.4.5 Project Completion/Removal**

During its biannual review, or at other times, a formulating group may delete an item from its program of work.

### **7.5 Committee Communications**

#### **7.5.1 Correspondence**

The Chair or the appropriate EIA Standards & Technology staff member should initiate all correspondence (on behalf of STPC or any of its sub elements) with an EIA organizational unit or an external organization.

When the Chair communicates with a formulating group, efforts should be made to clarify whether the Chair is communicating in the capacity of Chair, or representing an individual company. When the Chair communicates as Chair, the correspondence:

- a) shall be on EIA letterhead (for hard copy correspondence) with the notation "Committee Correspondence"; or
- b) shall clearly indicate that it is from the Chair (for electronic correspondence).

In addition, prior to EIA letterhead use by non-EIA employees, such as chairs, the substantive content of the communication shall first be approved by the department head or the cognizant EIA Standards & Technology staff member.

### 7.5.2 Distribution of Working Materials

Draft standards, bulletins, and other development materials are controlled distribution documents and shall only be distributed to outside organizations by EIA Standards & Technology staff with an accompanying letter detailing limitations on further distribution. Draft EIA standards shall not be posted on any outside organizations' website.

Members of a formulating group or subsidiary unit are encouraged to coordinate any external distribution of materials outside the formulating group or subsidiary unit with the chair (or a designated committee liaison) and EIA Standards & Technology staff.

## 8 Procedures for Development of EIA Standards, Bulletins, Publications and ANSI/EIA Standards

Technical standardization work within EIA consists of at least five major milestones leading to the release of an EIA or ANSI/EIA standard, specification, guideline, bulletin, or publication: 1) project initiation; 2) technical development; 3) approval by the consensus formulating group; 4) management approval; and 5) publication. In the case of an ANSI/EIA standard, another milestone is ANSI approval.

EIA standards and specifications are issued to achieve one or more of the following purposes:

- a) promoting interchangeability and improving products;
- b) eliminating misunderstandings or confusion between manufacturers and buyers with respect to products on which standards or specifications are adopted;
- c) providing assistance to the purchaser in selecting and obtaining, without delay, the proper product for the particular need;
- d) improving the effective usage of military and commercial products;
- e) improving the safety of electronics products;
- f) improving the quality attributes of electronic products.

The draft development process is the same whether the ultimate product will be published as a EIA Standard, an ANSI/EIA Standard, an EIA Bulletin or Publication. The main differences in the development process of a standard versus a bulletin concern the resolution of "No With Comments" at the time of vote and the procedure for voters not present at the meeting vote. ANSI/EIA standards are also submitted to ANSI for public review. The draft development process is defined in this section and displayed in the **Annexes B, C and D**.

### 8.1 Project Initiation

The provisions of 7.4.3 concerning project initiation apply to all standards and bulletin projects. On behalf of a formulating group, EIA Standards & Technology staff initiate a project by completing a Project Initiation Form. For ANSI/EIA standards, EIA Standards & Technology staff also submit an ANSI PINS Form to ANSI. Once the EIA number has been assigned, the formulating group Chair shall be informed. The draft EIA designation identifies drafts through each stage of the development process.

The formulating group shall assign a project to a subcommittee, a working group, or itself for implementation.

## **8.2 Preparation**

When initiating a project, it is often helpful to accomplish the following tasks early in the process:

- a) Identify and involve likely participants as early in the process as possible;
- b) Review the project time line and agree, as a group, to milestones;
- c) Review basic development procedures, including such items as the importance of separating “personal” from “company” positions, elements of due process and group operating procedures;
- d) Obtain relevant IPR and copyright releases;
- e) Assign a project editor and writers for each section of the draft;
- f) Establish a regular meeting schedule.

### **8.2.1 Normative References**

Documents included in the Normative References section of a draft standard shall include reference to a specific version with a date. The citation shall provide sufficient information for reviewers and users to locate and acquire the document. If a document is included in the normative references section of a draft standard, either:

- a) the document shall be publicly available, free or at a reasonable cost; or
- b) where documents are not publicly available, a copy of the document shall be provided to EIA Standards & Technology staff with appropriate authorization from the developer/copyright holder to distribute the document freely to reviewers of the prospective standard.

NOTE--In b) above, the document shall be maintained in appropriate EIA files for the published life of that revision of the standard.

### **8.2.2 Informative References**

Documents that provide developmental or other informative information to users of a standard or bulletin may be included in an informative references section. The citation shall provide sufficient information for reviewers and users to locate and acquire the document.

## **8.3 Technical development and other actions**

During the technical development phase of a project, the main task of a formulating group is to develop a document (from draft stage to final product), attempt to accommodate informal comments generated by reviews of the draft document, resolve formal comments generated by internal and external reviews of the draft (either first or subsequent versions), decide on the continuation or cancellation of a project, and vote on whether the final draft document should become an EIA standard or other document and/or an ANSI/EIA standard.

Technical development may mean not only the development of a new standard, specification, guideline bulletin, or publication but the reaffirmation, revision, or rescission of the same. The formulating group also may decide to develop an EIA document into an ANSI/EIA standard at any time within the development process (or at some later date).

### **8.3.1 Development of an EIA or ANSI/EIA document**

Upon assignment of a project to the formulating group, the chair shall designate an individual or a group responsible for developing a draft. Contributions to a draft may include collections of basic data, suggested drafts of text, candidate standards, and other submissions. To minimize the number of editorial comments, all drafts should comply, to the extent practical, with the editorial

guidance contained in EP-7B (“Style Manual for Standards and Publications of EIA and JEDEC” and any applicable Memorandum of Understanding.)

The development and review process for a draft document is conducted on an informal basis. The purpose of this process is to ensure that a document submitted for later formulating group and management approvals reflects the resolution of outstanding comments to the extent practicable. Drafts submitted for informal review should solicit two main responses: 1) editorial or technical comments accompanied by suggested alternative language; and 2) an indication of whether or not the draft is ready for an approval ballot by the formulating group.

Informal review may include, but not be limited to, meeting discussions, ad hoc editing committees appointed by the chair, circulation of revised drafts, and surveys.

It is recommended that if an informal review process is initiated, the initial review of the draft document shall consider all sections of the document. During subsequent review(s) of the document, only the proposed revisions (and any related portions of the previous version of the document affected by these revisions) shall be subject to comment.

Once a document is deemed ready by the formulating group, either through a ballot or preferably a meeting vote, the document shall be put forth for a formulating group’s approval (see 5.5).

### **8.3.2 Other actions**

In the course of the review of a project or pre-existing EIA standard, specification, guideline, bulletin, or publication or ANSI/EIA standard, the formulating group may be required to vote on the continuation or cancellation of the project or the reaffirmation, revision, or rescission of a standard. Such action shall be undertaken by either ballot or meeting vote, as permitted (see 4.7). In the case where the formulating group is a subgroup of a consensus parent group, the subgroup shall advise the parent group which in turn shall vote to either approve or disapprove a given action.

## **8.4 Draft Development and Review**

The draft development and review process is conducted on an informal basis. The purpose of this process is to ensure that a document submitted for vote to the formulating group and, where appropriate, the committee chair, reflects resolution of outstanding comments to the extent practical.

## **8.5 Release for Formulating Group Vote**

A draft document may be released by the Chair for formulating group vote either via ballot or for vote during a formulating group meeting (see 8.5.1 and 8.5.2).

### **8.5.1 Meeting Vote**

Formulating groups may vote on a proposed standard, bulletin or publication during a formulating group meeting particularly when it is deemed that substantial consensus on a draft document has been achieved. It is highly desirable that this voting item be included when the agenda for the subject formulating group meeting is developed. In addition, in the case of a proposed ANSI/EIA standard the formulating group motion to vote shall include that the standard is being submitted to ANSI. As an alternative, the voting item shall be included on a subsequent, revised agenda circulated to formulating group members a minimum of 14 days prior to the subject formulating group meeting for a vote.

In addition, a draft of the proposed standard or bulletin shall be forwarded to both formulating group members and, in cases where the formulating group is a subcommittee, to the responsible parent committee Chair a minimum of 14 days prior to the formulating group meeting for a vote. Draft standards, bulletins or publications presented to a formulating group for adoption, revision,

reaffirmation, or withdrawal shall have completed at least one 14-day draft prior to the date of the vote.

Voting members not present at the time of the vote shall be given the opportunity to vote on the standard after the meeting. EIA Standards & Technology staff shall notify the absent voting members via email of any substantive changes made to the standard subsequent to the 14 day draft and advise that they have 7 days to vote. Any absent voting members that fail to respond shall be listed as No Response on the final submittal for approval to ANSI. Response to this opportunity to vote shall not be considered as attendance at the meeting for purposes of voting maintenance.

### **8.5.2 Ballot**

Upon review of a proposed document by EIA Standards & Technology staff, a ballot shall be added to the document and the ballot shall be circulated for vote to all formulating group members, both voting and non-voting, with a minimum response period of fourteen days. If the formulating group is a subcommittee, then the responsible committee Chair shall also receive a copy of the proposed standard or bulletin with a ballot.

NOTE--At the discretion of the formulating group chair, the balloting period may be established with a longer initial period of time, or may be extended for an additional two weeks to achieve response from a quorum of voting formulating group members. If a quorum of voting formulating group members does not respond by the end of this two week period, the ballot fails, and the document may be resubmitted, with or without revision, for ballot, or the project may be eliminated. The formulating group Chair may elect to shorten the minimum response period, at his or her discretion, without objection from any voting-eligible formulating group member.

EIA Standards & Technology staff shall provide written acknowledgment of ballot receipt, either:

- a) to individual balloters, as their ballots are received; or
- b) to the formulating group as a whole following the ballot closing date.

NOTE--In the event of a dispute concerning receipt date, it is the responsibility of the balloter to provide evidence that the ballot was sent prior to the closing date. Examples of this evidence may include, a copy of the email, or a fax confirmation sheet showing the date.

To encourage intra-company coordination, EIA Standards & Technology staff may identify individual representatives from the same company or organization to others from the same company or organization, and indicate formulating group members' voting status.

NOTE--For ballot purposes, quorum shall be determined based on the number of voting members of a formulating group as of the date the ballot closes.

If all votes are accounted for prior to official closing date, the ballot shall be considered closed.

### **8.6 Voting**

At a meeting where a quorum is present at the time of the vote, a majority of those voting members present is sufficient to act in all matters except as shown in the voting table below requiring specific voting method(s) and the criteria for approval. When a vote in a formulating group is for the purpose of approving a document for publication as an American National Standard, a Ballot Summary (See Annex E) shall be completed and included in the minutes. The Interest Category is normally self-selected by the voting member.

<u>Action Required</u>	<u>Method (all calendar days)</u>	<u>Approval Criteria</u>
<u>American National Standard Processing</u>		
Meeting Vote	At the meeting	Two-thirds voting
Ballot	30 day ballot	Two-thirds voting
ANSI BSR8 (Public review)	Initial 60 day comment period [30 or 60 day subsequent comment period(s)] (or other ANSI-designated time period where applicable)	Comments addressed by formulating group
<u>EIA Standard, Specification, Guideline, Bulletin or Publication</u>		
Meeting Vote	At the meeting	Two-thirds voting
Ballot	14 day ballot	Two-thirds voting
Approval to publish from Formulating Group Chair	10 days (in writing) or at the meeting	Approval/Disapproval
<u>Organization</u>		
Establishment of Committee	10 day ballot or meeting vote by parent committee	Majority
Establishment of Subgroup	10 day ballot or meeting vote by parent committee	Majority
STPC Approval	10 day ballot or meeting vote	Majority

### **8.7 Approval by the formulating group consensus body**

In order for a project or document to be approved it must receive approval by the formulating group consensus body. This shall be done either by meeting vote or ballot, as permitted (see 8.6), and by the required number of votes. In some cases, the parent formulating group consensus body Chair also shall be required to vote.

#### **8.7.1 For EIA Bulletins, Guidelines and Publications**

If a formulating group uses a meeting vote in the approval process, voting options shall be “yes,” “no,” or “abstain.” The minutes of the meeting shall note the comments voiced during discussions and any resolutions thereof.

If a formulating group uses a ballot (either in paper or electronic form) in the approval process, voting options shall reflect “yes,” “yes, with comments,” “no,” “no, with comments,” or “abstain.”

The formulating group shall not be required to address any “no” vote not accompanied by comments.

When a meeting vote or a ballot on a document closes and receives the requisite number of votes for passage, the chair (and responsible EIA staff as appropriate) will review any meeting discussion comments or comments accompanying the ballot. The chair then can either: 1) determine that the vote/ballot passed by consensus, editorial comments will not change consensus, the votes with comments already have received formulating group discussion or review, and therefore, the document is to be forwarded for approval for publishing; or 2) determine that even though the ballot passed by consensus, comments accompanying either “yes” or “no” votes are significant enough to warrant reconsideration by the formulating group and the document is to be recirculated to the formulating group for further review and rebalotting.

If a ballot fails, the document is returned to the formulating group for further resolution or cancellation.

In all cases, comments accompanying a ballot shall be maintained by the chair and the appropriate EIA staff for future use when the document is reviewed for reaffirmation, revision, or withdrawal, or the document is to become a possible ANSI/EIA standard.

### **8.7.2 For ANSI/EIA and EIA Standards**

Where the draft document is a proposed ANSI/EIA or EIA standard::

- a) Yes: Indicating approval of the substance of the draft;
- a) Yes with Comment: Indicating approval of the substance of the draft with the option of providing a comment; and
- b) No with Comment: Indicating disapproval of the substance of the draft with the option of providing a comment; and
- c) Abstain (ballot) or Present (meeting vote): Indicating acknowledgement of the vote and expressing no opinion regarding the outcome.

In addition to the provisions above, if the formulating group vote is taken during a meeting, the name of the company, the individual representatives from that company attending the meeting, the vote cast, and the interest category shall be recorded for future submission to ANSI.

### **8.7.3 Comments**

As applicable, formulating groups shall attempt to resolve all comments generated in the course of either a ballot or public review prior to publication of a document as an EIA standard or an ANSI/EIA standard (or ANSI-designated publication). The chairs or their designees, upon receipt of a comment, should acknowledge its receipt to the originator, regardless of its nature.

The only comments normally addressed by a formulating group are editorial or technical in nature. Technical comments should be accompanied with wording that would aid the formulating group in addressing the comments. Other comments may be handled in the following manner on behalf of the formulating group:

- a) legal concerns are referred to EIA General Counsel for response;
- b) standards development process concerns are addressed by the appropriate EIA Standards & Technology staff;
- c) scope concerns are addressed with appropriate formulating group and EIA Standards & Technology staff input;

d) vague comments are returned to the commentor requesting expeditious clarification.

In all cases, copies of all correspondence must be sent to the responsible EIA staff to become part of the record of action with regard to the particular project under development.

Formulating groups are expected to limit themselves to technical matters, leaving commercial considerations to other elements of EIA. All participants are encouraged to adhere to the policy of making only editorial or technical comments that are germane to the document. Problems arising from votes cast with comments that are not technical or editorial in nature or are not germane to the document being balloted will be reviewed by EIA General Counsel on behalf of the formulating group and a response will be prepared and forwarded to the commentor as part of the resolution process. Minor technical changes include, but are not limited to, the correction of obvious errors that make a statement, drawing, or equation inappropriate or technically incorrect. This procedure shall be used only in case of editorial or minor technical changes and not for substantive changes such as the addition or change of dimensions, functions, or electrical characteristics. Where substantive changes are called for, a ballot is required.

#### **8.7.4 Negative Votes With Comments for ANSI/EIA and EIA Standards**

The formulating group shall also ask any voting members who vote No to provide comments during the meeting or with the formulating group ballot. These comments will be recorded in the meeting minutes along with the formulating group's attempt to resolve the comments. If the comments cannot be resolved, the written reason for the objection, as recorded in the meeting minutes, shall be used as the basis for a recirculation ballot to recirculate the negative vote. The chair of the formulating group shall have the option to defer addressing No with Comments received during the meeting vote until after the meeting. No with Comments received as the result of a ballot shall be addressed by the chair or staff.

For meeting votes, any absent voting members who vote No with Comment by the deadline given to them shall have their comment addressed by the formulating group chair and be sent a written response by EIA Standards & Technology staff. Any unresolved negative votes with comments shall be recirculated.

The provisions of 8.7.2 and 8.8 shall apply to all recirculation ballots.

Once the committee process has been completed, the document shall be sent to ANSI for public review or published as a EIA standard. The formulating group may either authorize the responsible working group to address public review comments, or choose to do so itself.

### **8.8 Voting Tally**

A document is accepted and approved if the voting tally indicates that:

- a) a quorum of voting formulating group members has responded; and
- b) 2/3 or more of those voting<sup>2</sup> approve; and,
- c) not more than one-quarter (1/4) of the total number of votes cast are negative
- d) the formulating group Chair approves to publish

Abstentions are included when calculating compliance with item (a). Abstentions are excluded when calculating compliance with items (b) and (c).

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<sup>2</sup> To calculate a vote tally:

- For a proposed EIA bulletin, guideline or publication: [#Yes/(#Yes + #No)]
- For a proposed ANSI/EIA or EIA standard: (#Yes+ #Yesw/comments)/(#Yes+ #Yesw/comment + #No w/comments)]

In cases where the formulating group is a subcommittee (item d) in the preceding paragraph), within ten working days of the vote, the parent committee Chair shall indicate to responsible EIA Standards & Technology staff either:

- d) the committee Chair's approval to publish; or
- e) the committee Chair's decision to refer the proposed publication to the parent committee for consideration.

Depending on the nature of the vote (specifically, whether the document was proposed for publication as a EIA or ANSI/EIA standard, an EIA bulletin, etc.), the document is accepted and submitted for further processing as an EIA standard or bulletin, or as an ANSI/EIA standard. If the standard is designated as a prospective ANSI/EIA standard, then the provisions of Section 9 also apply.

### **8.9 Recirculation Ballot Vote**

A recirculation ballot is issued:

- a) whenever technical changes are made to a proposed document in order to resolve a negative vote; or
- b) when all reasonable efforts have been exhausted without success to resolve a negative vote/comment, and yet a clear consensus is believed to exist.

Recirculation ballots shall be conducted for all Negative votes with comments. Negative votes received without comments shall not require recirculation.

Recirculation voting requires voting formulating group members:

- a) to reaffirm a previous vote;
- b) change their response based on the changes made or the statement of objections ; or
- c) respond if they did not vote on the previous ballot.

Comments shall not be accepted regarding issues outside the scope of the recirculation vote/ballot. Failure to respond to a recirculation/reconsideration vote/ballot shall not be considered an approval and any original vote shall stand as cast.

Recirculation is not required for Yes with Comments.

#### **8.9.1 Recirculation Vote Approval**

A recirculation vote/ballot shall be considered to have been approved when it meets the criteria regarding voting tally in 8.8. Evidence of attempts to resolve negative votes or comments shall be submitted to ANSI with the BSR-9 request for approval.

### **8.10 Re-balloting**

In any of the following cases,

- a) A quorum of voting formulating group members does not vote;
- b) Fewer than 2/3 of those voting<sup>3</sup> approve; or
- c) The committee chair does not approve (in cases where the formulating group is a subcommittee).

the draft document shall be processed as indicated.

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<sup>3</sup> Ibid.

If a quorum of voting formulating group members does not vote, then the document shall be:

- a) Revised and resubmitted for vote (see 8.5);
- b) Resubmitted for vote without change (see 8.5); or
- c) the project shall be eliminated.

If fewer than 2/3 of those voting<sup>1</sup> approve, then the document shall be:

- a) Revised and resubmitted for vote (see 8.5); or
- b) The project shall be eliminated.

If the committee chair does not approve, then the document shall be referred back to the responsible committee or if the vote was taken at the subcommittee level, referred to the parent committee, and processed as the committee indicates.

### **8.11 One Company (Organization)/One Vote Rule**

EIA policy limits voting on draft documents to one vote per formulating group member.

### **8.12 Editorial Revision**

Full editorial privilege shall be accorded to the formulating group Chair, the Chair's designated representative, and EIA Standards & Technology staff. Editorial revisions may be incorporated into an EIA standard or a EIA bulletin or publication following vote without further formulating group review.

### **8.13 Approval Requirements**

Following approval, and with approval to publish from the committee Chair (or, in the alternative, following parent committee consideration), the draft standard shall be forwarded to EIA Standards & Technology staff for legal approval prior to publication.

### **8.14 Maintenance of EIA and ANSI/EIA Standards and EIA Bulletins and Publications**

All EIA and ANSI/EIA Standards and EIA Bulletins and Publications shall be reaffirmed, revised, or withdrawn by the formulating group not more than five years from its date of publication. At the chair's discretion, a reaffirmation shall be conducted by voting either under 8.5.1 or 8.5.2; however, since the document is published, circulation of the document is not required. Prior to the five-year anniversary of publication of an EIA or ANSI/EIA standard or EIA bulletin or publication, the formulating group shall initiate action to:

- a) Reaffirm the content is valid with subsequent review every five years thereafter; or
- b) Rescind following a determination that the technical content is no longer valid.
- c) Revise if the technical content is valid and needs to be updated or otherwise revised.

Note: In accordance with the provisions of Sections 3.3.3 and 4.7.3 of the ANSI Essential Requirements concerning "stabilized maintenance" of an American National Standard, archiving EIA standards or ANSI/EIA standards is also feasible.

The provisions of 7.4.3 and 8.1 concerning project initiation apply to the maintenance of all standards and bulletins.

## **9 ANSI/EIA Standardization Procedures**

For those documents that are intended for publication as ANSI/EIA standards, the provisions of this section apply.

### **9.1 Submission to ANSI for Public Review**

Following approval of the standard, responsible EIA Standards & Technology staff shall submit the proposed ANS to ANSI to initiate public review. EIA Standards & Technology staff shall provide appropriate documentation to ANSI.

Responsible EIA Standards & Technology staff shall receive, collect and acknowledge receipt of public review comments. In addition, responsible EIA Standards & Technology staff shall forward all public review comments to the formulating group for review and response. The response to each commenter shall include a notation of the EIA and ANSI appeals process.

NOTE—A proposed ANS is subject to comment only (not for vote) during public review and by any and all materially or directly affected parties.

### **9.2 Public Review Comments**

EIA Standards & Technology staff shall acknowledge receipt of a public review comment, regardless of its nature.

The only comments normally addressed by a working group or formulating group are editorial or technical in nature. Technical comments should be accompanied with wording that would aid the formulating group in addressing the comments.

Other comments may be handled in the following manner on behalf of the formulating group:

- The EIA Legal Counsel shall respond to comments relating to legal concerns;
- EIA Standards & Technology staff shall respond to comments relating to concerns regarding the standards development process;
- The formulating group with input from EIA Standards & Technology staff shall address scope concerns;
- The reason for non-acceptance shall be sent regarding editorial or technical concerns;
- Vague comments shall be returned to the respondent requesting expeditious clarification.

EIA Standards & Technology staff shall retain copies of response to commenters.

### **9.3 Public Review Commenter Response**

The commenter shall have 14 calendar days after response to acknowledge the acceptance or rejection of that reply. If no response is received, the responsible EIA Standards & Technology staff shall send a reminder notice to the commenter requesting response. If no response is received within an additional 5 calendar days, the responsible EIA Standards & Technology staff will send a registered letter to the commenter noting the lack of response. The commenter's comments are then recorded as unresolved and circulated to the formulating group per the provisions of 9.5.

All correspondence showing the formulating group's effort to address the comments, noting a lack of response when appropriate, shall be included in any package of materials provided to ANSI.

### **9.4 Results Scenarios**

Results scenario #1: If no comments are received after the close of public review, the document shall be forwarded to ANSI with a request for approval.

Results scenario #2: If editorial comments are received by the close of public review, the document editor, editing group, or chair shall address the comments. The document, with edits, if any, shall be forwarded to ANSI for approval.

Results scenario #3: If substantive comments are received from public review, the working group or formulating group shall review these comments, and attempt to resolve them, and notify each commenter of said action (see 9.3), along with a notification of the EIA and ANSI appeals process.

- a) If no substantive changes are made, the document is forwarded to ANSI for approval.
- b) If substantive changes are made, the formulating group shall conduct a recirculation vote/ballot and “second” public review (see 8.7).
- c) If negative, substantive comments remain unresolved from public review,, the formulating group shall conduct a recirculation vote/ballot, and, if necessary, a “second” public review (see 8.7).

## **10 Legal Approval**

All EIA standards, bulletins and publications, and all ANSI/EIA standards shall receive EIA legal approval before publication.

In all cases where EIA Legal Counsel has disapproved the document, the negative comments shall be resolved either by EIA Standards & Technology staff, the formulating group chair, the formulating group, or the Standards & Technology Council.

### **10.1 ANSI Approval**

If ANSI/BSR approves, responsible EIA Standards & Technology staff is notified and in turn publishes the document.

If ANSI/BSR does not approve, comment resolution issues will be dealt with by the formulating group and process-related issues will be dealt with by EIA Standards & Technology staff. If the ANSI/BSR comments are resolved and the document is approved, responsible EIA Standards & Technology staff publishes the document.

If the comments cannot be resolved, the document is returned to the formulating group for further resolution or cancellation. The formulating group may appeal the actions of the ANSI/BSR.

## **11 Adopting International Standards**

It is the policy of the U.S. National Committee (USNC) of the International Electrotechnical Commission (IEC) to work toward commonality between IEC Standards and U.S. National Standards. Commonality between IEC Standards and EIA standards shall also be an objective. During the development of an EIA standards proposal, the EIA Standards & Technology formulating group should conduct a review and compare the standards proposal with any similar IEC or ISO standard. When similar IEC or ISO standards exist, a determination should be made regarding the extent to which the EIA standards proposal is based on an existing international standard. When similar IEC or ISO standards do not exist, it shall be recognized during the development of the EIA standards proposal that the resulting standard may represent a basis for a U.S. position in the development of an international standard.

## **12 Appeals**

All appeals related to standard, bulletin or publication development are initially directed to the EIA Standards & Technology staff. The provision for appeals is important for the protection of all parties involved within the EIA standards development process. An appeals mechanism safeguards both those who are directly and or materially affected by the process and the

standards developing organization. The following appeals procedures shall be used for actions taken within the EIA standards process for the development of EIA or ANSI/EIA standards, bulletins and publications.

### **12.1 Right of Appeal**

Persons who have directly and or materially affected interests and who have been or will be adversely affected by a standard or bulletin within the EIA jurisdiction have the right to appeal substantive or procedural actions or inactions of EIA Standards & Technology formulating groups or the EIA Standards & Technology staff.

The burden of proof to show an adverse effect shall be on the appellant. Appeals shall be directed to the EIA Standards & Technology Vice President in accordance with the appeals procedure as defined in this section.

ANSI will not normally hear an appeal of an action or inaction by EIA until the procedures have been completed as prescribed in this section. Such appeals shall be directed to ANSI in accordance with the procedures of the appropriate ANSI entity (e.g., Board of Standards Review, Executive Standards Council, etc).

### **12.2 Criteria for Appeals Mechanism**

The following general criteria are encompassed in these appeals procedures:

- a) Appeals shall be addressed promptly and a decision made expeditiously;
- b) The right of the involved parties to present their cases shall not be denied;
- c) These procedures shall provide for participation by all parties concerned without imposing an undue burden on them;
- d) Consideration of appeals shall be fair and unbiased and shall fully address the concerns expressed; and
- e) Records of appeals shall be kept and made available upon request. The EIA Standards & Technology Department may levy an appropriate charge to cover the cost of reproduction, handling, and distribution for requests received from other than the involved parties.

### **12.3 Appeals Procedures**

In the case of an appeal to ANSI of a EIA action or inaction on an ANSI/EIA standard, the appellant may waive the right of the EIA appeals process.

#### **12.3.1 Complaints**

The appellant shall file a written complaint with the EIA Standards & Technology Department (attention Vice President) within 30 calendar days after the date of notification of the action being appealed 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 standard(s) that are at issue, action(s) or instances of inaction 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.

#### **12.3.2 Response**

Within 30 calendar days after receipt of the complaint, the respondent (formulating group chair or EIA Standards & Technology Department representative) shall respond in writing to the appellant, specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.

#### **12.3.3 Hearing**

If the appellant and the respondent are unable to resolve the written complaint informally in a

manner consistent with these procedures within 15 calendar days, the EIA Standards & Technology Department Vice President shall schedule a hearing with an appeals panel on a date agreeable to all participants but within 30 calendar days, giving at least 10 calendar days notice.

#### **12.3.4 Appeals Panel**

The appeals panel shall consist of three individuals who have not been directly involved in the matter in dispute, and who (knowingly in good faith) will not be materially or directly affected by any decision made or to be made in the dispute. At least two members shall be acceptable to the appellant and at least two shall be acceptable to the EIA Standards & Technology Department. In the event the appellant does not wish to select a panelist or a third panelist cannot be agreed upon, the EIA Standards & Technology Department shall appoint these individuals to the panel (noting this action in the findings) in order to hold a hearing.

#### **12.3.5 Conduct of the Hearing**

The appeals panel shall convene in EIA offices unless another mutually agreed site is selected. The appeals panel shall select a presiding officer from among its three members.

The appellant has the burden of demonstrating adverse effects, improper actions or inactions, and the efficacy of the requested remedial action. The EIA Standards & Technology Department has the burden of demonstrating that the EIA entity in question took all actions in compliance with its operating 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.

#### **12.3.6 Decision**

The appeals panel shall render its decision in writing within 30 calendar days following the close of the hearing, stating findings of fact and conclusions, with reasons therefore, based on a preponderance of the evidence. Decisions shall be determined by a two thirds majority of the appeals panel. A record of the appeals shall be kept by EIA and made available to the involved parties.

Consideration may be given to the following positions, among others, in formulating the decision:

- a) Finding for the appellant, remanding the action to the responsible EIA entity with a specific statement of the issues and facts in regard to which fair and equitable action was not taken;
- b) Finding for the respondent with a specific statement of the facts that demonstrates fair and suitable treatment of the appellant and the appellant's objections;
- c) Finding that new, substantive evidence has been introduced, and remanding the entire action to the responsible EIA entity for appropriate reconsideration.

If, for whatever reason(s), the appellant chooses to forego the process detailed above, the EIA Standards & Technology Department shall maintain all documents pertaining to EIA attempts to resolve the matter at hand. These documents may be used in any further appeals proceedings.

#### **12.4 Further Appeal**

If the matter under appeal relates to an ANSI/EIA standard or one that has been or is expected to be recognized as an American National Standard, subsequent further appeal may be made directly to ANSI. If the appellant gives notice to the EIA Standards & Technology Department that further appeal to ANSI is intended, a full record of the complaint, response, hearing, and decision shall be submitted by the EIA Standards & Technology Department to ANSI.

### **12.5 Actions Pending Appeal Resolution**

While an appeal is pending, no action shall be taken to publish the document. The formulating group may continue, however, the development process to remedy defects in or improve the quality of the document, subject to normal approval process.

### **13 Interpretations**

Official interpretations involving technical matters pertaining to EIA or ANSI/EIA standards, and bulletins shall be made by the chair or designated member(s) of the working or formulating group responsible for the standard or bulletin in question, and responsible EIA staff shall arrange legal review prior to issuing the interpretation. Interpretations shall be made available upon written request. Interpretations on file should be considered during the next revision of the standard.

### **14 Metric Policy**

Units of the International System of Units (SI), the modernized metric system, are the preferred units of measurement in EIA and ANSI/EIA standards.

### **15 Record Retention**

Records associated with standards development shall be maintained, as provided in this section.

#### **15.1 Minutes**

Minutes of formulating group meetings and working group meetings shall be retained for a minimum of five years or for one complete standards cycle (or until the standard is revised) whichever is longer.

#### **15.2 Ballots**

Individual ballots and associated comments shall be retained for a minimum of five years or for one complete standards cycle (or until the standard is revised) whichever is longer. At that time, the ballots and associated individual comments shall be discarded.

#### **15.3 Published and Draft Standards and Bulletins**

Published standards and bulletins, as well as related IP proffers, shall be retained for five years after withdrawal.

The comment period (pre-vote) draft and 14-day draft of a standard or bulletin shall be retained for a minimum of five years or for one complete standards cycle (or until the standard is revised) whichever is longer. Preliminary drafts shall be discarded one year following withdrawal or revision of the subject standard or bulletin

#### **15.4 Voting Maintenance Records and Sign-In Sheets**

Voting maintenance records and sign-in sheets shall be retained for a minimum of five years or for one complete standards cycle whichever is longer.

#### **15.5 Appeals**

Materials associated with the conduct of appeals shall be retained for a minimum of five years, or until such time as the standard (revision) that was the subject of the appeal has been withdrawn whichever is longer.

#### **15.6 Agendas**

Agendas shall be retained for a minimum of five years or for one complete standards cycle whichever is longer.

**15.7 Public Review Comments**

Public review comments shall be retained for a minimum of five years or for one complete standards cycle (or until the standard is revised) whichever is longer.

**15.8 Withdrawal Actions**

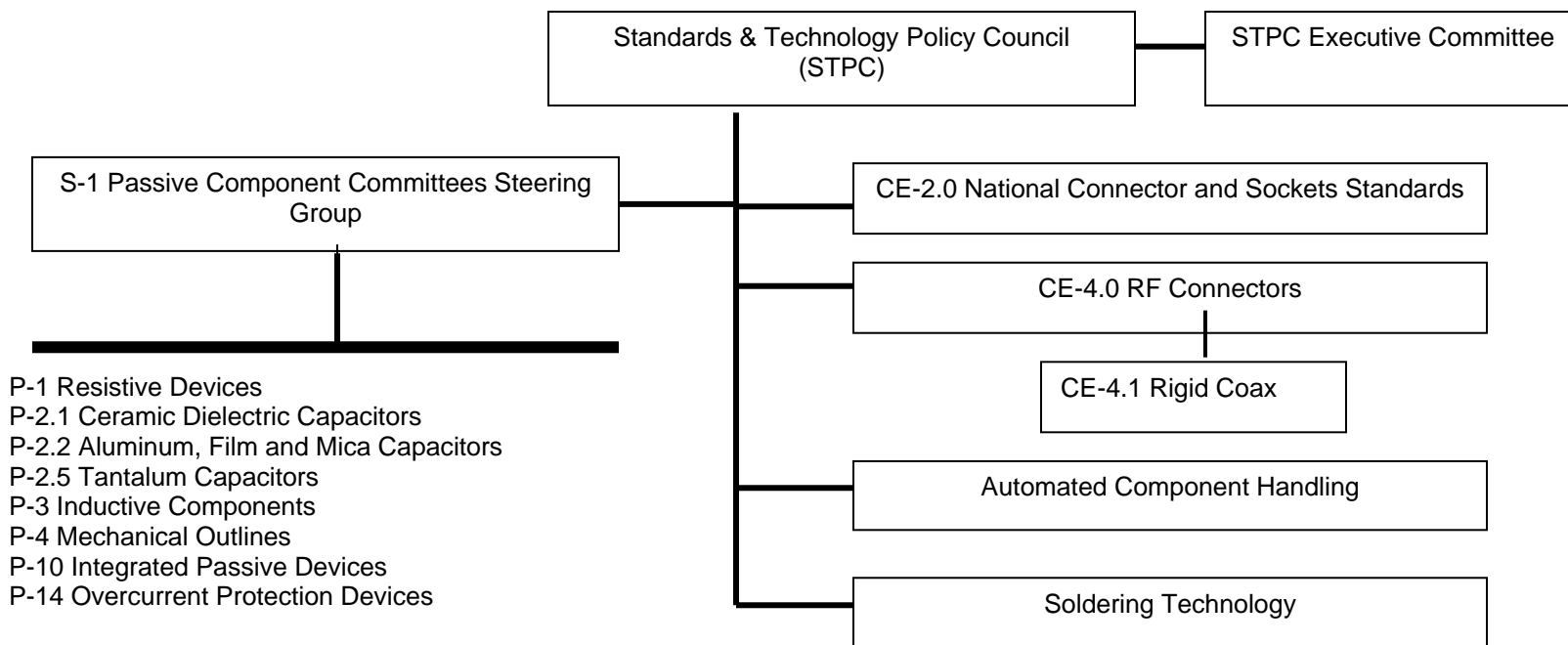
Evidence of withdrawal actions shall be retained for a minimum of five years from the date of withdrawal following the action.



Annex A

EIA Standards & Technology  
Committee Organization

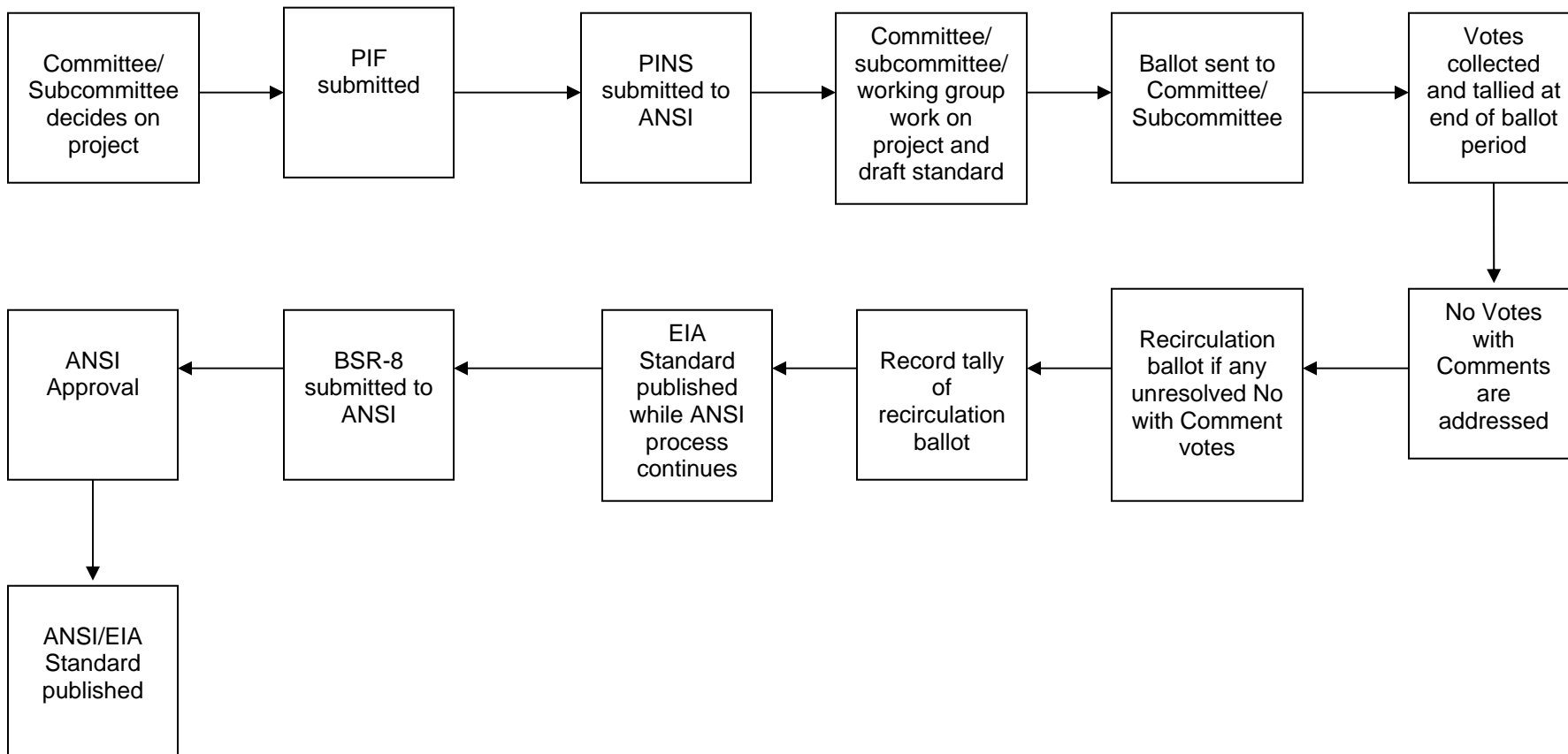
October 2007



**Annex B**

**Annex B**

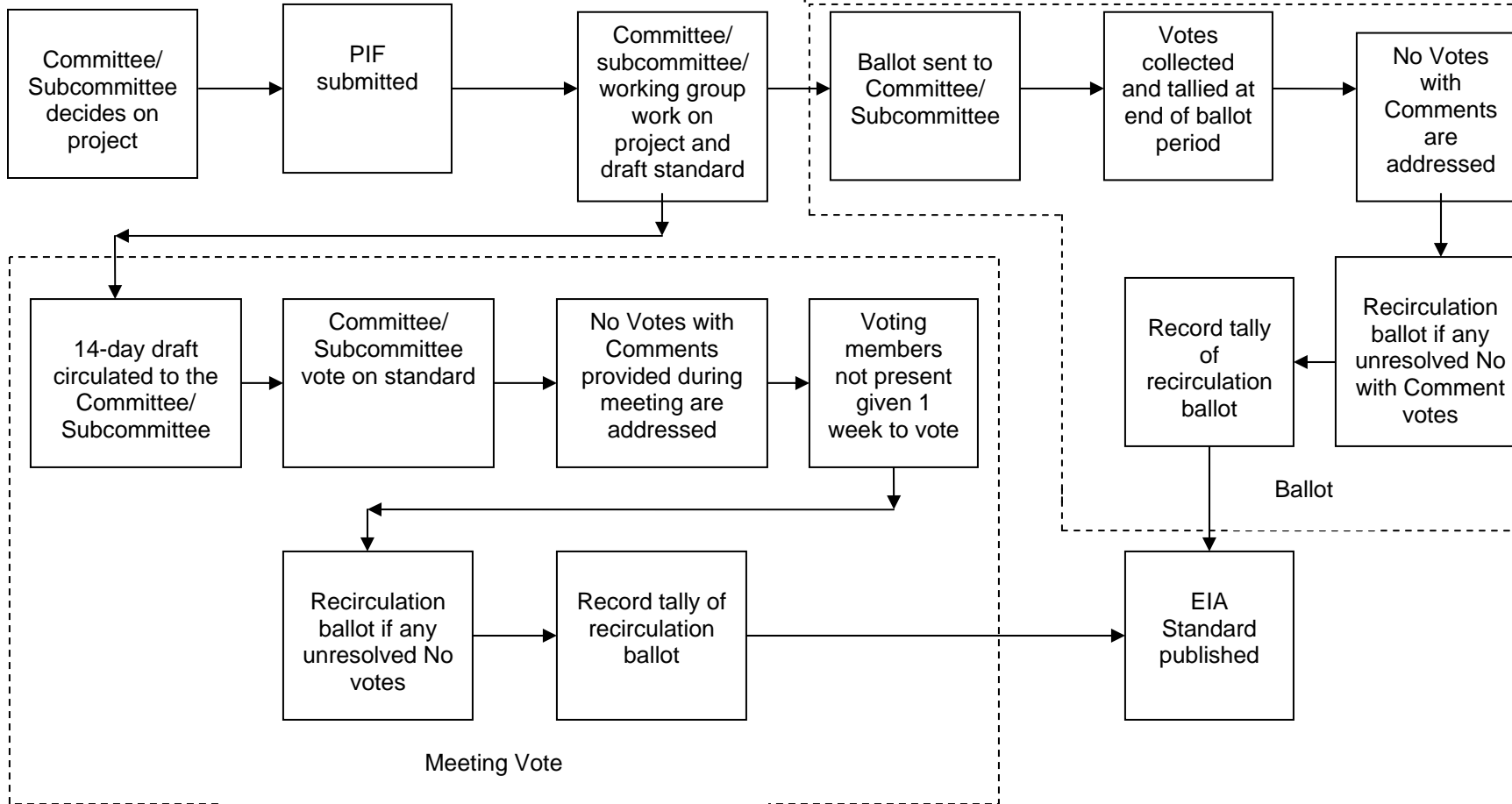
ANSI/EIA Standards Development Process Using Ballot



Annex C

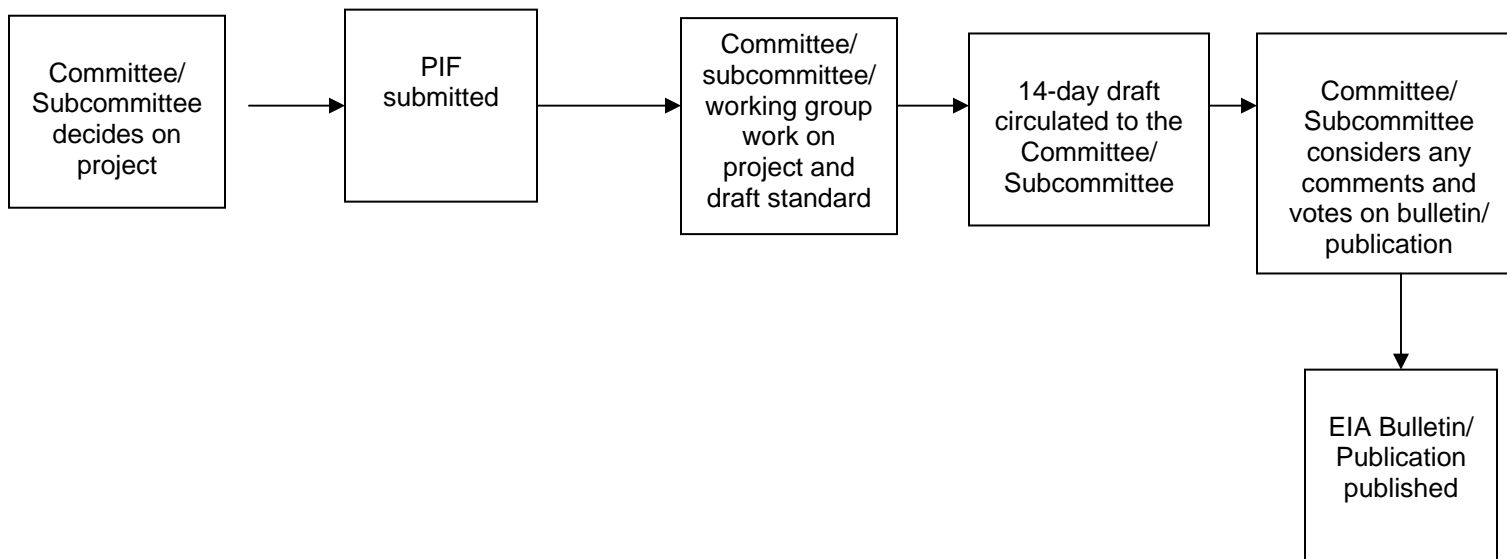
Annex C

EIA Standards Development Process



**Annex D**

**Annex D**  
EIA Bulletin/Publication Development Process



## ANNEX E

### EIA Legal Guides Brief Summary

#### GENERAL GUIDES APPLICABLE TO ALL EIA ACTIVITIES

This PART I includes general guides applicable to all Electronic Industries Alliance activities. They are required to be read and followed by all members of the Association and staff, chairmen and members of all committees, sections, divisions, and other EIA-sponsored groups.

#### Section A. IMPROPER ACTIVITIES AND PROGRAMS

EIA activities or programs relating to any of the following subjects are improper and are not permitted:

(1) Restraint of Trade Agreements. The establishment of prices, production quotas, or uniformity of conduct, the allocation of customers or markets, standard terms or conditions of sale, boycotts, or other competitive restraints are improper activities. Therefore, any activities within, or in conjunction with, Alliance meetings relating to any of these matters are improper and committee chairmen, staff, and participants should take affirmative action to assure that no such discussions are initiated or pursued.

(2) Prices and Pricing Policies. Any consideration or discussion of product prices or industry pricing policies is improper and therefore not permitted. This applies to all discussion and casual remarks relating to individual company prices, changes in prices, or general price level whether involving formal or informal exchanges between participating representatives. Such discussions are improper and must be avoided.

(3) Terms and Conditions of Purchase and Sale. Any discussion at, or in conjunction with, EIA meetings of terms and conditions of purchase and sale, including but not limited to warranty and warranty periods, discounts, allowances, or terms of credit, or the formulation of uniform or standard terms and conditions of purchase or sale, uniform basing points or zoning prices, or the recommendation thereof voluntary use by the membership also is improper and is prohibited. It is usually proper, however, to discuss and propose comments and recommendations to Government agencies relating general contract provisions, or modifications thereof, or other procurement practices or policies proposed or adopted by such agencies.

(4) Costs. Programs or activities involving the exchange of information relating to individual company costs of production or distribution and any formulas for computing such costs are improper. Discussions at EIA meetings of industry costs are normally not permitted.

(5) Future Plans. Programs involving the exchange of company information relating to future plans affecting the design, research and development, production, and distribution or marketing or products are also improper. Any discussion at EIA meetings relating to such programs are not permitted.

(6) Boycotting Customers or Products. Any activity involving the black listing or boycotting of customer's competitors, suppliers, or others or establishment or patterns of uniform dealing is improper. Therefore, there shall be no activities relating to any form of boycotting or any activity which may be interpreted as such.

#### Section B. PROCEDURES FOR CONDUCTING ACTIVITIES IN ACCORDANCE WITH EP-20-B. A synopsis follows:

(1) Notices and Agendas. Notices and agendas in these Legal Guides. All agendas otherwise shall be in conformity with rules established by the General Counsel or shall be

specifically approved by him. Whenever feasible, background information which would be helpful in the consideration of items on the agenda should be distributed in advance of meetings.

(2) Conduct of Meetings. All meetings shall be conducted in such a way as to assure ample opportunity and freedom in the exchange of ideas and an equal voice in all decisions. Committee chairmen and EIA staff personnel shall make sure that all actions and discussion at meetings are kept within the bounds of proper association activity. Committee Chairmen should immediately rule out or order discussion deemed improper or questionable under the policies set forth herein until the propriety of such discussion has been determined by general counsel. If any doubt exists concerning the propriety of a program, either from a legal or policy point of view, it shall not become final or effective until after review by general counsel. Committee chairmen should follow the published agenda and not depart therefrom except for a good and legitimate reason, in which event the minutes should record the reasons for such departure.

(a) Voting in Committees. All Committees shall adopt rules consistent with these Guides to insure that each company represented shall be entitled to vote in a manner which will give equal weight to the vote of each company represented on the Committee, regardless of the number of representatives from any one company, if there should be more than one.

(3) Preparation and Review of Minutes. Detailed minutes of all meetings shall be taken and recorded. Minutes shall include the time and place of the meeting, a list of all committee members and non-members attending, a statement of all matters discussed and actions taken with appropriate reasons therefore, and a record of all voting.

**ANNEX F: STATEMENT FROM PATENT HOLDER**

Date: \_\_\_\_\_

Reference Document: \_\_\_\_\_

(refer to Project Number, Standards Proposal Number, reserved or actual document number or title) (One form per document)

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contact Person regarding patents and intellectual property matters:

\_\_\_\_\_  
(Name Printed)

Title: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
\_\_\_\_\_

E-mail: \_\_\_\_\_

On behalf of the above company, and being authorized by the company to make such representations, we indicate the following:

\_\_\_\_\_(Company Name, hereinafter "company") hereby grants a free, irrevocable license to the Electronic Industries Alliance (EIA) to incorporate text or copyrightable material contained in any company contributions and any modifications thereof in the creation of a EIA standards publication; to copyright and sell in EIA's name any TIA standards publication even though it may include portions of the contribution; and at EIA's sole discretion to permit others to reproduce in whole or in part such contributions or the resulting EIA standards publication. The company will also be willing to grant licenses under such copyrights to third parties on reasonable, non-discriminatory terms and conditions, if appropriate.

With respect to any essential patents held or controlled by the company, pending or anticipated to be filed necessary to implement the above document (mark with an "X" those applicable):

The company states:

\_\_\_ It does not hold and does not anticipate holding any patented invention the use of which would be required for compliance with the proposed EIA Standard or EIA Bulletin

OR

The company states one of either:

\_\_\_ (i) A license will be made available without compensation to applicants desiring to utilize the license for the purpose of implementing the proposed EIA Standard or EIA Bulletin;

OR

\_\_\_ (ii) A license will be made available to applicants under reasonable terms and conditions that are demonstrably free of any unfair discrimination.

Agreed, on behalf of the above company:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name printed)

\_\_\_\_\_  
(Date)