

**ISO/IEC JTC 1
Information Technology**

Document Type: National Body Contribution

Document Title: US National Body Contribution Regarding Fast Track and PAS

Document Source: US National Body

Reference: This is document is circulated to National Bodies for review and consideration. It will be discussed at the November 2008 JTC 1 SWG-D meeting in Osaka, Japan.

Action ID: ACT

Due Date:

No. of Pages: 4

The United States, having reviewed a number of submissions prepared for the Osaka SWG-D meeting, submits a restatement of positions given earlier on Fast Track and PAS Process questions. We hope that this contribution will serve to coalesce NB positions around higher-level principles and thus accelerate resolution of the Fast Track and PAS questions in Osaka.

Draft Agenda Item 8 – JTC 1 N8999 – Separate larger submissions into separately balloted sections, or extend the ballot period based on the page count.

The US does not support these proposals because:

- *the characteristics of the text must be taken into consideration and would likely be far more important than the page count; and*
- *the arbitrary splitting of a submission into a sequence of ballots (other than on logical groupings) could cause misunderstanding and confusion. (JTC 1 N9131)*

Consequently, for this agenda item the US does not support N8940 (Canada), N9089 (Netherlands), N9105 (Canada), N9148 (UK) or N9166 (Japan).

Draft Agenda Item 9 – JTC 1 N9002 – Elimination of constraints on comment types.

The US supports removing any kind of restraints involving comments which might restrict a NB from voting as it sees fit. For example, disapproval of a FDIS could be allowed with no technical reasons provided. (JTC 1 N 9128)

Consequently, for this agenda item the US does not support N9083 (France).

Draft Agenda Item 10 – JTC 1 N9004 – BRG Management.

The US disapproves the changes suggested on the BRGs proposed by the UK in JTC 1 N 8735 with the following comments:

- *Editing the JTC 1 Directives to move text around while in the midst of harmonization with the ISO/IEC Directives seems a low-value task. Despite the introductory paragraphs to this submission, little new material concerning “the composition and procedures of Ballot Resolution Groups” is provided.*
- *Active, voting participation in a BRM should be available to any voter casting a valid vote, including those who vote “Abstain”.*
- *“Affected interests” language appears in the ISO/IEC Directives today, and it is not clear what is achieved by making such a change to delete this language in the JTC 1 Directives, again in the midst of harmonization. The determination of precisely who are “affected interests”, however, is more suitably left open for ISO/IEC and JTC 1 interpretation, as reasonable and sound decisions in this area would lead to productive BRMs.*
- *SC Members should have the ability to participate in BRMs which affect the SC scope, whether they voted or not, and this provision should not be deleted. (JTC 1 N 9127)*

Consequently, for this agenda item the US does not support N8735 (UK) or N9107 (Canada).

Draft Agenda Item 11 – JTC 1 N9005 – Clarification of Fast Track Procedure - call for comments on N8746 (modification of several clauses in Directives 13) and N8948 (change clause 13.8, voting in a BRM; and clarify letter ballot clause)

The US National Body does not support the suggested changes proposed by the UK in JTC 1 N 8746. Regarding the SC28 Contribution in JTC 1 N 8748, the US National Body does not support Part One (concerning clause 13.8, voting in a BRM, as it is incorrect); and the US supports Part Two (concerning clause 9.1.10, clarification about letter ballots). (JTC 1 N9129)

Consequently, for this agenda item the US does not support N8746 (UK) and N9108 (Canada). The US partially supports N8948 (SC 28).

The US notes further that several, later submissions were made to address broader aspects of the Fast Track and PAS processes (beyond commenting on N8746 and N8948), and to the extent that these do not lead to alignment of the JTC 1 Fast Track process to the ISO/IEC Fast Track process (and similar alignment of the JTC 1 PAS process to the ISO/IEC Fast Track process, given appropriate modifications suitable for the nature of PAS Submitters), the US would not support them.

Draft Agenda Item 12 – JTC 1 N9145/9146 – Comparison of Documents and Recommended Resolutions.

The US believes that SWG-D must complete a high-level discussion of harmonization issues, and following agreement, these documents may be useful in completing a detailed analysis.

Draft Agenda Item 13 – JTC 1 N9161 – SC 36 Justification of Proposed Directives Changes.

The US position is: (a) US agrees with SC36 that removing an NB Expert from a WG should only be done by the Expert's NB; (b) US disagrees with setting up precise terminology for a BRM, and suggests that this should be up to the BRM Leadership Team; (c) US feels that changing "may" to "should" has no real meaning, and it is far better to align with the ISO/IEC Fast Track process, where the CEO makes necessary determinations; further, to the extent that this proposal (c) intends to force SC involvement in a preliminary evaluation of Fast Track submissions, the US is opposed to such direction.

Draft Agenda Item 14 – JTC 1 N9164 – Australia Submission on PAS Procedures.

The US believes the Fast Track 30-day review period should be eliminated; thus, adding such a period to PAS processing is not appropriate.

To further explain the US position on related items, US positions on alignment questions posed to National Bodies in N8666 are provided:

JTC 1 N 8666 - 5 questions were posed concerning the alignment of JTC 1 Processes

1. Inconsistencies across JTC 1 Processes:

- a. Consistent information across 3 processes. *The US generally agrees that National Bodies can benefit from consistent information across the three processes; however, we note that because PAS Submitters operate outside of the JTC 1 Community, careful attention and analysis must be paid to their information. Further deliberation is needed, as the*

generation of more paperwork for Fast Track submissions (and alignment with NP proposals) should be consistent with the value received.

- b. Document withdrawal. In principle, document withdrawal should be aligned between the PAS and Fast Track processes, with withdrawal, at least by PAS Submitters, permitted at any point prior to publication; Fast Track submitters might have an earlier withdrawal limit.*
 - c. 30 day review period. It should be eliminated. However, if SWG/D insists on keeping it, must have rules to make it work effectively; we have a further concern that a National Body Fast Track should be dealt with by the National Bodies and not by a TC.*
 - d. Clause 9 & 14.4.3.3 discrepancies. Resolve this in favor of the Clause 9 wording, and insure that the voting forms (Annex G) are also consistent with Clause 9.*
 - e. Alignment of maintenance processes. JTC 1 must recognize that the Submitter should have a strong role, particularly in PAS submissions; flexibility should be retained so that maintenance may be decided on a case-by-case basis and PAS Submitter status.*
- 2. Commenting and voting forms. The commenting procedures should be aligned across the three processes; this will be consistent with alignment to the ISO/IEC Fast Track process so that a final approval vote would not have comments needing resolution. All three types of comments (technical, editorial, other) should be allowed when comments are allowed. The voting forms are not consistent today with the voting process and need correction.*
 - 3. PAS Submitter information. The currently mandated information is adequate. The US is opposed to the inclusion of item 1 from JTC 1 N 8632 (global/regional/national outreach information) as it is too subjective for reasonable use. The US is opposed to the JTC 1 N 8632 item 4 suggestion that an IPR Policy should be provided because the Annex M questions are sufficient; further, ISO/IEC should not perform a legal analysis of external IPR Policies.*
 - 4. Process alignment. The US agrees that the Fast Track processes should be aligned so that the JTC 1 Fast Track process follows the ISO/IEC Fast Track process. There should not be alignment between PAS processes because they are fundamentally different. To the extent that appropriate safeguards are established to protect the valuable contributions of PAS Submitters (for example, the ability to withdraw their submission rather than have changes leading to divergence) and recognize distinctions with JTC 1 members (for example, much more information is required about PAS Submitters and their proposals than from established JTC 1 participants), the US can agree to closer alignment between the JTC 1 PAS process and the ISO/IEC Fast Track process.*
 - 5. Harmonize the initiation of all three processes. The US recommends that we do not harmonize and keep the process initiations separate as they are today, as it seems to work acceptably.*