

Dear IEEE-SA Standards Board Member:

The following is being provided as an information item for the IEEE-SA Standards Board. The purpose of this communication is to close out the issue on the statement of recirculation made regarding the review of Std 802, Standard for Local and Metropolitan Area Networks: Overview and Architecture, by the Standards Board at its June 2001 meeting.

The June 2001 Standards Board Meeting minutes state:

Item 2.2.3 Std 802 - Standard for Local and Metropolitan Area Networks: Overview and Architecture

There was a motion from RevCom to approve the revision of this standard. The editorial staff shall include the note from the RAC Chair in the published document. Upon vote, the motion was approved with 20 approve and 1 abstain.

If staff and the working group have discussions resulting in a substantive change, there will be a re-circulation.

Due to the substantive changes made in the draft to remove language in Clause 5 regarding compliance, a recirculation of Std 802/Draft 30 was conducted to the 802 ballot group, which closed 20 September 2001. Two negative votes were received as a result:

*Paul Nikolich: "In the cover note Tony Jeffree refers to 'legal issues' and 'negative legal ramifications' without specifically identifying what they are. It is essential for the ballotter to understand what those legal issues are. I recommend the IEEE lawyers should explain these issues and they be included in the next recirc ballot package if there is one."*

Response: Legal counsel has advised that use of the word "compliance" within a standard should be limited and used with the utmost care. In this instance, legal counsel has advised that the compliance language should be removed.

*Geoff Thompson: "I do not agree with the removal of Clause 5. I do not agree with the conduct of this recirculation. 802-2001 is an approved Standard. It was approved unconditionally by the IEEE-SA Standards Board on June 14, 2001. The approval of P802 - 2001 closed out the PAR that was properly used to conduct final recirculation ballot on P802/D29. That draft was submitted to REVCOM and fully approved by the SA Standards Board. There is no provision in the SA procedures for conducting a ballot to change an approved standard without a PAR. This recirculation has no procedure for resolution or disposition of comments."*

*The alluded-to comment which has resulted in a change of substance was:*

- 1. not presented during the balloting period*
- 2. was not (as far as I know) presented to a comment resolution group*

*The remedy to my comment is:*

- Not approve the proposed change*
- Not approve the out of process procedure*
- Publish the Standard as approved by the SA-Standards Board and the approved process.*

*Further, I have not seen any evidence that the alleged legal issue is (1) of substance or (2) requires, at worst, a simple disclaimer."*

Response: The Standards Board has the authority to make a decision regarding any necessary recirculations that may be required as a result of a ballot or change made to a draft standard. The draft standard was not approved without conditions, but was approved pending discussion between staff and the working group that could result in a substantive change that would require a recirculation. Therefore, the recirculation was a valid procedure resulting from the Standards Board decision.

As a result of the approved recirculation ballot, IEEE Standard 802 will now move forward to publication.