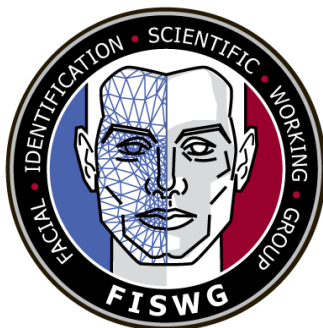


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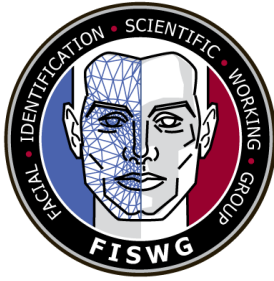
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## Facial Identification Scientific Working Group (FISWG)

### Bylaws

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#### ARTICLE 1: NAME

The name of the organization shall be the Facial Identification Scientific Working Group, and shall herein be referred to as FISWG.

#### ARTICLE 2: DESCRIPTION, MISSION AND OBJECTIVES

- 2.1 The FISWG represents a collaboration of sovereign entities, and is not a separate legal entity. As a result, there are no legally enforceable rights in any court either for or against FISWG. This section is not subject to amendment.
- 2.2 The mission of FISWG is to develop consensus standards, guidelines and best practices for the discipline of image-based comparisons of human features, primarily face, as well as to provide recommendations for research and development activities necessary to advance the state of the science in this field.
- 2.3 This mission is supported by the following objectives:
  - 2.3.1 Coordinate the interaction of organizations that are actively engaged in the discipline of image-based comparisons of human features. NOTE: For the purpose of brevity, the term "Facial Identification" will be used throughout the rest of this document to mean "the discipline of image-based comparisons of human features".
  - 2.3.2 Facilitate the exchange and dissemination of information through organization representation by members of the facial identification community to maximize collective resources.
  - 2.3.3 Articulate and advance the scientific basis of facial identification by promoting documentation, collaboration, gap identification, and prioritization of specific research, development, test and evaluation topics.
  - 2.3.4 Standardize best practices for facial identification, including methods, protocols, procedures, research, technology and training to competency.
  - 2.3.5 Cooperate with other national and international organizations to develop standards.
  - 2.3.6 Promote and disseminate FISWG standards and best practices to the members of the relevant operational facial identification communities, including, but not limited to, criminal justice, intelligence, immigration, border protection, and identity management.
  - 2.3.7 Maintain currency of the above objectives and respond to emerging facial identification challenges, such as technology advancement and legal requirements.

#### ARTICLE 3: MEMBERSHIP

- 3.1 FISWG includes Regular Member Agencies and Associate Member Agencies, who are represented by individual delegates, as well as Invited Participants.

- 3.1.1 Regular Member Agencies are those government agencies with law enforcement, intelligence, or homeland security responsibilities that are described as one or more of the following:
- 3.1.1.1 An agency actively involved in the discipline of facial identification through the use of an automated facial recognition system with a one-to-many search capability; or
  - 3.1.1.2 An agency actively involved in the discipline of facial identification through manual forensic comparison analysis, usually in the context of a one-to-one comparison.

Each Regular Member Agency has full voting privileges through its Regular Delegate(s) as delineated herein.

- 3.1.2 Associate Member Agencies are those agencies, governmental or otherwise, which have an operational or academic research interest in, and/or insights to, FISWG, but are not actively involved in utilizing the discipline of facial identification for law enforcement, intelligence or homeland security purposes. Each Associate Member Agency has limited voting privileges through its Associate Delegate(s) as delineated herein.
- 3.1.3 Invited Participants may include, but are not limited to, representatives of commercial vendors, public policy groups, and interested agencies. Invited Participants do not have voting privileges except where granted by the Executive Committee as delineated herein.
- 3.1.4 An Associate Member Agency that becomes actively involved in the discipline of facial identification per Section 3.1.1 may request immediate conversion to Regular Member Agency through written communication (letter or email) to the Executive Secretary. This written communication should briefly explain the extent of this new involvement. The Executive Secretary shall forward this request to the Executive Committee within 7 days of receipt. Members of the Executive Committee shall then have 7 days to seek additional information regarding this request, if desired, by contacting the requesting agency and copying the Executive Secretary on this correspondence. In the absence of any Executive Committee requests for information within that period, conversion of the Agency to Regular Membership shall be automatic. If a request for further information has been made, then the conversion shall still occur, but will be considered conditional until the next scheduled meeting of the FISWG, when the Executive Committee shall meet and address any unresolved issues regarding the requested conversion.

3.2 Agencies are represented by one or more individual Delegates whose role is defined by the agency's role (Regular Delegates are from Regular Member Agencies and Associate Delegates are from Associate Member Agencies). These individual Delegates should be engaged in the discipline of facial identification, either operationally or academically, or in a related discipline with a bearing on facial identification, such as identity management applications (e.g., operation of a detainee or criminal booking system that has a biometrics component).

3.2.1 Individual Delegates must be official employees of the agency they represent. For the purposes of these by-laws, individuals under a support or services contract to an agency ("Contractors") are not considered to be official employees.

3.2.2 An agency may proxy its membership rights to one or more of its contractors by notifying the Executive Secretary in writing (paper or electronic correspondence).

3.3 All agencies eligible for Regular or Associate Membership who are present, either in person or through proxy, during the vote to approve these bylaws at the June 2009 meeting will be conferred the appropriate membership status upon approval of said bylaws. Likewise, any representatives of Regular or Associate Membership Agencies present when the bylaws are approved will be conferred Delegate status.

3.4 After June 2009, Agencies will only become Members upon the election of an employee of that Agency as a New Delegate. New Delegates will be elected according to the following:

- 3.4.1 New Delegate candidates must attend two meetings to be eligible for membership.
- 3.4.2 New Delegate candidates must provide the Chair with a copy of his or her curriculum vitae (CV) and a Disclosure of Commercial Interests form prior to his or her nomination.
- 3.4.3 The CV and Disclosure of Commercial Interests form must be accepted by the Chair before the new Delegate can be eligible for membership.
- 3.4.4 New Delegate candidates that are eligible for membership will be voted on during the last Executive Committee session of a scheduled FISWG meeting.
- 3.4.5 Confirmation of a new Delegate requires an affirmative 2/3 majority vote of the Executive Committee members.
- 3.4.6 New Delegates will be notified of his or her membership status by the Chair or his/her designee at the closing plenary session of a scheduled FISWG meeting or by the Executive Secretary within 14 business days of the meeting.
- 3.5 An individual Delegate's term shall begin immediately upon his or her election.
- 3.6 In order to maintain Agency Membership, an Agency Representative (Delegate or proxied representative) must attend a minimum of one-half of the scheduled meetings per calendar year. The Executive Secretary will notify the Chair in writing if an Agency has not sent a representative to two consecutive meetings.
- 3.7 Delegate terms shall be five years in duration unless terminated prior to that time. There is no term limit for Agency Membership.
  - 3.7.1 Delegate membership in FISWG terminates if a Delegate ceases to be in the employ of his or her agency. It is the responsibility of the delegate to inform the Executive Secretary before the next scheduled vote if they cease to be in the employ of his or her agency.
- 3.8 A Delegate may be reelected according to the following:
  - 3.8.1 If interested in continuing FISWG service, a Delegate or his/her agency shall submit a Letter of Interest to the Executive Secretary, including his or her interest, past participation, future contribution, and agency support.
  - 3.8.2 The Letter of Interest shall be received by the Executive Secretary prior to the last Executive Committee session of the scheduled FISWG meeting after which the Delegate's term will expire.
  - 3.8.3 During the last Executive Committee session of a scheduled FISWG meeting, discussion and voting by the Executive Committee will occur regarding Eligible Delegates who have submitted his or her Letter of Interest.
  - 3.8.4 Reelected Delegates will be notified by the Chair or his/her designee at the closing plenary session of a scheduled FISWG meeting or by the Executive Secretary within 14 business days of the meeting.
  - 3.8.5 Should a Delegate fail to meet the Letter of Interest deadline, it is up to the Chair to decide if he/she will accept a late Letter of Interest from the Delegate.
  - 3.8.6 If the Chair accepts a late Letter of Interest, then the Executive Committee will decide whether there is a FISWG position available. If there is, the Executive Committee will vote on the reinstatement of the Delegate via an email vote or at the next Executive Committee session of a scheduled FISWG meeting.
  - 3.8.7 Confirmation of a reelected Delegate requires an affirmative 2/3 majority vote of the Executive Committee members.
  - 3.8.8 If and when the Executive Secretary's membership is up for renewal, the Chair shall manage the

voting for that member.

- 3.9 The membership roster, including both Agencies and his or her Delegates, will be reviewed at least annually after re-elections. As changes occur, the roster will be updated as necessary and as soon as possible. As vacancies occur, the Executive Committee shall determine the need to elect new members.
- 3.10 Membership may be terminated according to the following:
- 3.10.1 An Agency's or Delegate's intent to resign membership should be submitted in writing to the Executive Secretary who shall advise the Executive Committee.
- 3.10.2 Any Delegate may submit a written complaint to the Executive Committee concerning the removal of another Delegate. The complaint shall contain allegations that support removal. The Executive Committee shall review the complaint and determine the action needed. Action shall be to dismiss the complaint or to conduct an inquiry.
- 3.10.2.1 If the complaint is dismissed, the matter is resolved.
- 3.10.2.2 If further inquiry is warranted, the Executive Committee will:
- 3.10.2.2.1 Provide the accused Delegate an opportunity to respond in writing or to resign within 30 days;
- 3.10.2.2.2 Consider all pertinent information; and
- 3.10.2.2.3 Vote on the matter.
- 3.10.3 Executive Committee and Membership Termination Voting
- 3.10.3.1 If the Executive Committee reaches a 2/3 vote to dismiss a complaint, the matter is resolved.
- 3.10.3.2 If the Executive Committee reaches a unanimous vote to terminate membership or the Delegate, there is no right of appeal
- 3.10.3.3 If the Executive Committee reaches a majority vote to terminate the membership or the Delegate, the accused Delegate may resign or the matter may be referred to the membership.
- 3.10.3.3.1 If the matter is referred, the membership shall be provided the complaint and the response.
- 3.10.3.3.2 Final determination of the complaint will be conducted by voting in accordance with the Executive Committee membership termination procedures requiring the approval of two-thirds of the membership.
- 3.11 Disclosure of Commercial Interests shall occur according to the following:
- 3.11.1 All individual Delegates, candidates for membership, and contractors assigned an agency's proxy shall disclose, by private written communication to the Chair, any direct financial relationship that they or any members of his or her immediate family have, or expect to have, with commercial vendors of facial identification or facial recognition hardware, software, or services, including training or examination services. Such relationships shall be defined to include:
- 3.11.1.1 Greater than 5 percent ownership of, or interest in, a commercial venture
- 3.11.1.2 Consulting agreements, whereby the member receives compensation for providing consulting or other technical services to a commercial venture on a part-time basis

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- 3.11.1.3 Direct employment by a commercial venture
- 3.11.2 The Executive Committee will take under consideration the degree of commercial interest, if any, in determining or re-evaluating membership status.
- 3.11.3 Failure to provide such disclosure shall be considered grounds for immediate removal from FISWG by the Executive Committee.
- 3.11.4 A Regular Delegate who has a change of status (i.e. retirement, outside interest, etc.) must submit a private, written communication to the Chair within 60 days describing the circumstances of his or her status change. The Executive Committee may grant that individual Associate Delegate status.

#### **ARTICLE 4: OFFICERS, EXECUTIVE BOARD, AND EXECUTIVE COMMITTEE**

- 4.1 The Officers shall consist of the Chair and Vice-Chair, who shall both be Regular Delegates of FISWG.
- 4.2 Officers shall be elected according to the following:
  - 4.2.1 The Executive Secretary shall make an announcement at a regular meeting that an election for an officer will be conducted at the next regular meeting. This requirement does not exist at the June 2009 meeting because no Executive Secretary will exist.
  - 4.2.2 Nominations shall be stated verbally by Delegates at the meeting.
  - 4.2.3 Voting shall be conducted by secret ballot in accordance with Robert's Rules of Order. Each Regular Member Agency will have one vote.
    - 4.2.3.1 The candidate with a majority of the vote will be elected.
    - 4.2.3.2 In the event that no candidate achieves a majority, a run-off shall be held involving the two candidates with the most votes. If a tie remains, a coin flip will be used to break the tie.
  - 4.2.4 Officers shall be elected from the Delegates of Regular Member Agencies for a term of three years.
  - 4.2.5 The terms of Officers shall be staggered. In order to initiate this process, the Vice-Chair elected at the June 2009 meeting shall accept a term of office that is two years in duration.
  - 4.2.6 A two-term limit shall apply to each Office. The terms may be non-consecutive. An individual who has served two terms in one Office is eligible to serve up to two terms in the other Office.
    - 4.2.6.1 Term limits for Officers may be waived by unanimous vote of the Regular Member Agencies.
  - 4.2.7 Officer voting requires that individuals representing 2/3 of FISWG Regular Member Agencies be present at the time of the vote. Member agencies voting by proxy shall be considered present for voting purposes. If 2/3 of the voting agencies are not in attendance, the incumbent will maintain office until such time as an election can be held.
  - 4.2.8 The term of office shall begin at the close of the meeting during which the election took place, with the exception of the initial Chair and Vice-Chair elected in June 2009, whose terms shall begin immediately upon election.
  - 4.2.9 In the event a meeting or election cannot be held within the 3-year term of office, the officer's term shall be extended until the election can be held.
- 4.3 Officers may be removed from office according to the following:

- 4.3.1 An Officer's intent to resign his or her position should be submitted to the remaining Executive Committee members.
  - 4.3.2 Any Delegate may submit a written complaint to the Executive Committee to remove an Officer from his or her position. The procedures in section 3.10 that apply to membership termination shall be applied in the event of a removal from office complaint, with the exception that the Officer cited in the complaint shall not be present at the Executive Committee meetings during discussion and voting on the matter.
  - 4.3.3 If an Officer resigns or is removed from office, the Chair shall designate a replacement to serve the remainder of the term of the Officer.
- 4.4 Duties of the FISWG Chair shall be in accordance with customary duties to the office, including:
- 4.4.1 Preside over meetings
  - 4.4.2 Promote the objectives of the FISWG
  - 4.4.3 Establish subcommittees as necessary
  - 4.4.4 Develop an agenda that maintains continuity of the items discussed and brings forth items for discussion and development
  - 4.4.5 Provide the agenda to the Executive Secretary no less than four weeks prior to each meeting
  - 4.4.6 Represent the FISWG in an official capacity at other functions and meetings, as well as through official correspondence
  - 4.4.7 Designate an archivist responsible for maintaining historical documents.
  - 4.4.8 Designate a member of the Executive Committee to serve as Vice-Chair of FISWG during a period of absence where the Vice-Chair is unable to serve.
- 4.5 Duties of the FISWG Vice-Chair shall be in accordance with customary duties to the office, including:
- 4.5.1 Chair meetings of the FISWG in the absence of the Chair, unless otherwise provided.
  - 4.5.2 Represent the FISWG in an official capacity at other functions and meetings in the absence of the Chair.
  - 4.5.3 Coordinate the activities of the subcommittees.
  - 4.5.4 Perform other duties as assigned by the Chair.
- 4.6 The Executive Board shall consist of the Officers, an Executive Secretary, an Archivist, an Editor, and a Webmaster.
- 4.7 The Executive Secretary, the Archivist, the Editor, and the Webmaster shall be appointed by and serve at the discretion of the Chair.
- 4.8 Duties of the Executive Secretary shall be in accordance with customary duties to the office, including the following:
- 4.8.1 Maintain written records, meeting minutes, membership attendance and committee assignments for FISWG.
  - 4.8.2 Distribute meeting minutes to the Editor within 14 business days of each meeting.
  - 4.8.3 Perform all other duties as assigned by the Chair.
- 4.9 Duties of the Archivist shall be in accordance with customary duties of the office, including the following:
- 4.9.1 Maintain a permanent electronic record of all published FISWG documents.

- 4.9.2 Ensure that previously published documents are available in electronic format consistent with existing word processing document standards.
- 4.9.3 Perform all other duties as assigned by the Chair
- 4.10 Duties of the Editor shall be in accordance with customary duties of the office, including the following:
  - 4.10.1 Ensure that all approved FISWG documents are reviewed and formatted in accordance with best practices.
  - 4.10.2 Provide completed publications to the Webmaster for publication in a timely manner, at the direction of the Chair.
  - 4.10.3 Perform all other duties as assigned by the Chair
- 4.11 Duties of the Webmaster shall be in accordance with customary duties of the office, including the following:
  - 4.11.1 Ensure that all approved and edited FISWG documents are made available online, in a timely manner and in a consistent format in accordance with best practices.
  - 4.11.2 Provide official FISWG website maintenance and member web collaboration capability at the direction of the Chair.
  - 4.11.3 Perform all other duties as assigned by the Chair.
- 4.12 In the event of the resignation or an inability of an Officer to serve for a period in excess of six (6) months, a successor will be elected.
- 4.13 The Executive Board will meet as necessary to conduct FISWG business. This may be during or after FISWG meetings, via e-mail or teleconference, or by other means that facilitate the interaction necessary to effectively conduct business.
- 4.14 FISWG Delegates who are not members of the Executive Board who wish to attend an Executive Board meeting may do so only upon approval of a request sent to the Executive Board.
- 4.15 The Executive Committee shall consist of the Officers, standing subcommittee chairs, At-Large members, and a representative from the FISWG sponsoring agency.
  - 4.15.1 Subcommittee Chairs shall be members of the Executive Committee.
  - 4.15.2 Subcommittee Chairs may remain a member of the Executive Committee after dissolution of the subcommittee until such time that At-Large membership is reviewed by the Chair.
  - 4.15.3 At-Large members shall be set at a number one less than the total number of standing subcommittees.
  - 4.15.4 At-Large members shall be appointed by the Chair to represent a breadth of member agencies.
  - 4.15.5 A new At-Large member shall be appointed by the Chair in the event that a new subcommittee is created. The appointment shall occur simultaneously with the naming of the Subcommittee Chair.
  - 4.15.6 At-Large membership shall be reviewed by the Chair on an annual basis.
  - 4.15.7 Should an At-Large member step down, the Chair may appoint another to replace them prior to the annual review.
  - 4.15.8 An At-Large member may be a Regular or Associate Delegate.
  - 4.15.9 The Chair shall communicate directly with the sponsoring agency to determine the appropriate representative of the Sponsoring Agency to sit on the Executive Committee.



- 4.15.10 Each member of the Executive Committee shall have one vote each in matters of the Executive Committee, unless that member is from an organization or agency that is not eligible for Regular or Associate Membership, in which case they will have no voting privileges.
- 4.15.10.1 Should a member of the Executive Committee be unable to attend a meeting of the Executive Committee, then his/her vote may be proxied to another Regular or Associate Member Delegate in attendance.
- 4.15.10.2 Executive Committee responsibilities and voting privileges of a standing Subcommittee Chair who cannot attend a meeting will automatically be proxied to the standing Subcommittee Vice Chair if that individual is available.
- 4.15.10.3 In the absence of an automatic proxy, Executive Committee responsibilities and voting privileges of any Executive Committee Member who cannot attend a meeting may be proxied to a Regular or Associate Member Delegate upon written notification to the Executive Secretary.
- 4.15.11 Executive Committee members shall promote the objectives of FISWG according to the following:
- 4.15.11.1 Advise the Chair regarding the oversight and direction of the FISWG.
- 4.15.11.2 Advise the Chair regarding membership issues.
- 4.15.11.3 Serve as a decision body as established by other sections of the By-laws.
- 4.15.11.4 Will review the By-laws every two (2) years.
- 4.15.11.5 Perform other duties as directed by the FISWG Chair.
- 4.16 Any other duties not explicitly described herein shall be the responsibility of the Chair to perform either in person or by delegating to others.

## **ARTICLE 5: MEETINGS**

- 5.1 There shall be a minimum of two regular meetings per year.
- 5.1.1 FISWG meetings shall consist of up to 50 attendees from agencies eligible for membership.
- 5.2 Special meetings may be called by the Chair or by a majority of the Executive Committee.
- 5.3 The Executive Secretary should provide an agenda including travel requirements to all Delegates via email no less than three weeks prior to each meeting.
- 5.4 Attendance of a majority of the Regular Agency Membership (to include their proxies) shall constitute a quorum for voting on articles at a regular meeting. A majority vote of the Regular Agency Members present is required unless otherwise noted.
- 5.5 Invited Participants may participate in FISWG meetings or Executive Committee meetings according to the following:
- 5.5.1 At the direction of the FISWG Chair and with the concurrence of the Executive Committee, individuals who are not Delegates may be invited to participate in FISWG general assembly meetings.
- 5.5.2 Invited Participants who wish to attend an Executive Committee meeting may do so only upon approval of a written request sent to the Executive Secretary or the FISWG Chair no later than 30 days prior to the scheduled meeting.

- 5.5.3 Attendance of any FISWG meeting by Invited Participants shall be for the purpose of providing scientific or technical information to the meeting participants.
- 5.5.4 Invited Participants are normally responsible for all his or her costs required to attend the meeting.
- 5.6 The Executive Committee may exclude any person or persons from a meeting, or portion thereof, if it is in the best interest of FISWG to do so.

## **ARTICLE 6: SUBCOMMITTEES**

- 6.1 The Chair of FISWG, with the concurrence of the Executive Committee, shall establish subcommittees as appropriate.
  - 6.1.1 Membership composition of subcommittees is at the discretion of the Chair. Delegate preference shall be considered by the Chair prior to appointment of a Delegate to a subcommittee.
  - 6.1.2 The FISWG Chair shall define subcommittee assignments.
  - 6.1.3 Subcommittees shall be responsible for preparing documentation such as guidelines, standards and position papers, and presenting them before the attending Delegates as a group.
  - 6.1.4 When appropriate, subcommittee input may be received from Invited Participants of FISWG; however, the subcommittee will present all input to the group as a whole and as approved by the subcommittee.
  - 6.1.5 Subcommittee voting shall occur on an individual Delegate basis so that individual subcommittee Delegates shall each have a vote within his or her subcommittee meetings. This is in contrast to voting in plenary sessions, which is always limited to Member Agencies only.
  - 6.1.6 Subcommittee Delegates shall elect the Subcommittee Chair. Both Regular Member Delegates and Associate Member Delegates have voting privileges for purposes of electing the Subcommittee Chair, and both Regular Member delegates and Associate Member delegates are eligible to be Subcommittee Chair.
    - 6.1.6.1 The candidate with a majority of the vote will be elected.
    - 6.1.6.2 In the event that no candidate achieves a majority, a run-off shall be held involving the two candidates with the most votes. If a tie remains, the Vice-Chair of FISWG will cast the tie-breaking vote.
  - 6.1.7 The Subcommittee Chair shall appoint a Subcommittee Vice-Chair to serve concurrently with the Chair. Both Regular Member Delegates and Associate Member Delegates are eligible to be Subcommittee Vice Chair.
  - 6.1.8 The terms of the Subcommittee Chair and Vice-Chair begin upon election of the Subcommittee Chair.
  - 6.1.9 The Subcommittee Chair and Vice-Chair serve for the life of the subcommittee or 3 years, whichever comes first.
  - 6.1.10 There is no limit on the number of terms a Subcommittee Chair or Vice-Chair may serve.
  - 6.1.11 Subcommittee documents require approval by a majority of the subcommittee Delegates prior to presentation to the FISWG Membership. Both Regular Members and Associate Members have voting privileges for purposes of document approval.
  - 6.1.12 Approved subcommittee documents shall be presented to the FISWG membership for modification or publication approval at a regular meeting.

- 6.1.13 Subcommittees may meet virtually or physically between regular meetings, as necessary to accomplish work, at no expense to FISWG.
  - 6.1.13.1 The subcommittee Chair shall notify the FISWG Chair of the meeting.
  - 6.1.13.2 The meetings shall be independent of the FISWG as a whole.
  - 6.1.13.3 The results of and recommendations from the meetings shall be reported to FISWG by the subcommittee Chair at the next scheduled FISWG meeting.

## **ARTICLE 7: DOCUMENTS, APPROVAL AND MODIFICATION**

- 7.1 There are six categories of documents that are to be generated as the work products of FISWG: 1) Draft for Comment; 2) Revised Document for Comment; 3) Document for Five-Year Review - Draft for Comment; 4) Approved Document; 5) Letter; and 6) Position Paper.
  - 7.1.1 Individual drafts of proposed new standards or guidelines which are circulated and published for comment by the community shall be referred to as "Draft for Comment."
    - 7.1.1.1 Each Draft for Comment shall also carry a title that is descriptive of its content and the designation whether it is being considered as either a Standard, or a Guideline.
  - 7.1.2 A Draft for Comment that has been circulated and published shall, after a minimum of 30 days, be presented to the Delegates at a regular meeting or online for discussion of comments and voting. If approved by a vote of the Regular Member Agencies, the Draft for Comment shall thereafter become an "Approved Document," carrying the appropriate title by which it was circulated as an earlier draft for comment and the date of its approval.
  - 7.1.3 After a substantive modification of a document which has been reopened for discussion, the document shall thereafter be considered a "Revised Document for Comment".
  - 7.1.4 When five years have elapsed from the date of adoption or modification of a document, Delegates shall consider whether changes are required. During the consideration process, the document shall be referred to by its original title as a "Document for Five-Year Review - Draft for Comment."
- 7.2 A document shall become a Draft for Comment when it receives a two-thirds affirmative vote of the Regular Member Agencies at a regular meeting or participating in an on-line vote.
  - 7.2.1 A Draft for Comment shall be published for comment on the FISWG website and an announcement of its website publication shall be circulated to selected forensic organizations with a request to publish the announcement in the organizations' publications.
    - 7.2.1.1 After publication of a Draft for Comment, comments received by the Executive Secretary or the Chair from the community shall be circulated to the Delegates prior to the next meeting. Further document revisions may be made at the next meeting if deemed appropriate, and thereafter submitted to a vote of the Regular Member Agencies.
    - 7.2.1.2 If revisions are made to a circulated draft, the Chair shall decide whether the changes are substantive. If they are, the document shall be published again as a Revised Document for Comment but if they are not, the document shall be proposed for voting by the Regular Member Agencies to become an Approved Document.
- 7.3 A Draft for Comment that, after the expiration of its comment period, receives an affirmative vote of two-thirds of the Regular Member Agencies present at a regular meeting or participating in an on-line vote shall become an Approved Document.
  - 7.3.1 An Approved Document can be reopened for review at any time by a majority vote of the

Regular Member Agencies at a regular meeting or participating in an on-line vote.

- 7.3.2 Modification of an Approved Document requires the approval of two-thirds of the Regular Member Agencies at a regular meeting or participating in an on-line vote.
- 7.4 A Revised Document for Comment and a Document for Five-Year Review-Draft for Comment shall be treated in the same manner as a Draft for Comment.
- 7.5 Letters and Position Papers may be published by FISWG on specific issues or activities that are of interest to the relevant community.
  - 7.5.1 Letters and Position Papers may be prepared by individual FISWG Delegates, by the Executive Board, by the Executive Committee, or by committees assigned by the Chair for that specific task.
  - 7.5.2 Letters and Position Papers do not require public release as draft documents prior to approval as final documents. Instead, such documents shall be considered releasable for immediate publication if approved by vote of the Regular Membership Agencies at a regular meeting or participating in an on-line vote.
  - 7.5.3 In rare instances, the timely creation and dissemination of a Letter or Position Paper necessary for effectiveness of the communication may preclude awaiting the next scheduled FISWG meeting in order to conduct membership voting. In these instances, the Chair may coordinate and the necessary 2/3 affirmative vote may be sought by the Executive Secretary from members via e-mail distribution of the correspondence and e-mail voting of the members.
- 7.6 FISWG documents, the FISWG logo, and the terms “FISWG” and “Facial Identification Scientific Working Group” may not be used nor disseminated for commercial purposes. However, FISWG documents may be copied and disseminated in unlimited quantities if they are to be used for law enforcement, intelligence, homeland security, judicial and/or non-profit educational purposes. This section is not subject to amendment.

#### **ARTICLE 8: AMENDMENTS TO BYLAWS**

- 8.1 Proposed amendments to the Bylaws should be submitted to the Chair and Executive Secretary of FISWG 60 calendar days prior to a scheduled meeting.
  - 8.1.1 The Executive Secretary shall distribute the proposed amendments to all members of the Executive Committee within 7 calendar days of receipt.
- 8.2 At the discretion of the Executive Committee, proposed amendments will be distributed to the membership.
- 8.3 Delegates will be notified that a proposed amendment to the Bylaws will be presented for a vote at the next regular meeting.
- 8.4 When proposed amendments are distributed to the membership, they shall be provided at least 30 calendar days prior to a meeting.
- 8.5 Amendments to Bylaws must be approved by two-thirds vote of the total Regular Agency membership to become active.
- 8.6 Only Regular Agency Members or his or her proxies may vote on Bylaws issues.
- 8.7 Amendments to the bylaws will become active at 11:59 pm, local time, on the day on which they were approved by two-thirds vote of the total Regular Agency membership.

**ARTICLE 9: PARLIAMENTARY PROCEDURES**

- 9.1 Delegates shall follow good business practices during meetings. In plenary session, the Chair or his/her designee shall be responsible for maintaining good order. In subcommittee, the Subcommittee Chair or his/her designee shall be responsible for maintaining good order.
- 9.2 Should a dispute occur, Robert's Rules of Order will be followed.
- 9.3 For voting purposes, a quorum shall consist of 50.1 percent of the eligible voting Member Agencies. Proxy votes shall count toward establishing a quorum.
- 9.4 Except as otherwise specified, all motions require a simple majority vote of attending Agencies, including proxy votes, for passage.
- 9.5 Regular Member Agency voting takes place in plenary sessions only and shall occur according to the following:
  - 9.5.1 Each agency represented among the Regular Membership of FISWG shall have one vote through its designated voting delegate who should be a Regular Delegate.
  - 9.5.2 Member Agencies shall identify their designated voting delegate to the Executive Secretary prior to the vote.
  - 9.5.3 If the designated voting Delegate cannot attend a meeting, then he/she may proxy his or her vote to another representative from his or her agency. This proxy may or may not be a regular Delegate.
  - 9.5.4 In the event a designated voting Delegate is unable to attend a scheduled meeting and is unable to send another representative of that agency, that individual may proxy his/her vote to any Regular Delegate from another Member Agency in attendance.
    - 9.5.4.1 This proxy must be declared in writing (paper or electronic correspondence) to the Executive Secretary prior to the vote.
    - 9.5.4.2 If a Regular Member has both his or her agency delegate vote and a proxied delegate vote from another Member Agency, it is incumbent upon the member in each instance to vote in the manner according to whom they represent.
- 9.6 Associate Member Agencies and Invited Participant Agencies shall not have voting privileges in plenary sessions with the exception of Executive Board and Executive Committee approval as noted below.
  - 9.6.1 The Executive Board, with approval of the Executive Committee, may appoint voting rights to relevant organizations or other groups as represented by Associate Members or Invited Participants according to the following:
    - 9.6.1.1 When the participation of the invited relevant organization or other group or Invited Participant is important and valuable.
    - 9.6.1.2 The Invited Participant of the organization or group does not have to be a Regular Delegate of FISWG, but must be a member in good standing with his or her sponsoring organization or group.
    - 9.6.1.3 The participating organization must inform the Executive Secretary of the name of the chosen representative (Associate Member or Invited Participant) in writing.
    - 9.6.1.4 Each organization or group represented by the Associate Member (s) or Invited Participant(s) shall have one delegate vote which shall be executed in Plenary Session in accordance with the FISWG bylaws for Regular Member Agency voting.
    - 9.6.1.5 Associate Delegates or Invited Participants may also vote in Subcommittee in



accordance with the FISWG bylaws regarding Subcommittee Voting.

- 9.6.1.6 The Executive Board, with approval of Executive Committee, has the right to reassess whether an invited organization, other group, or Invited Participant is important and valuable and may withdraw any appointed voting rights at any time as deemed necessary.

**ARTICLE 10: SPONSORING AGENCY DECLARATION OF FINANCIAL SUPPORT**

- 10.1 The FISWG Chair shall maintain regular communications with the Agency or Agencies which sponsor the activities of the FISWG (hereafter referred to as the “Sponsors”).
- 10.2 Within 30 days of the conclusion of the first FISWG meeting of any calendar year, the FISWG Chair will send a written communication soliciting from the Sponsors a written “Declaration of Financial Support” for the FISWG. The Chair shall time the issuance of this communication so as to reasonably coincide with the regular passage of a budget for the sponsoring agency.
- 10.2.1 The “Declaration of Financial Support” shall indicate the intention of the Sponsors to support the continued operations of the FISWG for the next three regular FISWG meetings.
- 10.3 Should the Sponsors decline to indicate their intention to support further operations of the FISWG prior to the next scheduled FISWG meeting, then, on the final day of the next scheduled meeting, the Chair shall offer up a motion to suspend all further FISWG activities until such time as new sponsors can be identified.