

BYLAWS For The EIGHT CONVENING INVASIVE SPECIES ADVISORY COMMITTEE (ISAC-8)

Section I: PURPOSE

The purpose of the Invasive Species Advisory Committee (ISAC) is to provide a forum for the members of the National Invasive Species Council (NISC), as authorized by Executive Order 13112, to seek information and advice for consideration on a broad array of issues related to preventing the introduction of invasive species and providing for their control, as well as minimizing the economic, ecological, and human health impacts that invasive species cause. The ISAC shall act in cooperation with stakeholders and existing organizations addressing invasive species.

“The Secretary of the Interior shall establish an advisory committee under the Federal Advisory Committee Act, 5 U.S.C. App., to provide information and advice for consideration by the Council, and shall after consultation with other members of the Council, appoint members of the advisory committee representing stakeholders. Among other things, the advisory committee shall recommend plans and actions at the local, tribal, State, regional, and ecosystem-based levels to achieve the goals and objectives of the Management Plan in section 5 of this order. The advisory committee shall act in cooperation with stakeholders and existing organizations addressing invasive species. The Department of the Interior shall provide the administrative and financial support for the advisory committee.”

Section II: AUTHORITY

The President of the United States has determined that the establishment of the ISAC is in the public interest. The ISAC is established by Executive Order 13112, Invasive Species, February 3, 1999. The ISAC is subject to the provisions of the Federal Advisory Committee Act (FACA).

The ISAC will take no action unless the requirements of Section 9 and 14 of FACA (5 U.S.C. Appendix) have been met.

Section III: MEMBERSHIP SELECTION AND APPOINTMENT

ISAC Membership

Members are nominated through consensus of all NISC departments and agencies for consideration; then appointed by the Secretary of the Interior. The ISAC will consist of no more than 32 voting members. (There is a recommendation to amend the number of voting members).

Members may, serve for two consecutive terms of three (3) years or until their successors have been approved by the Secretary of Interior.

ISAC shall have no more than 12 vacant positions in the next solicitation and nomination cycle where members are selected.

Representatives of State and tribal interests will be allotted at least two (2) vacancies each on the ISAC to ensure adequate consideration of State and Tribal views.

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Scope and Objectives. The purpose (Council), on a broad array of issues and providing for their control, as well as minimizing the economic, ecological, and human health impacts that invasive species cause. The ISAC shall act in cooperation with stakeholders and existing organizations addressing invasive species.

Comment [MM1]: I recommend that part of purpose should be to require NISC's production, after collaboration with ISAC, of a National Invasive Species Management Plan which shall be updated at least once every three years.

(b) The Secretary of the Interior shall establish an advisory committee under the Federal Advisory Committee Act, 5 U.S.C. App., to provide information and advice for consideration by the Council, and shall after consultation with other members of the Council, appoint members of the advisory committee representing stakeholders. Among other things, the advisory committee shall recommend plans and actions at the local, tribal, State, regional, and ecosystem-based levels to achieve the goals and objectives of the Management Plan in section 5 of this order. The advisory committee shall act in cooperation with stakeholders and existing organizations addressing invasive species. The Department of the Interior shall provide the administrative and financial support for the advisory committee.”

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Comment [MM2]: Should we recommend to reduce the number to no more than 21? It keeps growing like a cancer is heavily populated with academics who quite frankly do not always relate well with the real world.

Comment [KZ3]: The Charter may have to be revised or updated as it may not be valid since it was adopted in 2010. Charter says it is only valid for 2 years.

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The Secretary of the Interior or his/her designee reserves the right to replace any member who is unable to fully participate in the ISAC, or who misses three (3) consecutive, regularly scheduled meetings of the ISAC.

Members of ISAC should have practical experience in one or more of the following areas:

1. Representing sectors of the national economy:
 - a. that are significantly threatened by biological invasions (e.g., agriculture, fisheries, public utilities, recreational users, tourism, etc.); or
 - b. whose routine operations may pose risks of new or expanded biological invasions (e.g., aviation, shipping, horticulture, aquaculture, pet trade, etc.)
2. Natural Resource related issues, including but not limited to:
 - a. developing natural resource management plans on regional or ecosystem-level scales;
 - b. addressing invasive species issues, including prevention, control, monitoring, and restoration in multiple ecosystems and on multiple scales;
 - c. integrating science and the human dimension in creating effective solutions to complex environmental conflicts; or
 - d. complying with NEPA and other Federal requirements for public involvement in major conservation plans.

Additional individuals representing relevant Federal and State agencies may be utilized to provide advice and expertise to the ISAC. Expert consultants may also be called upon to provide advice or information to the ISAC on an ad hoc basis.

Recommendation of Officers

1. The ISAC Chairperson shall select a nominating committee to accept the nominations for officers.
2. After consultation with current members of ISAC, the nominating committee submits to the Chairperson and the Executive Director of NISC a list of members desiring to be officers. A slate of officers is developed and agreed upon by a majority of ISAC members. ISAC forwards this slate as a formal recommendation to NISC.
3. The Executive Director of NISC selects and appoints the ISAC officers based on the ISAC recommendation.

Section IV: MEETING PROCEDURES

Meetings shall conducted in accordance with Roberts Rules

A. Agenda

Development of agendas relative to themes/focus for ISAC meetings:

1. Develop a theme for field meetings if appropriate
2. First draft of agenda is provided by Steering Group 60 days prior to a scheduled meeting for review by ISAC members to provide an opportunity to comment prior to the meeting.
3. Provide final agenda to ISAC at least 35 days prior to the meeting
4. Identify lead for each agenda item to facilitate discussion
5. Provide discussion time for each agenda item

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The Designated Federal Official (DFO) must approve the agenda in advance of any meeting of the ISAC.

B. Minutes and Records

The ISAC Secretary shall take notes on all action items and formal recommendations agreed upon at the meeting for inclusion in the Executive Summary, which shall be communicated to the full ISAC within 30 calendar days of meeting adjournment.

1. Prior to adjournment, the ISAC Secretary and members shall agree on all recommendations, action items, and other decisions taken during the course of the meeting.
2. NISC Staff will prepare a draft of the minutes for the ISAC Secretary who will review them for accuracy before distributing to the entire membership for approval and adoption.

Minutes of all ISAC meetings are provided in accordance with FACA. Meeting minutes are available for review by ISAC members and the public in the NISC offices during normal business hours.

C. Meetings

The ISAC will meet at the call of the Chairperson with the approval of the DFO, no less than twice per year, if funds are available. Meetings may be held less frequently if the workload of the ISAC permits. A quorum will consist of a simple majority of the members of the ISAC.

ISAC may not meet without the attendance of the DFO, or his/her appointed designate.

Section V: VOTING

ISAC shall strive to reach decisions by consensus. In the event consensus is not reached or upon request of 3 or more ISAC members, a vote shall be held following a motion duly made and seconded by ISAC members. Voting is required for the following:

1. Individuals to recommend to the Secretary of the Interior as ISAC Officers
2. Recommendations to submit in writing as advice to NISC
3. Endorsement of products created by ISAC Subcommittees
4. Specific positions on invasive species related issues
5. Issues or statements to be brought before NISC by the ISAC Chairperson on behalf of the full ISAC.
6. Steering Subcommittee membership.

A simple majority of ISAC members present must vote in favor of any measure voted upon in order to pass.

Section VI: ROLE OF COMMITTEE OFFICIALS

ISAC officials consist of the Chair, Vice-Chair, Secretary, as well as the Designated Federal Official (DFO). By accepting the positions, ISAC officers agree to:

1. Resolve logistical and administrative issues (e.g., formal document production, review and approval.)

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Comment [K6]: ISAC is not reviewing for agreement on action items-reporting only. There may be value in this procedure under certain membership demographics.

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Comment [K27]: If we have only a simple majority there may be a time when only like-minded individuals are present and recommendations or actions are taken that do not have the support of the majority of membership.

Comment [MM8]: Assume you mean 17 or do you mean simple majority of those present?

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2. Assure adherence to meeting procedures Roberts Rules of conduct.
3. "Moderate" discussions to facilitate progress towards resolution.
4. Serving for a term of two years or until their successor has been nominated by ISAC and approved by NISC,

Comment [K10]: Robert's Rules?

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A. Chairperson

The Chairperson will approve the agenda for the meetings; and preside over and adjourn meetings under normal circumstances in conjunction with the DFO. The Chair, or his/her designee, will also be the official spokesperson for ISAC, which is needed for presentations/briefings to NISC, external entities including Federal agencies and Congress.

B. Vice-Chairperson

The Vice-Chairperson will undertake such of the Chairperson's responsibilities as may be delegated and may chair meeting in the absence of the Chairperson. The Vice-Chairperson also serves as the lead of the Steering Subcommittee. In the event that the current Chairperson resigns his/her ISAC membership, the Vice-Chairperson will fill the position in an acting capacity until such time as the full ISAC can vote on a recommended replacement, and that replacement is formally appointed by the Secretary of the Interior.

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C. Secretary

The Secretary is responsible for recording recommendations and action items from each meeting, ensuring that they are accurate and agreed upon by the full ISAC prior to meeting adjournment. The Secretary will work with NISC staff to produce minutes for the meeting and will also certify their accuracy prior to their being made available to the public. The Secretary will also assist NISC staff in preparing written correspondence directed by the ISAC, and assist in preparing reports on ISAC activities, as well as performing other administrative duties as directed by the Chairperson, with support from NISC staff.

Comment [K11]: When was the last time we received an annual report

Comment [MM12]: NEVER AND who would the Annual Report be for. Maybe we should substitute for "annual" something to effect "periodic reports on ISAC activities at least once every 18 months." That would have two reports during a 3 year term.

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D. Designated Federal Official (DFO)

The DFO, or his/her designate, is required to attend every ISAC meeting, and provide guidance to ISAC to ensure that meetings are conducted in accordance with the Federal Advisory Committee Act (FACA).

As stated above, the DFO will have the authority and be required to adjourn any meeting under circumstances in which he/she considers such action to be in the public interest.

Section VII: EXPENSES AND REIMBURSEMENT

Members of the ISAC and its subcommittees will serve without pay. However, while away from their homes or regular places of business in the performance of duties of the ISAC, members will be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government Service, as authorized by 5703 of Title 5, United States Code. Other Federal, State, and Tribal experts and individuals as invited by ISAC to attend meeting may be allowed travel expenses as specified in this section.

Section VIII: HEARINGS AND PUBLIC INVOLVEMENT

Meetings of the ISAC will be open to the public except when a determination is made in writing by the Secretary of the Interior or her/his DFO, that any or all portions of a meeting should be

Comment [K13]: DFO

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closed in accordance with 5 U.S.C. 552b (c). Public notice of meetings (or closure of meetings) will be published in the *Federal Register* in accordance with FACA regulations.

For all open meetings, a public comment period will be scheduled as the last agenda item at the end of each day, and also prior to adjournment of the meeting.

Section IX: ADDITIONAL INFORMATION

A. Roles and Responsibilities for Steering Subcommittee

The rationale for the ISAC Steering Subcommittee is to enable a representative sub-set of ISAC to facilitate and support the ISAC Chairperson, Vice-Chairperson and Secretary in mobilizing ISAC membership. The Steering Sub-Committee is not a substitute for ISAC. It is not an executive committee, and does not make decisions for the full ISAC.

1. The role of the Steering Subcommittee is to take actions necessary to ensure effective ISAC operation during meetings and in follow-up actions. Activities include, but are not limited to:
 - a. preliminary agenda development
 - b. production of "strawman" documents as starting points for ISAC discussions
 - c. 30 days after an ISAC meeting, the ISAC will request from the NISC agencies, issues they need help and recommendations from ISAC for consideration at future meetings.
2. The Steering Subcommittee is comprised of no more than eight (8) members (including the ISAC Vice-Chairperson, who will serve as the lead). Members will be drawn from both new and reappointed members of ISAC, with a balanced mix of sectors represented. In addition, the ISAC Chair, ISAC Secretary and one NISC staff member (generally the DFO or designee) would participate in the Steering Subcommittee as ex-officio members, for a maximum of 11 participants.
3. The Steering Subcommittee shall be elected by ISAC members.
4. Activities of the Steering Subcommittee will be open and transparent to the full ISAC membership.
5. Meetings will be held by teleconference unless a physical meeting is determined to be necessary due to subject matter or complexity of topic. To the extent practicable, NISC will cover travel costs for physical meetings.
6. At a minimum, the Steering Subcommittee will meet:
 - a. once soon after a full ISAC meeting
 - b. once at mid-point between full ISAC meetings
 - c. once just before full ISAC meeting

B. Roles and Responsibilities of Subcommittees, Task Teams, and Ad Hoc Working Groups

As deemed necessary, the Committee Chairperson, in consultation with the NISC Executive Director, and as agreed upon by the full ISAC, may convene subcommittees, task teams or ad hoc working groups to support ISAC functions. Such groups will report directly to the ISAC. To the extent practicable, such subcommittees should follow open meeting and balanced membership requirements; and shall include at least one ISAC member.

Subcommittees are standing subcommittees that remain in place until the ISAC Chair and NISC Executive Director determine the subcommittee is no longer necessary. Task Teams shall be established for a specific purpose, task or project; at the task team shall dissolve upon

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Comment [K14]: We need to look closely at this!

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Comment [K15]: ??? let's talk in detail about this. Let's remove this until further discussion.

Comment [MM16]: To best of my knowledge this has never arisen. If occurred, I would want the Steering Committee to formulate a "position or recommendations" to be circulated to ISAC

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Comment [KZ18]: The Steering group is

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completion of its assignment. Ad hoc working groups may be established during a meeting of the ISAC to accomplish a specific task and shall dissolve upon adjournment of the meeting.

All Subcommittees, task teams or ad hoc working groups shall be chaired or co-chaired by ISAC members. Non-ISAC members may be invited to participate to provide information relevant to the tasks being considered by such groups.

General

1. Subcommittees may be created for any purpose by ISAC (and NISC, if Federal employees are involved.) Their creation and continuation is at the discretion of ISAC and NISC.
2. Subcommittees will form a process for addressing issues, including information exchange. Subcommittees will report out to ISAC.
3. Meetings are by teleconference unless the activity is of sufficient complexity to require a physical meeting.
4. Subcommittees should conduct a "scoping exercise" to ensure connection and relevance to the current Invasive Species National Management Plan; and create a timeline and action strategy for all referred issues.

Process

1. Subcommittees do not communicate directly with NISC. All findings must be reported to ISAC which, in turn, provides recommendations and advice to NISC.
2. Subcommittees and their members do not represent ISAC.
3. Subcommittees shall not transfer tasks or other activities to other subcommittees without prior approval of ISAC
4. Subcommittees may:
 - a. Collect information for delivery to ISAC.
 - b. Summarize options and provide pros and cons for each.
 - c. Draft documents that provide advice and/or recommendations for ISAC consideration.
 - d. Communicate with various State, Tribal, local, national and international organizations to discuss issues, and collect and distribute information.
5. Subcommittee Chairpersons shall be selected by the subcommittee.
 - a. Final approval will be by ISAC (and NISC, if a Federal employee is proposed.)
 - b. If required, replacement of leaders will be by mutual agreement of the ISAC Chairperson and NISC Executive Director
6. Subcommittees will use physical meetings, or meet by conference telephone or similar communication equipment by which all persons participating in any such meeting can simultaneously hear each other as needed and appropriate to addressing the issue, as proposed by the leader with concurrence of members.
7. Subcommittee Chairpersons should provide an agenda for all meetings, as well as a one-page summary of subcommittee activities and outcomes, including copies of relevant supporting documents, at least 30 days prior to each ISAC meeting.
8. Subcommittees will provide copies of products to NISC staff as they are created for distribution to ISAC members for review.

Guidance

1. Subcommittees will present critical issues to the ISAC and request guidance.

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2. Subcommittees will submit updates on current issues to be included briefing binders distributed to ISAC members prior to regularly scheduled ISAC meetings.
3. ISAC minutes will reflect a summary of subcommittee issues and guidance suggested.

Section X: AMENDMENTS

Amendments to the bylaws, subject to review and approval of the NISC Executive Director and the Department of the Interior's Office of the Solicitor, may be proposed by a two-thirds (2/3) vote of the total current membership of ISAC.

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