

FACA 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.

Executive Order 13112, Sec. 3, (b) states: "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 was established by Executive Order 13112, 64 Fed. Reg. 6,183, Establishment is in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. Appendix 2.

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: SCOPE AND OBJECTIVES

The purpose of the ISAC is to advise the National Invasive Species Council (Council), 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 impact, ecological, and human health impacts that invasive species cause. The ISAC maintains an intensive and regular dialogue with stakeholders to explore these issues.

Section IV: DESCRIPTION OF DUTIES

Provide advice for consideration by the Council relating to the Council's role in:

- A. recommending plans and actions at local, tribal, state, regional, and ecosystem-based levels to achieve the goals and objectives of the National Invasive Species Management Plan;
- B. cooperation with stakeholders and existing organizations addressing invasive species;
- C. coordinating Federal agency activities concerning invasive species;
- D. implementing action items specified in the 2008-2012 National Invasive Species Management Plan (Plan), and any updates or revisions to the Plan;
- E. developing recommendations for international cooperation in addressing invasive species;

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February 3, 1999

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- F. developing, in consultation with the Council on Environmental Quality, guidance to Federal agencies pursuant to the National Environmental Policy Act (NEPA) on invasive species matters;
- G. facilitating development of a coordinated network to document, evaluate, and monitor impacts from invasive species;
- H. facilitating establishment and enhancement of a coordinated sharing system on invasive species that utilizes the Internet, to the greatest extent practicable.

The ISAC will advise the Council on ways to support long-term continuance and effective implementation of the Plan.

Section V: OFFICALS TO WHOM THE COMMITTEE REPORTS

The ISAC reports to the Secretary of the Interior (Secretary) through the Designated Federal Officer (DFO)

Section VI: DESIGNATED FEDERAL OFFICER

The DFO is the Executive Director of the National Invasive Species Council who is a full time Federal employee appointed in accordance with Agency procedures. The DFO will approve or call all ISAC and sub-committee meetings, prepare and approve all meeting agendas, attend all ISAC and sub-committee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair the meeting when directed to so by the Secretary.

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

Section VII: ESTIMATED NUMBER AND FEQUENCY OF MEETINGS

The ISAC will meet approximately twice per year, and at such other times as designated by the DFO

Section VIII: DURATION:

Continuing

Section IX: TERMINATION:

The ISAC will become inactive 2 years from the date the Charter is filed, unless, prior to that date; the Charter is renewed in accordance with Section 14 of the FACA. The ISAC will not meet or take any action without a valid current Charter.

Section X: MEMBERSHIP AND DESIGNATION:

The ISAC will consist of no more than 32 voting members. Members of the ISAC will be knowledgeable in and represent one or more among, but not limited to, the following interest groups:

Biologist	Ranchers	Foresters	Farmers
Economist	Educators	Academics	Researchers
Risk Assessment Analysts		Persons involved in Global Commerce	
Public Health Specialist		Industry Representatives	
Information/Database Managers		Invasive Species Management Specialists	

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Members are nominated through consensus of all NISC departments and agencies for consideration; then appointed by the Secretary of the Interior.

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State, Tribal, and Local Government Representatives
Non-Governmental and Environmental Representatives
Lawyers specializing in invasive species policy

(There is a recommendation to amend the number of voting members).

Members will serve for terms of 3 years, with no member serving more than 2 consecutive terms, unless the Secretary extends the length of the ISAC members' terms to improve effectiveness and efficiency of the ISAC.

The 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.

Members are expected to participate in the ISAC meetings and activities. All members serve at the pleasure of the Secretary. The Secretary 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 the 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.

Members of the ISAC and its subcommittees serve without compensation. However, while away from their homes or regular places of business in the performance of services of the ISAC, members may 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.

Section XI: ETHICS RESPONSIBILITIES OF MEMBERS

No ISAC or subcommittee member will participate in any specific party matter including a lease, permit, contract, claim, agreement, or related litigation with the Department in which the member has a direct financial interest.

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

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Section XII: SUBCOMMITTEES

Subject to the DFO's approval, subcommittees may be formed for the purpose of compiling information or conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full ISAC for consideration. Subcommittees must not provide advice or work products directly to the Agency. The ISAC Chairperson, with the approval of the DFO, will appoint subcommittee members. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.

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Section XIII: ROLE OF COMMITTEE OFFICIALS

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

1. Resolve logistical and administrative issues (e.g., formal document production, review and approval.)
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 the ISAC and approved by the NISC

A. Chairperson

The Chairperson will 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 the ISAC, which is needed for presentations/briefings to the NISC, external entities including Federal agencies and Congress.

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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 Group. 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 the 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 the NISC staff in preparing written correspondence directed by the ISAC, and assist in preparing reports on the ISAC activities; as well as performing other administrative duties as directed by the Chairperson, with support from the NISC staff.

Section XIV; RECOMMENDATIONS OF OFFICERS

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1. The ISAC Chairperson shall select a nominating committee to accept the nominations for officers.

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

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Section XV: MEETING PROCEDURES

Meetings shall be conducted in accordance with Roberts Rules

A. Agenda

Development of agendas for the ISAC meetings:

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

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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. The 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.

Section XVI: VOTING

The 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 the 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 the NISC
3. Endorsement of products created by the ISAC Subcommittees
4. Specific positions on invasive species related issues
5. Issues or statements to be brought before the NISC, by the ISAC Chairperson, on behalf of the full ISAC.
6. Steering Group.

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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.¶

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ISAC may not meet without the attendance of the DFO, or his/her appointed designate. ¶
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A simple majority of the ISAC members present must vote in favor of any measure voted upon in order to pass.

Section XVII: ADDITIONAL INFORMATION

A. Roles and Responsibilities for the Steering Group

The rationale for the ISAC Steering Group is to enable a representative sub-set of ISAC to facilitate and support the ISAC Chairperson, Vice-Chairperson and Secretary in mobilizing the ISAC membership. The Steering Group 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 Group 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 the ISAC for consideration at future meetings.
2. The Steering Group 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 the 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 Group, as ex-officio members, for a maximum of 11 participants.
3. The Steering Group shall be elected by the ISAC members.
4. Activities of the Steering Group will be open and transparent to the full ISAC membership.
5. Meetings will be held by teleconference unless, due to the subject matter or complexity of a topic, a physical meeting, is determined to be necessary. To the extent practicable, the NISC will cover travel costs for physical meetings.
6. At a minimum, the Steering Group 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 DFO, and as agreed upon by the full the ISAC, may convene subcommittees, task teams or ad hoc working groups to support the 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 DFO determine the subcommittee is no longer necessary. Task Teams shall be established for a specific purpose, task or project, and the task team shall dissolve upon 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.

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The DFO, or his/her designee, 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.

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Section VI: ROLE OF COMMITTEE OFFICIALS

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

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C. General

1. Subcommittees may be created for any purpose by the ISAC (and the NISC, if Federal employees are involved.) Their creation and continuation is at the discretion of the ISAC and DFQ.
2. Subcommittees will form a process for addressing issues, including information exchange. Subcommittees will report out to the 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 National Invasive Species Management Plan; and create a timeline and action strategy for all referred issues.

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D. Process

1. Subcommittees do not communicate directly with the NISC. All findings must be reported to the ISAC which, in turn after the approval of the ISAC, provide recommendations and advice to the NISC.
2. Subcommittees and their members do not represent the ISAC.
3. Subcommittees shall not transfer tasks or other activities to other subcommittees without prior approval of the ISAC
4. Subcommittees may:
 - a. Collect information for delivery to the ISAC.
 - b. Summarize options and provide pros and cons for each.
 - c. Draft documents that provide advice and/or recommendations for the 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 the ISAC (and the NISC, if a Federal employee is proposed.)
 - b. If required, replacement of leaders will be by mutual agreement of the ISAC Chairperson and DFQ.
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.
7. As needed and appropriate to addressing the issue, as proposed by the leader with concurrence of members. Subcommittee meetings will be scheduled by the Chairperson with concurrence of members. Any meetings, requiring the NISC funding will require approval by the DFQ.
8. 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 the ISAC meeting.
9. Subcommittees will provide copies of products to the NISC staff as they are created for distribution to the ISAC members for review.

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D. 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 the ISAC members prior to regularly scheduled ISAC meetings.
3. The ISAC minutes will reflect a summary of subcommittee issues and guidance suggested.

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Section XVIII: 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 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.

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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 XIX: RECORDKEEPING

The records of the ISAC, and formally and informally established subcommittees of the ISAC, shall be handled in accordance with General Rules Schedule 26, Item 2 and other approved Agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act.

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Section XX: AMENDMENTS

Amendments to the bylaws, subject to review and approval of the DFQ 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 the ISAC.

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