

# National Cooperative Agricultural Pest Survey Committee

## Bylaws<sup>†</sup>

### **Purpose of the Bylaws**

To establish rules of operation for the National Cooperative Agricultural Pest Survey (CAPS) Committee (NCC).

### **CAPS Mission**

The mission of the Cooperative Agricultural Pest Survey (CAPS) program is to provide a survey profile of exotic plant pests in the United States deemed to be of regulatory significance to the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Plant Protection and Quarantine (PPQ), State Departments of Agriculture, tribal governments, and other cooperators through early detection and surveillance activities by:

- Confirming the presence or absence of environmentally and/or economically harmful plant pests that impact agriculture or the environment, and that have potential to be of phytosanitary significance; and
- Establishing and maintaining a comprehensive network of cooperators and stakeholders to facilitate our mission and to safeguard our American plant resources.

### **NCC Purpose**

The NCC represents CAPS cooperators at the national and state level and provides guidance for the Pest Detection program.

The NCC duties include:

- Providing national guidance for policy, procedures, budgets, and performance tracking of CAPS initiatives, including pest detection within specific pest eradication and management programs where overlap occurs with CAPS priority pests.
- Finalizing the annual PPQ National CAPS Guidelines including a list of exotic plant pests for survey priority, and communicating standardized survey methodologies.
- Communicating pest detection objectives, policy, and plans to the stakeholder constituency which the NCC member represents.

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<sup>†</sup> NCC Bylaws 04-01-11.pdf  
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- Monitoring the roles and responsibilities of the State CAPS committees, including the duties of the State Plant Health Directors (SPHD), State Plant Regulatory Officials (SPRO), Pest Survey Specialists (PSS), and State Survey Coordinators (SSC) in implementing the CAPS program.
- Facilitating agreement between PPQ and cooperators on the process for developing pest survey lists for consideration at the state and national level, including commodity-based surveys.
- Identifying high-impact outreach efforts on an annual basis, especially to leverage resources and interest in pest detection.
- Evaluating the fairness and transparency in funding and accountability of cooperators’ use of CAPS funds.
- Identifying training needs in support of CAPS (survey and regulatory policy and procedures, data management, and communications)
- Acting as an advisory committee for all information technology systems, databases, and websites in support of Pest Detection and CAPS.

**NCC Membership**

The CAPS program relies to a great degree on close cooperation between PPQ and state departments of agriculture. It is appropriate for the NCC members to be appointed accordingly.

<b>NCC Member</b>	<b>Role and Responsibility*</b>
PPQ- Director, Pest Detection, Emergency and Domestic Programs (EDP)	National policy and leadership for pest detection in PPQ
PPQ- National Program Manager (NPM), EDP	National PPQ responsibility to provide leadership, management, and coordination to implement and oversee the CAPS program. Chairs and organizes meetings and conference calls, and delivers information in a timely manner
PPQ- Regional Program Manager (RPM), Eastern Region (ER)	Administration of CAPS in ER, including guidance to ER States; assures there is program accountability, fairness and transparency among states in ER. Provides frequent and direct advice to the Director of Pest Detection and NPM
PPQ- Regional Program Manager (RPM), Western Region (WR)	Administration of CAPS in WR, including guidance to WR States; assures there is program accountability, fairness and transparency among states in WR.

<b>NCC Member</b>	<b>Role and Responsibility*</b>
	Provides frequent and direct advice to the Director of Pest Detection and NPM
PPQ- National Science Program Leader, CAPS Support, Center for Plant Health Science and Technology (CPHST)	Provide pest lists, prepare and present relevant scientific analyses, recommend survey methodologies, provide commodity-base pest survey guidelines, prepare risk maps and supporting documentation to inform decisions on pest survey, and to submit proposals for scientific endeavors in support of CAPS
PPQ- State Plant Health Director (SPHD), Eastern Region (ER)	Provide unique PPQ state-level perspective on specific issues in the ER regarding CAPS policy, procedures, and initiatives, coordinated with ER RPM
PPQ- State Plant Health Director (SPHD), Western Region (WR)	Provide unique PPQ state-level perspective on specific issues in the WR regarding CAPS policy, procedures, and initiatives, coordinated with WR RPM
National Plant Board (NPB)- State Plant Regulatory Official (SPRO), Eastern Plant Board	Provide state-level perspective unique to SPROs regarding CAPS policy, procedures, and initiatives, represent the Eastern Plant Board
NPB- State Plant Regulatory Official (SPRO), Central Plant Board	Provide state-level perspective unique to SPROs regarding CAPS policy, procedures, and initiatives, represent the Central Plant Board
NPB- State Plant Regulatory Official (SPRO), Southern Plant Board	Provide state-level perspective unique to SPROs regarding CAPS policy, procedures, and initiatives, represent the Southern Plant Board
NPB- State Plant Regulatory Official (SPRO), Western Plant Board	Provide state-level perspective unique to SPROs regarding CAPS policy, procedures, and initiatives, represent the Western Plant Board
PPQ- Pest Survey Specialist (PSS), Eastern Region (ER)	Provide PPQ ER field-level perspective on specific issues, particularly the feasibility of implementing new survey policy, procedures, or initiatives.

<b>NCC Member</b>	<b>Role and Responsibility*</b>
PPQ- Pest Survey Specialist (PSS), Western Region (WR)	Provide PPQ WR field-level perspective on specific issues, particularly the feasibility of implementing new survey policy, procedures, or initiatives.
State Dept. Ag.- State Survey Coordinator (SSC), Eastern Plant Board states	Provide state, field-level perspective for states in the Eastern Plant Board region on specific issues of concern to the states, particularly the feasibility of implementing new survey policy, procedures, or initiatives.
State Dept. Ag.- State Survey Coordinator (SSC), Central Plant Board states	Provide state, field-level perspective for states in the Central Plant Board region on specific issues of concern to the states, particularly the feasibility of implementing new survey policy, procedures, or initiatives.
State Dept. Ag.- State Survey Coordinator (SSC), Southern Plant Board states	Provide state, field-level perspective for states in the Southern Plant Board region on specific issues of concern to the states, particularly the feasibility of implementing new survey policy, procedures, or initiatives.
State Dept. Ag.- State Survey Coordinator (SSC), Western Plant Board states	Provide state, field-level perspective for states in the Western Plant Board region on specific issues of concern to the states, particularly the feasibility of implementing new survey policy, procedures, or initiatives.

\*The current *Cooperative Agricultural Pest Survey (CAPS) National Guidelines*, contains a comprehensive list of roles and responsibilities of various positions in the CAPS program.

### **NCC Membership Selection**

- The Director of Pest Detection, the NPM, and the two RPMs serve on the NCC as long as they remain in their position. In addition, these four individuals serve as the Pest Detection Management Team (PDMT), and convene frequent discussions as needed.
- The CPHST, National Science Program Leader, CAPS Support, serves on the NCC as long as the incumbent remains in the position.

- The four NPB representatives will be appointed by their respective Regional Plant Board President in consultation with the NPM, and approved by the permanent members of the NCC. They will serve a three-year term unless renewed.
- The two SPHDs will be appointed by their respective Regional Director in consultation with the appropriate RPM, with support of the respective Assistant Regional Director (ARD), and approved by the permanent members of the NCC. They will serve a three-year term unless renewed.
- The two PSSs will be nominated by the PSSs in that Region in consultation with the RPM, with support of the SPHD of the individual's State and the respective Regional Director and ARD, and approved by the permanent members of the NCC. They will serve a three-year term unless renewed.
- The four SSCs will be nominated by the SSCs in that Region in consultation with the RPMs, with approval by the individual's supervisor, support of the SPRO of the individual's State and concurrence of the respective Regional Plant Board President, and approved by the permanent members of the NCC. They will serve a three-year term unless renewed.

The committee aims for continuity and frequent turnover is discouraged; however, adjustments will be allowed to accommodate changes as necessary. NCC members may be re-appointed up to two consecutive terms (not to exceed six years). In an effort to avoid concurrent term expirations, NCC members will serve on a staggered schedule as often as possible. Term years run from January 1 through December 31. The term schedule is posted on a website(s) accessible to the NCC. If a member is unable to complete their term, another will be selected based on the process described above to fill the remaining time of that term. The NPM will notify the Regional Director, Regional Plant Board President, PDMT, and others as appropriate before November 1 of the expiration of a member's term, and convey the need to either re-appoint the member or select a new representative to the NCC.

### **Invited Participant**

Both non-government and government parties will be invited to provide their unique perspectives on specific issues, on an ad hoc basis, as approved by the NCC. Many of these individuals will be invited to participate in conference calls and meetings throughout the year, depending upon the agenda. Some of the invited participants may include university cooperators, PPQ Information Technology (IT) staff, National Agricultural Pest Information System (NAPIS) user services, The Nature Conservancy, National Invasive Species Council (NISC), USDA Cooperative State Research Education and Extension Service (CSREES), US Forest Service, APHIS Native American Working Group representative, Native American tribal representatives, and industry organizations. Invited participants do not serve for a specific term, but only as long as projects or tasks requiring their unique contribution is needed. Once the issue has been addressed or project(s) completed, the invited participant will no longer be obligated to participate in NCC discussions.

Any government entity (i.e. federal, state, local, and/or tribal government officials) may be invited to participate in discussions with an agency of the Federal government without requiring deliberations to be conducted according to the Federal Advisory Committee Act (FACA). Non-government employees will not be asked to engage in discussions that could be interpreted to provide “consensus advice recommendations or advice” to the federal government. Their role will be to provide information and perspective on specific issues. The views of non-NCC members will be considered along with all other information and views available. Therefore, the NCC will not need to conduct meetings under FACA procedures.

### **Committee Meetings**

The NCC will meet during the latter half of January to review/evaluate the CAPS program and to prioritize pest surveys. An Annual Meeting will be convened every other year with all cooperators in December. The NCC will conduct its business in a closed session. Conference calls will be convened monthly: the agenda, date and time, Ad-Hoc participation, and toll free numbers will be provided in advance; significant decisions and action items will be distributed to the NCC within a week after the conference call or meeting.

The NCC will strive for consensus. If an impasse is reached, the Director of Pest Detection may try to resolve the issue via separate discussion with the NPB President, the PPQ Director of Emergency and Domestic Programs, the PPQ Executive Team, or other individuals or organizations and then communicate the decision to the NCC. If an immediate decision must be made at the time the NCC is convened, the Director of Pest Detection will break the impasse by making the final decision.

An important obligation for all NCC members is communication about CAPS activities with their respective constituency. The NCC member must hear their constituents concerns and represent their interests. It is recommended that the SPHDs will contact SPHDs in their PPQ regions at least one week prior to each monthly NCC conference call or NCC meeting and ask for input on critical issues as necessary. The SPHDs will inform the Associate Regional Director (ARD) and RPM of requests they send to SPHDs in the Region. The RPMs will talk with their ARDs at least one week prior to each monthly NCC conference call or NCC meeting and ask for input on critical issues. The NPB regional representatives will seek input from SPROs in their NPB regions prior to each NCC conference call. Likewise, the PSSs and SSCs will communicate with their constituencies. The PSSs will inform the RPM of requests they send to PSSs in the Region. Ideas and issues should be brought to the attention of the NCC for discussion, and meeting minutes, action items, resolutions, and decisions will be communicated back to the CAPS community through the NCC member’s constituency.

### **Financial Support**

Travel expenses to NCC meetings will be budgeted for APHIS personnel. If travel has not been included in the state CAPS Workplan, then non-APHIS participants may request travel support through the PPQ-National Plant Board cooperative agreement. Special

committees, including PPQ and cooperators, will be tasked to address specific issues for the NCC. In these cases, associated costs will be paid by PPQ or through the PPQ-NPB cooperative agreement

**Rules of Conduct**

The NCC strives for open, frank, constructive dialogue in its deliberations, and will conduct meetings in a manner that provides an opportunity for all members to be heard. The NCC will strive for consensus on all issues. They will foster an environment of trust and confidentiality among its members. They will not personalize issues. If issues are sensitive, they will be identified as such and the NCC will handle them as agreed to by the NCC. If an NCC member has disagreement with a particular issue, they will voice their opinion with the NCC where it will be addressed. If the issue is not resolved to their satisfaction, they may either remove themselves from deliberations on that issue or they may ask to be removed from the NCC. However, the NCC expects the confidentiality of its deliberations to be honored as a professional courtesy even if the member is removed from discussion on an issue or is removed from the NCC. The NPM, with concurrence of the PDMT, President of the National Plant Board, Regional Director, and Director of EDP, may seek to replace NCC members if they fail to meet their obligations.

**Maintenance of the Bylaws**

Any questions, concerns, or suggestions to improve these Bylaws may be addressed to John Bowers, the National Program Manager, located at the following address:

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