

National Cooperative Agricultural Pest Survey Committee By Laws

Adopted: October 5, 2007

Revised: March 14, 2008

Purpose of the By Laws

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

CAPS Mission

The mission of the Cooperative Agricultural Pest Survey (CAPS) program is to provide a distribution profile of plant pests in the United States deemed to be of regulatory significance to the United States Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection and Quarantine (PPQ), state departments of agriculture, tribal governments, and other cooperators by:

- Confirming the presence or absence of plant pests impacting the domestic and international movement of plants and plant products; 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 entity which the NCC member represents.
- 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.

NCC By Laws

- 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.

NCC Member	Role and Responsibility*
PPQ- Director, Pest Detection, Emergency and Domestic Programs (EDP)	National policy and leadership for pest detection in PPQ
PPQ- National Survey Coordinator (NSC), EDP	National PPQ responsibility to implement and oversee the CAPS program. Chairs and organizes meetings and conference calls, and delivers information in a timely manner
PPQ- Eastern Region (ER), Regional Survey Coordinator (RSC)	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 NSC
PPQ- Western Region (WR), RSC	Administration of CAPS in WR, including guidance to WR States; assures there is program accountability, fairness and transparency among states in WR. Provides frequent and direct advice to the Director of Pest Detection and NSC
PPQ- Center for Plant Health Science and Technology (CPHST), National Science Program Leader, Survey Detection & Identification	Provide pest lists, prepare and present relevant scientific analyses, recommend survey methodologies, provide commodity-base pest survey guidelines, prepare risk maps and

NCC By Laws

NCC Member	Role and Responsibility*
	supporting documentation to inform decisions on pest survey, and to submit proposals for scientific endeavors in support of CAPS
PPQ- ER SPHD	Provide unique state-level perspective on specific issues in ER, coordinated with ER RSC
PPQ- WR SPHD	Provide unique state-level perspective on specific issues in WR, coordinated with WR RSC
National Plant Board (NPB)- Southern Region Plant Board representative	Represent NPB southern region states
NPB- Central Region Plant Board representative	Represent NPB central region states
NPB- Eastern Region Plant Board representative	Represent NPB eastern region states
NPB- Western Region Plant Board representative	Represent NPB western region states
PPQ- ER PSS	Provide PPQ ER field-level perspective on specific issues, particularly the feasibility of implementing new policy, procedures, or initiatives.
PPQ- WR PSS	Provide PPQ WR field-level perspective on specific issues, particularly the feasibility of implementing new policy, procedures, or initiatives.
NPB- ER SSC	Provide PPQ ER field-level perspective on specific issues of concern to the NPB, particularly the feasibility of implementing new policy, procedures, or initiatives.
NPB- WR SSC	Provide PPQ WR field-level perspective on specific issues of concern to the NPB, particularly the feasibility of implementing new 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 NSC, and the two RSCs 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, Survey Detection & Identification, 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 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 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 RSCs (with consultation as required), appointed by their respective Regional Director, and approved by the permanent members of the NCC. They will serve a three-year term unless renewed.
- The two SSCs will be nominated by the RSCs (with consultation as required), appointed by their respective Regional Plant Board President, and approved by the permanent members of the NCC. They will serve a three-year term unless renewed.. (note: The SSCs on the NCC will represent the SSCs in a PPQ Region, not just in the Plant Board region of residence.)

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 (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. The NSC will notify the Regional Director, Regional Plant Board President, and PDMT 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

NCC By Laws

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 second week 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. In years during which an Annual Meeting is not scheduled, the NCC will meet in July. 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. 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 RSC of requests they send to SPHDs in the Region. The RSCs 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 the PSSs and SSCs, respectively, in their PPQ region. The PSSs will inform the RSC 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.

NCC By Laws

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 RSCs or Director of Pest Detection, EDP. 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.

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 NSC, 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 By Laws

Any questions, concerns, or suggestions to improve these By Laws may be addressed to the National Survey Coordinator, located at the following address:

USDA-APHIS-PPQ
Emergency and Domestic Programs (EDP)
4700 River Road, Unit 137
Riverdale, MD 20737-1236
(301) 734-3769

“NCC By Laws 3-14-08.pdf”