

# **Grain Inspection Advisory Committee**

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## **POLICY AND PROCEDURES MANUAL**

Proposed August 2019

# GRAIN INSPECTION ADVISORY COMMITTEE (GIAC) POLICY AND PROCEDURES MANUAL

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## **INTRODUCTION**

This document provides procedures for the functioning of the Grain Inspection Advisory Committee (GIAC) and is designed to assist the GIAC in its responsibilities. The policy and procedures manual does not supersede authority or responsibilities as specified in the Federal Advisory Committee Act or the United States Grain Standards Act (USGSA). GIAC members are encouraged to review this manual in depth as well as to become familiar with the USGSA and the USGSA regulations at [7 CFR Part 810](#). Members are advised to periodically review the contents to refresh their understanding of the GIAC's role and duties. GIAC members are entrusted with the responsibility to act in the best interests of all members of the grain community and the public at large. The GIAC's success relies upon the ability to understand each other's respective roles, and to develop successful working relationships.

The primary roles and duties of the GIAC are to:

- Serve as a link to the grain industry;
- Advise USDA on the implementation of the USGSA; and
- Propose recommendations to improve the Official Inspection System.

### **GIAC Mission**

To provide the Secretary advice with respect to the implementation of the USGSA. Key activities of the Committee include:

- Assisting in the development and maintenance of grain standards and regulations;
- Impart proposals on service delivery and inspection issues;
- Recommend research projects that improve grain quality determinations and service delivery, and safety of personnel; and
- Providing feedback on new and existing inspection equipment.

## **AUTHORIZATION**

GIAC is authorized under Section 21 of the USGSA (7. U.S.C. 87j). The GIAC abides by the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2.

### **U.S. Grain Standards Act**

The USGSA authorizes the Secretary of Agriculture to establish a GIAC in accordance with the Federal Advisory Committee Act to provide the Secretary with advice in respect to the implementation of the USGSA.

### **Federal Advisory Committee Act**

The Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2) govern the operation, and termination of advisory committees in the Executive Branch of the Federal Government. The GIAC is a Department of Agriculture (USDA) non-discretionary advisory committee required by the USGSA, as amended.

### **Grain Inspection Advisory Committee Charter**

FACA requires advisory committees to have an official charter prior to meeting or taking any action. An advisory committee charter provides a description of an advisory committee's mission, goals, and

objectives. The [GIAC charter](#) is renewed every two years as a requirement of FACA. The GIAC charter describes the purpose of the GIAC, “to provide advice to the Secretary with respect to the implementation of the USGSA.”

## **GIAC ADMINISTRATION**

### **GIAC Membership**

USGSA specifies the membership of the GIAC as follows. The GIAC shall be composed of 15 members, who represent the interests of all segments of grain industry:

- Grain producing, processing, storing, merchandising, consuming, and exporting industries;
- Grain inspection and weighing agencies; and
- Scientists with expertise in research relating to grain.
- The Committee may have up to two alternates to ensure that a quorum is met in order to hold a meeting.

### **Nomination and appointment process**

Appointment of GIAC members by the Secretary of Agriculture is to a three-year term. The terms are staggered and the USDA periodically requests nominations to fill upcoming vacancies. Consecutive terms cannot be served.

GIAC members serve without compensation. GIAC members are reimbursed by the USDA for approved travel and associated lodging expenses as determined by official federal government guidelines and regulations. In accordance with USDA policies, equal opportunity practices are followed in all appointments to the GIAC. Membership shall include to the extent possible the diverse groups served by USDA, including minorities, women, and persons with disabilities.

The USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program.

### **Responsibilities of the GIAC**

In general, the Committee shall provide advice to the Secretary regarding the implementation of this chapter (USGSA, 7. U.S.C. 87j).

### **GIAC Officers**

Three principal officers, Chair, Vice Chair and Secretary, guide the GIAC. The GIAC members hold an annual election at a public meeting to elect these three officers.

#### **Chair**

The Chair is responsible for ensuring the integrity of the GIAC process, effectiveness of meetings and adherence to GIAC policies and procedures. The primary duties of the Chair are as follows:

- Convene and preside over GIAC meetings, ensuring order and adherence to procedures and

protocol;

- Assist FGIS in prioritizing topics for the meeting agenda, which are reviewed and finalized by FGIS;
- Review GIAC meeting minutes for accuracy; and
- Assist with the annual election of GIAC officers and announces the new officers.

### **Vice Chair**

The Vice Chair acts in the absence of the Chair. The primary duties of the Vice Chair are as follows:

- Help maintain the Policy and Procedures Manual and ensures its accuracy.

### **Secretary**

The primary duties of the Secretary are as follows:

- Record all GIAC member votes at GIAC meetings;
- Assist with the annual election of GIAC officers; and
- May delegate tasks to others, but retains responsibility for the official record.

### **GIAC MEMBERS' DUTIES**

To fulfill their responsibilities, Committee members agree to adhere to the following Duties.

#### **Duty of Care**

The Duty of Care calls upon a member to participate in the decisions of the Committee and to be informed as to the data relevant to such decisions. In essence, the Duty of Care requires that a member: Be reasonably informed - It is the duty of all Committee members to seek and study the information needed to make a reasoned decision and/or recommendation on all business brought before the Committee. The FGIS will provide some of that information, but other information must be developed from independent sources.

**Participate in Decisions:** Committee members are bound by responsibility to be active participants in decision making. Absence from a meeting is no protection from the responsibility for decisions made at the meeting.

#### **GIAC-FGIS Collaboration**

The GIAC provides recommendations to the Secretary on topics related to the USGSA. The GIAC, as a FACA advisory committee, must conduct business in the open, under the requirements of P.L. 94-409, also known as "Government in the Sunshine Act" (5 U.S.C.552b).

The USDA cannot delegate its authority as a regulatory body to private citizens, even when those private citizens are appointed by the Secretary to provide advice. Therefore, the GIAC cannot direct USDA or bind the Secretary through its actions; for example, it cannot obligate funds, contract, make FGIS staffing decisions, or initiate policies of its own accord.

The partnership between the GIAC and the FGIS is important to facilitate changes and improvements that enhance the official inspection system and promote U.S. grain. . A successful partnership is dependent on effective communication and constructive feedback. Communication is facilitated by the

Designated Federal Officer, who participates in all GIAC calls. Additionally, the FGIS Deputy Administrator or designee will participate in all Subcommittee calls upon request and mutual agreement. In addition, each standing Subcommittee will be assigned an FGIS staff person to provide technical, legal, and logistical support.

FGIS, GIAC and its associated stakeholders must continuously work to seek common ground, collaborate and consult in order to ensure that services and programs delivered under the USGSA meet the needs of the U.S. grain marketplace. Every aspect of this work must take place in a manner which clearly demonstrates mutual respect and positive intent.

### **Designated Federal Officer**

FACA and its implementing regulations (5 U.S.C. App. 2) govern the roles and responsibilities of GIAC management including meeting coordination and facilitation. The Designated Federal Officer (DFO) is the individual designated to implement advisory committee procedures. The AMS/FGIS Deputy Administrator is the DFO for the GIAC.

The FGIS Deputy Administrator or designee acts as the DFO during public meetings of the GIAC. The Advisory Committee Specialist (ACS) or designee acts as the DFO for all other GIAC Subcommittee meetings. The DFO holds the authority to chair meetings when directed to do so by the official to whom the advisory committee reports.

The DFO's duties include but are not limited to:

- Approving and calling the meeting of the GIAC;
- Approving the semi-annual meeting agenda;
- Attending the semi-annual meetings; and
- Adjourning the meetings when such adjournment is in the public interest.

### **Advisory Committee Specialist**

The Advisory Committee Specialist (ACS) is an FGIS staff member who is assigned to support the GIAC. The Advisory Committee Specialist prepares the Advisory Committee's and Subcommittees' meeting agendas and notes, and attends all meetings. Advisory Committee Specialist duties include but are not limited to:

- Ensuring that all FACA and USGSA requirements are implemented;
- Arranging, facilitating, and documenting the GIAC Subcommittee conference calls;
- Ensuring GIAC members have all necessary materials and information to provide informed, structured and timely recommendations to the FGIS;
- Conducting meeting planning activities for the semi-annual GIAC meetings, including preparation of Federal Register notices and press releases, and facilitation of public comments;
- Coordinating the GIAC nomination and chartering process;
- Facilitating training of GIAC members; and
- Managing information reporting and communication between the GIAC and FGIS.

### **Additional Administrative Items**

Official to whom the Committee Reports - The GIAC shall provide recommendations to the USDA Secretary through the DFO, the Agricultural Marketing Service's FGIS Deputy Administrator.

Staff Support - The FGIS shall provide administrative support to the GIAC through the work of an Advisory Committee Specialist, who is a permanent FGIS staff member. The FGIS may also provide technical support to the GIAC based on need and available resources.

Estimated Number and Frequency of Meetings - The GIAC meets approximately twice per year for public meetings.

Recordkeeping - Records of the GIAC shall be defined and handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. . This schedule is available online at: <https://www.archives.gov/records-mgmt/grs/grs06-2.pdf>. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552. Requests for records should be handled in accordance with the GSA March 14, 2000 memo that is available online here: <http://www.gsa.gov/portal/content/100785>. Information about the GIAC is available online at: <https://www.ams.usda.gov/about-ams/facas-advisory-councils/giac>.

While meeting transcripts are not required under FACA, the FGIS provides transcripts or meeting notes to support the transparency of GIAC meetings and to support subsequent rulemaking activities. Minutes of each GIAC meeting, as approved by the DFO and the GIAC Chair and Secretary, shall contain a record of the persons present, documents provided to the Committee, a complete and accurate description of matters discussed and conclusions, and the outcome of voting. If not included in the minutes, a voting summary will be published that contains votes by member.

FACA requires (5 U.S.C. App. Section 10 (b) ): “Subject to section 552 of title 5, United States Code, the records, reports, transcripts, minutes, appendixes, working papers, drafts, studies agenda, or other documents which were made available to or prepared for or by each advisory committee shall be available for public inspection and copying at a single location in the offices of the advisory committee or the agency to which the advisory committee reports until the advisory committee ceases to exist.” Any request for FACA records must be made to the FGIS.

While requests for FACA Committee records do not have to go through the formal FOIA request process, those records must be reviewed by AMS/FGIS before release, to determine whether any FOIA exemptions apply (e.g., personal information, business proprietary information).

Freedom of Information Act (FOIA; 5 U.S.C. 552). Under this Act, the public may request documents and other information pertaining to USDA actions. GIAC communications with USDA (including email) are subject to these requests, with limited exemptions. Some USDA information is routinely exempt from disclosure in or otherwise protected from disclosure by statute, Executive Order or regulation; is designated as confidential by the agency or program; or has not actually been disseminated to the general public and is not authorized to be made available to the public upon request. When there is a FOIA request for information, the USDA will review all relevant information and determine what qualifies for release, then provide it to the requestor.

### **Professional and Ethical Standards**

As appointees of the Secretary, GIAC members must maintain high professional and ethical standards both within and outside of the GIAC. Areas of particular concern include professional conduct and conflict of interest.

### **GIAC Member Professional Conduct Standards**

GIAC members shall:

- Observe ethical principles and abstain from private gain in the service of public trust.
- Put forth an honest effort in the performance of their GIAC duties.
- Make no commitments or promises of any kind purporting to bind the Government.
- Act impartially and not give preferential treatment to any organization or individual.
- Participate in meetings – Subcommittee conference calls as well as semi-annual meetings.
- Serve on Subcommittees as assigned - Each member must be willing to serve on Subcommittees as assigned by the GIAC Chair, and to participate in the work of those Subcommittees.
- Be informed about GIAC business - GIAC members are expected to seek and study the information needed to make reasoned decisions and/or recommendations on all business brought before the GIAC.

To maintain the highest levels of honesty, integrity, and ethical conduct, no GIAC member shall participate in any “specific party matters” (i.e., matters that are narrowly focused and typically involve specific transactions between identified parties) such as a lease, license, permit, contract, claim, grant, agreement, or related litigation with the Department in which the member has a direct or indirect financial interest. This includes the requirement for GIAC members to immediately disclose to the FGIS’s Advisory Committee Specialist any specific party matter in which the member’s immediate family, relatives, business partners, or employer would be directly seeking to financially benefit from the Committee’s recommendations.

All members receive ethics training annually to identify and avoid any actions that would cause the public to question the integrity of the GIAC’s advice and recommendations. The provisions of these paragraphs are not meant to exhaustively cover all Federal ethics laws and do not affect any other statutory or regulatory obligations to which advisory committee members are subject.

### **Additional Standards of Conduct**

GIAC members should adhere to the following basic “standards of conduct” while in government service:

- Do not accept improper gifts (from those seeking actions from the Committee).  
Example: An equipment company outfitting a facility with free equipment for a recommendation that benefits that company, an Official Agency getting free mycotoxin kits and supplies because they put a certain recommendation forward, taking financial gifts for bringing forth a particular recommendation, etc
- Do not misuse internal non-public government information.
- Do not use government property and time improperly.
- Do not accept compensation for teaching, speaking, and writing related to your committee duties.
- Do not engage in partisan political activities while performing your committee duties or while in a federal building.
- Alert the GIAC DFO if you or your employer enters into a lawsuit against USDA or its sub-agencies.
- Refrain from sharing working documents with the public. Working documents are defined as information that a committee member gains by reason of participation in the GIAC and that he/she knows, or reasonably should know, has not been made available to the general public: e.g. is not on the FGIS or other public websites, or is a draft document under development by an GIAC Subcommittee.
- Do not circulate draft Subcommittee documents until they are finalized and publicly available to



all on the AMS/FGIS website.

- Use a professional, respectful tone in GIAC email correspondence; remember that all correspondence with government officials is subject to FOIA requests.

To the maximum extent possible, GIAC members should speak with one voice. Although there may be disagreements within GIAC Subcommittees or working group sessions, once GIAC members leave the session, they have the responsibility to support the integrity of the process, whether or not they agree with the final outcome. While GIAC members retain the right to express minority opinions, the public airing of dissension could strain interpersonal relationships and create distrust and conflict among GIAC members. Such stresses could undermine the GIAC's ability to effectively carry out its role as a governmental advisory committee.

When one or more members fail to actively participate in Committee work the entire GIAC and the grain community is negatively impacted. If a Committee member finds that s/he cannot consistently attend Subcommittee meetings, take on work assignments, complete Subcommittee work in a timely manner, or cannot attend the twice-yearly public meetings a, the GIAC Chair shall discuss the matter with the Committee member, and if necessary encourage the Committee member to resign.

### **Declaration of Interests/Conflicts of Interest**

GIAC members are classified as representatives under the FACA. Each representative is appointed to articulate the viewpoints and interests of a particular interest group. The USGSA prescribes these interest groups, which include farmers/growers, handlers, exporters, merchandisers, grain inspection and weighing agencies, and scientists. Representatives are appointed to speak in "we" terms, serving as the voice of the group represented (e.g., "we farmers/growers believe..."). As such, GIAC members are not expected to provide independent expert advice, but rather advice based on the interests of the groups served.

GIAC members represent the interests of a particular group. As such, many of the interests are acceptable interests. An interest is acceptable if it is carried out on behalf of a represented group, and if a Committee member receives no disproportionate benefit from expressing the interest. True conflicts of interest arise when an interest:

- Directly and disproportionately benefits you or a person associated with that member;
- Could impair your objectivity in representing your group; or
- Has the potential to create an unfair competitive advantage.
- The appearance of a personal conflict and loss of impartiality, while not a true conflict, must be considered when conducting GIAC business.

#### *Procedures for Declaring Conflicts of Interest*

Committee members are appointed in part because of their interests. As such, each GIAC member needs to actively consider their interests with respect to topics being considered by the Committee, and identify whether these interests would create appearance problems.

Once discussion documents and proposals are posted for public comment, each GIAC member is to review the documents and research any potential conflicts of interest due to organizational affiliation or relationships.

The following procedures will take place:

- Approximately 2-4 weeks before the meeting, the FGIS's DFO will provide a list to all GIAC members of the items being considered at the meeting.
- Contact the DFO to declare a recusal from voting on the item(s).

If you are not sure whether an interest is acceptable or poses a problem, or if you are uncertain whether recusal is needed, contact the FGIS DFO to discuss. The FGIS – working with the USDA office of ethics as needed - will make the determination about whether a conflict of interest exists, and will instruct the member accordingly as to whether to vote or not. The FGIS will then use these to compile a list of all recusals for the meeting.

At the meeting, at the beginning of each subcommittee session or at a time designated at the discretion of the committee chair, the DFO will state: “the following committee members have a conflict of interest with the following documents, and will not be voting: e.g. Bob has a conflict and will recuse himself from the proposals Super Moisture Analyzer Apparatus (etcetera).”

Once the DFO completes listing the recusals, the GIAC chair may invite additional information from members on a voluntary basis, with a statement such as: “if Committee members wish to disclose information about their conflict, or any other information about their interests, they are welcome to do so at this time.” this is to be stated as a general and voluntary invitation; no specific GIAC member is to be called on.

For any documents deferred to the last day of the meeting, the DFO will repeat the declaration of statement above at the start of the voting session. When it is time to vote, the GIAC member recusing her/his self should state “recuse” when it is his or her time to vote.

## **SUBCOMMITTEES**

The Subcommittees are responsible for conducting research and analyses, and drafting proposals for consideration by the full GIAC. No Subcommittees are authorized to act in place of the GIAC. Subcommittees are either standing or ad hoc

### **Standing Subcommittees**

Subcommittees are formed at the discretion of the committee and with approval of the FGIS to focus on particular areas (i.e. grain standards, inspection equipment, inspection policy).

### **Ad Hoc Subcommittees**

At the discretion of the GIAC Chair, and with approval by the DFO, ad hoc GIAC Subcommittees may be formed to develop policy and guidance on specific issues that involve multiple standing Subcommittee jurisdictions, or for issues or tasks that are very large and require additional resources to complete. Ad hoc Subcommittees must be comprised of current GIAC members, and may be either a combination of two or more standing Subcommittees to form a “joint” Subcommittee, or may be a completely new Subcommittee comprised of selected GIAC members from various standing Subcommittees. Ad hoc Subcommittees can be dissolved at the recommendation of the GIAC chairperson with the approval of the Committee.

### **Subcommittee Meetings**

Subcommittees generally hold meetings once or twice a month via telephone conference calls. Calls are scheduled well in advance on a regular reoccurring interval. Additional meetings can be held if a Subcommittee requests additional time and the FGIS agrees to provide the resources to support the additional meeting. A majority of the members of a Subcommittee shall constitute a quorum for the purpose of conducting Subcommittee business.

### **Task Forces**

The GIAC may request the establishment of a Task Force to explore specific issues or concerns relevant to the grain inspection community and industry, and present to the GIAC draft proposals, discussion documents, or reports. Each task force shall:

- Have a specific work agenda approved by the FGIS;
- Have a clearly articulated project deliverable;
- Include at least one current member of the GIAC;
- Record and maintain meeting or conference call minutes, made available to the GIAC and the FGIS;
- Submit a final report to the GIAC;
- Disband when the FGIS notifies the Task Force that its work has concluded or when the task force is no longer necessary; and
- Have a specific start and end date.

### **GIAC PROCEDURES**

#### **Committee Meetings**

All Committee meetings, assembled for the purpose of providing advice to the Secretary in respect to the implementation of the USGSA are subject to FACA (see appendix B for FACA facts) and as such must be open to the public and must meet public notification requirements. Not all meetings are subject to FACA and do not require public notification. Examples of these exempted meetings include: Subcommittee calls, assemblies for completing work, planning retreats, training or sharing information. The date and location of in-person Committee Meetings, currently held twice each year, will to the extent possible, be set at the mutual scheduling convenience of the GIAC and the FGIS.

#### **Conducting Business**

GIAC public meetings in brief:

- A committee working and/or orientation day followed by approximately one and half days long for public meetings.
- Typically meetings are held at the National Grain Center in Kansas City, Missouri unless FGIS determines another location is more appropriate for a meeting.
- A typical meeting agenda includes presentations by the FGIS, presentations of proposals and discussions of recommendations by the GIAC members, votes on each recommendation, public comment, and GIAC officer election.

**Quorum:** As specified in the GIAC Charter two-thirds of the members of the GIAC shall constitute a quorum for the purpose of conducting business.

**Decisive votes:** Two-thirds (2/3) of the votes cast at a meeting of the GIAC at which a quorum is present shall be decisive of any motion. All abstentions will be recorded as such and will not be included as part of the total vote cast in case of decisive votes. Similarly, all GIAC members who recuse themselves due to conflicts of interest, or are absent, shall be recorded as such and their votes will not be counted toward the total number of votes cast. Both abstentions and recusals will be considered in order to establish a quorum. Alternate members sitting in for a member, vote along with the other committee members.

Calculation of Decisive Votes

# Votes Cast	# Recusals and Abstentions	2/3 Majority
15	0	10
14	1	10
13	2	9
12	3	8
11	4	8
10	5	7
9	6	6
8	7	6

**Parliamentary Procedures**

No procedures or business of the GIAC shall be taken in conflict with USGSA, FACA or other pertinent laws (herein referred to as governing legislation). For parliamentary procedure, all motions and votes not covered under the governing legislation shall be governed by this Policy and Procedure Manual if directly addressed. If procedures, motions and votes are not directly addressed in the Policy and Procedures Manual, they shall be governed by Robert’s Rules of Order Newly Revised. Roberts Rules may be adapted to meet the special requirements of a group. Because the GIAC is also subject to the USGSA, FACA and USDA, a designated FGIS staff member may act as an informal Parliamentarian to advise the Chair.

**GIAC Recommendations**

The Committee can only vote on recommendations during the public meeting. Recommendations must be submitted to ACS prior to the public meeting. Committee members and the FGIS are the only entities who can submit recommendations to the ACS.

Recommendation topics must be published in the Federal Register meeting announcement to allow for the public to comment on the topics. FGIS will send all Committee members a list of proposed recommendations and FGIS will publish all the recommendations submitted by Committee members to the [Advisory Committee webpage](#). FGIS will hold a call with Committee members to discuss agenda topics.

**Procedure for submitting final recommendations to FGIS**

Within 30 days after the completion of the GIAC meeting all final recommendations must be submitted

to the FGIS using the following procedure:

- Each Recommendation lead prepares the following documents.
- The cover sheet should contain meeting date, location of meeting, and the vote recorded at the meeting.
- The recommendation that was voted on at the meeting.
- All recommendations must have the Committee's chair signature.

### **Public Comment**

The FGIS and GIAC encourage public comment and work collaboratively to increase opportunities for greater participation by a broad range of people, employing various modes of communication and modern technology whenever possible. Individuals may present oral comment at the in-person GIAC meeting.

### **Before Public Meetings**

**Written comment:** All members of the public are encouraged to submit public comment in writing according to the Federal Register Notice. Written submissions: allow GIAC members the opportunity to read comments in advance, eliminate or decrease the need for paper copies to be distributed during the meeting and allow each GIAC member to review and analyze data and information well ahead of the public meeting and possible voting.

### **Comments at In-Person Public Meetings:**

- All persons wishing to comment at GIAC meetings during public comment periods must, in general, sign-up in advance per the instructions in the Federal Register Notice for the meeting. Persons requesting time after the closing date in the Meeting Notice, or during last minute sign-up at the meeting, will be placed on a waiting list and will be considered at the discretion of the DFO and Chair of the Committee, and will depend on availability of time.
- All presenters are encouraged to submit public comment in writing according to the Federal Register Notice. Written submissions allow GIAC members the opportunity to read comments in advance electronically, and decreases the need for paper copies to be distributed during the meeting.
- Persons will be called upon to speak according to a posted schedule. However speakers should allow for some flexibility. Persons called upon who are absent from the room could potentially miss their opportunity for public comment.
- Time allotment for public comment per person will be four (4) minutes, with the options of reducing to a minimum of three (3) and extending to a maximum of five (5) minutes at the discretion of the DFO and Chair of the Committee, and will depend on availability of time.
- Persons must give their names and affiliations for the record at the beginning of their public comment.
- Proxy speakers are not permitted.
- Public comments may be scheduled according to topic.

- Individuals providing public comment shall refrain from making any personal attacks or remarks that might impugn the character of any individual.
- Members of the public are asked to define clearly and succinctly the issues they wish to present before the Committee. This will give GIAC members a comprehensive understanding of the speaker's concerns.

## **ELECTION OF OFFICERS**

### **Nominations**

- Any GIAC member is eligible for consideration for any officer position.
- Any GIAC member may self-nominate or may be nominated by another member of the GIAC.
- Nominations may be made prior to the meeting.
- Should the Chair, Vice Chair, or Secretary resign or fail to serve the full term, an election will be held to fill the remainder of the term.
- Members may serve more than one term in any officer position.

### **Voting schedule**

- Officers shall be elected for one-year terms by majority vote.
- Newly elected officers will assume their positions at the conclusion of the GIAC meeting that conducted officer election, and assume the responsibilities thereof at that time.
- Outgoing GIAC officers will assist the incoming officers with the transition into their new roles.

### **Counting of Votes**

- Voting will be by secret ballot immediately following nominations for each office.
- Ballots for officers will be cast in the following order:
  - Chair
  - Vice Chair
  - Secretary
- Ballots will be counted for one office and the Secretary will announce the tally before the next office is opened for nominations.
- The Secretary and Vice chair will prepare and distribute the ballots, then collect them after each vote.
- The Secretary will tally the votes and the Chair will verify the results.
- The first nominee to receive a majority of votes will be elected. If no nominee receives the majority of votes, the nominee with the least votes will be eliminated and a revote will occur with the remaining candidates. This process will be repeated until a nominee obtains a majority.
- In the event of a tie there will be a revote until a nominee obtains a majority. All nominees will be included in the revote.
- Votes will remain confidential, and ballots will be disposed of by the Chair or Secretary.
- A nominee may withdraw at their discretion at any time.
- In the event of only one nominee for office, the vote may be by acclamation.

## **MISCELLANEOUS PROCEDURES**

## **Invited Speakers**

- The GIAC or the FGIS may identify the need for presentations and speakers regarding subjects of interest or concern to be addressed at GIAC meetings.
- Requests for an invited speaker or subject matter expert must be made to the GIAC chair or FGIS ACS no less than 30 days prior to the target GIAC meeting.
- Speakers must be approved and invited by the FGIS.
- If approved by the FGIS, the purpose for the presentation, the subject area and the bio/resume of speaker(s) should be circulated via email to the entire Committee at least 2 weeks prior to the Committee meeting.
- Speakers are expected to disclose any financial interests that he or she has that can be reasonably assumed to influence his or her presentation content

## **Revisions to the Policy and Procedures Manual**

- The GIAC will review the manual each year and, working in collaboration with the FGIS, determine if any updates are necessary.
- Proposed changes will be subject to review and approval by the FGIS and the full GIAC.

## **Appendix 1: FACA FACTS**

- The Federal Advisory Committee Act (FACA) (5 U.S.C. App.2) and its implementing regulations (41 CFR Part 101-6.10) govern the creation, operation, and termination of advisory committees in the Executive Branch of the Federal Government. The GIAC is a Department of Agriculture (USDA) non-discretionary advisory committee required by the USGSA, as amended.
- Advisory committees must be chartered before they can meet or conduct any business. Charters must be renewed every two years or they will be terminated under the sunset provisions of Section 14 of the FACA, unless otherwise provided by law.
- Advisory committee meetings are required to be open to the public, with limited exceptions as provided for in Section 552b of title 5, United States Code. Meetings not subject to FACA include GIAC briefing meetings initiated by the USDA to exchange facts and information, member orientation and training, and GIAC Subcommittee meetings. Such meetings are not subject to FACA because they are not conducted for the purpose of providing the USDA with GIAC advice or recommendations.
- Designated Federal Officers must approve all meetings and agendas, and attend meetings.
- Meeting notices and agendas must be published in the Federal Register to accommodate public participation.

- While meeting transcripts are not required under FACA, the FGIS provides transcripts or meeting notes to support the transparency of Committee meetings and to support subsequent rulemaking activities. The FGIS also issues a short meeting summary, which is required by FACA, after each biannual meeting that summarizes the key issues discussed, and the outcome of voting.
- Advisory committee documents must be available for public inspection and copying until the committee ceases to exist.
- Interested persons shall be permitted to attend, appear before, or file statements with any advisory committee, subject to reasonable rules or regulations.
- Additional information may be found at the FACA homepage:  
<http://www.gsa.gov/portal/content/100916>