



## **AGRICULTURAL MARKETING SERVICE GRAIN INSPECTION ADVISORY COMMITTEE**

### **MEMBERSHIP BALANCE PLAN**

#### **1. Advisory Committee's Official Designation**

The committee shall be known as the Grain Inspection Advisory Committee (GIAC), hereafter referred to as the Advisory Committee or the GIAC.

#### **2. Authority**

This charter renews the GIAC in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. 10 and the United States Grain Standards Act (USGSA), as amended, 7 U.S.C. 87j. The Advisory Committee was established on September 29, 1981.

#### **3. Objectives and Scope of Activities**

The purpose of the Advisory Committee is to provide advice to the Secretary with respect to the implementation of the USGSA, as amended. Congress passed the USGSA to promote the marketing of high-quality grain to domestic and international buyers and maintain objective standards for grain in order to certify the quality of the grain as accurately as practicable. These standards define uniform and descriptive terms to facilitate the grain trade, help determine grain storability, offer users the best possible information to determine end-product yield and quality, provide market incentive frameworks, reflect the economic value-based characteristics to end-users, and accommodate scientific advances in testing.

#### **4. Points of View**

The Advisory Committee shall consist of 15 members, appointed by the Secretary, who represent the interests of all segments of the grain producing, processing, storing, merchandising, consuming, and exporting industries, including grain inspection and weighing agencies and scientists with expertise in research related to the policies established in 7 U.S.C. 74. Members of the Advisory Committee shall be appointed to 3-year terms.

A representative of AMS will serve as Executive Secretary and will provide the necessary staff support for the Committee.

The Advisory Committee must elect from among its members a chairperson. A vice chairperson and committee secretary may be elected in the same manner to act in the absence of a chairperson. Elections must be by majority vote of those members present.

The Advisory Committee will consist of 15 members appointed by the Secretary who serve 3-year terms with approximately a third of the Advisory Committee replaced annually. Members will be selected from and will represent the interests of all segments of the grain producing, processing, storing, merchandising, consuming, and exporting industries, including grain inspection and weighing agencies and scientists with expertise in research related to the policies in Section 2 of the Act. No member of the advisory committee may serve successively for more than 2 terms.

***Quorum Requirements:*** The Advisory Committee requires simple majority of 8 of its members to be present in order to hold a meeting.

The relevance of State, local, or Tribal governments to the development of the Federal advisory committee's recommendations. (41 CFR § III of App. A to Subpart B).

## **5. Broad Outreach**

AMS recommends appointments by reviewing applications to ensure balance of industry, diversity, and geographic areas.

Equal opportunity practices, in accordance with USDA policies, will be followed in all membership appointments to the Committee

“In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

### **Legal Background**

Section 5(b)(2) of the FACA requires “...the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee.” The corresponding FACA regulations reiterate this requirement at 41 CFR 102-3.30(c), and, for discretionary committees being established, renewed, or reestablished, require agencies to describe their plan to attain balanced membership during the charter consultation process with GSA (41 CFR 102-3.60(b)(3)). The document created through this process is the Membership Balance Plan. The regulations further clarify that (1) the purpose of the membership balance plan is to ensure “that, in the selection of members for the advisory committee, the agency

will consider a cross-section of those directly affected, interested, and qualified, as appropriate to the nature and functions of the advisory committee;” and (2) “advisory committees requiring technical expertise should include persons with demonstrated professional or personal qualifications and experience relevant to the functions and tasks to be performed.” (41 CFR 102-3.60(b)(3)).

FACA mandates that Federal advisory committees be balanced in the points of view represented by the members, but leaves achieving this to the Agency’s discretion. The FACA regulations offer guidance in achieving a balanced Federal advisory committee membership, including considering:

- (i) The Federal advisory committee’s mission.
- (ii) The geographic, ethnic, social, economic, or scientific impact of the Federal advisory committee’s recommendations.
- (iii) The types of specific perspectives required, such as those of consumers, technical experts, the public at large, academia, business, or other sectors.
- (iv) The need to obtain divergent points of view on the issues before the Federal advisory committee.

## **6. Candidate Selection**

The Advisory Committee is comprised of 15 members who serve 3-year terms with approximately a third of the Advisory Committee replaced annually.

Once the nomination period ends, all candidate’s names and background data are submitted to the USDA White House Liaison’s office for vetting. The vetting process includes a background check to determine if any of the candidates have a conflict of interest that would prohibit them from serving on the Advisory Committee due to criminal or ethical violations.

USDA reviews all vetted nominees.

## **7. Subcommittee Balance**

A balance plan would be the same for the parent Advisory Committee. Currently, the Advisory Committee does not have any subcommittees.

## **8. Date Prepared/Updated**

May 25, 2025