

GENERAL OPERATING PROCEDURES

FOR THE NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION AND ECONOMICS ADVISORY BOARD

*These operating procedures have been developed in accordance with the
Federal Advisory Committee Act of 1972 (PL 92-463)*

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I. PURPOSE

United States Code (USC), Title 7, Sec. 3123, states that "**The Advisory Board shall...**

(1) make recommendations, review, and provide consultation to the Secretary, land-grant colleges and universities, and the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Agriculture, Rural Development and Related Agencies of the Committee on Appropriations of the Senate on:

A. long-term and short-term national policies and priorities consistent with the—

- (i) purposes specified in section 1402 for agricultural research, extension, education, and economics; and
 - (ii) priority areas of the Agriculture and Food Research Initiative specified in subsection (b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157(b)(2));
 - B. the annual establishment of national priorities that are in accordance with the priority areas of the Agriculture and Food Research Initiative specified in subsection (b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157(b)(2)).
- (2) evaluate the results and effectiveness of agricultural research, extension, education, and economics with respect to the policies and priorities and make recommendations to the Secretary based on such evaluation;
 - (3) review and make recommendations to the Under Secretary of Agriculture for Research, Education, and Economics on the research, extension, education, and economics portion of the draft strategic plan required under section 306 of USC title 5;
 - (4) review and make recommendations on the mechanisms of the Department of Agriculture for technology assessment (which should be conducted by qualified professionals) for the purposes of—
 - (A) performance measurement and evaluation of the implementation by the Secretary of the strategic plan required under section 306 of USC title 5;
 - (B) implementation of the national research policies and priorities that are consistent with the purposes specified in section 1402; and
 - (C) the development of mechanisms for the assessment of emerging public and private agricultural research and technology transfer initiatives, and
 - (5) consult with industry groups on agricultural research, extension, education, and economics and make recommendations to the Secretary based on that consultation.”

II. MEMBERSHIP

Advisory Board Membership

The Advisory Board consists of fifteen (15) members total and six (6) ex-officio members.

- Members have the responsibility for attending all Advisory Board meetings and all meetings of working groups and ad hoc committees of which they are members, and for bringing to the table valuable perspectives of their stakeholder interest group(s). Members are primarily responsible for assuring that U.S. agricultural research and education is in the best interest nationally for a safe and secure food and fiber system, high quality natural resources, economic prosperity, and the overall health and well-being of Americans.

- Members should also assume responsibility for assuring feedback, as appropriate, to stakeholders and other interested U.S. citizens.

Appointed Members: The Advisory Board shall have 15 members appointed by the Secretary of Agriculture in accordance with USC Title 7, Sec. 3123.

- Members serve staggered terms for up to 3 years, with one-third of the membership expiring each fiscal year.
- Members serve at the pleasure of the Secretary.
- The appointing authority (USDA) may terminate an appointment at an earlier time. USDA will monitor the attendance and participation of Advisory Board members and may replace a member who is inactive, misses a number of scheduled Advisory Board, Executive Committee, ad hoc committee, or working group meetings, or does not carry out their appointed duties as a member.

NOTE: A member unable to complete his/her full term must notify immediately the Executive Director, who serves as the Designated Federal Officer (DFO) for the Board.

Authorized Conduct of Appointed Members: Board members are authorized to engage in the following conduct under common parliamentary rules and procedures:

- ✓ attend meetings
- ✓ present motions
- ✓ speak on debatable questions
- ✓ vote
- ✓ nominate
- ✓ be a candidate for office
- ✓ inspect official Advisory Board records
- ✓ inspect up-to-date copy of the charter, operating procedures, and minutes of the Advisory Board
- ✓ request enforcement of the Advisory Board operating procedures
- ✓ use parliamentary rules or procedures (*Roberts Rules of Order*)
- ✓ resign from an office or the Advisory Board itself
- ✓ receive notices or other communication materials

Ex-Officio Members: As specified by USC Title 7, Sec. 3123, the Secretary of Agriculture, the Under Secretary for Research, Education, and Economics (REE), and the Administrators of the four REE Agencies are ex-officio Advisory Board members.

- Ex-officio members are members because of the position they hold within USDA. When an ex-officio member ceases to hold office, that person's membership on the Advisory Board ceases, and the new holder of the office assumes the ex-officio membership.
- The Advisory Board may ask USDA, or specific USDA Agencies, to provide representation on a working group or ad hoc committee. Such representatives will not be considered as ex-officio members, but rather as "advisors" to the Advisory Board.

- Advisory Board ex-officio members are non-voting members.

III. OFFICERS AND EXECUTIVE COMMITTEE

Chair of Advisory Board The Advisory Board Chair shall serve for one year (until September 30th, the end of USDA's fiscal year), but will continue to hold office until a successor is elected.

- The Chair shall be elected by the Advisory Board at the start of the first meeting held after the beginning of the fiscal year (October 1st). Exception: This election shall take place after the new Advisory Board members are appointed.
- All votes are to be cast by silent ballot unless only one candidate has consented to serve, in which case a voice vote may be considered acceptable.
- In the event of a tie in the election of the Chair, the members of the Executive Committee will hold a separate vote, by silent ballot, to select the Chair and Vice Chair.
- The Chair shall be eligible for re-election (up to a maximum of three years).
- The Chair shall preside at all meetings of the Advisory Board and all meetings of the Executive Committee unless the Chair delegates temporary chairmanship to another member or USDA official.
- The Chair does not give up any basic rights as a member by becoming an officer. The Chair cannot propose or second a motion when serving as presiding officer of a meeting. However, he or she may choose to ask the Vice Chair to serve as Chair until action on a motion is completed. The Chair presides during an election, even if he or she is the candidate for office.

Duties of Chair: The Chair provides leadership to the Advisory Board and the Executive Committee, serves as the presiding officer for both bodies, and ensures that all rules of order and conduct are maintained during each meeting. The Chair is responsible for presiding over meetings, leading the activities of the Advisory Board, representing the Advisory Board before Congress and food and agricultural institutions, assuring the effective use of time for Advisory Board's advisory functions, and keeping discussions on track.

- The Chair shall sign official correspondence and other Advisory Board documents, including Advisory Board meeting minutes, certifying the necessary accuracy on behalf of the Advisory Board.
- The Chair shall work closely with the Executive Director, USDA, in addressing the mandates and other critical activities of the Advisory Board and to assure effective coordination and communication among the membership.
- With the permission of the Executive Director the Chair may appoint working groups as needed for expeditious and cost-effective operations of the Advisory Board. Working

groups shall have a written charge and an appointed Chair. With the permission of the Executive Director, the Chair of the Advisory Board may either serve as the Chair of the working groups or may appoint another member.

Vice Chair of the Advisory Board The Advisory Board Vice Chair shall serve for one year (until September 30th), but will continue to hold office until a successor is elected.

- The Vice Chair shall be elected by the Advisory Board at the first meeting held after the beginning of the fiscal year (October 1st). Exception: This election shall take place after the new Advisory Board members are appointed.
- All votes are to be cast by silent ballot unless only one candidate has consented to serve, in which case a voice vote may be considered acceptable.
- In the event of a tie for the position of Chair, the members of the Executive Committee will hold a separate vote, by silent ballot, to select the Chair and Vice Chair.
- The Vice Chair shall be eligible for re-election (up to a maximum of three years), or until his or her Advisory Board membership expires.
- The Vice Chair shall assume all the duties of the Chair in the Chair's absence from a meeting, or if the Chair becomes unable to serve the term.
- The Vice Chair shall preside over a portion of a meeting if the Chair wants to propose or second a motion.
- The Vice Chair shall also serve as Vice Chair of the Executive Committee.

Executive Committee The Executive Committee is comprised of a total of nine members – the Advisory Board Chair, the Advisory Board Vice Chair, and seven members elected by the Advisory Board. The Executive Committee term for these members is one year, but each Executive Committee member shall continue to hold office until elections are held.

- The Executive Committee members shall be elected by the Advisory Board at the first meeting held after the beginning of the new fiscal year (October 1st). Exception: This election shall take place after the new Advisory Board members are appointed.
- The Executive Committee is charged with the responsibility of working with the Secretary and officers and employees of the Department of Agriculture to summarize and disseminate the recommendations of the Advisory Board.
- All votes are to be cast by silent ballot unless only seven candidates (not including the Chair and Vice Chair) have consented to serve, in which case a voice vote may be considered acceptable.

- The Chair and Vice Chair are the presiding officers.
- The REE Under Secretary will serve as a non-voting ex-officio member of the Executive Committee. The Executive Director, as the DFO, oversees all Executive Committee meetings. The Executive Director may designate a staff person(s) to provide additional support at Executive Committee meetings.

Duties: The Executive Committee will provide interim oversight to the Board's advisory functions to assure progress is being made.

- Executive Committee members will normally meet monthly (in person or via teleconference call) to finalize Advisory Board documents, plan future activities, review progress, and transmit recommendations as directed by the Advisory Board to the Secretary, Under Secretary for REE, other USDA officials, and members of Congress.
- The Executive Director, in consultation with the Chair, will approve or call for a meeting. An agenda will be developed and distributed in advance for every Executive Committee meeting. The Executive Director is required to attend all meetings unless he/she delegates authority to another USDA official.
- The Executive Committee may meet to consider pressing and urgent matters that need to be addressed before an Advisory Board meeting can be held. In such cases where Executive Committee recommendations are made prior to public discussion, sufficient FACA notice of the meeting will be provided to the public.
- The Executive Committee authority extends to areas of administrative procedures, including setting meeting dates, suggesting priority agenda items, and facilitating the progress or completion of the work discussed at prior Advisory Board meetings.
- In concurrence with the officers, the Executive Committee will finalize the draft "charge" to any working group, ad hoc committee, or individual member.
- Teleconference meetings for the Executive Committee are for its members. Substitute participants may be allowed to listen for the sole purpose of note taking, with the prior approval of the Chair and the Executive Director.
- All meetings, including teleconference meetings of the Executive Committee or any other working groups or ad hoc committees, are for its members - for the sole purpose of planning and expediting Board activities (as stated above). Attendance by the public should be requested of the Chair and/or Executive Director to assure space availability.
- Minutes for each Executive Committee meeting will be developed and distributed by the Executive Director of the Advisory Board within a short time following that meeting. Minutes will summarize discussions and specify "Action Items" for Advisory Board approval. Permanent Committees, Working Group or Ad Hoc Committee Chairs may be

asked to attend Executive Committee meetings for the purpose of providing updates on their activities.

IV. REE ADVISORY BOARD OFFICE

The REE Advisory Board Office consists of a full-time Executive Director (who is the Designated Federal Official) and an Administrative Program Support Assistant. Additional staff members may be assigned by USDA at its discretion and based on workload and availability of resources.

All Advisory Board non-personal communications - such as work in progress, draft documents, memos/letters, or final transactions, should pass through the REE Advisory Board Office to ensure effective coordination between the Board and USDA membership on issues of importance.

This process includes receipt of documents that are of public information as well as those considered temporarily "with holdable" - because of their changing nature or sensitivity of issues prior to finalization and approval. The REE Advisory Board Office also functions as a central point of contact, facilitating workflow and communication among the Board members, USDA, and its partners.

The official address, telephone number, and fax number of the Advisory Board is:

National Agricultural Research, Extension, Education, and Economics Advisory Board
U.S. Department of Agriculture
1400 Independence Avenue, SW
Room 322A, Mail Stop 0321
Washington, DC 20250-2255
TELEPHONE: (202) 720-3684
FAX: (202) 690-6199

Executive Director The Executive Director is the primary liaison between the Advisory Board and USDA as well as the chief administrative officer of the Board.

Duties: The Executive Director provides administrative oversight to the Advisory Board, the Executive Committee, permanent committees, working groups and ad hoc committees.

- The Executive Director is responsible for approving and scheduling all official meetings of the Advisory Board, the Executive Committee, working groups and ad hoc committees. The Executive Director shall attend all official meetings.
- The Executive Director is responsible for obtaining input from Advisory Board members and others on draft documents, minutes, reports, and other materials/activities.

- The Executive Director is responsible for developing minutes of all official meetings and for preparing other documents and reports as directed by the Chair. The Executive Director, in the role as Designated Federal Official (DFO) under FACA, must approve Advisory Board meetings, must authorize travel, must approve all agendas, shall adjourn any meeting if the Executive Director considers this action in the public interest, and chairs meetings when so directed.
- While this rarely occurs, the Executive Director (DFO) has a duty to intervene and adjourn any meeting that becomes disruptive or is no longer productive due to disorder - such as a public group demonstration, members insistent on discussing controversial issues irrelevant to the meeting's business, or an interruption considered costly to the Advisory Board.

V. PERMANENT COMMITTEES

The Secretary of Agriculture, or Congress through the enactment of law, may establish permanent committees (PCs) to facilitate accomplishing the Advisory Board's work. The PCs are established for the purpose of studying the long-term scope and effectiveness of research, extension, and economics programs affecting issues or activities of concern to the Department, or Congress.

Establishment Each appointed PC will have a Chair and a formal charge. The Chair of the PC is responsible for making progress on the PC charge and reporting such progress at the monthly Executive Committee meetings. It is preferred for the Chair to be a member of the Advisory Board.

Membership The membership of the PC will be appointed every three years, unless stated otherwise, by the Secretary of Agriculture through the Executive Director. *An individual who is not a member of the Advisory Board may be appointed as a member of the PC, unless stated otherwise in authorizing statute.

FACA The Federal Advisory Committee Act (FACA) applies to any PC which functions independently of the parent advisory committee (in this case, the Advisory Board) such as by making recommendations directly to the agency or a Federal official, rather than for the consideration of the chartered advisory committee. Thus, the PCs will function within the parameters set by the Advisory Board.

- ***PCs could be considered in violation of FACA if recommendations are not routed back through the Advisory Board.*** Such actions by any PC outside the oversight and approval of the Advisory Board are consequently inappropriate, potentially illegal, and strictly forbidden.
- To assure compliance with FACA and/or the Freedom of Information Act public requests for notes, drafts, and outlined recommendations from PC participants will be evaluated on a

case-by-case basis. If necessary, consultation will be requested from REE's FOIA Officer or the USDA's Office of the General Counsel.

*** All members of a PC must pass through the official vetting process by the Department prior to their appointment.**

Recommendations Recommendations will be presented by the PCs to the Advisory Board through the Executive Committee, Advisory Board Chair, and Executive Director for action. Every effort should be made to meet the requested deadlines.

- All materials **must be presented** to the Advisory Board and the Executive Committee prior to public release. **Release of these materials to the public will be done by the REE Advisory Board Office.** Please refer to section XIII within this document for further information.

VI. WORKING GROUPS AND AD HOC COMMITTEES

The Department through the Executive Director may establish working groups (WG) and ad hoc committees (AHC) to facilitate accomplishing the Advisory Board's work.* The *WGs/AHCs* are established for the purpose of providing the Advisory Board with additional input on an issue or activity.

Establishment Each appointed working group or ad hoc committee will have a Chair and a formal charge. The Chair of the *WG/AHC* is responsible for making progress on the *WG/AHC* charge and reporting such progress at the monthly Executive Committee meetings.

FACA The Federal Advisory Committee Act (FACA) applies to any working group or ad hoc committee which functions independently of the parent advisory committee (in this case, the Advisory Board) such as by making recommendations directly to the agency or a Federal official, rather than for the consideration of the chartered advisory committee. Thus, the *WG/AHCs* will function within the parameters set by the Advisory Board.

- ***Working Groups and ad hoc groups could be considered in violation of FACA if recommendations are not routed back through the Advisory Board.*** Such actions by any *WG/AHC* outside the oversight and approval of the Advisory Board are consequently inappropriate, potentially illegal, and strictly forbidden.
- To assure compliance with FACA and/or the Freedom of Information Act public requests for notes, drafts, and outlined recommendations from *WG/AHC* participants will be evaluated on a case-by-case basis. If necessary, consultation will be requested from REE's FOIA Officer or the USDA's Office of the General Counsel.

*** Working groups of the Advisory Board are composed exclusively of Advisory Board members. Ad hoc committees are considered by the Board to be short-term and may include persons who are not Advisory Board members.**

Recommendations Recommendations will be presented by the WG/ARC to the Advisory Board through the Executive Committee, Advisory Board Chair, or Executive Director for action. Every effort should be made to meet the requested deadlines.

VII. MEETINGS

Meetings of the entire Advisory Board membership will be held at least twice during the fiscal year, with at least one Regional meeting to be held per year outside of the Washington DC metropolitan area represented by the whole Board or a subgroup.

General All Advisory Board meetings shall be subject to the following provisions:

- Advisory Board meetings will be at the request of the Chair (with advance approval from the Executive Director).
- No meeting shall be held except at the call of, or with the advance approval of, the Designated Federal Official (*Executive Director*) and with an agenda approved by that official.
- The *Executive Director* must also approve any expenditures from the budget and authorize travel and per diem for members and other required individuals planning to attend a Board meeting.
- ***All meetings***, including teleconference meetings for working groups and ad hoc committees are for its members. Substitute participants may be allowed to listen for the sole purpose of note taking with the prior approval of the Executive Director. Attendance by the public should be requested of the Executive Director to assure space availability.

FACA All Advisory Board meetings shall observe FACA regulations. Procedures from the FACA will be followed to comply with both the letter and the spirit of the law when preparing, conducting, and following up on meetings and in the conduct of all business by the Board. For this reason, **meetings of the Advisory Board will be open to the public with limited exception, and notices will be published in the *Federal Register* to accommodate public participation.** Any limitations in space should be also noted in the announcement, "as space allows."

Quorum A quorum must be at the meeting in order to conduct business. A quorum for a meeting of the Advisory Board is a majority (50% plus one) of its appointed membership present = **9 members present** (based on 15 appointed members).

NOTE: The presence of a quorum is determined by counting the members present or by calling the roll. The question as to whether there is a quorum present at the time of voting on a motion must be raised at the time the vote is taken if it is to be raised at all. If the presiding officer acknowledges the absence of a quorum, **it is the duty of the presiding officer to declare the meeting adjourned until a quorum is obtained.**

Usual Order of Business

Call to Order
Minutes of Previous Meetings - Correction, Approval, or Disposition
Announcements
Reports of Officers
Reports of Executive Committee, Permanent Committees, Working Groups, and Ad Hoc Committees
Unfinished Business
New Business
Public Comment
Adjournment

Agenda The agenda of Advisory Board meetings will be prepared by the DFO (*Executive Director*) in consultation with the REE Under Secretary. A draft agenda will be prepared well in advance of the meeting to allow for review and comment by the appointed and ex-officio members of the Advisory Board as well as to get input by stakeholder groups on agenda items for consideration.

- The Executive Committee will suggest agenda topics and provide input into the planning for each meeting. The Executive Committee will also report back to the Advisory Board on the progress of Advisory Board's activities. This report will usually take the form of a summarized "Action Items Report," provided in the monthly Executive Committee meeting minutes.
- "Unfinished business" indicates any item of business interrupted by adjournment of the previous meeting, or any motion that was postponed to the current meeting.
- The agenda can be modified by the Chair at the beginning of an Advisory Board meeting at the request of any Advisory Board member.
- Time will be allotted on the last day of an Advisory Board meeting for statements by the public. Written statements may also be submitted by individuals or organizations within a reasonable time after an Advisory Board meeting.

Closed Meetings The Department is responsible for determining the need for closed meetings. Closed meetings must be determined appropriate by the Agency and USDA General Counsel. USDA General Counsel recommends that a request for a closed meeting be submitted for review 30 days in advance.

Number of Advisory Board Meetings The Advisory Board will have at least two meetings per fiscal year. At least one of those will be a regional meeting in the United States to elicit stakeholder input on research, education, extension, and economics issues. Site(s) will be chosen that promote regional stakeholder input, provide cost effectiveness, and are proximate to agricultural sites relevant to Advisory Board activities.

Orientation for New Members Around the beginning of any fiscal year (just prior to the Advisory Board meeting) an orientation session will be held. Exception: If new members have not yet been appointed, orientation will take place at the meeting following their official appointment.

Minutes Official minutes shall be kept of all meetings of the Advisory Board and the Executive Committee. The minutes will be prepared under the direction of the Executive Director. The minutes shall include: a) date, time, and location of the meeting; b) a record of the persons present; c) an accurate description of matters discussed, conclusions reached, and actions required; d) copies of all documents received, issued, or approved by the Advisory Board; e) description of extent the meeting was open to the public; and f) description of public participation, estimated number of any public attendees, and a list of those who presented oral or written statements.

Minutes shall reflect the Advisory Board's advice and recommendations as a result of their independent judgment and should not be inappropriately influenced by any special interest, including the appointing authority.

The minutes and other finalized Advisory Board materials will be co-signed by the Chair and the Executive Director, certifying the accuracy of materials, before these materials are disseminated to the public, and before such materials become a part of the "Official Record" in the REE Advisory Board Office.

Conduct of Meetings The Chair will preside over all Advisory Board and Executive Committee meetings, except as provided otherwise in these Operating Procedures. All meetings of the Advisory Board and the Executive Committee shall be governed by Robert's Rules of Order, with exceptions as noted in these operating procedures.

Motions Substantive proposals shall be brought before the Advisory Board as a motion for consideration and action.

"To Table" a motion: ("to postpone temporarily") represents a common practice for killing a motion, because the motion dies at the end of the current meeting, is no longer debatable, and cannot be amended. To prevent misuse, the Advisory Board will require a two-thirds vote to cut off discussion and table a motion.

Voting Majority vote will be the rule for voting in order to take action, unless otherwise provided by federal law, rules and regulations, rules of parliamentary procedure (FACA recommends Robert's Rules of Order), or the Advisory Board operating procedures. A majority vote is **the vote of more than half (more than 50%) of the Advisory Board voting members.** A majority vote is needed to elect officers.

Voice Vote: The Chair (presiding officer) will determine the result of a vote by the volume of voices. When in doubt, the Chair may call for the vote again, asking for a

show of hands or other form of voting so a count may be made. During teleconference meetings, the Chair will call roll one by one to determine the vote as necessary.

General Consent: Voting by general consent (also called "unanimous consent") on routine or noncontroversial questions saves time and expedites business by avoiding a formal vote. The Chair does not need a motion to give general consent to an action if the Chair states, "**If there is no objection**, we will ..." If there are no objections by any member, the action is approved by general consent.

Exclusion of Members From Voting A member having a conflict of interest (defined below) on a matter shall declare that conflict, shall refrain from participating in the discussion, and shall not vote on that matter.

Meetings of Permanent Committees, Working Groups, and/or Ad Hoc Committees These meetings will be conducted primarily by teleconference calls, as arranged through the REE Advisory Board Office.

- The Executive Director will develop and distribute an agenda for every PC/WG/AHC meeting.
- The Executive Director will plan face-to-face PC/WG/AHC meetings when the tasks require in-person communication. Meeting location(s) will be approved by the Chair and Executive Director.
- Recommendations generated from PC/WG/AHC meetings are considered preliminary and will be subject to discussion and approval by the Advisory Board, exercising its independent judgment.

VIII. ADVISORY BOARD EXPENDITURES

Advisory Board members attending any meeting (including an Advisory Board meeting, conference call, two-party call, meeting with the Secretary or with Congress), which obligates Advisory Board funds, must **provide ample notice and receive prior approval** from the REE Advisory Board Office. Members will then receive an AD-202- Travel Authorization with itemized **allowable expenses**.

Arrangements and proper documentation for Federal expenditures and travel authorization are expedited in advance of a meeting. Specific points to be noted are:

- USDA agency regulations require at least 90-days advance notice by the REE Advisory Board Office on a meeting location, date, and cost justification to hold an Advisory Board meeting.
- 30 days are required for Advisory Board members to receive proper travel authorization.

- Prior approval by the Executive Director and a documented telephone bill receipt are required for reimbursement of an Advisory Board member for Advisory Board-related two-or-more party telephone calls.

As a member of the Advisory Board, the preferred option of travel is under the AD-202, Travel Authorization. Under the terms of Federal Travel Regulations as stated on the AD-202, all travel expenses along with applicable receipts must be submitted to the REE Advisory Board Office for preparation and submission of the AD-616 Travel Voucher. Direct reimbursement to the traveler will occur within 30 calendar days after receipt of a proper travel claim (including receipts and a signed AD-616).

IX. CONFLICTS OF INTEREST

Members have a legal and moral duty to disclose when they have direct financial or personal interest in matters or business under consideration by the Advisory Board, Executive Committee, working groups, and ad hoc committees. If such situations arise during Advisory Board work, the affected member shall withdraw from that particular activity.

X. MINORITY RIGHTS

The right to present proposals, to be heard, and to oppose are valued rights of all members, although the ultimate decision rests with a majority. Members who are in the minority will be provided the same respect and consideration of those who are in the majority.

Equal opportunity practices, in line with USDA policies, will be followed at all times by the Board, to ensure that the recommendations of the Board have taken into account the needs of the diverse groups served by the Board, including to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

NOTE: The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex (including gender identity and expression), 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. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write to:

USDA
Assistant Secretary for Civil Rights

Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, S.W., Stop 9410
Washington, DC 20250-9410

Or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

XI. NOTING DISSENT

Disagreement by a member on the contents of a report may be noted at a member's request in that report but must be received at the REE Advisory Board Office in writing during the drafting stage, with deadlines set by the Chair.

XII. OFFICIAL TRANSMISSION OF ADVISORY BOARD REPORTS

In the United States Code there are references to the development and transmission of reports, consultation, opinions, and recommendations required by the Advisory Board or its Committees. In the following section, all references to reports, consultation, opinions, and recommendations will be referred to as reports. Reports required by the United States Code include:

- Sec. 3123, Title 7
 - (1) make recommendations, review, and provide consultation to the Secretary, land-grant colleges and universities, and the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Agriculture, Rural Development and Related Agencies of the Committee on Appropriations of the Senate on:
 - A. long-term and short-term national policies and priorities consistent with the—
 - (i) purposes specified in section 1402 for agricultural research, extension, education, and economics; and
 - (ii) priority areas of the Agriculture and Food Research Initiative specified in subsection (b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157(b)(2));
 - B. the annual establishment of national priorities that are in accordance with the priority areas of the Agriculture and Food Research Initiative specified in subsection (b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157(b)(2)).
 - (2) review and make recommendations to the Under Secretary of Agriculture for Research, Education, and Economics on the research, extension, education, and economics portion of the draft strategic plan required under section 306 of USC title 5."
- Sec. 3123A, Title 7,

"(c) Annual committee report ...the specialty crops committee shall submit to the Advisory Board a report containing the findings of its study under subsection (a) of this section."

"(e) Consideration by Secretary

In preparing the annual budget recommendations for the Department of Agriculture, the Secretary shall take into consideration those findings and recommendations contained in the most-recent report of the specialty crops committee that are adopted by the Advisory Board.

(f) Annual report by Secretary

In the budget material submitted to Congress by the Secretary in connection with the budget submitted pursuant to section 1105 of title 31 for a fiscal year, the Secretary shall include a report describing how the Secretary addressed each recommendation of the specialty crops committee described in subsection (e) of this section."

- Sec. 7613, Title 7,

"(b) Advisory Board review

On an annual basis, the Advisory Board shall review—

- (1) the relevance to the priorities established under section 7612 (a) of this title of the funding of all agricultural research, extension, or education activities conducted or funded by the Department; and
- (2) the adequacy of the funding."

Reporting Protocol The Advisory Board is an executive branch advisory committee. In order to be deemed official, any and all reports must be submitted to, reviewed by, and transmitted by the Office of the Secretary of Agriculture prior to release external to the USDA. The Advisory Board is a unique FACA committee in that it has a role in providing consultation to Executive, and Legislative branches of the government as well as to land grant colleges and universities. The Advisory Board should strive to meet these expectations. In order to appropriately address all these requirements the Advisory Board should transmit all official reports in the following manner:

1. The full Advisory Board must have at least fourteen (14) calendar days to review and comment on reports prior to being considered official. Following that period of review and comment, the Executive Committee must conduct an official vote to approve the release of said report. Only after these steps have been satisfied can an Advisory Board report be considered official.
2. All official reports shall first be transmitted to the Office of the Secretary, as well as to the Under Secretary for REE for review, and response.
3. Prior to release of official reports external to the USDA, the Advisory Board Office will allow for at least thirty (30) calendar days for the Secretary of Agriculture, and the REE Under Secretary to review and respond to the report contents.

4. Transmission of official Advisory Board reports to land-grant colleges and universities, and the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Agriculture, Rural Development and Related Agencies of the Committee on Appropriations of the Senate will be conducted by the Secretary of Agriculture.

XIII. ANNUAL REPORT

REE will provide the USDA Committee Management Officer (CMO) with an annual report on the progress of the Advisory Board, prepared by the REE Advisory Board Office.

XIV. PUBLIC ACCESS TO INFORMATION

Public Information All Advisory Board **certified and final documents** will be kept for public inspection in the REE Advisory Board Office and available for public review and copying. Records will be maintained that fully disclose all expenditures and costs for the purpose of GAO audits and the Annual Report required by the General Services Administration.

The Executive Director shall **verify the accuracy of documents** released by the REE Advisory Board Office to a requesting agency or to the public.

Working Documents The public availability of working documents will be governed by Section 10(b) of the FACA and/or Public Information Act, when applicable. Public requests for working documents shall be directed to the Executive Director.