

Utilization of Alternates for Membership on the FGIS Advisory Committee

Background:

Recently, the FGIS Advisory Committee was unable to move forward any recommendations for consideration due to not having a quorum present for the meeting. Without a quorum, the committee cannot carry out its mission as states in the United States Grain Standards Act and the Regulations (see attached). Utilization of alternates would allow the committee to advise the Secretary as required.

The use of alternate member has been done in the past.

Recommendation:

Appointment of alternate members to the advisory committee as shown below would allow such action. This could be done either during the next reauthorization or the Next Farm Bill.

§87j. Advisory committee

(a) Establishment; number and terms of members

Not later than ninety days after October 24, 1988, the Secretary shall establish an advisory committee to provide advice to the Secretary with respect to implementation of this chapter consistent with the declarations of policy in section 74 of this title. The advisory committee shall consist of fifteen 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 section 74 of this title. Members of the advisory committee shall be appointed to three-year terms, except that of the initial fifteen members of the advisory committee first appointed following the enactment of this section, five shall be appointed for terms of one year and five shall be appointed for terms of two years. No member of the advisory committee may serve successively for more than 2 terms. Alternate members for each industry segment referenced above shall be appointed to serve when their industry segment representative is unable to perform the necessary duties and at the termination of a member's term, if a new member has not been appointed. If a new member is not available at the end of a term the current member or the current alternate shall continue to serve until a new member is appointed.

(b) Federal Advisory Committee Act as governing

The advisory committee shall be governed by the provisions of the Federal Advisory Committee Act [5 U.S.C. App.].

(c) Clerical assistance and staff personnel

The Secretary shall provide the advisory committee with necessary clerical assistance and staff personnel.

(d) Compensation and travel expenses

Members of the advisory committee shall serve without compensation, if not otherwise officers or employees of the United States, except that member shall, while away from their homes or regular places of business in the performance of services under this chapter, be allowed travel expenses, including per diem in lieu of subsistence, as authorized under section 5703 of title 5.

(e) Expiration of Secretary's authority

The authority provided to the Secretary for the establishment and maintenance of an advisory committee under this section shall expire on September 30, 2025.