# Technical Advisory Group Charter

Last Modified:

## Mission

To facilitate biological control of weeds in North America by providing guidance to researchers and recommendations to regulating agencies for or against the release of nonindigenous biological control agents, based on considerations of potential non-target impacts and conflicts of interest.

## Objectives

1. Incorporate member agencies concerns and perspectives into planning biological control programs.
2. Provide an exchange of views, information and advice for individuals who plan to ask various Federal and State regulatory agencies for permission to release these agents into the environment.
3. Provide recommendations to regulatory agencies for permitting decisions.

## Expectations

Individuals planning a release of a nonindigenous biological control agent contact the Technical Advisory Group (TAG) early in the research program, particularly when a plant is targeted for the first time for biological control in North America. TAG members review two types of documents, the test plant list and the petition for first-

time field release of a nonindigenous organism. TAG members suggest inclusion of certain test plants, identify conflicts of interest, and assess risks associated with a release. The person seeking permission to release the agent to the environment addresses these different perspectives. The exchange of scientific information helps Federal regulatory officials evaluate potential effects of the biological control agent on target and nontarget plants in North America.

# Standard Operating Procedures

## 1. Duties of TAG Members

- Represent employer's interest by reviewing petitions from the agency's perspective.
- Review each petition to evaluate risk to agriculture, human health, and the environment, compared with expected benefits.
- Identify and consult subject-matter specialists who are familiar with the taxonomy, biology, ecology, and other aspects of the organisms being considered for movement and the target weed.
- Provide a written response consolidating agency comments to the Executive Secretary within the deadline.
- Participate in the annual meeting.
- Appoint an alternate within the agency to serve in the absence of the official member.

## 2. Duties of the Chair

(The Chair is a TAG member, elected by the membership for a three-year term. The Chair may serve an unlimited number of terms.)

- Review all recommendations of the TAG members and provide a consolidated recommendation. Distribute the consolidated recommendation to the petitioner, TAG members, appropriate officials in Canada and Mexico, the TAG executive secretary, and other interested parties. (See Flowchart) (64.83 KB),
- Help build consensus among reviewers with divergent viewpoints. The Chair may call meetings or telephone conferences including outside specialists and the involved researcher.
- Maintain records of the TAG recommendations.

- Arrange and preside over meetings of the TAG.

## 3. Duties of the Executive Secretary

- Receive all petitions. Acknowledge receipt to the petitioner.
- Assign due dates for responses and distribute petitions to members.
- Receive requests to extend review deadlines.
- Compile and send comments to the Chair for recommendation.
- Request appointments of members from agency administrators.
- Maintain file system for TAG.
- Serve as contact for TAG manual maintenance.
- Maintain the TAG web site on the Internet, including APHIS permit decisions.

## 4. Duties of APHIS PPQ

- Consider TAG recommendations, evaluate permit requests for movement of biological control agents of weeds.
- Assure compliance with applicable statutes and regulations.
- Maintain the PPQ-APHIS permit process for movement of biological control agents of weeds.
- When the TAG recommendation is to release an agent, invite the researcher to submit a permit application and draft the environmental assessment.
- Conduct training workshops when needed.

## 5. Annual meeting

The Chair calls an annual meeting to evaluate the effectiveness of the TAG, and to discuss controversial issues relating to biological control of weeds in North America . Every three years, the membership elects a Chair.

## 6. Administration

PPQ-APHIS is responsible for the administrative maintenance of Federal Agency representation.

## 7. Federal Advisory Committee Act (FACA)

The TAG must conduct meetings that are not in violation of FACA. The law, as amended (P.L. 104-4, Sec. 204), states:

Meetings between State, Local, Tribal and Federal Officers.- The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to actions in support of intergovernmental communications where—(1) meetings are held exclusively between Federal officials and elected officers of State, local, and tribal governments (or their designated employees with authority to act on their behalf) acting in their official capacities; and (2) such meetings are solely for the purposes of exchanging views, information, or advice relating to the management of implementation of Federal programs established pursuant to public law that explicitly or inherently share intergovernmental responsibilities or administration.

FACA does not apply to meetings of the TAG, whose members are Federal officials and designated state officials. The members may contact non-Federal, State, Local, or Tribal parties in order to obtain "information." Therefore, Canada, Mexico, researchers, industry, and professional or other societies may be contacted on an ad hoc basis.

The TAG focuses primarily on providing assistance to the individuals who will seek permits. Secondarily, the TAG provides a communication conduit within a scientific framework for APHIS.

## 8. Membership

- APHIS will solicit one representative from the following Agencies:
  USDA, APHIS, National Biological Control Institute
  USDA, Agricultural Research Service
  USDA, Cooperative State Research, Education, and Extension Service
  USDA, Forest Service
  USDA, Natural Resources Conservation Service
  USDI, Bureau of Land Management
  USDI, Bureau of Reclamation
  USDI, U.S. Fish and Wildlife Service
  USDI, National Park Service
  USDI, U.S. Geological Survey
  USDI, Bureau of Indian Affairs
  US Environmental Protection Agency

DOD, US Army Corps of Engineers

APHIS may solicit additional members, who are State or Federal government employees, one each from:
The National Plant Board
The Weed Science Society of America
ARS Biological Control Documentation Center
Other Federal agencies expressing interest in participating

- APHIS interprets a solicited Agency's lack of response to evaluating petitions and test plant lists as acknowledgment that they have no need to be involved in the present considerations of the movement of organisms for weed biological control, or that they wish to be involved only in the formal regulatory review of permit applications.
- If an agency's representative does not provide comments or request an extension to the designated deadline, APHIS interprets this to mean the agency does not oppose the petition.
- APHIS may initiate a request for immediate appointment of another Agency representative if the Agency representative fails to provide comments for two consecutive applications.

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