

## DRAFT Terms of Reference for the Council Coordination Committee

### TERMS OF REFERENCE

(March 2010)

1. **Establishment.** Under Section 302(l) of the Magnuson-Stevens Fishery Conservation and Management Act, the Councils may establish a Council Coordination Committee (CCC). The CCC consists of the chairs, vice chairs, and executive directors of each of the eight Councils, or other Council members or staff, in order to discuss issue of relevance to all Councils, including issues related to the implementation of the Act.
2. **Membership.** The CCC consists of three members from each of the regional Councils: the Chair, a Vice-chair, and the Executive Director, or their respective proxies. Councils with more than one Vice-chair will need to determine who participates on the CCC for a given meeting. Only Council staff or Council members may serve as proxies. Work groups or subcommittees may be established to address particular issues, and include members from the CCC, Council staff, and National Marine Fisheries Service (NMFS) staff with expertise as necessary.
3. **Organization.** The CCC will be directed by the Chair and Vice-chair of the Council that is hosting the annual CCC meeting during that calendar year (January 1 through December 31). Councils with more than one Vice-chair will need to determine who will be the CCC Vice-chair in the year when they host the CCC meeting.
  - (a) **Rules of order.** Roberts Rules of Order will be used to conduct business when a decision or recommendation of the CCC is needed. The CCC will operate by consensus whenever possible. Any member of the CCC can make a motion, but each Council will be limited to one vote, made by the chair of each Council (or vice-chair/proxy). Motions approved by the CCC reflect the opinions of the collective CCC, but are not binding on any individual Council. However, these decisions can be made on behalf of all of the regional Councils on a case by case basis, depending on the issue or vote at hand. The responsibility to follow-through on CCC actions, and to represent the CCC in general, falls upon the host Council for that particular calendar year.
  - (b) **Meetings.** The CCC will generally meet twice per year. Generally, an interim meeting is held early in the calendar year to discuss budgets and other pressing matters and is hosted by NMFS in Washington, D.C. The primary, annual CCC meeting is hosted, on a revolving basis, by one of the Councils, generally in later spring or early summer. The CCC Chair for that calendar year may call other meetings as necessary. NMFS, in consultation with the CCC Chair, may schedule periodic conference calls with the CCC to discuss issues of immediate concern. Emergency meetings shall be held at the call of the CCC chair.
  - (c) **Agenda.** For the primary, annual meeting, a draft agenda will be prepared in advance by the host Council and will be distributed to the other Councils and NMFS for review and comment. In the case of the interim meeting, NMFS will develop a draft agenda for review and comment by the Councils. Timely notice of the interim and annual meetings, including the agenda, will be provided, and such notice will be published in the Federal Register.
  - (d) **Executive Sessions.** The CCC may close a meeting, or a portion of a meeting that concerns matters of national security, litigation, employment/personnel matters, or internal administrative issues.

(e) **Minutes.** A written summary of each meeting, except for closed sessions, will be prepared as appropriate by the host council or NMFS, and will be made available to the public. The CCC chairman will certify the accuracy of the meeting summary.

(f) **Public participation.** CCC meetings will be open to the public, but public comment is generally not taken, and will be permitted only at the discretion of the Chair.

**4. Functions.** The CCC is exempt from the requirements of FACA. As such, the CCC's can provide recommendations from leadership of the eight regional fishery management Councils to the Federal Government (usually to the Secretary of Commerce through NMFS). The CCC has adopted the following statement with regards to making recommendations:

*“The MSA states that the CCC is established to discuss issues of relevance to all Councils, including issues related to the implementation of this Act. Although all Councils adhere to the same MSA and national standards, the eight regional Councils often have differing regional priorities, attitudes, relationships, and philosophies about management. It is important that NMFS and the public are aware of these differences. There is a risk that the CCC may be perceived as a body that can present a unified approach or opinion. While opinions can be developed and presented quickly by the CCC the danger of rushing to such opinions and judgments is far outweighed by the more deliberative and thorough approach conducted by a regional Council. In addressing requests by NMFS the CCC should consider whether the regional input from the Council is more appropriate than the CCC. We do not want to lessen the importance of regional perspectives.”*