

Proposed Ground Rules and Procedures for Meeting 6 (Agreed 9/20/05 in Advisory Committee Discussion)

Goal: To achieve consensus on the Executive Summary, the Synthesis of Current Knowledge Chapter without the strandings section, and the Management and Mitigation Chapter

Definition of Consensus

The Committee's Operating Procedures have defined consensus to mean that "all Committee members can live with a given recommendation or decision."

No Consensus Fall Back Plan:

When possible with limited drafting and discussion, disagreements will be noted within the text of the consensus report as follows:

- "The Committee did not agree on this issue," or
- "One view is..., another view is..."

As an addendum to the consensus report of the Committee, all Ctte members and/or caucuses are free to file a statement expressing their perspectives. That statement may include discussion of their perspectives on the areas of disagreement noted in the text of the report. These added statements will identify the author(s) of the statement.

If consensus cannot be achieved on a FACA report to the Marine Mammal Commission by noon on 22 September, the agenda will be revised to focus on discussions that implement the Commission's proposal of 9-1-05, as clarified by memorandum on 9-9-05.

The Operating Procedures state that:

"The Committee's charge is to develop recommendations to the Commission for inclusion in a report to Congress from the Commission. The Commission asks the Committee to develop as much consensus on these recommendations as is achievable. On issues where the Committee does not or cannot reach consensus, this will be noted and the Commission may develop, if it so chooses, its own recommendations to Congress on those issues."

Procedures and Protocols:

- Accusations and statements of blame are not constructive and will impede achieving the goal of the meeting. They will not be allowed.
- Objections to proposals or report language raised in plenary and cross-caucus sessions must be accompanied by proposed alternative language that attempts to meet the needs of all Committee members.

- Voting or straw polls will be used only as a tool to assess the status of discussions. Results of votes or straw polls are not binding.
- Informal offers to compromise are not binding unless they are accepted by consensus, and should not be used to place any participant at a disadvantage in continuing discussions.
- The Commission, as the Designated Federal Official, may end the meeting at any point it feels that proceeding constructively is not possible.
- Consistent with the operating procedures, anyone may ask for a caucus with any other member or members at any time. Caucuses should try to request caucus time in a manner that respects the agenda and supports plenary progress.
- Caucuses are open only to members and alternates, and key staff who are invited to participate by the caucus.
- To the extent possible, caucuses should join or object to any consensus decision or recommendation as a group during plenary sessions.¹
- Both the original operating procedures and these new ground rules apply. If a conflict arises it will be addressed by the Committee.

¹ This bullet is intended to respond to the following proposal submitted by the Federal caucus: “The Federal caucus proposes that you establish ground rules for next week’s meeting that would limit all voting, if any, to be done at the caucus level only. This will focus overall positions to the most important and basic levels; enhance compromise within and between caucuses and reduce confusion and debate at the plenary meeting. The Federal caucus intends to vote as a group at the meeting and hopes that others will do likewise.”