

CHARTER
WORKING GROUP ON MARINE MAMMAL UNUSUAL MORTALITY EVENTS

1. Official Designation: Working Group on Marine Mammal Unusual Mortality Events.
2. Purpose, Objective, and Goals: The purpose of the Working Group is to provide guidance to the Secretary of Commerce and the Secretary of Interior on characterizations of and responses to unusual marine mammal mortality events as authorized under the Marine Mammal Health and Stranding Response Act of 1992 (Public Law 102-587, 16 U.S.C. 1421-1421(h)). Section 404 of the law creates the Working Group to provide guidance (a) in determining when such an event is occurring, (b) in developing response actions to such events, and (c) in developing a formal, detailed national contingency plan to assist the Secretary in responding to any such event. The Federal Advisory Committee Act (5 App. U.S.C.) does not apply to the Working Group (Section 404. (a)(1)(B)).
3. Period of Time Necessary for the Working Group's Activities and Termination Date: The Working Group is expected to exist into the foreseeable future.
4. Official to Whom the Working Group Reports: The Working Group reports through its chairperson to the Secretary of Commerce and the Secretary of the Interior.
5. Support Services: Support services for the activities of the Working Group are provided by the Office of Protected Resources in the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, and/or the U.S. Fish and Wildlife Service, Department of Interior.
6. Duties of the Working Group: The duties of the Working Group are specified in the Act and are summarized in Paragraph 2.
7. Meetings: The Working Group shall meet at the call of the chairperson, the Secretary of Commerce, or Secretary of Interior, at least once annually. In addition to these meetings, considerable business shall be conducted via telephone (particularly that which is consultative during an ongoing mortality event) and correspondence as deemed necessary by the chairperson. A majority of the membership of the Working Group shall constitute a quorum for the transaction of business at meetings. Recommendations of the Working Group on action items decided at meetings shall be made by consensus whenever possible. Recommendations made on majority basis without full consensus will allow recording of dissenting views in the meeting report if requested by members with minority opinions.

A report of each meeting of the Working Group shall be prepared by the Executive Secretary and distributed to the membership and to others upon request.

The report of each meeting of the Working Group as well as recommendations made and copies of all studies and reports received, issued or approved in conjunction with the activities (including summaries of consultations) of the Working Group shall be available for public inspection and copying at the following location:

Office of Protected Resources
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
U.S. Department of Commerce
1315 East-West Highway
Silver Spring, MD 20910

8. Membership: Working Group membership, as set forth in the Act, shall consist of individuals with knowledge and experience in marine science, marine mammal science, marine mammal veterinary and husbandry practices, marine conservation, and medical science. The Working Group will consist of 12 such persons, appointed by the Secretaries of Commerce and Interior. The membership of the Working Group shall select a chairperson from among the membership to serve a two-year term of office. Staff of the U.S. Marine Mammal Commission or the two responsible agencies under the Secretaries of Commerce and Interior (National Marine Fisheries Service and U.S. Fish and Wildlife Service, respectively) are ineligible to serve as chairperson. Representatives from these agencies are eligible to serve as Working Group members, as are individuals from any other Federal agencies. Federal agencies with related interests and responsibilities (e.g., the Armed Forces Institute of Pathology, the Environmental Protection Agency, and the Animal and Plant Health Inspection Service) are further encouraged to designate representatives to attend Working Group meetings as observers.

The Secretary Commerce, in consultation with the Secretary of the Interior, shall designate an individual to serve as Executive Secretary, subject to approval of the Working Group. The Executive Secretary shall be responsible for arranging all support services to the Working Group, and for contacting the Working Group for guidance concerning any unusual mortality event which might be occurring. The Executive Secretary shall also assist in production, updating, distribution, and implementation of the contingency plan developed under the guidance of the Working Group. The Executive Secretary shall provide quarterly reports of activities to the Working Group members.

The Secretary of Commerce and the Secretary of Interior shall appoint representatives to serve as liaisons to the Working Group. A liaison may also serve as the Executive Secretary.

9. Vacancy: Whenever a vacancy occurs among Working Group members other than expiration of terms of office, the Secretary or representative shall appoint a qualified individual as set forth in Section 404 of the Act.
10. Terms of Office: Terms of office are defined in a separate Article to this Charter.
11. Removal of Members: Membership will be terminated for members who fail to attend two consecutive annual meetings, with vacancies filled as noted above. Removal of members for other reasons shall be based on a recommendation from the Secretary's representative and approved by a two-thirds majority of the full Working Group membership.
12. Committees: The Working Group may establish committees of Working Group members, or their representatives, on an ad hoc or standing basis as it deems necessary. Such committees shall report to the Working Group. As appropriate, the Secretary shall provide support services to the committees.
13. Authority: The Working Group is established by Section 404 of the Marine Mammal Health and Stranding Response Act of 1992 (Public Law 102-587), 16 U.S.C. 1421-1421(h)).

ARTICLE TO CHARTER

ARTICLE I. TERMS OF OFFICE (REVISED MAY 2000)

WORKING GROUP ON MARINE MAMMAL UNUSUAL MORTALITY EVENTS

The terms of office for membership on the Working Group on Marine Mammal Unusual Mortality Events shall be as follows:

1. Each member shall serve a term of three years.
2. Terms of office shall be staggered such that one-third of the membership shall rotate annually. To achieve the initial rotation, one-third of the WGMMUME membership in office at the 1997 annual meeting will complete their original term of office at the end of the meeting. Individuals who will be designated for completion of terms for the one-third membership in 1997, 1998 and 1999 will be decided by lottery at the 1997 annual meeting.
3. Re-appointments are permitted if designated by the responsible agencies as defined in the Charter and the Act. However, members shall be eligible for only two consecutive appointments without interruption. A minimum of two years shall elapse before a member with two previous consecutive appointments can be eligible for further re-appointment.
4. The two-year term of office of the Chairperson shall also be renewable for only two consecutive appointments without interruption. If appointed at a time in the rotation that would extend membership beyond the newly elected Chairperson's previously scheduled term of office, the Chairperson shall be allowed such an extension.
5. Terms of office for Working Group members will commence at the first meeting after nomination, acceptance, and appointment by the Departments of Commerce and Interior. Members whose terms are in their final year will serve in all consultations on mortality events up until the new members rotate onto the group at the next annual meeting. However, Working Group members in the final year of their term shall not attend the annual meeting held at the end of that term unless in an Emeritus capacity.
6. A Chairperson-Elect shall be selected by the membership at the annual meeting immediately prior to the final year of the term of the incumbent Chairperson. The incumbent Chairperson will serve up until the next annual meeting, which shall then be presided over by the new Chairperson.