

REPORT H.002
GAC EXECUTIVE COMMITTEE
GENERAL ASSEMBLY COUNCIL
APRIL 23, 2008

The GAC Executive Committee reports its activities from the meeting of April 23, 2008:

I. FOR CONSENT:

The Executive Committee recommends that the General Assembly Council:

- a. Authorize the General Assembly Council Chair to appoint two GAC voting members to the Mission Responsibility Through Investment Committee and to authorize the Procedures Subcommittee to amend the GAC Manual of Operations, Appendix 1, Section III. Officers of the Council, A. Chair.**

Background:

Before the GAC restructure, these two members were appointed by the National Ministries Division Committee. The term is four years, non-renewable.

- b. Approve the revised GAC Meeting Schedule for 2008-2010 (Item H.109).**

Background:

Following the meeting of February 13, the GAC Executive Committee-elect **voted** by e-mail to change the date of the July Executive Committee Retreat from July 17-19 to July 22-25, 2008 to avoid a conflict with the previously scheduled Peacemaking Conference (July 15-18).

The structure for the September 2008 GAC meeting in Snowbird has been clarified to indicate the segments of the meeting.

- c. Approve a comment to the 218th General Assembly (2008) concerning recommendation 10 of the report of the Special Committee on Review of the General Assembly Council:**

The six agencies of PC (USA) are working together to be the best stewards of the resources given to them and to fulfill the specific mandate given to them by the church. The agency executives and the agency board chairs are meeting regularly to facilitate coordination and cooperation. Collaboration tables among staff are working across the agencies. Specifically those collaborations center on funds development, communication and church relations.

These efforts are producing much fruit and increasing efficiencies. An alternative to suspending the regular review process of the next two agencies would be to assign a higher priority to the evidence of cooperation among the agencies than already exist in the review standards.

- Should the assembly desire to conduct such a review we believe it would be wise to delay the review of PPC and PILP till 2010 and expedite the process if the assembly directed the agencies to conduct a joint self review of their cooperation and that the basis of the review committee's work should be the agency self studies and review reports completed over the past six years. We further recommend that the review committee focus on:
- The effectiveness of the six agencies in implementing the overall mission directives of the General Assembly, with recommendations for possible changes in their respective mission directives in light of current financial and other issues of concern to the denomination;
- Identification of (a) possible ways to achieve operating synergies among the six agencies, (b) current areas of collaboration among the six agencies, (c) likely areas for

future collaboration and synergy, and (d) identification of specific areas of duplication among or between the six agencies with a rationale for acceptable duplication or a recommendation for change with a view to avoidance of unnecessary duplication

- Having a specific focus helped the previous agencies reviews. The referral of additional recommendations to this committee may decrease the effectiveness of the proposed review process.

Background

Recommendation 10 of the Special Committee on Review states, “We recommend that the General Assembly Create a review committee to review the service of the whole of the Presbyterian Church (U.S.A.) and its six agencies in implementing the General Assembly’s mission directives. This review committee should be nominated according to procedures articulated in the Organization for Mission at section IV.D.1. committees of the assembly”.

d. Approve the Attendance Rationale for the 218th General Assembly (Item H.104).

Background:

Each year the General Assembly Council approves a General Assembly Attendance Rationale. This year the rationale is for 344 persons (elected and staff).

e. Approve the following Joint GAC/OGA Comments to the 218th General Assembly (2008)

1. **Comment on Ovt. 20 - *On Transferring Funding of the PC Ecumenical and Agency Relationships from the Per Capita Budget to the Mission Budget—From the Presbytery of Indian Nations.***

The COGA and the GAC urge disapproval of Overture 20. The purpose of per capita is to provide a mechanism for all Presbyterians to share equally in core ecclesiastical functions. On several occasions over the past three decades, the support through per capita funds of one of our core ecclesiastical functions, participation in ecumenical bodies, has been challenged through overtures, but consistently rejected by General Assemblies (*Minutes*, 1977, 1989, 1991, as cited in **Advice on Ovt 20--from the Advisory Committee on the Constitution**).

The Overture is based on a fundamental misconception of the role and responsibility of the Office of the General Assembly for seeking and maintaining a strong participation in ecumenical relations and ecumenical witness. Further, it seeks to put forward a very restricted definition of the work of the Office of the General Assembly, thereby misconstruing what may be properly underwritten by “operating expenses” (G-9.0404d).

The Constitution manifests a strong historic and continuing commitment to ecumenical relations and witness. G-3.0401 asserts that “The Church is called: . . . d. to a new openness to God’s continuing reformation of the Church ecumenical, that it might be a more effective instrument of mission in the world.”

In G-4.0203, in speaking of “The Unity of the Church,” we find: “Visible oneness, by which a diversity of persons, gifts, and understandings is brought together, is an important sign of the unity of God’s people. It is also a means by which that unity is achieved. Further, while divisions into different denominations do not destroy this unity, they do obscure it for both the Church and the world. The Presbyterian Church (U.S.A.), affirming its historical continuity with the whole Church of Jesus Christ, is committed to the reduction of that obscurity and is willing to seek and to maintain communion and community with all other branches of the one, catholic Church.”

In G-9.0402c we read: “All structures shall be open to the possibility of change and new forms of ecumenical cooperation.”

Our commitment to the unity of Christ’s Church is a core ecclesial responsibility of the Presbyterian Church (U.S.A.), and a primary function of the Stated Clerk of the General Assembly. The Office of the General Assembly is the instrument of the Presbyterian Church (U.S.A.), the “structure” within our historic polity that maintains communication and engages in cooperation with the Church ecumenical on behalf of the denomination, seeking to reduce the obscurity that a divided Church presents to the world. Our fundamental commitment to God’s gift of unity in Jesus Christ is an expression of the whole church, and is properly funded by a per capita apportionment as a sign of our covenantal relationships within the Presbyterian Church (U.S.A.) and with the Church Universal.

2. Comment on Overture 38 *6On Eliminating the General Assembly Per Capita as Part of the Misison Funding System by 2010—From the Presbytery of Grace.*

The Committee on the Office of the General Assembly and the General Assembly Council urge disapproval of Overture 038 because it seeks to eliminate the historic method for funding the essential and mandated functions of the Office of the General Assembly and the General Assembly Council as an expression of our covenant community, and it does so without offering a way of underwriting these functions. “Per capita apportionments” are the Presbyterian Church (U.S.A.)’s way of making incarnate our foundational theological conviction, found in G-1.0400, a section called “The radical principles of Presbyterian Church government and discipline:”

“That the several different congregations of believers taken collectively constitute one Church of Christ, called emphatically the Church; that a larger part of the Church, or a representation of it, should govern a smaller, or determine matters of controversy which arise therein; that in like manner, a representation of the whole should govern and determine in regard to every part, and to all the parts united: that is, that a majority shall govern; and consequently that appeals may be carried from lower to higher governing bodies, till they be finally decided by the collective wisdom and united voice of the whole church.”

This radical connectional principle at the heart of our Presbyterian ecclesiology requires implementation through a participatory system of support in addition to a participatory system of government, and the per capita apportionment has been our historic way of insuring this covenantal commitment’s expression as a form of stewardship of God’s gifts to all members of the Presbyterian Church (U.S.A.).

In addition to theological and constitutional concerns with this overture, its passage would create serious financial problems for the General Assembly. At a time when there is extreme pressure on all funding systems in the church, to eliminate the General Assembly per capita budget would put in great jeopardy such core functions in the PC(USA) as the biennial General Assemblies, our core support of ecumenical bodies, our constitutional and judicial functions, the preservation of our historical records, and the training and support of our governing body system and significant added stress on the mission budget of the GAC because that budget will need to cover these functions.

3. Comment on Overture 97 *6On Creating a Presbyterian Office for the Prevention and Healing of Minister of Word and Sacrament Misconduct and Abuse—From the Presbytery of San Francisco.*

The COGA and the GAC suggests that the current structure and positions within the national staff provide the resources to address the concerns raised in this overture. As such the COGA and the GAC urge disapproval of Overture 97.

Sexual misconduct within the context of the church is sinful and contrary to Scripture, PCUSA Constitution, and GA Policy. All Congregations and Governing Bodies are urged to address the threat of sexual misconduct in a variety of ways. The GA has urged that Congregations and Governing Bodies create spaces for reflection of healthy sexuality, boundaries, ministries and missions of members and officers of the church in order to prevent and respond to those instances of sexual misconduct within the context of the church.

This overture seeks to authorize and fund an Office for the Prevention and Healing of misconduct and abuse by ministers of the Word and Sacrament as an ongoing and permanent structure in the Office of the General Assembly and the General Assembly Council. According to the overture, the financial implications include funding for a staff member, resources for healing and theological concepts of restorative justice, and an Advocacy Board appointed by the GAC.

The overture limits this position to prevention and healing of misconduct and abuse by ministers of the Word and Sacrament and does not address misconduct and abuse by others within the context of the church. Unfortunately, sexual misconduct within the context of the church can be varied depending upon the perpetrator's relationship with the church such as member, elder, deacon, minister of the Word and Sacrament, commissioned lay pastor, volunteer, and non-ordained staff doing ministry including Christian educators and youth leaders.

Currently, the OGA and GAC have offices that provide the following resources for congregations and governing bodies responding to sexual misconduct within the context of the church.

Office of the General Assembly:

- Manager of Judicial Process and Social Witness
 - Provides advice and resources to governing bodies regarding Policies and Procedures for prevention, reporting and response to allegations of sexual misconduct
 - Provides advice and resources regarding the use of the Rules of Discipline to provide accountability for members, elders, deacons and ministers of the Word and Sacrament

General Assembly Council

- Sexual Misconduct Ombudsman
 - Provides advice and resources to overseas missionaries regarding prevention, reporting and response of sexual misconduct
 - Staffs a hotline to advise persons regarding prevention, reporting and response procedures
- Compassion, Peace and Justice Associate for Child Advocacy
 - Provides educational materials for the advocacy of children within the context of the church
- Racial Ethnic and Women's Ministries Associate for Women's Advocacy

- Provides staffing to a Committee of the General Assembly that is empowered to advocate for women's concerns within the context of the church
- Compassion, Peace and Justice Associate for Social Welfare Organizations (also the Executive Director of the Presbyterian Health Education and Welfare Association)
 - Provides staffing to the Presbyterian Child Advocacy Network which provides advocacy for children both within the church and the community and has as a focus child abuse in general – this network most recently provided a response on the web to lift up April as the Child Abuse Prevention month <http://www.pcusa.org/phewa/childabuseawareness.htm>

A website addressing the issues of sexual misconduct within the context of the church is maintained in part by a staff team made up of each of the above offices and can be found at <http://www.pcusa.org/sexualmisconduct>.

The Rationale for the Overture describes the experience of the Presbytery of San Francisco and the Healing Task Force of Cameron House as they were responding to allegations of sexual abuse of minors by a minister of the Word and Sacrament. Both of these entities worked hard at creating a space for healing and transparency after the horrendous acts of child sexual abuse. All governing bodies that have to create such spaces for healing recognize that there are a variety of responses that may be required in order to empower or encourage such healing. These responses include holding the perpetrator accountable, reporting to the secular authorities, providing a safe place for the survivors to tell their stories, providing a safe place for the church to engage in mission with the survivors and their families. The particular responses will depend upon the situation and by necessity have to be carried out by the churches, congregations, and governing bodies that are affected. It is not an easy process, nor is there a one process fits all approach. There is the commitment on behalf of all who are in community together within the Presbyterian Church (U.S.A.) to seek God's will in preventing, reporting, responding and providing care when sexual misconduct occurs by members of our community or within our community.

4. Overall comment on reports or overtures calling for the Stated Clerk to print or produce materials:

In order to be good stewards of our resources, the Committee on the Office of the General Assembly and the General Assembly Council urge the 218th General Assembly (2008) not to make exceptions to the following standing rule:

The Committee on the Office of the General Assembly and the General Assembly Council remind commissioners and advisory delegates of Standing Rule H.2.a.(12), which reads:

“(12) As soon as practicable after the adjournment of the General Assembly, the Stated Clerk shall publish the assembly's proceedings and other documents as the assembly may direct in an appropriate format (i.e. print or electronic) to be determined by the Stated Clerk.”

This rule was added to *Manual of the General Assembly* several years ago to help control expenses and maximize distribution of documents.

In order to accomplish the directive as outlined in the recommendation above, it will be necessary for the assembly to suspend the standing rules, which requires a 2/3 affirmative vote of the total enrollment of commissioners.

- f. **Approve recommending to the 218th General Assembly (2008) that the Committee on Health Issues receive a presentation from the Cameron House Healing Task force on therapeutic activities for sexual abuse victim/survivors**

Background:

At the request of the Cameron House Task Force the GAC approved \$187,500 for therapy for survivors and \$62,500 for retreats for victims of sexual abuse at Cameron House in San Francisco. This report will update the church on the effect of these therapy sessions.

- g. **Approve the following statement regarding overtures received following the 45-day Standing Rule deadline:**

Overtures received after the spring meeting of the Executive Committee but before the 45-day deadline may be commented upon by the appropriate GAC Ministry. Such comments will be approved by the Executive Leadership Team and a report will be made to the Executive Committee. The Executive Leadership Team can call for a conference call of the Executive Committee if they think it is necessary.

- h. **Approve revisions to the Ethics Policy (H.107)**

Background:

The proposed revisions provide needed clarification regarding the authority of the General Counsel to decide that an investigation should not proceed and regarding any action the GAC Executive Committee or COGA Coordinating Committee must take upon receipt of the decision from the Audit Committee under the Ethics Policy for Employees.

II. FORACTION

The Executive Committee recommends that the General Assembly Council>

- a. **Approve the PCUSA Foundation By-law Amendments (H.103)**

Background:

Section 1. (d) of the 1986-87 Deliverance of the Presbyterian Church (U.S.A.) General Assembly provides, in pertinent part, that any changes to the bylaws of the Presbyterian Church (U.S.A.) Foundation ("Foundation") are subject to the approval of the General Assembly Council ("GAC"). Section 8.06 of the Foundation's bylaws provides, in pertinent part, that amendments to such "bylaws shall first be approved by the General Assembly Council."

At its October 27, 2007 meeting, the Foundation's board of trustees approved a number of changes to its bylaws (see Exhibit A and summary below). At the February 13, 2008 General Assembly Council Executive Committee meeting revisions were reviewed and returned to the Foundation with comments. The Foundation made additional changes and the Foundation's Board of Trustees approved on February 23, 2008.

The substantive changes are as follows—

- £ Changed the start of the fiscal year from January to April. See Sec. 1.02.
- £ Changed the name of the executive committee from "Advisory Leadership Team" to "Executive Committee" in a number of sections.
- £ Changed the Executive Committee (formerly known as the Advisory Leadership Team) to the following board members: the board chair, the vice-chair, and the chairs of the Audit

and Corporate Compliance, Board Development and Human Resources, Investment, and Vision and Outreach Committees. See Sec. 3.08.

- £ Establishes the board of trustees generally functions as a body of the whole but that in cases of emergency the Executive Committee can act on behalf of the board. See Sec. 3.08.
- £ Deleted the requirement that the board chair be selected from among the members of the Advisory Leadership Team (now known as the Executive Committee). See Sec. 5.01.
- £ Deleted the requirement that the GAC vote to concur in the election of Foundation officers. This deletion is consistent with the recent *Book of Order* change to G-9.0703. That *Book of Order* section formerly required the GAC to vote upon (for concurrence) the executives and administrative staff positions of General Assembly agencies. That requirement was recently deleted. See Secs. 5.02, 5.03, and 5.06.
- £ Added a reference to the Pennsylvania Prudent Investor statute under the Investments section. See Sec. 7.01.

B Approve nominating four members, at least one of whom will be a current voting GAC term, eligible for one additional term, and that the Procedures Subcommittee make the appropriate change to Appendix 1 of the GAC Manual of Operations.

Background:

As a result of several conversations among the GAC Chair, GAC Chair elect, GAC Nominating Committee Chair, GAC Executive Director, and the Mountain Retreat Association, Inc.'s Board of Directors Chair, it was determined that it is mutually beneficial for the Board and for GAC to maintain a high level of connection with the Montreat Camp and Conference Center.

The members are nominated by the GAC, approved by the General Assembly, and elected by the Mountain Retreat Association, Inc.'s Board of Directors. Terms begin on November 1 of the year elected and end on October 31 of the third year.

Two members will be nominated for the class of 2011. Two additional members will be nominated in September 2009 for the class of 2012.

C. Approve the following recommendations concerning the Mission Resources Development Committee:

1. That the Mission Development Resource Committee (MDRC) be increased by one member to 14 members and that

2. That the GAC forward a request to the General Assembly Nominating Committee to on the MDRC.

Background:

- a. The Foundation or its constituent corporations are the fiduciary of several endowment funds collectively known as the "Church Loan Funds" (the "Funds").

Pursuant to the structure for General Assembly agencies adopted by the General Assembly, the General Assembly Council ("GAC"), via the Presbyterian Church (U.S.A.), A Corporation ("A Corporation"), makes mission decisions which result in expenditures from the Funds. In turn, GAC and A Corporation have appointed a committee of the General Assembly Council known as the Mission Development Resources Committee ("MDRC") to oversee and approve the expenditures from the Funds on behalf of the Presbyterian Church (U.S.A.), A Corporation.

The Foundation wishes to have a presence on the MDRC, in lieu of contemporaneous reporting to the Foundation as required by the 1986 Deliverance of the General Assembly, in order to review the expenditures of the Funds and fulfill its fiduciary duties. In addition, a predecessor committee of MDRC, the former Church Loan Committee (pre-1988), had members from the Foundation. Adding a Foundation board member at this time would, therefore, be in keeping with past practice. For these reasons, A Corporation staff and the Executive Director of the GAC support the addition of member of the Foundation's Board of Trustees to the MDRC for the previously referenced purpose.

The Foundation's Board of Trustees has already appointed Karen L. Garrett to serve as the Foundation's representative on the MDRC at its next meeting, presuming that these recommendation actions are taken.

- b. The GAC welcomes the addition of a Presbyterian Church (USA) Foundation representative on the Mission Development Resources Committee, as a significant source of funding, at the present, comes from restricted funds held by the Foundation. Inviting the Foundation into this important ministry of the church is beneficial for both the Foundation and the GAC

D. Recommending to the 218th General Assembly that the General Assembly direct the General Assembly Council to create a review committee to review the service of the whole of the Presbyterian Church (USA) and its permanent, advocacy, and advisory committees of the GAC by:

- (i) **examining the interaction, cooperation between such committees and commissions, as well as, their scope and authority.**
- (ii) **the collective role each contribute complementing and implementing the**
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- (iii) **report findings and recommendations to the 219th General Assembly (2010).**

Background:

The above recommendation replaces one approved by the February GAC asking that the General Assembly create the review committee. Following further discussion and reflection this alternative recommendation is being forward, Members of this committee will then be appointed by the GAC Chair instead of the General Assembly Moderator.

III. FOR INFORMATION

The GAC Executive Committee voted to:

- A. Approve the minutes of the Executive Committee for February 13, 2008 (Item H.101) and the April 2, 2008 Executive Committee conference call (Item H.111).
- B. Ratify the following Chair's appointments:
 1. Jacqui Lyman and Conrad Rocha to a four-year term on the Mission Responsibility Through Investment Committee, following the adjournment of the 218th General Assembly (2008).
 2. Parliamentarians for April GAC meeting – Doska Ross and Gradye Parsons

3. New Business Committee; Doug Megill and Carol Adcock
 4. Review Team for Linda Valentine's mid-term review: Jean Demmler and Carolyn McLarnan
- C. Referred request from Presbyterian Men for membership on the General Assembly Council to the Spirituality and Discipleship and the Leadership and Vocation Committees for a decision or interim action to be included in their report to the General Assembly Council.
- D. Appointed a committee, consisting of Frank Adams, Manley Olson and Conrad Rocha to consider action to *Book of Order*, G-13-0107, concerning Synod Participation on GA Permanent Committees, and to report to the GAC.
- E. Referred comments prepared by the Procedures Subcommittee on ACSWP's "Costly Lessons of the Iraq War"; ACWC's "Resolution to Study Immigration Detention in the U.S." and ACREC's and ACSWP's "Struck Down, But Not Destroyed: From Hurricane Katrina to a More Equitable Future", to the Justice and Compassion Mission Committee for their review and possible action to the General Assembly Council.
- F. Referred Overture 85, "On Amending Section 21(d)(3) of the Deliverance of the 198th GA (1986) of the PCUA)" to the Stewardship and Mission Support Committee for their review and recommendation.
- G. Authorized Conrad Rocha to bring greeting to the Presbyterian Church of Mexico in Merida, Mexico this spring.