

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY CHARTER

NATIONAL ADVISORY COMMITTEE TO THE UNITED STATES REPRESENTATIVE TO THE NORTH AMERICAN COMMISSION FOR ENVIRONMENTAL COOPERATION

1. Committee's Official Designation (Title):

National Advisory Committee to the United States Representative to the North American Commission for Environmental Cooperation

2. Authority:

The National Advisory Committee (NAC) to the United States Representative to the Council of the North American Commission for Environmental Cooperation (CEC) is authorized under article 17 of the North American Agreement on Environmental Cooperation (NAAEC) and by the North American Free Trade Agreement Implementation Act, P.L. 103-182, and was established pursuant to Executive Order 12915, entitled "Federal Implementation of the North American Agreement on Environmental Cooperation". The NAC was continued under the authority of Executive Order 13811, dated September 29, 2017, and operates under the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2.

3. Objectives and Scope of Activities:

The NAC will advise the U.S. Representative to the Council of the CEC on implementation and elaboration of the NAAEC.

4. Description of Duties:

The duties of the NAC are solely to provide advice to EPA. The NAC will provide advice, information and recommendations on a broad range of environment-related strategic, scientific, technological, regulatory and economic issues to be addressed in implementation and elaboration of the NAAEC.

5. Agency or Official to Whom the Committee Reports:

The NAC will submit advice and recommendations and report to the Environmental Protection Agency (EPA) Administrator, who serves as the United States Representative to the Council of the CEC under the authority of Executive Order 12915.

6. Support:

EPA will be responsible for financial and administrative support. Within EPA, this support will be provided by the Office of Administration and Resources Management.

7. Estimated Annual Operating Costs and Staff Years:

The estimated annual operating cost of the NAC is \$166,000, which includes 0.7 staff years of support.

8. Designated Federal Officer:

A full-time or permanent part-time employee of EPA will be appointed as the Designated Federal Officer (DFO). The DFO or a designee will be present at all meetings of the advisory committee and subcommittees. Each meeting will be conducted in accordance with an agenda approved in advance by the DFO. The DFO is authorized to adjourn any meeting when he or she determines it is in the public interest to do so, and will chair meetings when directed to do so by the official to whom the committee reports.

9. Estimated Number and Frequency of Meetings:

The NAC expects to meet approximately three (3) times a year. Meetings may occur approximately once every four (4) months or as needed and approved by the DFO. EPA may pay travel and per diem expenses when determined necessary and appropriate.

As required by FACA, the NAC will hold open meetings unless the EPA Administrator determines that a meeting or a portion of a meeting may be closed to the public in accordance with 5 U.S.C. 552b(c). Interested persons may attend meetings, appear before the committee as time permits, and file comments with the NAC.

10. Duration:

Continuing.

11. Termination:

Unless extended by the President, the NAC will terminate on September 30, 2019 (pursuant to Executive Order 13811 dated September 29, 2017).

12. Membership and Designation:

The NAC will be composed of approximately fifteen (15) members who will generally serve as Representative members of non-federal interests. If needed, members may be appointed to serve as Regular Government Employees (RGEs) or Special Government Employees (SGEs). Representative members are selected to represent the points of view held by organizations, associations, or classes of individuals. In selecting members, EPA will consider candidates from environmental groups and non-profit entities, business and industry, and educational institutions with the points of view needed to address North American environmental issues within the scope of the NAAEC.

13. Subcommittees:

EPA, or the NAC with EPA approval, may form NAC subcommittees or workgroups for any purpose consistent with this charter. Such subcommittees or workgroups may not work independently of the chartered committee and must report their recommendations and advice to the chartered NAC for full deliberation and discussion. Subcommittees or workgroups have no authority to make decisions on behalf of the chartered committee nor can they report directly to the U.S. Representative to the Council of the CEC.

14. Recordkeeping:

The records of the committee, formally and informally established subcommittees, or other subgroups of the committee, will be handled in accordance with NARA General Records Schedule 6.2 and EPA Records Schedule 1024 or other approved agency records disposition schedule. Subject to the Freedom of Information Act, 5 U.S.C. 552, these records will be available for public inspection and copying, in accordance with the Federal Advisory Committee Act.

May 24, 2018

Agency Approval Date

June 20, 2018

Date Filed with Congress