

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY CHARTER

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

1. **Committee's Official Designation (Title):**

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

2. **Authority:**

The Governmental Advisory Committee (GAC) to the United States Representative to the North American Commission for Environmental Cooperation (CEC) was established May 13, 1994 and is authorized under Article 11 of the Environmental Cooperation Agreement (ECA) between the United States, Mexico and Canada entered into force on July 1, 2020, in parallel with the United States of America, United States of Mexico, and Canada (USMCA) trade agreement; and was established pursuant to Executive Order 12915, entitled "Federal Implementation of the North American Agreement on Environmental Cooperation". The GAC was continued under the authority of Executive Order 14048, dated September 30, 2021, 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 GAC will advise the U.S. Representative to the Council of the CEC on implementation and elaboration of the ECA. The Environmental Protection Agency (EPA) Administrator serves as the United States Representative to the CEC under the authority of Executive Order 12915.

4. **Description of Duties:**

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

5. **Agency or Official to Whom the Committee Reports:**

The GAC will provide advice and recommendations and report to the 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 Mission Support.

7. Estimated Annual Operating Costs and Staff Years:

The estimated annual operating cost of GAC 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 an alternate DFO 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 GAC 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. EPA may pay travel and per diem expenses when determined necessary and appropriate.

As required by FACA, the GAC 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 GAC.

10. Duration:

Continuing.

11. Termination:

Unless extended by the President, the GAC will terminate on September 30, 2023 (pursuant to Executive Order 14048 dated September 30, 2021).

12. Membership and Designation:

The GAC will be composed of approximately fifteen (15) members, appointed for 2-year terms with option to renew up to 6-years of service. Members generally serve as Representative,

Regular Government Employees (RGEs) or Special Government Employees (SGEs). Members are selected to represent the points of view held by non-governmental organizations, associations, or classes of individuals. In selecting members, EPA will consider candidates from State, local and tribal governments with the points of view needed to address North American environmental issues within the scope of the ECA. In accordance with Executive Order 14035 (June 25, 2021), EPA values and welcomes opportunities to increase diversity, equity, inclusion and accessibility on its federal advisory committees. EPA is committed to forming federal advisory committees that reflect the diversity of the American people.

13. Subcommittees:

EPA, or the GAC with EPA approval, may form GAC 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 GAC 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 agency.

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 25, 2022

Agency Approval Date

April 13, 2022

GSA Consultation Date

June 3, 2022

Date Filed with Congress