CHARTER
of the
ADVISORY PANEL TO THE UNITED STATES SECTION
of the
NORTH PACIFIC ANADROMOUS FISH COMMISSION

1. Committee's Official Designation:

The official designation shall be the Advisory Panel to the United States Section of the North Pacific Anadromous Fish Commission (hereinafter "the Panel").

2. Authority:

The Panel is established by Section 805 (16 U.S.C. § 5004) of the North Pacific Anadromous Stocks Act of 1992 (Title VIII of Public Law 102-567), and operates in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App.

3. Objectives and Scope of Activities:

The purpose of the Advisory Panel to the United States Section (hereinafter referred to as the Section) of the North Pacific Anadromous Fish Commission (hereinafter referred to as the Commission) shall be to serve the Section, consisting of the three United States Commissioners of the Commission and relevant Federal experts.

4. Description of Duties:

The Panel shall advise the Section with respect to the participation of the United States in the activities of the Commission, including the development of the policies, positions, and negotiating strategies of the Section. In particular, it shall advise the Section on research needs and priorities for anadromous stocks and ecologically related species subject to the Convention for the Conservation of Anadromous Stocks of the North Pacific Ocean. The Panel may also serve the Department of State (hereinafter referred to as the Department), the Department of Commerce, the U.S. Coast Guard, and other agencies of the United States Government in a solely advisory capacity. The Panel is invited to all nonexecutive meetings of the Section and at such meetings will be granted the opportunity to examine and

to be heard on all proposed programs of study and investigation, reports, and recommendations of the Section. The functions of the Panel shall be solely advisory.

5. Agency or Official to Whom the Committee Reports:

The Panel shall report, either orally or in writing, to the Secretary of State through the Deputy Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs (hereinafter referred to as the Deputy) or his representative, and to the Section.

6. Support:

The Department of State, the Department of Commerce, and the U.S. Coast Guard shall consult and cooperate in ensuring support required for the operations of the Panel, including the provision of staff and support functions.

7. Estimated Annual Operating Costs and Staff Years:

The members of the Panel shall receive no compensation or travel expenses for their services as such members from the Federal government. Operating expenses of the Panel, which are estimated to be approximately $2,000 for DFO meeting travel expenses, teleconferences, and other administrative costs of the Panel and 0.05 FTE annually, shall be defrayed from funds appropriated to the Department.

8. Designated Federal Officer:

A full-time or permanent part-time employee will serve as the DFO. The DFO shall approve and attend all meetings and shall advise the Chair(s) to adjourn, or shall herself/himself adjourn any meeting when in the public interest. The DFO will prepare and approve the agenda, and shall ensure that the minutes of each meeting are prepared, the accuracy of which the Chair(s) shall certify, and which shall at a minimum contain: a record of the membership present; members of the public who participate in the meeting and the interest and affiliations they represent; a description of matters and material discussed and the conclusions, if any, reached, and the rationale for any recommendations made by members of the Panel. The DFO will also maintain copies of all reports the Panel receives, issues, or approves.

9. Estimated Number and Frequency of Meetings:

It is anticipated that the Panel shall meet at least once annually.

10. Duration:

The Panel is a statutory advisory body and may be terminated only by law.

11. Termination:

A new Charter will be issued on a biennial basis in accordance with Section 14(b)(2) of P.L. 92-463, from the date this Charter is filed with Congress and the Library of Congress.

12. Membership and Designation:

As required by law, the Panel shall be composed of the following individuals:

(1) The Commissioner of the Alaska Department of Fish and Game;
(2) The Director of the Washington Department of Fisheries;
(3) One representative of the Pacific States Marine Fisheries Commission, designated by the Executive Director of that Commission;
(4) Eleven members (six of whom shall be residents of the State of Alaska and five of whom shall be residents of the State of Washington) appointed by the Secretary of State, in consultation with the Secretary of Commerce, from among a slate of 12 persons nominated by the Governor of Alaska and a slate of 10 persons nominated by the Governor of Washington. Such members shall be knowledgeable or experienced concerning anadromous stocks and ecologically related species. Any person appointed to the Panel under this paragraph shall serve a term not to exceed four years, and may not serve more than two consecutive terms.

The Panel shall seek to represent the broad range of parties interested in anadromous stocks and ecologically related species in the North Pacific Ocean, including commercial salmon fishing interests and environmental interests concerned with protection of living marine resources. The members will be representative members.

The Department will appoint a member of the Panel as the Chairman of the Panel, who shall serve in that capacity for a term of one year. The Chairman shall be eligible for re-appointment, within the limitation on service of appointments to the Panel. In the absence of the Chairman, the Commissioner who is an official of the United States Government shall perform the duties of the Chairman.

13. Subcommittees:

The Department may establish appropriate subcommittees or working groups to carry out assigned responsibilities. The Panel shall provide such guidance and direction as is necessary and appropriate to ensure the effective functioning of such subcommittees or working groups as established. Any subcommittees must report back to the Panel, and shall not provide advice or work products directly to any Federal agency.

14. Recordkeeping:

The records of the Panel and any subcommittees shall be handled in accordance with General Records Schedule 26, Item 2, and shall include, for example, all papers and documents pertinent to the Panel's establishment and activities, including its Charter, agendas, determinations for closing Panel meetings to the public, proceedings, the membership list of the Panel, all written communications between the Department of State and the Panel, and all written materials and reports considered by the Panel. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

15. Filing date: [*filled in when filed*]

Now, thereby, this Charter shall be considered approved by the Department of State as of this date and shall be considered filed as of the date when copies have been provided to the appropriate standing committees of the Senate and the House of Representatives having legislative jurisdiction over the Department of State and to the Library of Congress pursuant to the provisions of the Federal Advisory Committee Act.

Approved: Patrick F. Kennedy
Under Secretary of State for Management

Date: July 15, 2011