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ADMINISTRATION AND
MANAGEMENT

APR 1 5 2010

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT
GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter Consultation – *Missouri River North Dakota Task Force*

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972, as amended, intends to renew the charter for the *Missouri River North Dakota Task Force* (attached). The Task Force will operate under the provisions of the Federal Advisory Committee Act of 1972, as amended and in accordance with 41 CFR § 102-3.50.

Prior to filing the Task Force's charter with the Library of Congress and the appropriate congressional committees the Department of Defense respectively requests that the Committee Management Secretariat review and approve the proposed charter (attached). The proposed charter has been reviewed and approved by the Office of the General Counsel for the Department of Defense.

If you should have any questions about this charter please contact my point of contact, Len O'Reilly, at 703-601-6148.

James D. Freeman II
Deputy Advisory Committee Management
Officer for the Department of Defense

Attachments
Proposed Charter

CHARTER
MISSOURI RIVER (NORTH DAKOTA) TASK FORCE

1. Committee's Official Designation: The Committee shall be known as the Missouri River (North Dakota) Task Force (hereafter referred to as "the Task Force").

2. Authority: The Secretary of Defense, under the provision of Section 705(a) of Title VII, the Missouri River Protection and Improvement Act of 2000, Public Law 106-541 and the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix) and 41 CFR § 102-3.50(a), established the Task Force.

3. Objectives and Scope of Activities: The Task Force shall provide independent advice and recommendations on plans and projects to reduce siltation of the Missouri River in the State of North Dakota, as set out in (4) below and in Section 705 of Title VII, the Missouri River Protection and Improvement Act of 2000, Public Law 106-541.

4. Description of Duties: The Task Force shall provide independent advice and recommendations to the Secretary of the Army on plans and projects to reduce siltation of the Missouri River in the State of North Dakota and to meet the objectives of the Pick-Sloan Program. Specifically, the Task Force shall:

    a. Prepare and approve, by a majority of the members, a plan for the use of the funds made available under Public Law 106-541, to promote conservation practices in the Missouri River watershed, control and remove the sediment from the Missouri River, protect recreation on the Missouri River from sedimentation, and protect Indian and non-Indian historical and cultural sites along the Missouri River from erosion;

    b. Develop and recommend to the Secretary of the Army for implementation critical restoration projects meeting the goals of the plan; and

    c. Determine if these projects primarily benefit the Federal Government.

    The Secretary of the Army may act upon the Task Force's advice and recommendations.

5. Agency or Official to Whom the Committee Reports: The Task Force shall report to the Secretary of the Army and the U.S. Army Corps of Engineers.

6. Support: The Department of Defense, through the Secretary of the Army, the Assistant Secretary of the Army for Civil Works, and the U.S. Army Corps of Engineers, shall provide support as deemed necessary for the performance of the Task Force's functions and shall ensure compliance with the requirements of the Federal Advisory Committee Act of 1972 and the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b).

7. Estimated Annual Operating Costs and Staff Years: It is estimated that the annual operating costs, to include travel costs and meeting and contract support, is approximately $250,000.00 and 1.0 full-time equivalent (FTE).

8. Designated Federal Officer: The Designated Federal Officer, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures. In addition, the Designated Federal Officer is required to be in attendance at all committee and subcommittee meetings; however, in the absence of the Designated Federal Officer, the Alternate Designated Federal Officer shall attend the meeting.

9. Estimated Number and Frequency of Meetings: The Task Force shall meet at the call of the Task Force's Designated Federal Officer, in consultation with the Chairperson. The estimated number of Task Force meetings is no less than two per year.

10. Duration: The need for this advisory function is on a continuing basis; however this charter is subject to renewal every two years.

11. Termination: The Task Force shall terminate upon repeal of the statutory authority requiring the establishment of the Task Force, Section 705(a) of Title VII, ~~the Missouri~~the Missouri River Protection and Improvement Act of 2000, Public Law 106-54.

12. Membership and Designation: As prescribed by Public Law 106-541, the Task Force shall be composed of not more than twenty members. Specifically, the Task Force membership shall be composed of:

    a. Secretary of the Army or designee, who shall serve as the Chairperson;

    b. Secretary of Agriculture or designee;

    c. Secretary of Energy or designee;

    d. Secretary of the Interior or designee; and

    e. The Trust. The Trust is composed of sixteen members to be appointed by the Secretary of the Army, including:

        i. Twelve members recommended by the Governor or North Dakota that represent equally the various interest of the public. Included in these twelve members, there shall be recommendations of representatives of the North Dakota Department of Health, the North Dakota Parks and Recreation Department, the North Dakota Department of Game and Fish, the North Dakota State Water Commission, the North Dakota Indian Affairs Commission, agricultural groups, environmental

or conservations groups, the hydroelectric power industry, recreations user groups, local governments, and other appropriate interests.

ii. The Trust also shall include one member recommended by each of the four Indian Tribes in the State of North Dakota.

These individuals recommended for The Trust shall be appointed by the Secretary of the Army as representative members to the Task Force.

All Task Force members shall be appointed for two-year terms and generally will serve no more than four years total on the Task Force, or as determined by the Secretary of the Army or designee. In addition, all Task Force members shall, with the exception of travel and per diem for official travel, serve without compensation.

13. Subcommittees: With DoD approval, the Task Force is authorized to establish subcommittees, as necessary and consistent with its mission. These subcommittees or working groups shall operate under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b), and other appropriate Federal statutes and regulations.

    Such subcommittees or workgroups shall not work independently of the chartered Task Force, and shall report all their recommendations and advice to the Task Force for full deliberation and discussion. Subcommittees or workgroups have no authority to make decisions on behalf of the chartered Task Force; nor can they report directly to the Department of Defense or any Federal officers or employees who are not Task Force members.

    Subcommittee members, who are not Task Force members, shall be appointed in the same manner as Task Force members.

14. Recordkeeping: The records of the Task Force and its subcommittees shall be handled according to section 2, General Record Schedule 26 and appropriate Department of Defense policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552).

15. Filing Date: