

**U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

AND

**U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE**

BEARS EARS NATIONAL MONUMENT ADVISORY COMMITTEE

CHARTER

1. **OFFICIAL DESIGNATION:** Bears Ears National Monument Advisory Committee (Committee).
2. **AUTHORITY:** This Committee is established pursuant to Presidential Proclamation 9558, "Establishment of the Bears Ears National Monument" (Monument) (December 28, 2016), and Presidential Proclamation 10285, "Bears Ears National Monument" (October 8, 2021) as well as section 309 of the Federal Land Policy and Management Act (FLPMA), as amended, (43 U.S.C. 1739); the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600); section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a); the Wilderness Act (16 U.S.C. 1131); and all other applicable provisions of law. The Bureau of Land Management (BLM) is subject to standards and procedures for the creation, operation, and termination of BLM resource advisory councils at 43 CFR 1784. The Committee is regulated by the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. Appendix 2).
3. **OBJECTIVES AND SCOPE OF ACTIVITIES:** The Committee will provide information and advice regarding the development of the management plan and, as appropriate, management of the Monument to the Secretary of the Interior, through the Director of BLM, and to the Secretary of Agriculture, through the Chief of the U.S. Forest Service (FS).
4. **DESCRIPTION OF DUTIES:** Upon the request of the Designated Federal Officer (DFO), provide information and advice regarding the development of the Monument's management plan, and as appropriate, management of the Monument. At the conclusion of each meeting or shortly thereafter, the Committee will provide a detailed recommendation report, including meeting minutes, to the DFO.
5. **OFFICIAL TO WHOM THE COMMITTEE REPORTS:** The Committee provides advice to the Secretary of the Interior, through the Director of BLM, and the Secretary of Agriculture, through the Chief of the FS.
6. **SUPPORT:** Administrative support and funding for activities of the Committee will be provided by the office of the DFO.
7. **ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS:** The annual

operating costs associated with supporting the Committee's activities are estimated to be \$50,000, including all direct and indirect expenses and 0.30 Federal staff years support.

8. **DESIGNATED FEDERAL OFFICER:** The DFO is BLM's Canyon Country District Manager, who is a full time Federal employee appointed in accordance with Agency procedures. The DFO will approve or call all Committee and subcommittee meetings, prepare and approve all meeting agendas, attend all Committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Secretary of the Interior.
9. **ESTIMATED NUMBER AND FREQUENCY OF MEETINGS:** The Committee will meet two to four times annually, and at such other times as designated by the DFO.
10. **DURATION:** Continuing.

TERMINATION: The Committee will become inactive 2 years from the date the charter is filed, unless, prior to that date, it is renewed in accordance with the provisions of section 14 of the FACA. The Committee was renewed until September 30, 2023, by Executive Order 14048, "Continuance or Reestablishment of Certain Federal Advisory Committees and Amendments to Executive Orders" (September 30, 2021). The Committee will not meet or take any action without a valid current charter.

11. **MEMBERSHIP AND DESIGNATION:** The Committee will consist of 15 members to be appointed by the Secretary of the Interior and the Secretary of Agriculture, as follows:
 - 1) An elected official from local government within San Juan County representing the county;
 - 2) A representative of State government;
 - 3) A representative with paleontological expertise;
 - 4) A representative with archaeological or historic expertise;
 - 5) A representative of the conservation community;
 - 6) A representative of livestock grazing permittees;
 - 7) Three representatives of Tribal interests;
 - 8) A representative of developed outdoor recreation, off-highway vehicle users, or commercial recreation activities;
 - 9) A representative of dispersed recreational activities;
 - 10) A representative of private landowners;
 - 11) A representative of local business owners; and,
 - 12) Two representatives of the public at large.

Members will be appointed to staggered 3-year terms. All members serve at the discretion of the Secretary of the Interior and the Secretary of Agriculture.

Members may be appointed as representative members or special Government employees.

13. ETHICS RESPONSIBILITIES OF MEMBERS:

Non-Federal Members. Non-Federal members of the Committee and subcommittees appointed as representatives are not subject to Federal ethics statutes and regulations. However, no non-Federal Committee or subcommittee members will participate in any Committee or subcommittee deliberations or votes relating to a specific party matter before the Department or its bureaus and offices including a lease, license, permit, contract, grant, claim, agreement, or litigation, in which the member or the entity the member represents has a direct financial interest.

As provided in 43 CFR 1784.2-2, members of the Committee shall be required to disclose their direct or indirect interest in leases, licenses, permits, contracts, or claims that involve lands or resources administered by BLM, or in any litigation related thereto. For the purpose of this paragraph, indirect interest includes holdings of a spouse or dependent child.

Special Government Employee Members. Members of the Committee appointed as special Government employees (SGEs) are subject to applicable Federal ethics statutes and regulations, to include applicable exceptions and exemptions. Additionally, SGE members are required, prior to appointment and annually thereafter, to file a Confidential Financial Disclosure Report. SGE members are also required to receive initial ethics training prior to performing any Committee duties and to receive annual ethics training thereafter. The Department of the Interior will provide materials to those members serving as special Government employees, explaining their ethical obligations.

- 14. SUBCOMMITTEES:** Subject to the DFO's approval, subcommittees may be formed for the purposes of compiling information or conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full Committee for consideration. Subcommittees must not provide advice or work products directly to the Agency. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.
- 15. RECORDKEEPING:** The records of the Committee, and formally and informally established subcommittees of the Committee, shall be handled in accordance with General Records Schedule 6.2 and other approved Agency records disposition schedules. These records shall be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. 552).


Secretary of the Interior

MAY 26 2022
Date Signed

Date Filed