

**FISH AND WILDLIFE SERVICE
COMMITTEES AND ADVISORY BOARDS**

Committees and Advisory Boards

Part 107 Advisory Committees

Chapter 3 Advisory Committee Charters and Bylaws

107 FW 3

3.1 What is the purpose of this chapter? This chapter describes the requirements for preparing Federal Advisory Committee Act (FACA) charters and bylaws.

3.2 What are the authorities and responsibilities for this chapter? See 107 FW 1 for the authorities and responsibilities for all the chapters in Part 107.

3.3 Does a FACA committee need a charter? Yes. A FACA committee may not meet or take any action until:

A. The Secretary signs their charter, and

B. The Group Federal Officer (GFO), Division of Policy and Directives Management, files it with the appropriate authorities (see section 3.5).

3.4 What are the format for and elements included in a charter?

A. Prepare the charter on white, 8½ x 11 paper and follow the format in the sample charter available on the advisory committee Web site.

B. You must include the standard elements we list on the advisory committee Web site. This is the standardized format for all Department of the Interior charters. If you want to include other items, please coordinate with the GFO.

3.5 What happens after the Secretary signs the charter?

A. Presidential and Nondiscretionary Committees.

(1) The GFO:

(a) Files a copy of the charter with the standing committees of the Senate and House of Representatives having legislative jurisdiction over the Department,

(b) Provides an electronic version to the Department's Committee Management Office for filing with the General Services Administration's Committee Management Secretariat, and

(c) Sends a copy of the charter to the Library of Congress.

(2) The date the charter is filed is the establishment date for the committee and the committee may begin operation. The GFO enters this date on the charter.

B. Discretionary Committees. The originating office sends the establishment/reestablishment/renewal notice to the *Federal Register*.

(1) For new committees or those being reestablished, the GFO must wait 15 days after the notice is published to file the charter (with the same officials as in section 3.5A(1)).

(2) For renewals, you must publish the *Federal Register* notice, but the 15-day publication period does not apply, and the GFO may file the charter immediately.

(3) The date the charter is filed is the establishment date for the committee and the committee may begin operation. The GFO enters this date on the charter.

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C. The GFO sends the original charter and a copy of the filing letters to the committee's Designated Federal Officer (DFO). These documents are part of the permanent records of the committee.

3.6 What if the charter needs revisions? Authority to make major revisions to advisory committee charters rests solely with the Secretary. Procedures for revising a charter through an amendment are the same as those for establishing the committee (see 107 FW 2). A charter amendment does not change the date of the charter's next 2-year scheduled renewal. After the Secretary approves the charter revision, the GFO must file copies as described above.

3.7 How often do I have to renew the charter? To continue operation, committees must renew their charter every 2 years.

3.8 What are bylaws?

A. Bylaws are principles and procedural protocols that establish how members will manage committee meetings.

B. Sample bylaws are available on the advisory committee Web site.

C. Bylaws should include all housekeeping items, such as justification for dual or rotating chairmanships, election of officers, what constitutes a quorum, reimbursement for travel, etc.

3.9 Who develops and approves the bylaws?

A. The DFO usually writes the bylaws with input from committee members.

B. Before the committee formally adopts the bylaws or changes existing bylaws, the DFO must send a draft to the GFO. The GFO coordinates with and obtains approval of the bylaws from the Department's Committee Management Office and the Division of General Law, if appropriate.

/sgd/ Rowan W. Gould
DEPUTY DIRECTOR

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