

Charter

Boston Harbor Islands Partnership

This charter is for the purpose of formally acknowledging the Boston Harbor Islands Partnership as an entity within the U.S. Department of the Interior, established to carry out functions authorized and specifically assigned to the Partnership by the Omnibus Parks and Public Lands Management Act of 1996. The Partnership is subject to administrative requirements applicable to other functional units of the Department of the Interior, except as may be otherwise stipulated by the Omnibus Parks and Public Lands Management Act of 1996 and indicated in other sections of this charter. The requirements of the Federal Advisory Committee Act, 5 U.S.C. Appendix, do not apply to this Partnership; this charter communicates instructions from the Secretary of the Interior on operation of the Partnership.

1. AUTHORIZATION.

The Boston Harbor Islands Partnership is a Federal operating commission established by Division I, Title X, subsection 1029(e) of Public Law 104-333, the Omnibus Parks and Public Lands Management Act of 1996 (the Act), November 12, 1996.

2. PURPOSE.

The Partnership was established to coordinate the activities of Federal, State, and local authorities and the private sector in the development and implementation of an integrated resource management plan (Plan) for the Boston Harbor Islands National Recreation Area. Prior to adoption of the Plan, the Partnership will assist the owners and managers of lands and waters within the recreation area to ensure that existing programs, services, and activities that promote the purposes of the National Recreation Area are supported.

3. POWERS. The Partnership is empowered to:

- a. Hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Partnership may deem advisable.
- b. Seek and accept donations of funds, property, or services from individuals, foundations, corporations, and other private entities and public entities for the purpose of carrying out its duties.
- c. Use its funds to obtain money from any source under any program or law requiring the recipient of such money to make a contribution in order to receive such money.

- d. Use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.
- e. Obtain by purchase, rental, donation, or otherwise, such property, facilities, and services as may be needed to carry out its duties, except that the Partnership may not acquire any real property or interest in real property.
- f. Implement the Plan and, for purposes of carrying out the Plan, enter into cooperative agreements with the Commonwealth of Massachusetts, any political subdivision thereof, or with any organization or person.

4. MEMBERSHIP. The Partnership consists of 13 members:

- a. One member is appointed by the Secretary of Transportation to represent the United States Coast Guard. The 12 other members are appointed by the Secretary of the Interior as follows:
 - (1) One individual to represent the National Park Service;
 - (2) Two individuals, after consideration of recommendations submitted by the Governor, to represent the Department of Environmental Management and the Metropolitan District Commission;
 - (3) One individual, after considering recommendations submitted by the Chair, to represent the Massachusetts Port Authority;
 - (4) One individual, after considering recommendations submitted by the Chair, to represent the Massachusetts Water Resources Authority;
 - (5) One individual, after considering recommendations submitted by the Mayor of Boston, to represent the Office of Environmental Services of the City of Boston;
 - (6) One individual, after considering recommendations submitted by the Chair, to represent the Boston Redevelopment Authority;
 - (7) One individual, after considering recommendations submitted by the President of the Thompson Island Outward Bound Education Center, to represent the Center;
 - (8) One individual, after considering recommendations submitted by the Chair, to represent the Trustees of Reservations;

- (9) One individual, after considering recommendations submitted by the President of the Island Alliance, to represent the Alliance;
 - (10) Two individuals to represent the Boston Harbor Islands Advisory Council.
- b. Alternates may be appointed in addition to the primary appointees. Alternate appointees may deliberate and vote on Partnership matters only in the absence of the primary appointee.
 - c. Members and alternates will be appointed for 3-year terms. A member may be reappointed for one additional 3-year term. A member may serve after the expiration of his or her term until a successor has been appointed.
 - d. Any vacancy on the Partnership shall be filled in the same manner in which the original appointment was made.

5. ETHICS RESPONSIBILITIES OF MEMBERS.

All members will comply with applicable ethics rules and regulations. The Department of the Interior will provide materials to those members appointed as Special Government Employees, explaining their ethical obligations and with which the members should be familiar. Consistent with the ethics requirements, members will endeavor to avoid any actions that would cause the public to question the integrity of the Partnership's operations, activities, or advice. The provisions of this paragraph do not affect any other statutory or regulatory ethical obligations to which a member may be subject.

6. PERSONNEL.

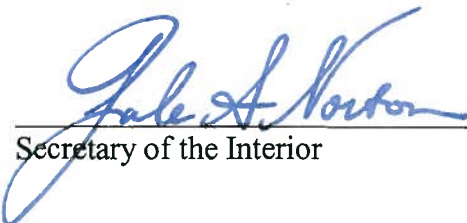
The National Park Service Northeast Regional Director will provide the Partnership with appropriate staff and technical assistance as may be mutually agreeable to enable the Partnership to carry out its duties. The Northeast Regional Director may accept the services of personnel detailed from the Commonwealth of Massachusetts, any political subdivision of the Commonwealth or any entity represented on the Partnership.

7. ADMINISTRATION.

- a. The Northeast Regional Director (or designee), National Park Service, will serve as the Secretary's liaison with the Partnership.
- b. Partnership members will serve without pay, but while away from their homes or regular places of business in the performance of services for the Partnership, members will be allowed travel expenses, including per diem in lieu of

subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

- c. The Partnership will meet at the call of the Chairperson or a majority of its members.
 - d. A majority of the members then serving will constitute a quorum.
 - e. The Partnership will elect one of its members as Chairperson and one as Vice Chairperson. The term of office as Chairperson and Vice Chairperson will be one year. The Vice Chairperson will serve as Chairperson in the absence of the Chairperson.
 - f. The Partnership will adopt by-laws governing its operation, including procedures by which Partnership members will avoid the appearance of conflict of interest when addressing matters which come before them for disposition. Further, members will be subject to such other conflict of interest provisions as may be applicable.
 - g. The Partnership, through its activities and its record-keeping, will assist the National Park Service to ensure that appropriations to carry out the purposes of the Boston Harbor Islands National Recreation Area are expended on a matching basis in a ratio of at least three non-Federal dollars to every Federal dollar, as required by paragraph 1029(h)(2) of the Act.
 - h. The Partnership, when expending Federal funds, will comply with all applicable Federal statutes and regulations governing the use of appropriated funds. Non-Federal funds expended to meet the non-Federal matching share requirements, and which are not co-mingled with Federal funds, are not subject to this provision. The National Park Service will provide appropriate oversight and direction as needed.
 - i. The Partnership will institute a system of accounting and management controls which adequately safeguard its funds. The Partnership's expenses will not exceed the amount appropriated by Congress for the Partnership's purposes, plus donations which it may obtain from other public or private entities.
 - j. This charter will be reviewed biennially to determine if any changes may be needed.
8. **TERMINATION.** The Partnership is expected to exist into the foreseeable future. There is no statutory termination date for the Partnership.


Secretary of the Interior

1/27/06
Date