

UNITED STATES DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

GREAT LAKES PILOTAGE ADVISORY COMMITTEE CHARTER

1. Committee's Official Designation:

Great Lakes Pilotage Advisory Committee

2. Authority:

As provided for in 46 U.S.C. § 9307, the Great Lakes Pilotage Advisory Committee is established. This statutory Committee is established in accordance with and shall operate under the provisions of the *Federal Advisory Committee Act* (5 U.S.C., chapter 10).

3. Objectives and Scope of Activities:

The function of the Great Lakes Pilotage Advisory Committee is to make recommendations to the Secretary of Homeland Security on matters relating to Great Lakes pilotage, including review of proposed Great Lakes pilotage regulations and policies.

4. Description of Duties:

The duties of the Great Lakes Pilotage Advisory Committee are solely advisory in nature.

5. Officials to Whom the Committee Reports:

The Great Lakes Pilotage Advisory Committee shall provide advice and recommendations to the Secretary of Homeland Security through the Commandant of the United States Coast Guard and the Director of Marine Transportation Systems, United States Coast Guard.

6. Agency Responsible for Providing Necessary Support:

The Department of Homeland Security is responsible for providing financial and administrative support to the Great Lakes Pilotage Advisory Committee via the U.S. Coast Guard Office of Waterways and Ocean Policy.

7. Estimated Annual Operating Costs and Staff Years:

The estimated annual operating cost of the Great Lakes Pilotage Advisory Committee is \$99,474, which includes four tenths (0.4) staff years of support and one annual meeting. Funds may be expended only by the authority of the Director of Marine Transportation Systems.

8. Designated Federal Officer:

A full-time employee of the United States Coast Guard is appointed by the Director of Marine Transportation Systems as the Great Lakes Pilotage Advisory Committee Designated Federal Officer (DFO). The DFO shall select a full-time Coast Guard permanent employee as the Alternate Designated Federal Officer (ADFO). The DFO or the ADFO approves or calls Committee and subcommittee meetings, approves meeting agendas, and attends all Committee and subcommittee meetings. The DFO adjourns any meeting when they determine adjournment to be in the public interest and chairs meetings in the absence of the Chair and Vice Chair.

9. Estimated Number and Frequency of Meetings:

The DFO must approve all meetings of the Great Lakes Pilotage Advisory Committee. The Committee is expected to meet at least once per year. Additional meetings may be held at the request of a majority of the Committee. Members may be reimbursed for travel and per diem. The DFO must approve travel for Great Lakes Pilotage Advisory Committee business in advance. Committee meetings shall be open to the public unless the determination is made by the appropriate Department of Homeland Security official in accordance with the Department's policy and directives that the meeting should be closed in accordance with *Government in the Sunshine Act* (Sunshine Act) 5 U.S.C. § 552 b(c).

10. Duration:

Under 46 U.S.C. § 9307(f)(1), the Great Lakes Pilotage Advisory Committee is authorized to continue until September 30, 2030.

11. Effective Period for this Charter:

This charter shall be in effect from the date it is filed with Congress and must be renewed in accordance 5 U.S.C. § 1013 (b) (2) which directs that a charter for a Committee such as this one, established by an Act of Congress, be filed each successive 2-year period. No charter for this Committee may be effective after September 30, 2030, unless that statutory termination date for this Committee is extended by an Act of Congress.

12. Member Composition:

The Committee shall consist of eight members appointed by and serving at the pleasure of the Secretary of Department of Homeland Security upon recommendation by the Commandant, U.S. Coast Guard. Each member shall have at least five years of practical experience in maritime operations, except as noted in paragraph 12(F). As specified in 46 U.S.C. § 9307(b), the membership of the Committee shall include:

- (A) The President of each of the three Great Lakes pilotage districts, or the President's representative;
- (B) One member chosen from among nominations made by vessel operators that contract for Great Lakes pilotage services;

- (C) One member chosen from among nominations made by Great Lakes port authorities and marine terminals;
- (D) One member chosen from among nominations made by shippers whose cargoes are transported through Great Lakes ports;
- (E) One member chosen from among nominations made by Great Lakes maritime labor organizations; and
- (F) A member, who
 - (i) must have been recommended to the Secretary by a unanimous vote of the other members of the Committee, and
 - (ii) may be appointed without regard to requirement that each member have five years of practical experience in maritime operations.

Members serving under paragraphs 12(A) through 12(F) serve as Representative members, represent the viewpoints of their respective interests, and are not Special Government Employees as defined in 18 U.S.C. § 202(a).

The members serving in paragraph 12(A) serve concurrently with their terms as President of their respective pilotage associations. Members serving in accordance with paragraphs 12(B) through 12(F) serve three-year terms, with approximately one member's term expiring each year. Individuals may be reappointed to one additional term, serving not more than six consecutive years, unless the Secretary of the Department of Homeland Security waives the term limit for that specific member.

A member appointed to fill an unexpired term shall serve the remainder of that term. In the event the Great Lakes Pilotage Advisory Committee terminates, all appointments to the Committee shall terminate.

In order for the Department to fully leverage broad-ranging experience and educations, the Great Lakes Pilotage Advisory Committee must be diverse with regard to professional and technical expertise. The Department is committed to pursuing opportunities, consistent with applicable law, to compose a committee that reflects the diversity of the Nation's people.

Officers:

The Committee shall elect one member of the Committee as the Chairperson and one member as the Vice Chairperson. The Chairperson and Vice Chairperson shall serve for a period of two years. The Vice Chairperson will act as Chairperson in the absence or incapacitation of the Chairperson or in the event of a vacancy in the office of the Chairperson for the remainder of that period.

13. Subcommittees:

The DFO may establish or disestablish subcommittees for any purpose consistent with the Committee's charter. Subcommittees may not work independently of the chartered Committee and must report their findings, recommendations, and advice to the Committee for full deliberation and vote. Subcommittees have no authority to make decisions on behalf of the Committee. Subcommittees may not provide findings, recommendations, or advice directly to the Federal Government or any other entity.

The DFO will assign a Committee member to chair each subcommittee and provide the subcommittee with a task statement and timeline for completing the work. The DFO may also assign a designee from the Coast Guard staff to prepare the task statement and attend each subcommittee meeting to help facilitate and provide any clarification to the members, if needed.

The subcommittee chairperson may designate up to one other member from the Great Lakes Pilotage Advisory Committee to serve on a subcommittee. The subcommittee chairperson will submit names of the subcommittee membership to the DFO for approval before holding any subcommittee meetings. Only Committee members may serve as the Chair of a subcommittee.

14. Recordkeeping:

The records of the Committee, formally established subcommittees or other subgroups of the Committee, are handled in accordance with General Records Schedule 6.2 and Commandant Instruction 5212.12B, “Records & Information Management Program Roles and Responsibilities” (https://media.defense.gov/2022/Jul/08/2003032282/-1/-1/0/CI_5212_12B.PDF). These records will be available for public inspection and copying in accordance with the Freedom of Information Act (5 U.S.C. § 552).

15. Filing Date:

5/2/2023
Department Approval Date

5/5/2023
CMS Consultation Date

5/10/2023
Date Filed with Congress