

UNITED STATES DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

NATIONAL NAVIGATION SAFETY ADVISORY COMMITTEE CHARTER

1. Committee's Official Designation:

National Navigation Safety Advisory Committee.

2. Authority:

The National Navigation Safety Advisory Committee was established on December 4, 2018, by § 601 of the *Frank LoBiondo Coast Guard Authorization Act of 2018* (Public Law 115-282, 132 Stat. 4192), and is codified in 46 U.S.C. § 15107. The Committee must operate under the provisions of the *Federal Advisory Committee Act* (5 U.S.C. Appendix), and 46 U.S.C. § 15109.

3. Objectives and Scope of Activities:

The function of the Committee is to provide advice to the Secretary of Homeland Security through the Commandant of the United States Coast Guard on matters relating to maritime collisions, rammings, and groundings; Inland Rules of the Road; International Rules of the Road; navigation regulations and equipment; routing measures; marine information; and aids to navigation systems.

4. Description of Duties:

The Committee will submit in writing, to the Secretary of the Homeland Security, through the Commandant of the United States Coast Guard, its advice, reports, and recommendations, in a form and at a frequency determined appropriate by the Committee.

The duties of the Committee are solely advisory in nature.

5. Officials to Whom the Committee Reports:

The Committee provides advice and recommendations to the Secretary of Homeland Security through the Commandant of the United States 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 Committee via the Office of Navigation Systems, United States Coast Guard

7. Estimated Annual Operating Costs and Staff Years:

The estimated annual operating costs will be approximately \$145, 000 which includes 0.45 staff year of support.

8. Designated Federal Officer:

A full-time employee of United States Coast Guard is appointed by the U.S. Coast Guard Director of Marine Transportation Systems as the Committee Designated Federal Officer. The Designated Federal Officer or the Alternate Designated Federal Officer approves or calls Committee and subcommittee meetings, approves meeting agendas, and attends all Committee and subcommittee meetings. The Designated Federal Officer adjourns any meeting when they determine adjournment to be in public interest, and chairs meeting in the absence of the Chair and Vice Chair.

9. Estimated Number and Frequency of Meetings:

It is expected the Committee will meet at least twice a year, but it must hold a meeting at least once a year. Meetings may be held in person, virtual, or hybrid of in person and virtual depending on the needs of the Committee to allow maximum flexibility. Meetings are held at the call of the Secretary or a majority of the members of the committee, subject to the approval of the Designated Federal Officer who will make arrangement for the meeting including publishing a timely notice in the *Federal Register*. Members may be reimbursed for actual and reasonable expenses incurred in the performance of their duties subject to the availability of funds, but such expenses, including travel and per diem, must be approved in advance by the Designated Federal Officer in accordance with 46 U.S.C. § 15109(c) and the Joint Travel Regulations. Committee meetings are open to the public unless a determination is made by the appropriate Department of Homeland Security official in accordance with Department of Homeland Security policy and directives that the meeting should be closed in accordance with the *Government in the Sunshine Act (Sunshine Act)*, 5 U.S.C § 552b(c).

10. Duration:

Under 46 U.S.C. § 15109(m), the Committee is authorized to continue until September 30, 2029.

11. Effective Period for the Charter:

This charter is effective from the date it is filed with Congress. It must be renewed in accordance with section 14(b) of the *Federal Advisory Committee Act*, which directs that a charter for a Committee such as this one established by an Act of Congress, must be filed each successive two-year period. No charter for this Committee may be effective after September 30, 2029, unless that statutory termination date for this Committee is extended by an Act of Congress.

12. Membership Composition and Election of Officers:

The Committee is composed of not more than 21 members appointed by the Secretary of Homeland Security. Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee. Following procedures in 46 U.S.C. § 15109, the Secretary of Homeland Security will appoint persons to represent the viewpoints and interests of one of the following groups or organizations, and at least one member will be appointed to represent each membership category:

- a. Commercial vessel owners or operators
- b. Professional mariners
- c. Recreational boaters
- d. The recreational boating industry
- e. State agencies responsible for vessel or port safety
- f. The Maritime Law Association

In accordance with 46 U.S.C. § 15107(c)(4), the Secretary of Homeland Security shall, based on the needs of the Coast Guard, determine the number of members of the Committee who represent each entity specified in each category and should not be construed to require an equal distribution of members representing each entity.

In accordance with 46 U.S.C. § 15109(f)(2)(B), the Secretary of Homeland Security shall not seek, consider, or otherwise use information concerning the political affiliation of a nominee in making an appointment to the Committee.

Members serve as representatives of their respective category and are not Special Government Employees as defined in 18 U.S.C. § 202(a).

In order for the Department to fully leverage broad-ranging experience and education, the National Navigation Safety 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.

Any Federal agency with matters under the agency's administrative jurisdiction related to the function of the Committee may designate a representative to attend any Committee meetings, and that representative may participate as an observer at meetings at which such matters are discussed.

The term of each member of the Committee will expire on December 31 of the third full year after the effective date of the appointment. Each member serves at the pleasure of the Secretary of Homeland Security. The Secretary of Homeland Security may reappoint a member of the Committee for any term, other than the first term of the member without soliciting, receiving, or considering nominations for such appointment. When the term of a member ends and a successor has not been appointed, they may continue to serve as a member for up to one additional year, until a successor is appointed. In the event the Committee terminates, all appointments to the Committee will terminate.

Officers:

The Committee will elect a Chair and Vice Chair from among the Committee’s members. The Vice Chair will act as the Chair in the absence or incapacity of the Chair or in the event of a vacancy in the office of the Chair. The term of office of the Chair and Vice Chair may be up to three years. A person may serve as the Chair or Vice Chair only if that person is also serving as a member of the Committee.

13. Subcommittees:

The Chair may establish and disestablish subcommittees for any purpose consistent with the function of the Committee. Such subcommittees may not work independently of the chartered Committee and must present their work to the Committee for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the Committee and may not report directly to the Federal Government or any other entity. Only Committee members may serve as the Chair of a subcommittee.

14. Recordkeeping:

The records of the Committee, formally and informally 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://cg.portal.uscg.mil/sites/externaldata/Directives/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:

10/6/2022
Department Approval Date

10/7/2022
GSA Committee Management Secretariat
Consultation Date

10/11/2022
Date Filed with Congress