

UNITED STATES DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE CHARTER

1. Committee's Official Designation:

Merchant Marine Personnel Advisory Committee

2. Authority:

Section 310 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014, codified at 46 U.S.C. 8108 authorizes the establishment of the Merchant Marine Personnel Advisory Committee as a statutory Committee. This Committee is established in accordance with and shall operate under the provisions of the Federal Advisory Committee Act (Title 5, United States Code, Appendix).

3. Objectives and Scope of Activities:

The Merchant Marine Personnel Advisory Committee shall act solely in an advisory capacity to the Secretary of the Department of Homeland Security through the Commandant of the United States Coast Guard on matters relating to personnel in the United States Merchant Marine including training, qualifications, certification, documentation, and fitness standards and other matters as assigned by the Commandant; shall review and comment on proposed United States Coast Guard regulations and policies relating to personnel in the United States Merchant Marine, including training, qualifications, certification, documentation, and fitness standards; may be given special assignments by the Secretary of Homeland Security and may conduct studies, inquiries, workshops, and fact finding in consultation with individuals and groups in the private sector and with State or local governments; shall advise, consult with, and make recommendations reflecting its independent judgment to the Secretary; and may make available to Congress recommendations that the Committee makes to the Secretary.

4. Description of Duties:

The duties of the Merchant Marine Personnel Advisory Committee are solely advisory in nature.

5. Officials to Whom the Committee Reports:

The Merchant Marine Personnel Advisory Committee provides advice and recommendations to the Secretary of the Department of Homeland Security through the Director of Commercial Regulations and Standards, and the Commandant of the 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 Merchant Marine Personnel Advisory Committee. Within the Department of

Homeland Security, the Office of Merchant Mariner Credentialing, United States Coast Guard, provides this support.

7. Estimated Annual Operating Costs and Staff Years:

The estimated annual operating cost of the Merchant Marine Personnel Advisory Committee is \$125,142 which includes approximately 0.30 years of staff support.

8. Designated Federal Officer:

A full-time or permanent part-time employee of the United States Coast Guard is appointed by the Director of Commercial Regulations and Standards as the Merchant Marine Personnel Advisory Committee Designated Federal Officer. The Designated Federal Officer or the Alternate Designated Federal Officer approves or calls Merchant Marine Personnel Advisory Committee meetings, approves meeting agendas, attends all Committee and subcommittee meetings, adjourns any meeting when the Designated Federal Officer determines adjournment to be in the public interest, and chairs meetings when directed to do so by the Director of Commercial Regulations and Standards.

9. Estimated Number and Frequency of Meetings:

Meetings of the Merchant Marine Personnel Advisory Committee must be held with the approval of the Designated Federal Officer and the Committee shall meet not less than twice a year. Members may be reimbursed for travel and per diem, and all travel for Merchant Marine Personnel Advisory Committee business must be approved in advance by the Designated Federal Officer. 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 Title 5, United States Code, subsection (c) of section 552b.

10. Duration:

The Merchant Marine Personnel Advisory Committee is authorized by section 310 of the *Howard Coble Coast Guard and Maritime Transportation Act of 2014*, codified at Title 46, United States Code, section 8108, to continue until September 30, 2020.

11. Termination:

This charter is in effect until September 30, 2020.

12. Member Composition:

The Committee shall consist of not more than nineteen members who are appointed by and serve terms of a duration determined by the Secretary of the Department of Homeland Security. To assure a balanced representation, members shall be appointed, insofar as practicable, from the following groups and in the following numbers:

- a. Nine United States citizens with active licenses or certificates issued under 46 U.S.C. chapter 71 or merchant mariner documents issued under 46 U.S.C. chapter 73, including:
- (1) Three deck officers who represent the viewpoint of merchant marine deck officers, of whom: Two shall be licensed for oceans any gross tons; one shall be licensed for inland or river route with a limited or unlimited tonnage; two shall have a master's license or a master of towing vessels license; one shall have significant tanker experience; and, to the extent practicable, one shall represent the viewpoint of labor; and another shall represent a management perspective;
 - (2) Three engineering officers who represent the viewpoint of merchant marine engineering officers, of whom: Two shall be licensed as chief engineer any horsepower; one shall be licensed as either a limited chief engineer or a designated duty engineer; and, to the extent practicable, one shall represent a labor viewpoint; and another shall represent a management perspective;
 - (3) Two unlicensed seamen, of whom: One shall represent the viewpoint of able bodied seamen; and another shall represent the viewpoint of qualified members of the engine department; and
 - (4) One pilot who represents the viewpoint of merchant marine pilots;
- b. Six marine educators, including:
- (1) Three marine educators who represent the viewpoint of maritime academies including:
 - (i) Two marine educators who represent the viewpoint of State maritime academies and are jointly recommended by such State maritime academies;and
 - (ii) One marine educator who represents either the viewpoint of the State maritime academies or the United States Merchant Marine Academy after consultation with the Secretary of Transportation; and
 - (2) Three marine educators who represent the viewpoint of other maritime training institutions, one of whom shall represent the viewpoint of the small vessel industry:
- c. Two individuals who represent the viewpoint of shipping companies employed in ship operation management; and,
- d. Two members who are appointed from the general public.

Members in paragraphs (a), (b), and (c) are appointed as Representatives to represent the interest of their respective groups and viewpoints and are not Special Government Employees as defined in Title 18, United States Code, section 202(a),

Members in paragraph (d) serve as Special Government Employees as defined in Title 18, United States Code, section 202(a), and must comply with the ethics program requirements for Special Government Employees appointment, including annually filing of new entrant Confidential Financial Disclosure as well as completion of annual ethics training.

Each member shall be appointed for a term of three years, and approximately one-third of the members terms of office expire each year. With the exception of the marine educator representing the United States Merchant Marine Academy, no member can serve more than two consecutive terms 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 that is vacated serves a full term of office. In the event the Merchant Marine Personnel Advisory Committee terminates, all appointments to the Committee terminate.

Officers:

The Director of Commercial Regulations and Standards appoints one of the members of Merchant Marine Personnel Advisory Committee as the Chairperson and one of the members as the Vice-Chairperson. The Vice-Chairperson will act as Chairperson in the absence or incapacity of the Chairperson or in the event of a vacancy in the office of the Chairperson.

13. Subcommittees:

The Designated Federal Officer may approve the establishment of subcommittees for any purpose consistent with this charter. Such subcommittees may not work independently of the chartered Committee and must present their work to the Merchant Marine Personnel Advisory Committee for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the Merchant Marine Personnel Advisory Committee and may not report directly to the Federal Government or any other entity.

14. Recordkeeping:

The records of the Merchant Marine Personnel Advisory Committee, formally and informally established subcommittees or other subgroups of the Committee, shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, in accordance with the Freedom of Information Act (Title 5, United States Code, section 552).

15. Filing Date:

March 21, 2019
Department Approval Date

April 11, 2019
Date Filed with Congress

April 3, 2019
CMS Consultation Date