

**UNITED STATES DEPARTMENT OF HOMELAND SECURITY**  
**UNITED STATES COAST GUARD**  
**NATIONAL MARITIME SECURITY ADVISORY COMMITTEE**  
**CHARTER**

**1. Committee’s Official Designation:**

National Maritime Security Advisory Committee

**2. Authority:**

The National Maritime Security Advisory Committee (“Committee”) is authorized in Section § 70112 of the Maritime Transportation Security Act of 2002 (Pub. L. 107-295, November 25, 2002, as codified in 46 U.S.C. Chapter 701, 46 U.S.C. § 70101 et seq.). The Committee operates under the provisions of the *Federal Advisory Committee Act* (5 U.S.C Appendix) in addition to the provisions applicable to all National Maritime Transportation Advisory Committees in 46 U.S.C. § 15109.

**3. Objectives and Scope of Activities:**

The Committee shall advise the Secretary of Homeland Security on matters relating to national maritime security, including on enhancing the sharing of information related to cybersecurity risks that may cause a transportation security incident, between relevant Federal agencies and—

- A. State, local, and tribal governments;
- B. relevant public safety and emergency response agencies;
- C. relevant law enforcement and security organizations;
- D. maritime industry;
- E. port owners and operators; and
- F. terminal owners and operators.

The Committee may be responsible for specific assignments and may conduct studies, inquiries, workshops, and fact finding in consultation with individuals and groups in the private sector and with state and local government jurisdictions in compliance with the *Federal Advisory Committee Act*.

**4. Description of Duties:**

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 the Department of Homeland Security through the Commandant of the United States Coast Guard and Coast Guard Director of Inspections and Compliance.

**6. Agency Responsible for Providing Necessary Support:**

The Department of Homeland Security is responsible for providing financial and administrative support to the Committee. Within the Department of Homeland Security, the Office of Port and Facility Compliance, United States Coast Guard, provides this support.

**7. Estimated Annual Operating Costs and Staff Years:**

The estimated annual operating cost of the National Maritime Security Advisory Committee is \$95,000, which includes 1.5 staff years of support.

**8. Designated Federal Officer:**

A full-time employee of the Coast Guard is appointed by the U.S. Coast Guard Director of Inspections and Compliance as the National Maritime Security Advisory Committee Designated Federal Officer. The Designated Federal Officer or Alternate Designated Federal Officer approves or calls National Maritime Security Advisory Committee meetings, approves meeting agendas, attends all Committee and subcommittee meetings. The Designated Federal Officer adjourns any meeting in the absence of the Chairman and Vice-Chairman.

**9. Estimated Number and Frequency of Meetings:**

It is expected the Committee will meet at least twice a year, but they must hold a meeting at least once a year. 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, 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 § 601 of the *Frank LoBiondo Coast Guard Authorization Act of 2018*, the Committee is authorized to continue until September 30, 2027.

## **11. Effective Period for this Charter:**

This charter is in effect for two years from the date it is filed with Congress unless sooner terminated. The charter may be renewed at the end of this two-year period in accordance with section 14 of *Federal Advisory Committee Act*. No charter for this Committee may be effective after September 30, 2027, unless that statutory termination date for this Committee is extended by an Act of Congress.

## **12. Member Composition and Election of Officers:**

The Committee shall consist of least 8 members, but not more than 21 members with particular expertise, knowledge, and experience in matters relating to the function of the Committee. Following procedures in 46 U.S.C. §70112(a) (3) (c) the Secretary will appoint at least one person to the following membership positions on the Committee:

- Port authorities.
- Facilities owners and operators.
- Terminal owners and operators.
- Vessel owners and operators.
- Maritime labor organizations.
- The academic community.
- State and local governments.
- The maritime industry.

The members listed above are appointed to represent the interests of their respective organizations or associations. They are only considered Special Government Employees, as defined in [18 U.S.C. § 202\(a\)](#), for purposes of 1) [5 U.S.C. §§ 8101-8193](#); 2) [28 U.S.C. §§ 2671-2680](#); 3) any other Federal law relating to tort liability; and when they are existing Special Government employees as provided in [46 U.S.C. § 15109\(e\)\(2\)\(B\)](#).

The term of each Committee member will expire on December 31 of the third full year after the effective date of his or her appointment. Each member serves at the pleasure of the Secretary. The Secretary 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, he or she may continue to serve as a member for up to 1 additional year, until a successor is appointed. The Committee shall terminate on September 30, 2027.

Under 46 U.S.C. 15109(f) (4), members will be required to have passed appropriate security background examination at the Secret level before appointment to the Committee.

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

**Officers:**

The Committee will elect a Chairman and Vice-Chairman from among the Committee's members. The Vice-Chairman will act as Chairman in the absence or incapacity of the Chairman or in the event of a vacancy in the office of the Chairman. The term of office of the Chairman and Vice-Chairman will be one year which can be extended for additional year until a successor is appointed, and Officers may serve more than one term. A person may serve as Chairman or Vice-Chairman only if that person is also serving as a member of the Committee.

**13. Subcommittees:**

The Chairman may establish and disestablish subcommittees for any purpose consistent 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.

**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 or other approved agency records disposition schedule. 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:**

February 18, 2020  
Department Approval Date

March 27, 2020  
GSA Committee Management Secretariat  
Consultation Date

March 30, 2020  
Date Filed with Congress