

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). That statutory authority is codified in 46 U.S.C. § 15107. 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, consult with, and make recommendations to the Secretary of Homeland Security on matters relating to maritime collisions, ramming's, 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.

The Committee will submit in writing, to the Secretary of the Department of Homeland Security its advice, reports, and recommendations, in a form and at a frequency determined appropriate by the Committee.

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 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. Within the Department of Homeland Security, the Coast Guard's Office of Navigation Systems will provide this support.

7. Estimated Annual Operating Costs and Staff Years:

The estimated annual operating costs will be approximately \$126,911, which includes 0.2 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's Designated Federal Officer. The Designated Federal Officer or the Alternate Designated Federal Officer approves or calls Committee meetings, approves meeting agendas, attends all Committee and subcommittee meetings. The Designated Federal Officer adjourns any meeting when he/she determines adjournment to be in public interest, and chairs meetings in the absence of Chairman and Vice-Chairman.

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 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 the Charter:

This charter is effective from the date it is filed with Congress until it is replaced by a newly filed charter. Section 14(b)(2) of the Federal Advisory Committee Act directs that a charter for a Committee such as this one, which was established by an Act of Congress, be filed each successive 2-year period. 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. Membership Composition and Election of Officers:

The Committee is composed of not more than 21 members appointed by the Secretary of the Department 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 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

The Secretary 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. The Secretary 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).

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.

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

The term of each member of the Committee 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 for a period not to exceed 1 year, may continue to serve as a member until a successor is appointed. In the event the Committee terminates, all appointments to the Committee will terminate.

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 may be up to three years, 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 subcommittees or working groups for any purpose consistent with this charter. Such subcommittees may not work independently of the Committee and must present their recommendations to the National Navigation Safety Advisory Committee for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the National Navigation Safety Advisory Committee and may not report directly to the Federal government or any other entity. Only committee members may chair subcommittees and working groups.

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 shall be available for public inspection and copying, in accordance with the *Freedom of Information Act* (5 U.S.C § 552).

15. Filing Date:

March 27, 2020
DHS Approval Date

October 15, 2020
GSA Committee Management Secretariat
Consultation Date

October 15, 2020
Date Filed with Congress