

**U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
NATIONAL SEA GRANT ADVISORY BOARD**

CHARTER

- 1. Committee’s Official Designation.** National Sea Grant Advisory Board

- 2. Authority.** The National Sea Grant Advisory Board (Board) was established by the Secretary of Commerce (Secretary) as directed by section 209 of the National Sea Grant College Program Act, as amended, 33 U.S.C. § 1121 *et seq.* (Act). Section 209 of the Act is codified at 33 U.S.C. § 1128. Initially established in 1976, under the Federal Advisory Committee Act, as amended (FACA), 5 U.S.C. § 1001 *et seq.*, the charter is hereby renewed under the FACA and its implementing regulations (41 C.F.R. Part 102-3). The terms used in this charter shall have the same meaning as prescribed in the Act, including the term “Secretary,” which means the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere as defined by 33 U.S.C. § 1122(15).

- 3. Objectives and Scope of Activities.** In accordance with 33 U.S.C. § 1128, the Board shall advise the Secretary and the Director of the National Sea Grant College Program (Director) on matters related to the responsibilities and authorities set forth in the Act. The Board should address issues appropriate for a Federal advisory committee serving the National Sea Grant College Program (Sea Grant).

- 4. Description of Duties.** Sea Grant topics the Board should address include: strategies for utilizing Sea Grant to address the Nation’s highest priorities regarding the understanding, assessment, development, management, utilization, and conservation of ocean, coastal, and Great Lakes resources; the designation of Sea Grant colleges and Sea Grant institutions; and such other matters as the Secretary refers to the Board for review and advice. The Board shall report to Congress at least once every four years on the state of the National Sea Grant College Program and shall notify Congress of any significant changes to the state of the program not later than two years after the submission of such a report as required by 33 U.S.C. § 1128(b)(2). The Board shall indicate in each such report the progress made toward meeting the priorities identified in the strategic plan in effect under 33 U.S.C. § 1123(c) and provide a summary of research conducted under the program. The Board may exercise such powers as are reasonably necessary in order to carry out its duties. The Board shall function as an advisory body in accordance with the FACA.

- 5. Agency or Official to Whom the Committee Reports.** The Board shall report to the Secretary and the Director, pursuant to 33 U.S.C. § 1128(b).

6. **Support.** The National Sea Grant Office (NSGO) and National Oceanic and Atmospheric Administration (NOAA) shall make available to the Board such information, personnel, and administrative services and assistance as may be reasonably required to accomplish the duties of the Board and will provide a Designated Federal Officer (DFO) for the Board.
7. **Estimated Annual Operating Costs and Staff Years.** For 2024-2025, the annual cost of operating the Board is estimated to be \$550,000 and 0.9 full-time equivalent (FTE) staff support. For 2025-2026, the estimated annual cost of operating the Board is \$487,750 and 0.9 FTE.
8. **Designated Federal Officer.** The DFO will be a full-time employee of NSGO and will be appointed by the Director, subject to the approval of the Under Secretary, in accordance with agency procedures. The DFO will approve or call all of the Board's and subcommittees' meetings, prepare and approve all meeting agendas, attend all Board and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Director.
9. **Estimated Number and Frequency of Meetings.** The Board shall meet on a biannual basis and at any other time: 1) at the call of the chairperson; 2) upon the request of a majority of the voting members; or 3) upon the request of the Director upon consultation with the DFO.
10. **Duration.** Continuing
11. **Termination.** This charter will terminate two (2) years from the date of its filing with the standing committees of the Senate and the House of Representatives having legislative jurisdiction of the agency unless terminated earlier or renewed by proper authority.
12. **Membership and Designation.** Per the Act, the Board shall consist of 15 voting members who shall be appointed by the Secretary. Members will be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance, including the National Sea Grant Advisory Board Membership Balance Plan. The Director of the National Sea Grant College Program and the president of the Sea Grant Association, who is elected by the various directors of Sea Grant programs, shall serve as non-voting ex officio members of the Board. The voting members of the Board are appointed for their individual expertise and experience and will serve as Special Government Employees (SGEs) as defined in title 18 of United States Code, section 202(a). Members will be individually advised of the capacity in which they will serve through their appointment letters.

Not less than eight of the voting members of the Board shall be individuals who, by reason of knowledge, experience, or training, are especially qualified in one or more of the

disciplines and fields included in marine science. The other voting members shall be individuals who, by reason of knowledge, experience, or training, are especially qualified in, or representative of, education, marine affairs and resource management, coastal management, extension services, State government, industry, economics, planning, or any other activity which is appropriate to, and important for, any effort to enhance the understanding, assessment, development, management, utilization, or conservation of ocean, coastal, and Great Lakes resources. No individual is eligible to be a voting member of the Board if the individual is: A) the director of a Sea Grant college or Sea Grant institution; B) an applicant for, or beneficiary (as determined by the Secretary) of, any grant or contract under 33 U.S.C. § 1124; or C) a full-time officer or employee of the United States.

A full term of office of a voting member of the Board shall be four years. A voting member may be reappointed to no more than one additional full term. The Director may extend the term of office of a voting member of the Board once by up to one year. Voting members will serve at the discretion of the Secretary. At least once each year, the Secretary shall publish a notice in the *Federal Register* soliciting nominations for membership on the Board.

The Board shall select one voting member to serve as the chairperson and another voting member to serve as the vice chairperson, each of whom shall serve for a period of two years. The vice chairperson shall act as chairperson in the absence or incapacity of the chairperson. Voting members of the Board shall receive compensation at a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376 of title 5 (United States Code) when actually engaged in the performance of duties for the Board, and shall be reimbursed for actual and reasonable expenses incurred in the performance of such duties.

Voting members will be subject to conflict of interest laws and regulations applicable to SGEs, including (but not limited to) the obligation to annually file a New Entrant Confidential Financial Disclosure Report (OGE Form 450) and complete ethics training.

Members shall not reference or otherwise utilize their membership in the Board in connection with public statements made in their personal capacities without a disclaimer that the views expressed are their own and do not represent the views of the National Sea Grant Advisory Board, NOAA, the Department of Commerce, or the U.S. Government.


- 13. Subcommittees.** The Board may create such subcommittees as may be reasonably necessary, pursuant to the provisions of FACA, the FACA implementing regulations, and applicable Department of Commerce guidance to carry out its statutory and charter duties. All subcommittee work must be forwarded to the full Board for actual deliberation and must

not provide advice or work products directly to the agency. Only the Board may advise NOAA.

14. Recordkeeping. The records of the Board, formally and informally established subcommittees, or other subgroups of the Board, will be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. Subject to the Freedom of Information Act, 5 U.S.C. § 552, records presented to or prepared for or by the Board are available for public inspection.

15. Filing Date. The charter is filed on the date indicated below.

JEREMY PELTER

 Digitally signed by JEREMY PELTER
Date: 2024.08.02 13:50:20 -04'00'

Deputy Assistant Secretary for Administration
Performing the non-exclusive functions and duties of the
Chief Financial Officer and Assistant Secretary
for Administration

Date

8/08/2024

Filing Date