

UNITED STATES DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

NATIONAL BOATING SAFETY ADVISORY COUNCIL

1. Committee's Official Designation:

National Boating Safety Advisory Council

2. Authority:

Pursuant to Title 46 United States Code, Section 13110, this charter establishes the National Boating Safety Advisory Council (NBSAC). This committee is established in accordance with and operates under the provisions of the *Federal Advisory Committee Act* (FACA) (Title 5, United States Code, Appendix).

3. Objectives and Scope of Activities:

NBSAC provides advice and recommendations to the Secretary of the Department of Homeland Security (DHS) through the Commandant of the United States Coast Guard on matters relating to recreational boating safety.

NBSAC is responsible for specific assignments and may conduct studies, inquiries, workshops and fact finding in consultation with individuals and groups in the private sector and/or with state and local government jurisdictions.

4. Description of Duties:

The duties of NBSAC are solely advisory in nature.

5. Officials to Whom the Committee Reports:

NBSAC provides advice and recommendations to the Secretary of Homeland Security through the Commandant, United States Coast Guard, and the Director of Prevention Policy (CG-54).

6. Agency Responsible for Providing Necessary Support:

The Department of Homeland Security shall be responsible for providing financial and administrative support to the committee. Within DHS, the Office of Auxiliary and Boating Safety (CG-542), United States Coast Guard will provide this support.

7. Estimated Annual Operating Costs and Staff Years:

The estimated annual operating cost of NBSAC is \$260,000, which includes one staff year of support.

8. Designated Federal Officer:

A full-time or permanent part-time employee of the United States Coast Guard is appointed as the NBSAC Designated Federal Officer (DFO). The DFO or alternate DFO approves or calls NBSAC meetings, approves meeting agendas, attends all committee and subcommittee meetings, adjourns any meeting when the DFO determines adjournment to be in the public interest, and chairs meetings when directed to do so by the Director of Prevention Policy.

9. Estimated Number and Frequency of Meetings:

Meetings of the NBSAC may be held with the approval of the DFO; it is expected the committee will meet twice per year (usually every six months). Members may be reimbursed for travel and per diem, and all travel for NBSAC business must be approved in advance by the DFO. Council meetings are open to the public unless a determination is made by the appropriate DHS official in accordance with DHS policy and directives that the meeting should be closed in accordance with Title 5, United States Code, subsection (c) of section 552b.

10. Duration:

As authorized by section 621(b) of the *Coast Guard Authorization Act of 2010* (Public Law 111-281), the committee is authorized to continue until September 30, 2020.

11. Termination:

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 FACA.

12. Member Composition:

NBSAC will be composed of 21 members who are appointed by and who serve at the pleasure of the Secretary of Homeland Security. Each member has particular expertise, knowledge, and experience regarding recreational boating safety. The membership of the Council consists of: (A) seven representatives of State officials responsible for State boating safety programs; (B) seven representatives of recreational vessel manufacturers and associated equipment manufacturers; and (C) seven representatives of national recreational boating organizations and from the general public, at least five of whom are representatives of national recreational boating organizations.

Except for the public members in (C), members are representatives of their respective interests, associations, or organizations and are not Special Government Employees as defined in Title 18 United States Code, section 202(a). The members in (C) who represent the general public serve as Special Government Employees as defined in Title 18 United States Code, section 202(a).

As far as practicable, NBSAC will attempt to seek out from and supply to both the Towing Safety Advisory Council (TSAC) and the Navigation Safety Advisory Council (NAVSAC), liaison members to attend the respective Council meetings, represent his or her originating Council's position on areas of common interest, and communicate corresponding information back to his or her originating Council.

13. Officers:

The Director of Prevention Policy (CG-54) appoints one of the members of NBSAC as the Chair, and may appoint one of the members as Vice-Chair. The Vice-Chair will act as 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 the office of the Chair and Vice-Chair will be determined by CG-54 and may be for up to the length of their membership appointment. Members may serve more than one term as either the Chair or Vice-Chair.

14. Subcommittees:

The DFO may establish 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 NBSAC for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the NBSAC and may not report directly to the Federal government or any other entity.

15. Recordkeeping:

The records of the NBSAC, formally and informally established subcommittees or other subgroups of the committee, shall be handled in accordance with General Records Schedule 26, Item 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).

16. Filing Date:

August 17, 2011
Department Approval Date

May 24, 2011
CMS Consultation Date

September 6, 2011
Date Filed with Congress