

Charter of the U.S. Maritime Transportation System National Advisory Committee U.S. Department of Transportation

1. **Committee's Official Designation.** The Committee shall be known as the U.S. Maritime Transportation System National Advisory Committee (MTSNAC or Committee).
2. **Authority.** The Committee was established pursuant to section 55603 of Title 46, and in accordance with the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2. The MTSNAC is in the public interest and supports the Maritime Administration (MARAD) in performing its duties and responsibilities.
3. **Objectives and Scope of Activities.** The objective of this Committee is to identify and seek solutions to impediments hindering effective use of short sea transportation. The Committee will provide information, advice, and recommendations to the U.S. Secretary of Transportation (Secretary), through the Maritime Administrator (Administrator), on matters stated in the document *Goals and Objectives for a Stronger Maritime Nation: A Report to Congress* that are related to identifying and seeking solutions to impediments hindering effective use of short sea transportation. The Committee will not exercise program management responsibilities and will make no decisions directly affecting the programs on which it provides advice; decisions directly affecting implementation of maritime policy will remain with the Administrator.

The Administrator will use the advice, information and recommendations generated by MTSNAC for an array of policy deliberations and for interagency discussions on meeting the *Goals and Objectives for a Stronger Maritime Nation: A Report to Congress*. The Secretary and Administrator may accept or reject a recommendation made by the MTSNAC and are not bound to pursue any recommendation from the MTSNAC. In the exercise of his or her discretion, the Secretary, Administrator, or his or her designee, may withdraw a task being considered by the MTSNAC at any time.

4. **Description of Duties.** During the term of the charter, MTSNAC shall undertake information-gathering activities, develop technical advice, and present recommendations to the Administrator on short sea shipping matters including the following:
 - a. How to address impediments hindering effective use of short sea transportation, including the expansion of America's Marine Highways, as directed in 46 U.S.C. § 55603;
 - b. How to strengthen U.S. Maritime capabilities essential to national security and economic prosperity;
 - c. Ways to ensure the availability of a U.S. maritime workforce that will support the sealift resource needs of the National Security Strategy;
 - d. Ways to support enhancement of U.S. port infrastructure and performance; and,
 - e. Ways to enable maritime industry innovation in information, automation, safety, environmental impact and other areas.

5. **Agency or Official to Whom the Committee Reports.** The Committee reports to the Secretary through the Administrator.
6. **Support.** MARAD will provide administrative and technical support to the Committee.
7. **Estimated Annual Operating Costs and Staff Years.** Annual administrative operating costs are estimated at \$220,000, including the equivalent of one Federal full-time equivalent (FTE).
8. **Designated Federal Officer (DFO).** The Administrator shall designate a full-time or permanent part-time MARAD employee to serve as the DFO for the MTSNAC, as well as any alternate DFOs to support the Committee. The DFO (or designee) will:
 - a. Ensure compliance with FACA and any other applicable laws and regulations.
 - b. Approve or call all of the Board meetings.
 - c. Attend all Board and subcommittee meetings.
 - d. Formulate and approve all meeting agendas.
 - e. Maintain all Board records, files, and membership records.
 - f. Adjourn any meetings when doing so would be in the public interest.
 - g. Chair meetings when directed to do so by the Administrator.
9. **Estimated Number and Frequency of Meetings.** The Committee will be expected to meet at least three times per fiscal year.
10. **Duration.** Continuing
11. **Termination.** This charter shall terminate two (2) years after its effective date unless renewed in accordance with FACA and other applicable requirements.
12. **Membership and Designation.** The Committee will be composed of 25 voting members who will represent points of view held by organizations, associations, or classes of individuals relevant to the U.S. marine transportation system. Individual members, and not their organizations, are appointed to the Committee. The Maritime Administrator will seek a membership that is fairly balanced in terms of points of view of the affected interests.

Pursuant to 46 U.S.C. § 55603, MTSNAC membership will include a representative of the Environmental Protection Agency, other Federal entities, state and local entities, and private sector entities. The Federal entities may include the Department of Commerce, U.S. Army Corps of Engineers, U.S. Coast Guard, and U.S. Customs and Border Protection. The Secretary may appoint additional representatives from other Federal Agencies as deemed appropriate.

Non-Federal members will serve as Special Government Employees or Representative members. Members appointed solely for their personal expertise will serve as Special Government Employees. The Committee shall include representatives of State and local governmental entities as well as private sector entities that reflect a cross-section of maritime industries, including port and water stakeholders, in addition to representatives from academia and labor.

All members are appointed by, and serve at the pleasure of, the Secretary of Transportation. Terms may be staggered by the Secretary to establish continuity among the membership in subsequent years. Members shall continue to serve until their replacement has been appointed. Completion of terms is contingent upon the renewal of the Committee's charter. A Federal Register Notice is sometimes published to solicit applications for new Committee members.

13. **Subcommittees.** The Administrator may create subcommittees or work groups. All subcommittees and work groups shall report their recommendations and advice to the full MTSNAC for deliberation and discussion.
14. **Recordkeeping.** The records of the 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. Subject to the Freedom of Information Act, 5 U.S.C. § 552, the Committee's documents shall be available for public inspection and copying at a single location in the offices of the Committee sponsor until the Committee ceases to exist.
15. **Filing Date.** The filing date of this charter is September 17, 2020. If not renewed, this charter will expire on September 17, 2022.