

CHARTER
UNITED STATES MERCHANT MARINE ACADEMY
ADVISORY COUNCIL
U.S. DEPARTMENT OF TRANSPORTATION

- 1. Advisory Committee's Official Designation:** The United States Merchant Marine Academy Advisory Council.
- 2. Authority:** The United States Merchant Marine Academy Advisory Council (Council) is established pursuant to 46 U.S.C. § 51323. The Council operates in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., ch. 10.
- 3. Objectives and Scope of Activities:** The Council shall provide independent advice and recommendations to the Secretary of Transportation (Secretary) on matters relating to the U.S. Merchant Marine Academy (Academy or USMMA).
- 4. Description of Duties:** The Council will undertake tasks only as assigned by the Secretary to provide independent advice and recommendations on improving the Academy, including in the areas of curriculum development and training programs; sexual assault and harassment prevention and response; infrastructure maintenance and redevelopment; midshipmen health and welfare; governance and administrative policies; and other matters. The Council will operate independently and, to the extent practical, not duplicate the efforts and focus of the USMMA Advisory Board (46 U.S.C. § 51313) and the USMMA Board of Visitors (46 U.S.C. § 51312). As part of this work, the Council will, among other things, develop strategies and recommendations to address the issues identified in the National Academy of Public Administration's Comprehensive Assessment of the U.S. Merchant Marine Academy¹ report. Strategies and recommendations provided by the Council may, among other things, cover—
 1. The structure of the academic year, Sea Year, and length of the academic program;
 2. Structures for the provision of appropriate oversight and support of the Academy;
 3. Formulation of a long-term strategic vision, (including the appropriate level of capacity and capability to implement such vision);
 4. Management systems, organizational functions, and resources required to reach strategic objectives; and
 5. Review Academy goals and objectives to ensure they serve the strategic needs of the U.S. merchant marine and American sealift capabilities.

The Secretary, the Maritime Administrator, and the Superintendent of the Academy will provide the Council candid and complete disclosure, consistent with applicable laws concerning disclosure of information, with respect to institutional challenges and objectives.

The Council shall recommend appropriate action. In carrying out its responsibilities, the Council shall comply with the obligations of the U.S. Department of Transportation (DOT) to protect personally identifiable information.

The Council shall visit the Academy at least once annually, on a date selected by the Council and in consultation with the Secretary, Maritime Administrator, and Superintendent of the Academy. With the approval of the Administrator, the Council or its members may make other visits to the Academy in connection with the duties of the Council or to consult with the Superintendent of the Academy, midshipmen, faculty, and staff. Council members will have access to the Academy grounds and resources for the purposes of carrying out the duties of the Council.

The Council will prepare an annual report containing its views and recommendations pertaining to the Academy, based on its meetings since the last such report and any other considerations it deems relevant. Each report shall be submitted concurrently to the Secretary, through the Administrator. The Superintendent will receive a copy of the report.

5. Agency or Federal Officer Receiving the Advisory Committee's Advice/Recommendations: The Council reports to the Secretary, through the Maritime Administrator.

6. Support: The Maritime Administrator and the Superintendent of the Academy, will provide the necessary support for the Council.

7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, Federal staff payments and contract support, is approximately \$120,000. The estimated annual personnel costs to the DOT are one full-time employee equivalent.

8. Designated Federal Officer: The Council's Designated Federal Officer (DFO) will be a full-time or permanent part-time DOT employee and designated in accordance with DOT policies and procedures. The Council's DFO is required to attend all Council and subcommittee meetings for the entire duration of each meeting. The DFO, will:

1. Ensure Council activities comply with FACA, the FACA Final Rule, agency administrative procedures, and any other applicable laws and regulations;
2. To the extent practicable, avoid duplication of effort between the Counsel and the USMMA Advisory Board (46 U.S.C. § 51313) and the USMMA Board of Visitors (46 U.S.C. § 51312).
3. Approve or call all meetings of the Council or subcommittee;
4. Prepare and approve all meeting agendas;
5. Attend all advisory committee and subcommittee meetings for their duration;
6. Fulfill the requirements under § 10(b) of FACA (codified at 5 U.S.C. 1009(b));
7. Ensure detailed minutes of each Council meeting are taken and maintained;
8. Maintain all Council records, files, and membership records;
9. Adjourn any meeting when the DFO determines it to be in the public interest, required by governing regulations, or DOT policy and procedures;
10. Chair any meeting when directed to do so by the Secretary;
11. Maintain information on advisory committee activities and provide such information to the public, as applicable; and

12. Ensure advisory committee members and subcommittee members, as applicable, receive the appropriate training (e.g., FACA overview, ethics training) for efficient operation and compliance with FACA and the FACA Final Rule.

9. Estimated Number and Frequency of Meetings: The Council will meet at the call of the Council's DFO, in consultation with the Council's Chair and the Maritime Administrator. The estimated number of Council meetings is at least four times per year to carry out its responsibilities. Unless otherwise required by law or approved by the Secretary, all meetings will be held virtually (or in a hybrid forum that does not require additional use of Federal funds).

10. Duration: Continuing.

11. Termination: Charter will terminate two (2) years after its effective date unless it is renewed in accordance with FACA.

12. Membership and Designation: The Council comprises no fewer than 8 members, but not more than 14 members, with backgrounds and expertise that will allow them to contribute to balanced points of view and ideas regarding improving the Academy.

The Council membership shall be designated by the Secretary and may include:

1. Experts in Academia and higher education administration;
2. Members of the Uniformed Services (active duty, reserve, or retired);
3. Current or former representatives of the maritime shipping industry;
4. Representatives of maritime labor unions;
5. Experts in the field of prevention and response to sexual assault and sexual harassment;
6. Experts in facilities and infrastructure, and/or capital improvement planning;
7. Graduates of the Academy; and
8. Other individuals the Secretary deems appropriate to fulfill the Council's mission.

Council members shall serve for a term of two years, except that any member whose appointment term has expired may continue to serve until a successor is designated.

Council members may serve as Representative Members, Special Government Employees (SGE), or as Regular Government Employees (RGE). Individuals will be appointed as representatives if they represent a particular interest of employment, education, experience, or affiliation with a specific maritime-related organization. Members appointed solely for their expertise will serve as SGEs. Representative and SGE members will serve without charge, and without government compensation, except they may receive reimbursement for travel expenses and per diem. Federal employee members will serve as RGEs. The number of members of the Council who are Federal employees may not exceed the number of members of the Council who are not Federal employees.

13. Subcommittees: The Maritime Administrator may create subcommittees or working groups. All subcommittees and working groups must report their recommendations and advice to the full Council for deliberation, discussion, and adoption, and must not provide advice or work products directly to DOT.

14. Recordkeeping: The records of the Council will be managed in accordance with General Record Schedule 6.2 or other approved agency records disposition schedule, as well as the appropriate DOT policies and procedures. These records will be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. § 552). The Council's records are also located on MARAD's public website.

15. Filing Date: The charter is effective March 30, 2024, and this amended charter is effective on June 9, 2025. It will expire on March 30, 2026, unless it is renewed.