United States Department of Commerce
Hydrographic Services Review Panel Charter

1. Committee's Official Designation:

Hydrographic Services Review Panel

2. Authority:

The Hydrographic Services Review Panel ('the Panel') is established by the Secretary of Commerce as directed by Public Law 107-372, the Hydrographic Services Improvement Act Amendments of 2002 ('the Act'), and subsequent amendments. The Panel shall function solely as an advisory body and in accordance with the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App.

The terms used in this charter shall have the same meaning as prescribed in the Act.

3. Objectives and Scope of Activities:

The Panel shall advise the Under Secretary of Commerce for Oceans and Atmosphere and Administrator ('the Administrator'), National Oceanic and Atmospheric Administration (NOAA), on matters related to the responsibilities and authorities set forth in section 303 of the Hydrographic Services Improvement Act of 1998, its amendments, and such other appropriate matters as the Administrator refers to the Panel for review and advice. The Panel may exercise such powers as are reasonably necessary in order to carry out its duties.

4. Description of Duties:

The Panel shall advise the Administrator on matters related to the responsibilities and authorities set forth in Section 303 of the Hydrographic Services Improvement Act of 1998, its amendments, and such other appropriate matters as the Administrator refers to the Panel for review and advice.

The responsibilities and authorities outlined in section 303 of the Hydrographic Services Improvement Act of 1998 include topics such as "NOAA Hydrographic Survey Priorities;" technologies relating to operations, research and development; and dissemination of data pertaining to:

a. hydrographic surveying;
b. shoreline surveying;
c. nautical charting;
d. water level measurements;
e. current measurements;
f. geodetic measurements;
g. geospatial measurements; and

h. geomagnetic measurements.

5. Agency or Official to Whom the Committee Reports:

The Panel shall advise the Under Secretary of Commerce for Oceans and Atmosphere and Administrator ('the Administrator'), NOAA.

6. Support:

NOAA, National Ocean Service, shall make available to the Panel such information, personnel, and administrative services and assistance as it may reasonably require in carrying out its duties.

7. Estimated Annual Operating Costs and Staff Years:

The annual cost of operating the Panel is estimated to be $390,000, which includes 1.2 FTE staff support.

8. Designated Federal Officer:

In accordance with Department of Commerce guidance, The Director, Office of Coast Survey, a full-time, permanent federal employee, or his/her designee, will serve as the Designated Federal Officer (DFO) for the Panel. The DFO will approve all of the advisory committee's and subcommittee's meetings, attend all committee and subcommittee meetings, approve all meeting agendas, adjourn any meeting when it is in the public interest to do so, and chair meetings when directed to do so by the Administrator of NOAA.

9. Estimated Number and Frequency of Meetings:

The Panel shall meet on a biannual basis and, at any other time, at the call of the Chair or Secretary, or upon the request of a majority of the voting members of the Panel.

10. Membership and Designation:

a) The Panel shall consist of approximately fifteen voting members appointed by the Administrator in accordance with the provisions and prohibitions of Section 105 of the Act. Members will be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance. The co-directors of the Joint Hydrographic Center and two other employees of the NOAA shall serve as nonvoting members of the Panel. The Panel will be composed of Special Government Employees (voting members) and Regular Government Employees (non-voting members).

b) The voting members of the Panel shall be individuals who, by reason of knowledge, experience, or training, are experts and are especially qualified in one or more of the disciplines and fields relating to hydrographic data and

hydrographic services as defined in the Hydrographic Services Improvement Act of 2008 and /or marine transportation, port administration, vessel pilotage, coastal or fishery management, and other disciplines as determined appropriate by the Administrator. The membership shall be fairly balanced in terms of points of view represented and the functions to be performed by the Panel.

c) An individual may not be appointed as a voting member of the Panel if the individual is a full-time officer or employee of the United States.

d) Any voting member of the Panel who is an applicant for, or beneficiary of (as determined by the Administrator), any assistance under the Act, shall disclose to the Panel that relationship, and may not vote on any matter pertaining to that assistance.

e) The term of office of a voting member of the Panel shall be four years, except that vacancy appointments shall be for the remainder of the unexpired term of the vacancy. The voting members of the Panel will serve at the discretion of the Administrator.

f) Any individual appointed to a partial or full term may be reappointed for one additional full term. A voting member of the Panel may serve after the date of the expiration of the term of office for which appointed until his or her successor has taken office.

g) The Panel shall select one voting member to serve as the Chair, and another voting member to serve as the Vice Chair. The Vice Chair shall act as Chair in the absence or incapacity of the Chair, but will not automatically become the Chair if the Chair resigns. The Chair and Vice Chair shall serve at the discretion of the voting members of the Panel.

h) Members of the Panel who are not full-time officers or employees of the United States will be subject to ethical standards applicable to special government employees.

i) At least once each year, the Administrator shall publish a notice in the *Federal Register* soliciting nominations for membership on the Panel.

j) Voting members of the Panel shall receive compensation at a rate established by the Administrator, 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 such Panel and shall be reimbursed for actual and reasonable expenses incurred in the performance of such duties.

11. Subcommittees:

As may be necessary, the DFO, acting for NOAA, may establish subcommittees, task forces, and workgroups consisting of Panel members and/or outside experts, subject to

the provisions of the Department of Commerce Committee Management Handbook. Chairs of subcommittees, task forces, or workgroups shall be selected by and serve at the discretion of the voting members of the Panel. Subcommittees shall report back to the Panel, and must not provide advice or work products directly to NOAA.

12. Recordkeeping:

Records of the committee, 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, subject to the Freedom of Information Act, 5 U.S.C. 552.

13. Duration/Termination:

This charter shall terminate two years from the date of filing with the appropriate U.S. Senate and House of Representatives Oversight Committees unless earlier terminated or renewed by proper authority.

Chief Financial Officer and
Assistant Secretary for Administration

9/10/09
Date