

**U.S. DEPARTMENT OF COMMERCE  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
OCEAN RESEARCH ADVISORY PANEL**

**CHARTER**

- 1. Committee's Official Designation.** Ocean Research Advisory Panel
- 2. Authority.** The Ocean Research Advisory Panel (Panel) is authorized under section 1055(c) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. § 8933), in accordance with the Federal Advisory Committee Act, as amended (FACA), 5 U.S.C. § 1001 *et seq.*
- 3. Objectives and Scope of Activities.** Pursuant to 10 U.S.C. § 8933(b), the Panel shall provide the Ocean Policy Committee (Committee), codified by 10 U.S.C. § 8932, with independent scientific advice and recommendations on national oceanographic matters.
- 4. Description of Duties.** Pursuant to 10 U.S.C. § 8933(b), the Committee shall assign the following responsibilities to the Panel:
  - a. To advise the Committee on policies and procedures to implement the National Oceanographic Partnership Program.
  - b. To advise the Committee on matters relating to national oceanographic science, engineering, facilities, or resource requirements.
  - c. To advise the Committee on improving diversity, equity, and inclusion in the ocean sciences and related fields.
  - d. To advise the Committee on national ocean research priorities.
  - e. Any additional responsibilities that the Committee considers appropriate.
- 5. Agency or Official to Whom the Committee Reports.** The Panel shall report to the Committee.
- 6. Support.** Pursuant to 10 U.S.C. § 8933(d), the Administrator of the National Oceanic and Atmospheric Administration (Administrator) shall provide to the Panel such administrative and technical support as it may require. Support will be located in the National Oceanic and Atmospheric Administration's (NOAA) Office of Oceanic and Atmospheric Research.
- 7. Estimated Annual Operating Costs and Staff Years.**
  - a. The annual cost of operating the Panel is estimated at up to \$500,000, which includes 2.0 person-years for staff support. This also includes the cost of operating subcommittees. All decisions concerning the Panel's operations that impact or require the expenditure of Federal funds will be made by NOAA officials.
  - b. Members of the Panel will not be compensated for their services but will upon request be allowed travel and per diem expenses as authorized by 5 U.S.C. § 5701 *et seq.*

- 8. Designated Federal Officer.** The Administrator will designate a full-time or permanent part-time Federal employee, appointed in accordance with Department of Commerce procedures, to serve as the Designated Federal Officer (DFO). The DFO will approve or call all of the Panel and subcommittee meetings; prepare and approve all meeting agendas; attend all Panel 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 Committee Co-Chairs.
- 9. Estimated Number and Frequency of Meetings.** Pursuant to 10 U.S.C. § 8933(c), the Panel will meet a minimum of at least two times each year, but usually three times per year. Additional meetings may be requested by the Committee. Meetings may be held in person or as teleconferences or webinars or as a hybrid of in-person and telephone or webinar remote participation. Priority topics for Panel in-person meetings may guide or determine the geographic location of a specific meeting. Members are expected to attend all meetings. If a member should miss more than two consecutive meetings without the permission of the Panel's Co-Chairs, that individual's membership may be terminated.

**10. Duration.** Continuing

**11. Termination.** Pursuant to 10 U.S.C. § 8933(e), the Panel shall terminate on January 1, 2040. 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.** Pursuant to 10 U.S.C. § 8933(a)(1), the Panel shall consist of not fewer than 10 and not more than 18 members appointed by the Co-Chairs of the Committee, including each of the following:

- a. Three members who represent the National Academies of Sciences, Engineering, and Medicine.
- b. Members selected from among individuals who represent the views of ocean industries, state, tribal, territorial, or local governments, academia, and such other views as the Committee Co-Chairs consider appropriate.
- c. Members selected from among individuals eminent in the fields of marine science, marine technology, marine policy, or related fields.

Pursuant to 10 U.S.C. § 8933(a)(2), the Committee shall ensure that an appropriate balance of academic, scientific, industry, and geographical interests and gender and racial diversity are represented by the members of the Panel.

In 2023, the Committee Co-Chairs appointed 18 members to the Panel for a three-year term (Inaugural Panel Members). The Inaugural Panel Members are eligible for a second term of one, two, or three years at the Committee Co-Chairs' discretion to allow for staggered Panel membership. Thereafter, the Committee Co-Chairs shall appoint Panel members for a term of up to three years, renewable once for up to three years, at the Committee Co-Chairs' discretion. No Panel member may be appointed to more than two terms on the Panel, consecutively or non-consecutively. If any Panel member, including

any Inaugural Panel Member, is unable to complete the member's appointed term, the Committee Co-Chairs may appoint a new member to serve on the Panel. Panel members serve at the discretion of the Committee Co-Chairs.

Panel members shall be appointed to serve as Representative members. Representative members are not Federal employees for the purposes of Federal ethics rules.

The Panel shall have two Co-Chairs, who are responsible for leading and facilitating all Panel meetings. The Committee Co-Chairs shall appoint the Panel Co-Chairs from among the Panel members and, in so doing, shall determine each Co-Chair's term of service, which shall not exceed the Panel member's term of service. The Committee Co-Chairs may appoint Panel Co-Chairs to multiple consecutive terms and shall fill vacancies among the Panel Co-Chairs as they occur.

Members shall not reference or otherwise utilize their membership on the Panel 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 Panel, the Committee, NOAA, the Department of Commerce, or the U.S. Government.

**13. Subcommittees.** The Committee may create subcommittees of the Panel consisting of Panel members and may establish task forces and working groups of the Panel consisting of Panel members and/or experts as may be necessary, pursuant to the provisions of FACA, the FACA implementing regulations, and applicable Department of Commerce guidance. Subcommittees and other subgroups of the Panel must report back to the Panel and must not provide advice or work products directly to the Committee.

**14. Recordkeeping.** The records of the Panel, formally and informally established subcommittees, or other subgroups of the Panel 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, records presented to or prepared for or by the Panel 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: 2024.05.17 16:12:38 -04'00'

5.17.2024

Date

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

5.20.2024

Filing Date