**U.S. DEPARTMENT OF COMMERCE**
**National Institute of Standards and Technology**

# Charter of the National Construction Safety Team Advisory Committee

**1. Committee's Official Designation (Title).** National Construction Safety Team Advisory Committee

**2. Authority.** In accordance with the requirements of Section 11 of the National Construction Safety Team Act (P. L. 107-231), hereinafter referred to as the Act, the Secretary of Commerce hereby renews the National Construction Safety Team Advisory Committee, hereinafter referred to as the Committee, in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2.

**3. Objectives and Scope of Activities.**

The Committee will act in the public interest to:

a. Advise the Director of the National Institute of Standards and Technology (NIST) on carrying out the Act by:

- Providing advice on the functions of National Construction Safety Teams, hereinafter referred to as Teams, as described in section 2(b)(2) of the Act.
- Providing advice on the composition of Teams under section 3 of the Act.
- Providing advice on the exercise of authorities enumerated in sections 4 and 5 of the Act.
- Providing such other advice as necessary to enable the Director of NIST to carry out the Act.

b. Review and provide advice on the procedures developed under section 2(c)(1) of the Act.

c. Review and provide advice on the reports issued under section 8 of the Act.

d. Function solely as an advisory body, in accordance with the provisions of FACA.

**4. Description of Duties.** The Committee shall advise the Director of NIST on carrying out the Act and review the procedures developed for conducting investigations and the reports issued documenting investigations. On January 1 of each year, the Committee shall transmit to the Committee on Science and Technology of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the

Senate a report that includes: (1) an evaluation of Team activities, along with recommendations to improve the operation and effectiveness of Teams and (2) an assessment of the implementation of the recommendations of Teams and of the advisory committee.

**5. Agency or Official to Whom the Committee Reports**. The Committee reports to the Director of NIST.

**6. Support**. NIST provides support for the Committee.

**7. Estimated Annual Operating Costs and Staff Years**. The estimated annual operating cost for the Committee is $33,000, which includes 0.3 work years of staff support. Members of the committee will not be compensated for their services but will be reimbursed for travel expenses upon request.

**8. Designated Federal Officer**. The Designated Federal Officer (DFO) for the Committee will be appointed from within the Office of the Director of the Engineering Laboratory of NIST. The DFO will approve or call all of the advisory committee meetings, prepare and approve all meeting agendas, attend all committee 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 Director of NIST.

**9. Estimated Number and Frequency of Meetings**. The Committee shall meet at least once per year at the call of the Chair. Additional meetings may be called whenever one-third or more of the members so request it in writing or whenever the Chair or the Director of NIST requests a meeting.

**10. Membership and Designation.** The Committee shall consist of not fewer than 5 nor more than 10 members. The term of office of each member of the Committee shall be three years, except that vacancy appointments shall be for the remainder of the unexpired term of the vacancy and that the initial members shall have staggered terms such that the committee will have approximately 1/3 new or reappointed members each year. Members who are not able to fulfill the duties and responsibilities of the Committee will have their membership terminated.

Members shall reflect the wide diversity of technical disciplines and competencies involved in the National Construction Safety Teams investigations. Members will be drawn from industry and other communities having an interest in the National Construction Safety Teams investigations, such as, but not limited to, universities, state and local government bodies, non-profit research institutions, and other Federal agencies and laboratories.

The Director of NIST shall appoint the members of the Committee, and they will be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance. Members shall be selected on the basis of established records of distinguished service in their professional community and their knowledge of issues

affecting the National Construction Safety Teams. Members shall serve as Special Government Employees. Members serve at the discretion of the NIST Director.

Any person who has completed two consecutive full terms of service on the Committee shall be ineligible for appointment for a third term during the one year period following the expiration of the second term.

The Director of NIST shall appoint the Chair from among the members of the Committee. The Chair's tenure shall be at the discretion of the Director of NIST.

**11. Subcommittees.** NIST may establish such subcommittees from among the committee members as may be necessary. All subcommittees shall be subject to the provisions of FACA, the FACA implementing regulations, and applicable Department of Commerce guidance.

**12. 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 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 will terminate two years from the date of its 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

11.8.2010
Filing Date