U. S. DEPARTMENT OF COMMERCE
National Institute of Standards and Technology
Charter of the
Advisory Committee on Earthquake Hazards Reduction

1. **Committee's Official Designation (Title).** Advisory Committee on Earthquake Hazards Reduction

2. **Authority.** In accordance with the requirements of Section 103 of the National Earthquake Hazards Reduction Program (NEHRP or Program) Reauthorization Act of 2004 (P. L. 108-360), hereinafter referred to as the Act, the Secretary of Commerce hereby recharters the Advisory Committee on Earthquake Hazards Reduction (ACEHR), hereinafter referred to as the Committee, pursuant to the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App.

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

a. ACEHR will act in the public interest to:

- Assess trends and developments in the science and engineering of earthquake hazards reduction.

- Assess effectiveness of the Program in carrying out the activities under section (a)(2) of the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7704(a)(2)).

- Assess the need to revise the Program.

- Assess the management, coordination, implementation, and activities of the Program.

b. ACEHR shall report to the Director of the National Institute of Standards and Technology (NIST) at least once every two years on its findings of the assessment carried out under paragraph a. above, and its recommendations for ways to improve the Program. In developing recommendations, the Committee shall consider the recommendations of the United States Geological Survey (USGS) Scientific Earthquake Studies Advisory Committee (SESAC).

4. **Description of Duties.** ACEHR will function solely as an advisory body, in accordance with the provisions of the Federal Advisory Committee Act.

5. **Agency or Official to Whom the Committee Reports.** ACEHR shall report to the Director of NIST.

6. **Support.** The NIST Engineering Laboratory (EL) within NIST shall have the primary responsibility for providing staff support for the ACEHR.

7. Estimated Annual Operating Costs and Staff Years. The annual operating costs of the ACEHR are estimated at $145,000, which includes 0.8 work years of NIST staff support.

8. Designated Federal Officer. The Designated Federal Officer (DFO) will be the Director of the EL. The DFO (or his or her designee) will approve or call all ACEHR 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. ACEHR shall meet face-to-face at least once per year, and at such other times as designated by the DFO. Additional meetings may be called whenever requested by the NIST Director or the Chairperson; such meetings may be in the form of telephone conference calls and/or videoconferences. ACEHR shall not meet in the absence of a quorum, which shall consist of a simple majority of the ACEHR members not having a conflict of interest in the matter being considered by the ACEHR, except that, if the number of members on the ACEHR is even, half will suffice.

10. Duration. Continuing.

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

12. Membership and Designation.

a. The Director of NIST shall appoint the members of the ACEHR. Members shall 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 Program. Members shall reflect the wide diversity of technical disciplines, competencies, and communities involved in earthquake hazards reduction. Members will be drawn from industry and other communities having an interest in the Program, such as, but not limited to, research and academic institutions, industry standards development organizations, state and local government, and financial communities, who are qualified to provide advice on earthquake hazards reduction and represent all related scientific, architectural, and engineering disciplines.

b. Members shall serve as Special Government Employees (SGEs) and will be subject to the ethics standards applicable to SGEs.

c. ACEHR shall consist of not fewer than 11, nor more than 17 members. The term of office of each member of the ACEHR shall be three years, except that vacancy appointments shall be for the remainder of the unexpired term of the vacancy and that members shall have staggered terms such that the ACEHR will have approximately one-third new or reappointed members each year.

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

e. The Chairperson of the USGS SESAC shall serve as an *ex-officio* member of the Committee.

f. The Director of NIST shall appoint the Chairperson and the Vice Chairperson from among the members of the ACEHR. The Chairperson and Vice Chairperson's tenure shall be at the discretion of the Director of NIST. The Vice Chairperson shall perform the duties of the Chairperson in his or her absence. In case a vacancy occurs in the position of the Chairperson or Vice Chairperson, the NIST Director shall select a member to fill such vacancy. The Vice Chairperson will succeed the Chairperson when the Chairperson is no longer serving in that position.

g. Members of the ACEHR shall not be compensated for their services, but may, upon request, be allowed travel and per diem expenses in accordance with 5 U.S.C. 5701 *et seq.*, while attending meetings of the ACEHR or subcommittees thereof, or while otherwise performing duties at the request of the Chairperson, while away from their homes or regular places of business.

13. Subcommittees. NIST may establish subcommittees of the ACEHR members as may be necessary, subject to the provisions of FACA, as amended, 5 U.S.C. App., the FACA implementing regulations, and applicable Department of Commerce guidance. Subcommittees must report back to the parent committee and will not provide advice or work products directly to NIST.

14. Recordkeeping. The records of the ACEHR, formally and informally established subcommittees, or other subgroups of the ACEHR, shall be handled in accordance with General Records Schedule 6.2 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. The DFO will oversee recordkeeping and appropriate filings.

Ellen Herbst
Chief Financial Officer and
Assistant Secretary for Administration

4/20/16
Filing Date