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, hereinafter referred to as the Committee, pursuant to the Federal Advisory Committee Act (FACA), 5 USC App.

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

a. The Committee 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. The Committee 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.** The Committee 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.** The Committee shall report to the Director of NIST.

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

7. **Estimated Annual Operating Costs and Staff Years.** The annual cost of operating the Committee is estimated at $110,000, which includes 0.6 work years of staff support.

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

10. Membership and Designation.

a. The Director of NIST shall appoint the members of the Committee. 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 bodies, 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. The Committee shall consist of not fewer than 11, nor more than 17 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 members shall have staggered terms such that the Committee 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 Committee shall be ineligible for appointment for a third term during the two year period following the expiration of the second term.

e. The Chair of the USGS SESAC shall serve as an *ex-officio* member of the Committee, with full voting authority.

f. 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.

g. Members of the Committee 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 Committee or subcommittees thereof, or while otherwise performing duties at the request of the Chair, while away from their homes or regular places of business.

11. Subcommittees. NIST may establish subcommittees from among the members as may be necessary, subject to the provisions of FACA, the FACA implementing regulations, and applicable Department of Commerce guidance. Any subcommittees established must report back to the parent committee, and must not provide advice and work products directly to the agency.

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. The DFO will oversee recordkeeping and appropriate filings.

13. Duration/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.

5.15.2012
Date

Chief Financial Officer and
Assistant Secretary for Administration