

United States Coast Guard

Charter

Commercial Fishing Industry Vessel Safety Advisory Committee

Purpose: This charter establishes the Commercial Fishing Industry Vessel Safety Advisory Committee (CFIVSAC) pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. App. 2, and sets forth regulations for its operations.

Scope and Objectives: The Committee will act solely in an advisory capacity to the Commandant of the United States Coast Guard and the Secretary on matters relating to the safety of commercial fishing industry vessels. The Committee will advise, consult with, and make recommendations reflecting the Committee's independent judgment to the Commandant on matters and actions relating to the safe operation of vessels to which Chapter 45 of Title 46 U.S.C. applies, including navigational safety, safety equipment and procedures, marine insurance, vessel design, construction, maintenance and operation, and personnel qualification and training.

Duties: The Committee will be responsive to specific assignments and may conduct studies, inquiries and workshops as the Commandant may authorize or direct. The Committee may review proposed regulations under Chapter 45 of Title 46 U.S.C. The Committee shall advise the Commandant on studies concerning the licensing of personnel, the inspection of fishing vessels and the need for hull and maintenance requirements for unclassified fish processing vessels.

Duration: Continuing.

Official to Whom the Committee Reports: The Committee will report to the Commandant, United States Coast Guard, through the Sponsor.

Sponsor and Agency Providing Support: The Assistant Commandant for Marine Safety, Security and Environmental Protection serves as Sponsor for the Committee and shall designate an Executive Director. The Executive Director manages the Committee affairs and will provide necessary clerical support.

Membership: The Committee is composed of seventeen members. In addition, the Commandant may request the National Transportation Safety Board or other appropriate agency to designate a representative to participate as an observer on the Committee. Members are appointed by the Secretary of the Department of Homeland Security upon recommendation by the Commandant. A Committee member serves a term of up to four years with approximately one-third of the terms expiring each year.

The Committee shall consist of seventeen members who have particular expertise, knowledge, and experience regarding commercial fishing industry vessels as follows:

- a. Ten members from the commercial fishing industry who reflect a regional and representational balance and have experience in the operation of vessels to which

Chapter 45 of Title 46, U.S.C. applies, or as crew member or processing line worker on an uninspected fish processing vessel.

- b. One member representing each of the following specialties:
 - (1) Naval architects or marine surveyors;
 - (2) Manufacturers of equipment for vessels to which Chapter 45 applies;
 - (3) Education or training professionals related to fishing vessels, fish processing vessels, fish tender vessels safety, or personnel qualifications; and
 - (4) Underwriters that insure vessels to which Chapter 45 applies.
- c. Three members representing the general public, including whenever possible, an independent expert or consultant in maritime safety and a member of a national organization composed of persons representing owners of vessels to which Chapter 45 applies and persons representing the maritime insurance industry.

The Secretary of Transportation is authorized and encouraged to designate a representative to participate as an observer on the Committee.

To ensure that the recommendations of the committee have taken into account the needs of diverse groups served by the Department, membership shall include, to the extent practicable, individuals and/or organizations to represent minorities, women and persons with disabilities.

Additional persons may be designated by the Chair to serve on working groups of the Committee to assist it in the performance of its functions.

Committee Officers: The Chairman and Vice-Chairman are elected by the Committee. The Chairman shall conduct each meeting in general accordance with Roberts' Rules of Order, provide an opportunity for participation by each member and by public attendees, ensure adherence to the agenda, maintain order, and prepare any recommendation submitted to the Coast Guard. In the absence of the Chair, the Vice-Chair performs these duties. The executive director manages the affairs of the Committee and serves as the Designated Federal Officer.

Meetings: Meetings are held at the call of the Executive Director. The Committee meets at least once each year. Additional meetings may be called as necessary. Notice of each meeting is published in the Federal Register. All meetings are open to the general public. Members of the public are permitted to appear before or file statements with the Committee. The Executive Director or a designated representative must be present at each Committee meeting. This official has the authority and duty to adjourn the meeting whenever such action is deemed to be in the public interest.

Costs: Operating expenses are borne by the Committee Sponsor. The annual cost to the government, including .8 staff years, is approximately \$109,089. Members may be reimbursed for travel expenses and per diem in accordance with current regulations.

Availability of Records: Subject to Section 552 of Title 5, U.S.C., the records, reports, minutes, agenda, and other documents made available to the Committee are available for public inspection and duplication in the office of the CFIVSAC Executive Director, Commandant (G-MOC), 2100 Second Street SW, Washington, DC 20593-0001.

Reports: The Executive Director furnishes detailed minutes of each meeting to the Sponsor. The minutes contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued or approved by the Committee. The Chairman and Executive Director certify to the accuracy of the minutes.

Subcommittees: The Chair may establish subcommittees to perform specific assignments with the approval of the Executive Director. The Chair may designate members from either Committee or the public to serve on subcommittees. The subcommittee Chair shall be a committee member.

Filing Date _____, is the effective date of this Charter, which will expire in two years from this filing date unless sooner terminated or extended.