

U.S. DEPARTMENT OF COMMERCE CHARTER OF THE MARINE FISHERIES ADVISORY COMMITTEE

ESTABLISHMENT

The Secretary of Commerce approved the establishment of the Marine Fisheries Advisory Committee (MAFAC or the "Committee") on December 28, 1970. The Committee was initially chartered under the Federal Advisory Committee Act, 5 U.S.C. App. 2, on February 17, 1971, with the General Services Administration's concurrence, and has been renewed periodically. It has been determined the Committee's continuance is in the public interest in accordance with the duties and the laws imposed on the Department.

OBJECTIVES AND DUTIES

1. The Committee will advise the Secretary of Commerce (the "Secretary") on all living marine resource matters that are the responsibility of the Department of Commerce.
2. Specifically, the Committee will draw on the expertise of its members and other appropriate sources, such as the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS), to evaluate and recommend priorities and needed changes in national program direction. Its objective is to ensure the Nation's living marine resource policies and programs meet the needs of commercial and recreational fishermen, and of environmental, consumer, academic, tribal, governmental, and other national interests.
3. The Committee will function solely as an advisory body, and will comply fully with the Federal Advisory Committee Act.

MEMBERS AND CHAIRPERSON

1. The Committee shall consist of at least 15 but not more than 21 members to be appointed by the Secretary to ensure balanced representation geographically, ethnically, and on the basis of gender as well as among commercial and recreational fishermen, environmental, consumer, academic, tribal, governmental, and other national interest groups. Criteria for membership is one or more of the following:

- a. Experience in harvesting, processing, production, or marketing fish or fish products.
- b. Experience in promoting fishing for pleasure, relaxation, or consumption. This may include operating a recreational fishing business. Recreational fishing experience by itself is not sufficient experience.
- c. Experience as a former or current officer or in a leadership role in a national, state, or regional organization representing marine fisheries interests.
- d. Experience in managing and conserving fishery resources or in representing

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consumers of fish or fish products through active and sustained participation in local, state, or national organizations.

- e. Experience in teaching, writing, researching, consulting, or adjudicating matters related to fisheries, fishery management, and fishery resource conservation.

2. The members are appointed for three-year terms and serve at the discretion of the Secretary. Members are designated as “special government employees” who are selected for their expertise in the aforementioned areas of experience to help guide the Department with implementing its stewardship mission over living marine resources in the most effective manner. Terms of appointment are contingent upon the Committee’s continuation and the active participation of the members. An appointment may be terminated if a member misses two consecutive meetings, unless excused for good cause by the Chairperson or the Vice Chair. Members serve until reappointed or replaced; however, no member may serve more than two consecutive terms. No member may serve on both the Committee and a regional fishery management council at the same time. Vacancy appointments may be made for the remainder of the unexpired term of the vacancy. State officials and their designees who serve as voting members of a regional fishery management council may not be appointed as members of the Committee. No more than one-third of the Committee’s voting membership terms shall expire annually.

3. The Chairperson and Vice Chair will be elected by a majority vote of Committee members to serve a two year term. A term will be eligible for a one year extension by a majority vote of Committee members.

4. The Under Secretary of Oceans and Atmospheres and the Department’s Assistant Administrator for Fisheries will serve as an *ex officio* members to the Committee.

5. The executive directors of the Atlantic, Gulf of Mexico, and Pacific Interstate Fisheries Commissions may serve as non-voting *ex officio* members to the Committee.

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ADMINISTRATIVE PROVISIONS

1. The Committee will report to the Secretary through the Assistant Administrator for Fisheries and the Under Secretary of Commerce for Oceans and Atmosphere.
2. The Designated Federal Officer will be assigned by the Assistant Administrator for Fisheries.
3. The Committee will meet at least twice a year, at the call of the Chairperson or Vice Chair.
4. NOAA’s NMFS will provide staff support for the Committee.
5. The Committee may establish subcommittees or working groups of its members as necessary, subject to the provision of the Department of Commerce Committee Management Handbook (Part Two, Chapter Two, Section F).

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6. The Committee may establish task forces consisting of MAFAC members and outside experts as may be necessary, subject to the provisions of the Department of Commerce Committee Management Handbook.

7. The annual cost of operating the Committee is estimated at \$250,000. This includes one person-year for staff support plus estimated travel costs for two full committee meetings and for one subcommittee or special working group meeting, as necessary.

8. Members of the Committee are not 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.

DURATION

This Charter shall terminate two years from the date of the filing of this charter 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

Date

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