

**U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
OCEAN ACIDIFICATION ADVISORY BOARD**

CHARTER

- 1. Committee's Official Designation:** Ocean Acidification Advisory Board.
- 2. Authority.** The Ocean Acidification Advisory Board (OAAB) is established under the CHIPS and Science Act of 2022, Public Law 117-167, § 10644(6), 33 U.S.C. § 3703(c). The OAAB shall function solely as an advisory board and is being established in accordance with the Federal Advisory Committee Act, as amended (FACA), 5 U.S.C. § 1001 *et seq.*
- 3. Objectives and Scope of Activities.** The OAAB shall provide the Interagency Working Group on Ocean Acidification (IWG-OA) and the National Science and Technology Council (NSTC) Subcommittee on Ocean Science and Technology (SOST) with independent advice and recommendations on matters related to Federal activities on ocean and coastal acidification, including understanding impacts and developing mitigation techniques for ecosystems and human communities.
- 4. Description of Duties.** The OAAB shall perform the following responsibilities:
 - a.** Advise the SOST and IWG-OA on Federal research, monitoring, and outreach activities related to ocean and coastal acidification, and on efforts to coordinate these activities among agencies;
 - b.** Review and make recommendations to the SOST on the IWG-OA's biennial reports, strategic research plan, and ocean chemistry coastal community vulnerability assessments;
 - c.** Advise the SOST and IWG-OA on the best practices for data management and archiving standards for ocean and coastal acidification data; and
 - d.** Maintain mechanisms for engagement and coordination with Tribal governments.

The OAAB Chair shall brief the SOST and IWG-OA on the progress of the OAAB as necessary or at the request of the SOST.

- 5. Agency or Official to Whom the Committee Reports.** The OAAB shall report to the SOST and IWG-OA.
- 6. Support.** The National Oceanic and Atmospheric Administration's (NOAA) Office of Oceanic and Atmospheric Research will provide support to the OAAB.
- 7. Estimated Annual Operating Costs and Staff Years.**
 - a.** The annual cost of operating the OAAB is estimated at up to \$130,000, which includes 0.35 person-years for staff support. All decisions concerning the OAAB's operations that impact or require the expenditure of Federal funds will be made by NOAA officials.

- b.** Members of the OAAB will not be compensated for their services but will upon request be allowed travel and per diem expenses for in-person meetings, as authorized by 5 U.S.C. § 5701 et seq.

- 8. Designated Federal Officer.** The Administrator of the National Oceanic and Atmospheric Administration will designate a full-time or permanent part-time Federal employee, appointed in accordance with Department of Commerce procedures, to serve as the Designated Federal Officer (DFO). The DFO will approve or call all of the OAAB and OAAB subcommittee meetings; prepare and approve all meeting agendas; attend all OAAB and OAAB subcommittee 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 Co-Chairs of the SOST.

- 9. Estimated Number and Frequency of Meetings.** The OAAB will meet at least once per calendar year at such times and places as may be designated by the OAAB Chair in consultation with the SOST Co-Chairs and IWG-OA Chair. Meetings will preferably be held as teleconferences or webinars to reduce the carbon footprint. Members are expected to attend all meetings. If a member should miss more than two consecutive meetings without the permission of the OAAB's Chair, that individual's membership may be reviewed by the SOST Co-Chairs.

- 10. Duration.** Continuing

- 11. Termination.** This charter will terminate five years from the date it is filed with the standing committees of the U.S. Senate and U.S. House of Representatives having legislative jurisdiction of the agency, unless terminated earlier or renewed by proper authority.

- 12. Membership and Designation.** Per 33 U.S.C. § 3703(c), the OAAB shall consist of 25 members appointed by the Co-Chairs of the SOST, as follows:
 - a.** Two representatives of the shellfish, lobster, or crab industry.
 - b.** One representative of the finfish industry.
 - c.** One representative of seafood processors.
 - d.** Three representatives from academia, including both natural and social sciences.
 - e.** One representative of recreational fishing.
 - f.** One representative of a relevant nongovernmental organization.
 - g.** Six representatives from relevant State and local governments with policy or regulatory authorities related to ocean acidification and coastal acidification.
 - h.** One representative from the Alaska Ocean Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.
 - i.** One representative from the California Current Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.
 - j.** One representative from the Northeast Coastal Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.
 - k.** One representative from the Southeast Coastal Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.
 - l.** One representative from the Gulf of Mexico Coastal Acidification Network or a

subsequent entity that represents the same geographical region and has a similar purpose.

- m.** One representative from the Mid-Atlantic Coastal Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.
- n.** One representative from the Pacific Islands Ocean Observing System or a subsequent entity that represents the island territories and possessions of the United States in the Pacific Ocean, and the State of Hawaii and has a similar purpose.
- o.** One representative from the Caribbean Regional Association for Coastal Ocean Observing or a subsequent entity that represents Puerto Rico and the United States Virgin Islands and has a similar purpose.
- p.** One representative from the National Oceanic and Atmospheric Administration Olympic Coast Ocean Acidification Sentinel Site or a subsequent entity that represents the same geographical representation.
- q.** One representative from the National Oceanic and Atmospheric Administration shall serve as an ex-officio member of the Advisory Board without a vote.

The SOST Co-Chairs shall appoint members to the OAAB (taking into account the geographic interests of each individual to be appointed to ensure that an appropriate balance of geographical interests are represented) who represent the interest group for which each seat is designated; demonstrate expertise on ocean acidification or coastal acidification and its scientific, economic, industry, cultural, and community impacts; and have a record of distinguished service with respect to ocean acidification or coastal acidification, and such impacts. The SOST Co-Chairs shall give consideration to nominations and recommendations from the members of the IWG-OA and the public for such appointments and shall ensure that an appropriate balance of scientific, industry, State and local resource managers, and geographical interests are represented by the OAAB members.

OAAB members serve at the SOST Co-Chairs' discretion. Per 33 U.S.C. § 3703(c)(5), OAAB members are appointed for a term of five years and may be reappointed once at the SOST Co-Chairs' discretion. The terms may be consecutive or not, but no member may serve more than two terms of service on the OAAB.

Other than the NOAA ex-officio member, who will serve in the capacity as a Regular Government Employee (RGE), OAAB members shall be appointed to serve as Representative members. Representative members are not Federal employees for the purposes of Federal ethics rules.

The SOST Co-Chairs may appoint the OAAB's Chair from among the OAAB membership and, in doing so, shall determine the term of service for the OAAB's Chair, which shall not exceed the member's approved term of service.

Members shall not reference or otherwise utilize their membership on the OAAB in connection with public statements made in their personal capacities without a disclaimer that the views expressed are their own and do not represent the views of the OAAB, the SOST, IWG-OA,

NOAA, the Department of Commerce, or the U.S. Government.

13. Subcommittees. The SOST may create subcommittees, task forces, and working groups as may be necessary, pursuant to the provisions of FACA, the FACA implementing regulations, and applicable Department of Commerce guidance. OAAB subcommittees and other subgroups of the OAAB must report back to the OAAB and must not provide advice or work products directly to the SOST, IWG-OA, NOAA, or the Department of Commerce.

14. Recordkeeping. The records of the OAAB, formally and informally established subcommittees, or other subgroups of the OAAB will be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. Subject to the Freedom of Information Act, 5 U.S.C. § 552, records presented to or prepared for or by the OAAB are available for public inspection.

15. Filing Date. The charter is filed on the date indicated below.

JEREMY PELTER Digitally signed by JEREMY PELTER
Date: 2024.08.26 16:57:27 -04'00'

Deputy Assistant Secretary for Administration
Performing the non-exclusive functions and duties of
the Chief Financial Officer and Assistant Secretary
for Administration

8.26.2024

Date

9/4/2024
Filing Date