

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

MEMBERSHIP BALANCE PLAN

(1) Name. 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) Mission/Function. The purpose of the OAAB is to 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. This advice will support the areas of interests and work of the IWG-OA and the SOST.

(4) Points of View.

(a) Process Used.

Pursuant to section 3703(c)(4) of title 33, United States Code, individuals are selected by the Co-Chairs of the SOST, who will give consideration to nominations and recommendations from the members of the IWG-OA and the public for such appointments.

(b) Distribution of Candidates.

Section 3703(c)(3) of title 33, United States Code, calls for the Panel to be composed of 25 members, as follows:

- Two representatives of the shellfish, lobster, or crab industry.
- One representative of the finfish industry.
- One representative of seafood processors.
- Three representatives from academia, including both natural and social sciences.
- One representative of recreational fishing.
- One representative of a relevant nongovernmental organization.
- Six representatives from relevant State and local governments with policy or regulatory authorities related to ocean acidification and coastal acidification.
- One representative from the Alaska Ocean Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.

- One representative from the California Current Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.
- One representative from the Northeast Coastal Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.
- One representative from the Southeast Coastal Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.
- 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.
- One representative from the Mid-Atlantic Coastal Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.
- 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.
- 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.
- 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.
- One representative from the National Oceanic and Atmospheric Administration shall serve as an ex-officio member of the Advisory Board without a vote.

(c) Determination of Special Government Employee or Representative Member.

Consistent with the language in 33 U.S.C. § 3703(c), the members of the OAAB will be Representatives, other than the NOAA ex-officio member. Representative members are not Federal employees for the purposes of Federal ethics rules. The member from NOAA will serve as a Regular Government Employee (RGE).

(5) Other Balance Factors. As required by 33 U.S.C. § 3703(c)(4), 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.

(6) Candidate Identification Process.

(a) Describe the Process Used to Identify Candidates and Their

Professional Qualifications.

The National Oceanic and Atmospheric Administration, with guidance from the SOST, will solicit candidates for the OAAB via a Federal Register Notice (FRN) as well as through outreach to appropriate organizations, including professional societies, university consortia, and other organizations, as appropriate, to encourage a robust and diverse pool of candidates. The request for nominations will be shared on the Ocean Acidification Information Exchange (an online community of practice supported by the IWG-OA) and shared with other listservs and newsletters as appropriate. The candidates are evaluated by the OAAB's Designated Federal Officer (DFO) and the SOST Co-Chairs. The SOST Co-chairs will make the final selection.

(b) Identify the Agency Staff Involved in Determining Balance on the Panel.

The SOST Co-Chairs in conjunction with the DFO.

(c) Briefly Describe How Panel Vacancies, if Any, are Handled by the Agency (Vacancies, and the Length of Time They Remain Unfilled, Can Impact the Balance of the Panel).

Vacancies are filled with individuals who represent the interest group for which the seat is designated. The new members will be appointed for five-year terms.

(d) State the Membership Term Limit of Panel Members, if Applicable. Term Limits Result in Turnover of Membership and New Perspectives, which Affects the Balance of a Federal Advisory Committee.

As required by 33 U.S.C. § 3703(c)(5), members are appointed for a five-year term and may be reappointed once at the SOST Co-Chairs' discretion. The terms may be consecutive or not but may not exceed two five-year terms. Members serve at the SOST Co-Chairs' discretion.

(7) Subcommittee Balance. If OAAB subcommittees, task forces, and working groups are created, such subgroups 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. Accordingly, such subgroups will not be subject to the membership balance requirements of FACA.

(8) Other. Appointments shall be made without discrimination on the basis of age, race, ethnicity, gender, sexual orientation, disability, or cultural, religious, or socioeconomic status.

(9) Date Prepared/Revised. July 2024.