

**U.S. DEPARTMENT OF COMMERCE
NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
NIST SAFETY COMMISSION**

CHARTER

- 1. Committee's Official Designation (Title).** NIST Safety Commission (Commission).
- 2. Authority.** The Commission is being established under agency authority pursuant to 15 U.S.C. § 1512 and in accordance with the Federal Advisory Committee Act, as amended (FACA), 5 U.S.C. App.
- 3. Objectives and Scope of Activities.** The Commission shall provide advice to the Director of the National Institute of Standards and Technology (NIST) on matters relating to (a) safety policies, (b) safety management system, practices, and performance, and (c) safety culture.
- 4. Description of Duties.** The Commission will function solely as an advisory body, in accordance with the provisions of FACA. The Commission shall assess the state of NIST's safety culture and how effectively the existing safety protocols and policies have been implemented across NIST. The NIST Director may charge the Commission with specific areas of focus.

The Commission shall submit one or more oral and written reports to the NIST Director on its findings. The Commission shall provide an oral briefing of its preliminary findings to the NIST Director within 75 days of beginning its activities, and written findings within 150 days of beginning its activities.

- 5. Agency or Official to Whom the Committee Reports.** The Commission shall report to the Director of NIST.
- 6. Support.** NIST, through the Director's Office, shall provide support for the Commission and shall ensure compliance with the requirements of the FACA, governing federal statutes and regulations, and established Department of Commerce policies and procedures.
- 7. Estimated Annual Operating Costs and Staff Years.** The estimated annual operating cost to NIST, to include travel, meetings, and contract support, is approximately \$500,000. The estimated annual personnel cost to NIST is 1.5 full-time equivalents.
- 8. Designated Federal Officer.** The Director of NIST will appoint a Designated Federal Officer (DFO) and Alternate Designated Federal Officer (ADFO) from among the employees of NIST. The DFO will: approve or call all Commission meetings and subcommittee meetings; prepare and approve all meeting agendas; attend all Commission meetings and 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 Director of NIST. The ADFO will serve as DFO when the DFO is not available.

9. Estimated Number and Frequency of Meetings. It is estimated that the Commission will convene approximately three times over a 150-day period.

10. Duration. It is anticipated that the Commission will carry out its activities over the period of one year. While it is anticipated that the activities of the Commission will be largely completed over a period of 150 days, additional time will be required to allow for follow-on requirements from NIST.

11. Termination. This Commission will terminate one (1) year from the date of filing its charter with the standing committees of the U.S. Senate and House of Representatives having legislative jurisdiction of the agency unless earlier terminated or renewed by proper authority.

12. Membership and Designation. Members of the Commission shall be appointed by the Director of NIST. The Commission shall be composed of not more than seven members who are qualified to provide advice to the NIST Director on matters relating to safety policies; safety management system, practices, and performance; and safety culture.

The membership shall be fairly balanced and drawn from industry, academia, federal laboratories, and other relevant sectors. Membership shall also consider balance among the broad diversity of disciplinary specialties represented in the NIST Laboratories, including the physical sciences; chemical, biological, and materials sciences and engineering; structural engineering and fire research; manufacturing and mechanical engineering; and information and communication technologies.

Each member will be a qualified expert with public or private sector experience in one or more of the following areas: (a) management and organizational structure; (b) laboratory management and safety; (c) safety training and operations; (d) hazardous materials safety and security; (e) emergency medical response; or (f) organizational safety culture.

Each member will serve for the duration of the Commission. Members shall serve in their personal capacities as Special Government Employees (SGEs) as defined in Title 18 of the United States Code, section 202(a). SGEs are subject to conflict-of-interest laws and regulations, including (but not limited to) the obligation to annually file a New Entrant Confidential Financial Disclosure Report (OGE Form 450) and complete ethics training. Members of the Commission who are full-time or permanent part-time Federal officers or employees will be appointed pursuant to 41 C.F.R. § 102.3.130(h) to serve as Regular Government Employee (RGE) members. Members will be individually advised of the capacity in which they will serve through their appointment letters.

The Director of NIST shall appoint the Commission Chair and a Vice-Chair to serve in the absence of the Chair from among the Commission membership. Both members will serve in those capacities for the duration of the Commission, at the pleasure of the Director.

Commission members will, upon request, be reimbursed for travel and per diem as it pertains to official business of the Commission in accordance with 5 U.S.C. § 5701 et

seq. Commission members will serve without compensation, except that federal government employees who are members of the Commission shall remain covered by their compensation system pursuant to 41 C.F.R. § 102-3.130(h).

Members shall not reference or otherwise utilize their membership on the Commission 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 Commission, NIST, the Department of Commerce, or the U.S. Government.

13. Subcommittees. NIST, when necessary and consistent with the Commission’s mission and Departmental policies and procedures, may establish subcommittees, drawn in whole or in part from the Commission, pursuant to the provisions of FACA, the FACA implementing regulations, and applicable Departmental guidance. Subcommittees must report back to the Commission and must not provide advice or work products directly to NIST, and any recommendations based on their work will be deliberated and adopted by the Commission prior to dissemination.

14. Recordkeeping. The records of the Commission, formally and informally established subcommittees, or other subgroups of the Commission, will be handled in accordance with the 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 Commission are available for public inspection. The DFO will oversee recordkeeping and appropriate filings.

JEREMY PELTER

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Acting Chief Financial Officer and
Assistant Secretary for Administration

12/01/2022
Filing Date