

**TITLE 33 - NAVIGATION AND NAVIGABLE WATERS
CHAPTER 25 - PORTS AND WATERWAYS SAFETY PROGRAM****§ 1231a. Towing Safety Advisory Committee****(a) Establishment; membership**

There is established a Towing Safety Advisory Committee (hereinafter referred to as the “Committee”). The Committee shall consist of sixteen members with particular expertise, knowledge, and experience regarding shallow-draft inland and coastal waterway navigation and towing safety as follows:

- (1) seven members from the barge and towing industry, reflecting a regional geographic balance;
- (2) one member from the offshore mineral and oil supply vessel industry; and
- (3) two members from each of the following—
 - (A) port districts, authorities, or terminal operators;
 - (B) maritime labor;
 - (C) shippers (of whom at least one shall be engaged in the shipment of oil or hazardous materials by barge); and
 - (D) the general public.

(b) Appointments; Chairman, Vice Chairman, and observers; publication in Federal Register

The Secretary of the department in which the Coast Guard is operating (hereinafter referred to as the “Secretary”) shall appoint the members of the Committee. The Secretary shall designate one of the members of the Committee as the Chairman and one of the members as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairman. The Secretary may request the Secretary of the Army and the Secretary of Commerce to each designate a representative to participate as an observer on the Committee. The Secretary shall, not less often than once a year, publish notice in the Federal Register for solicitation of nominations for membership on the Committee.

(c) Functions; meetings; public proceedings and records; disclosures to Congress

The Committee shall advise, consult with, and make recommendations to the Secretary on matters relating to shallow-draft inland and coastal waterway navigation and towing safety. Any advice or recommendation made by the Committee to the Secretary shall reflect the independent judgment of the Committee on the matter concerned. The Secretary shall consult with the Committee before taking any significant action affecting shallow-draft inland and coastal waterway navigation and towing safety. The Committee shall meet at the call of the Secretary, but in any event not less than once during each calendar year. All proceedings of the Committee shall be open to the public, and a record of the proceedings shall be made available for public inspection. The Committee is authorized to make available to Congress any information, advice, and recommendations which the Committee is authorized to give to the Secretary.

(d) Compensation and travel expenses; administrative services; personnel; authorization of appropriations

Members of the Committee who are not officers or employees of the United States shall serve without pay and members of the Committee who are officers or employees of the United States shall receive no additional pay on account of their service on the Committee. While away from their homes or regular places of business, members of the Committee may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5. The Secretary shall furnish to the Committee an executive secretary and such secretarial, clerical, and other services as are considered necessary for the conduct of its business. There are authorized to be appropriated such sums as may be necessary to implement the provisions of this subsection.

(e) Termination

Unless extended by subsequent Act of Congress, the Committee shall terminate on September 30, 2010.

(Pub. L. 96–380, Oct. 6, 1980, 94 Stat. 1521; Pub. L. 97–322, title I, § 118(d), Oct. 15, 1982, 96 Stat. 1587; Pub. L. 98–557, § 16(a), Oct. 30, 1984, 98 Stat. 2866; Pub. L. 101–225, title I, § 105(b), Dec. 12, 1989, 103 Stat. 1910; Pub. L. 104–324, title III, § 304(c), Oct. 19, 1996, 110 Stat. 3917; Pub. L. 107–295, title III, § 336, Nov. 25, 2002, 116 Stat. 2105; Pub. L. 108–293, title IV, § 418(g), Aug. 9, 2004, 118 Stat. 1049.)

Codification

Section was not enacted as part of the Ports and Waterways Safety Act which comprises this chapter.

Amendments

2004—Subsec. (e). Pub. L. 108–293 substituted “September 30, 2010” for “September 30, 2005”.

2002—Subsec. (e). Pub. L. 107–295 substituted “September 30, 2005” for “September 30, 2000”.

1996—Subsec. (e). Pub. L. 104–324 substituted “September 30, 2000” for “September 30, 1995”.

1989—Subsec. (e). Pub. L. 101–225 substituted “September 30, 1995” for “September 30, 1990”.

1984—Subsec. (e). Pub. L. 98–557 substituted “on September 30, 1990” for “five years from the date of enactment of this Act”.

1982—Subsec. (b). Pub. L. 97–322, § 118(d)(1), required the Secretary, not less often than once a year, to publish notice in the Federal Register for solicitation of nominations for membership on the Committee.

Subsec. (c). Pub. L. 97–322, § 118(d)(2), authorized the Committee to make available to Congress any information, advice, and recommendations which the Committee is authorized to give to the Secretary.

Subsec. (d). Pub. L. 97–322, § 118(d)(3), inserted introductory provisions respecting compensation and travel expenses of members of the Committee.

Transfer of Functions

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468 (b), 551 (d), 552 (d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.