UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
CHARTER OF THE

BOARD OF OVERSEERS OF THE MALCOLM BALDRIGE NATIONAL QUALITY AWARD

1. **Committee's Official Designation (Title):** Board of Overseers of the Malcolm Baldrige National Quality Award.

2. **Authority:** The Secretary of Commerce, having determined that it is in the public interest in connection with the performance of duties imposed on the Department by 15 U.S.C. 3711a(d)(2)(B), has established the Board of Overseers of the Malcolm Baldrige National Quality Award (the "Board") pursuant to the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App.

3. **Objectives and Scope of Activities:** The Board shall meet annually to review the work of the private sector contractor(s), which assists the Director of the National Institute of Standards and Technology (NIST) in administering the Malcolm Baldrige Quality Award (Award). The Board shall make such suggestions for the improvement of the Award process as they deem necessary. The Board shall report the results of the Award activities to the Director of NIST each year, along with its recommendations for the improvement of the Award process.

4. **Description of Duties:** The Board will function solely as an advisory committee and will comply with the provisions of FACA.

5. **Agency or Official to Whom the Committee Reports:** The Board will report to the Director of NIST.

6. **Support:** The NIST Baldrige Performance Excellence Program will provide clerical and other necessary support services for the Board.

7. **Estimated Annual Operating Costs and Staff Years**: The estimated annual cost of operating the Board is $10,000, which includes one-tenth of a person-year for staff support. 15 U.S.C. 3711a(f) authorizes the use of appropriated funds to carry out this program, in addition to gifts from public and private sources and, if additional sums are needed to cover the full cost of the program, funds from fees imposed on award applicants. Monies from any or all of the above sources will be used to cover the annual operating expenses of the Board, including member travel and per diem, and clerical and other support services.

8. **Designated Federal Officer:** The Director of the Baldrige Performance Excellence Program at NIST will serve as the Designated Federal Officer (DFO) for the Board. The DFO will approve or call all of the Board's meetings, prepare and approve all meeting agendas, attend all Board meetings, adjourn any meetings when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Director of NIST.

9. **Estimated Number and Frequency of Meetings:** The Board will meet annually, except that additional meetings may be called as deemed necessary by the NIST Director or by the Chairperson.

10. **Membership and Designation:** The Board will consist of approximately eleven members selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance, and for their preeminence in the field of organizational performance excellence. There will be a balanced representation from U.S. service, manufacturing, nonprofit, education, and health care industries. The Board will include members familiar with the quality improvement operations and competitiveness issues of manufacturing companies, service companies, small businesses, health care providers, and educational institutions. Members will also be chosen who have broad experience in for-profit and nonprofit areas.

Board members will be appointed by the Secretary of Commerce for three-year terms and will serve at the discretion of the Secretary. All terms will commence on March 1 and end on February 28 of the appropriate years, or February 29 in a leap year.

Any individual appointed to fill a vacancy occurring before the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term. No individual may be appointed as a member after serving two full terms.

The Board Chairperson will be appointed by the Secretary of Commerce and will serve a one-year term subject to renewal by the Secretary.

Members who are not Federal employees will serve as Special Government Employees (SGEs) and will be subject to the ethical standards applicable to SGEs.

Members of the Board shall serve without compensation, but may, upon request, be reimbursed travel expenses, including per diem, as authorized by 5 U.S.C. 5701 et seq.

11. **Subcommittees:** NIST may establish such subcommittees of the Board's members as may be necessary, subject to the provisions of FACA, the FACA implementing regulations, and applicable Department of Commerce guidance.

12. **Recordkeeping:** Records of the Board, and any formally and informally established subcommittees or other subgroups of the Board, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection or copying, subject to the Freedom of Information Act (5 U.S.C. 552).

13. **Duration/Termination:** The charter will terminate two years from the date of its filing with the appropriate U.S. Senate and House of Representatives oversight committees unless earlier terminated or renewed by proper authority.

14. **Filing Date:**

Ellen Herbst

Chief Financial Officer and
Assistant Secretary for Administration

11/7/13

Date