OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

ADMINISTRATION AND
MANAGEMENT

October 15, 2010

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT
GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter Consultation – *Board of Visitors of the United States Air Force Academy*

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972, as amended, intends to renew the charter for the *Board of Visitors of the United States Air Force Academy* (attached). The Board will operate under the provisions of the Federal Advisory Committee Act of 1972, as amended and in accordance with 41 CFR § 102-3.50.

Prior to filing the Board's charter with the Library of Congress and the appropriate congressional committees the Department of Defense respectively requests that the Committee Management Secretariat review and approve the proposed charter (attached). The proposed charter has been reviewed and approved by the Office of the General Counsel for the Department of Defense.

If you should have any questions about this charter please contact my point of contact, Len O'Reilly, at 703-601-6148.

James D. Freeman II
Deputy Advisory Committee Management
Officer for the Department of Defense

Attachments
Proposed Charter

CHARTER
BOARD OF VISITORS OF THE U.S. AIR FORCE ACADEMY

1. Committee's Official Designation: The Committee shall be known as the Board of Visitors of the United States Air Force Academy (hereafter referred to as "the Board").

2. Authority: The Secretary of Defense, under the provisions of the 10 U.S.C. § 9355, and the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix 2), and 41 CFR § 102-3.50(a), established the Board.

3. Objectives and Scope of Activities: The Board shall provide independent advice and recommendations on matters relating to the U.S. Air Force Academy, as set out in (4) below.

4. Description of Duties: The Board shall provide the Secretary of Defense, through the Secretary of the Air Force, and to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, independent advice and recommendations on matters relating to the U.S. Air Force Academy, to include morale, discipline, and social climate, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to the Academy that the Board decides to consider.

   The Board shall prepare a semiannual report containing its views and recommendations pertaining to the U.S. Air Force Academy, based on its meeting since the last such report and any other considerations it determines relevant. Each such report shall be submitted concurrently to the Secretary of Defense, through the Secretary of the Air Force, and to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

5. Agency or Official to Whom the Committee Reports: The Board reports to the Secretary of Defense, through the Secretary of the Air Force, and to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives. Pursuant to DoD policy, the Secretary of the Air Force may act upon the Board's advice and recommendations.

6. Support: The Department of Defense, through the Secretary of the Air Force, shall provide support as deemed necessary for the performance of the Board's functions and shall ensure compliance with the requirements of the Federal Advisory Committee Act of 1972 and the Government in Sunshine Act of 1976 (5 U.S.C. § 552b).

   The Secretary of the Air Force, through the Superintendent of the Academy, shall ensure that the Board shall have access to the Academy grounds and the cadets, faculty, staff and other personnel of the Academy for the purposes of the duties of

the Board. The Secretary of the Air Force and the Superintendent of the Academy shall also provide the Board candid and complete disclosure, consistent with applicable laws concerning disclosure of information, with respect to institutional problems.

7. Estimated Annual Operating Costs and Staff Years: It is estimated that the annual operating costs, to include travel costs and contract support, for the Board is $241,044.00. The estimated annual personnel costs to the Department of Defense are 2.5 full-time equivalents (FTEs).

8. Designated Federal Officer: The Designated Federal Officer, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with governing DoD policies and procedures.

   In addition, the Designated Federal Officer is required to be in attendance for the full duration at all committee and subcommittee meetings; however, in the absence of the Designated Federal Officer, an Alternate Designated Federal Officer shall attend the entire committee or subcommittee meeting.

9. Estimated Number and Frequency of Meetings: The Board shall meet at the call of the Designated Federal Officer, in consultation with the Board's Chairperson, and the estimated number of Board meetings is at least four per year, with at least two of those meetings at the Academy.

10. Duration: The need for this advisory function is on a continuing basis; however this charter is subject to renewal every two years.

11. Termination: The Board shall terminate upon completion of its mission or two years from the date this charter is filed, whichever, is sooner, unless extended by the Secretary of Defense.

12. Membership and Designation: The Board is constituted annually, and it shall be composed of not more than 15 members. Under the provisions of 10 U.S.C. § 9355 (a) and (b)(2), the Board members shall include:

    a. Six persons designated by the President, at least two of whom shall be graduates of the U.S. Air Force Academy.
    b. The chairman of the Committee on Armed Services of the House of Representatives, or his designee.
    c. Four persons designated by the Speaker of the House of Representatives, three of whom shall be members of the House of Representatives and the fourth of whom may not be a member of the House of Representatives.
    d. The chairman of the Committee on Armed Services of the Senate, or his designee.

e. Three other members of the Senate designated by the Vice President or the President pro tempore of the Senate, two of whom are members of the Committee on Appropriations of the Senate.

The Board members referenced in 12(a) above, designated by the President, shall serve for three years except that any member whose term of office has expired shall continue to serve until a successor is appointed. In addition, the President shall designate persons each year to succeed the members referenced in 12(a) above whose terms expire that year.

The Board members shall select the Board Chairperson and Vice Chairperson from the total membership.

If a member of the Board dies or resigns or is terminated as a member of the Board, a successor shall be designated for the unexpired portion of the term by the official who designated the member.

Each member of the Board who is a member of the Armed Forces or a civilian officer or employee of the United States shall serve without compensation (other than compensation to which entitled as a member of the Armed Forces or an officer or employee of the United States, respectively). Individuals appointed by the President shall receive no compensation for their service on the Board. While performing duties as a member of the Board, each member of the Board and each adviser shall be reimbursed under Government travel regulations for travel expenses.

If a member of the Board fails to attend two successive Board meetings, except in a case in which an absence is approved in advance for good cause by the Board chairperson, such failure shall be grounds for termination from membership on the Board, pursuant to 10 U.S.C. § 9355(c)(2)(A) ("absenteeism provision").

Termination of membership on the Board pursuant to the absenteeism provision, in the case of a member of the Board who is not a member of Congress, may be made by the Board's chairperson; and in the case of a member of the Board who is a member of Congress, may be made only by the official who designated the member. When the member of the board is subject to termination from membership on the Board under the absenteeism provision, the Board's chairperson shall notify the official who designated the member. Upon receipt of such a notification with respect to a member of the Board who is a member of Congress, the official who designated the member shall take such action, as that official considers appropriate.

Upon approval by the Secretary of the Air Force, the Board, pursuant to 10 U.S.C § 9355 (g), may call in advisers for consultation. These advisors shall, with the exception of travel and per diem for official travel, serve without compensation.

13. Subcommittees: With DoD approval, the Board is authorized to establish subcommittees, as necessary and consistent with its mission. These subcommittees

shall operate under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b), and other governing Federal regulations.

Such subcommittees shall not work independently of the chartered Board, and shall report all their recommendations and advice to the Board for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the chartered Board; nor can they report directly to the any Federal officers or employees who are not Board members.

Subcommittee members, who are not Board members, shall be appointed by the Secretary of Defense according to governing DoD policy and procedures. Such individuals, if not full-time or part-time government employees, shall be appointed to serve as experts and consultants under the authority 5 U.S.C. § 3109, and serve as special government employees, whose appointments must be renewed on an annual basis.

14. Recordkeeping: The records of the Committee and its subcommittees shall be handled according to section 2, General Record Schedule 26 and governing Department of Defense policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552).

15. Filing Date: