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ADMINISTRATION AND
MANAGEMENT

October 15, 2010

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT
GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter Consultation – *United States Military Academy Board of Visitors*

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972, as amended, intends to renew the charter for the *United States Military Academy Board of Visitors* (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
UNITED STATES MILITARY ACADEMY BOARD OF VISITORS

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

2. Authority: The Secretary of Defense, under the provisions of 10 U.S.C. § 4355, the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix), and 41 CFR § 102-3.50(a), established the Board.

3. Objectives and Scope of Activities: The Board shall provide the President of the United States (hereafter referred to as "the President") independent advice and recommendations on matters relating to the U.S. Military Academy, as set out below in paragraphs 4 and 5.

4. Description of Duties: The Board shall provide independent advice and recommendations to the President of the United States on matters relating to the U.S. Military Academy, including the following: morale and discipline, curriculum, instruction, physical equipment, fiscal affairs, academic methods, and any other matters relating to the Academy that the Board decides to consider.

   The Board shall visit the U.S. Military Academy annually, and any other official visits by the Board or its members to the Academy, other than the annual visit, shall be made in compliance with the requirements set forth in Title 10, United States Code, Section 4355(d).

5. Agency or Official to Whom the Committee Reports: The Board shall submit a written report to the President of the United States within 60 days after its annual visit to the U.S. Military Academy, to include the Board's views and recommendations pertaining to the Academy, including its advice and recommendations on matters set forth in (4) above. Any report of a visit, other than an annual visit, must be made pursuant to Title 10, United States Code, Section 4355(f).

   The Secretary of the Army may act upon the Board's advice and recommendations.

6. Support: The Department of Defense, through the Secretary of the Army, and the superintendent of the U.S. Military Academy, shall provide support 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 the Sunshine Act of 1976 (5 U.S. C. § 552b).

7. Estimated Annual Operating Costs and Staff Years: It is estimated that the annual operating costs, to include travel and contract support is approximately $118,000.00. The estimated annual personnel cost to the Department of Defense is 1.1 full-time equivalents (FTE).

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 at all committee and subcommittee meetings; however, in the absence of the Designated Federal Officer, an Alternate Designated Federal Officer shall attend the 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. The estimated number of Board meetings is four per year.

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

11. Termination: The Board shall terminate upon completion of its mission or 2 years from the date this charter is filed, whichever is sooner, unless extended by the Secretary of Defense.

12. Membership and Designation: The Board shall be comprised of not more than 15 members. Under the provisions of 10 U.S.C. § 4355 (a), the Board members shall include:

    a. The Chairperson of the Committee on Armed Services of the Senate, or designee;
    b. Three other members of the Senate designated by the Vice President or President pro tempore of the Senate, two of whom are members of the Senate Committee on Appropriations;
    c. The Chairperson of the Committee on Armed Services of the House of Representatives, or designee;
    d. Four other members of the House of Representatives designated by the Speaker of the House of Representatives, two of whom are members of the House Committee on Appropriations; and,
    e. Six persons designated by the President.

    Board members designated by the President, who are not full-time federal officers or employees, shall be appointed to serve as special government employees under the authority of 5 U.S.C. § 3109, and these appointments shall be renewed on an annual basis. Board members shall, with the exception of travel and per diem for official travel, serve without compensation.

    Board members 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 two persons each year to succeed the members whose terms expire that year.

If a member of the Board dies or resigns, a successor shall be designated for the unexpired portion of the term by the official who designated the member. The Board members shall select the Board Chairperson from the total membership.

With the exception of travel and per diem for official travel, Board members shall serve without compensation.

The Board, pursuant to 10 U.S.C. § 4355(g), may upon approval by the Secretary of the Army, call in advisers for consultation, and these advisers 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 policies and 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 Department of Defense or any Federal officers or employees who are not Board members.

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

14. Recordkeeping: The records of the Board 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: