

Charter
Board of Regents, Uniformed Services University of the Health Sciences

1. Committee's Official Designation: The Committee will be known as the Board of Regents, Uniformed Services University of the Health Sciences ("the Board").
2. Authority: The Secretary of Defense, pursuant to 10 U.S.C. § 2113a and in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C., Appendix) and 41 C.F.R. § 102-3.50(a), established this non-discretionary Board.
3. Objectives and Scope of Activities: The Board shall assist the Secretary of Defense in an advisory capacity in carrying out the Secretary's responsibility to conduct the business of the Uniformed Services University of the Health Sciences ("the University").
4. Description of Duties: The Board shall provide advice and recommendations on academic and administrative matters critical to the full accreditation and successful operation of the University.
5. Agency or Official to Whom the Committee Reports: The Board reports to the Secretary of Defense and the Deputy Secretary of Defense, through the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), who may act upon the Board's advice and recommendations.
6. Support: The Department of Defense (DoD), through the Office of the USD(P&R), provides the necessary support for the Board and ensures compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b) ("the Sunshine Act"), governing Federal statutes and regulations, and established DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$252,279.00. The estimated annual personnel cost to the DoD is 1.3 full-time equivalents.
8. Designated Federal Officer: The Board's Designated Federal Officer (DFO), pursuant to DoD policy, shall be a full-time or permanent part-time DoD officer or employee designated in accordance with DoD policies and procedures.

The Board's DFO is required to be in attendance at all Board and subcommittee meetings for the entire duration of each and every meeting. However, in the absence of the Board's DFO, a properly approved Alternate DFO, duly designated to the Board in accordance with DoD policies and procedures, shall attend the entire duration of all Board or subcommittee meetings.

The DFO, or the Alternate DFO, calls all Board meetings; prepares and approves all meeting agendas; and adjourns any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Meetings: The Board meets at the call of the Board's DFO, in consultation with the Board's Chair. The Board shall meet at least once a quarter.
10. Duration: The need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.

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11. Termination: The Board terminates upon rescission of 10 U.S.C. § 2113a.
12. Membership and Designation: Pursuant to 10 U.S.C. § 2113a(b), the Board shall be composed of 15 members, appointed or designated as follows:
- a. nine persons outstanding in the fields of health care, higher education administration, or public policy, who shall be appointed from civilian life by the DoD Appointing Authorities;
 - b. the Secretary of Defense, or his or her designee, who shall be an *ex-officio* member;
 - c. the Surgeons General of the Uniformed Services, who shall be *ex-officio* members; and
 - d. the President of the University, who shall be a non-voting, *ex-officio* member.

As directed by 10 U.S.C. § 2113a(c), the term of office of each member of the Board (other than *ex-officio* members) shall be six years except that:

- a. any member 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; and,
- b. any member whose term of office has expired shall continue to serve until his or her successor is appointed.

In accordance with 10 U.S.C. § 2113a(d), one of the members of the Board (other than an *ex-officio* member) shall be designated as Chair by the DoD Appointing Authorities and shall be the presiding officer of the Board.

Board members who are not *ex-officio* members shall be appointed by the DoD Appointing Authorities, and their appointments will be renewed on an annual basis according to DoD policies and procedures. No member, unless approved by the DoD Appointing Authorities, may serve more than two consecutive terms of service on the Board, to include its subcommittees, or serve on more than two DoD federal advisory committees at one time.

Members of the Board who are not full-time or permanent part-time Federal officers or employees will be appointed as experts or consultants, pursuant to 5 U.S.C. § 3109, to serve as special government employee (SGE) members. Board members who are full-time or permanent part-time Federal officers or employees will be appointed, pursuant to 41 C.F.R. § 102-3.130(a), to serve as regular government employee (RGE) members.

All members of the Board are appointed to provide advice on the basis of their best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

Pursuant to 10 U.S.C. § 2113a(e), Board members (other than *ex-officio* members), while attending conferences or meetings or while otherwise performing their duties as members, shall be entitled to receive compensation at a rate to be fixed by the Secretary of Defense. Each member is reimbursed

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for travel and per diem as it pertains to official business of the Board.

13. Subcommittees: The DoD, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Board. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the DoD Appointing Authorities or the USD(P&R) as the Board's Sponsor. All subcommittees operate under the provisions of the FACA, the Sunshine Act, governing Federal statutes and regulations, and DoD policies and procedures.

Such subcommittees shall not work independently of the Board and shall report all their recommendations and advice solely to the Board for its thorough discussion and deliberation at a properly noticed and open meeting, subject to the Government in the Sunshine Act. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Board. Neither the subcommittee nor any of its members may provide updates or reports directly to the DoD or any Federal officer or employee. If a majority of Board members are appointed to a particular subcommittee, then that subcommittee may be required to operate pursuant to the same notice and openness requirements of the FACA which govern the Board's operations.

The appointment of individuals to serve on Board subcommittees shall be approved by the DoD Appointing Authorities for a term of service of one-to-four years, with annual renewals, in accordance with DoD policy and procedures. No member shall serve more than two consecutive terms of service on the subcommittee without prior approval from the DoD Appointing Authorities. Subcommittee members, if not full-time or permanent part-time Federal officers or employees, shall be appointed as an expert or consultant pursuant to 5 U.S.C. § 3109 to serve as an SGE member. Subcommittee members who are full-time or permanent part-time Federal officers or employees shall be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as an RGE member.

Each subcommittee member is appointment to provide advice on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

All subcommittees operate under the provisions of FACA, the Sunshine Act, governing Federal statutes and regulations, and established DoD policies and procedures.

Individuals who are appointed as subcommittee leaders in accordance with DoD policy shall serve a one-to-two year term of service, with annual renewal, provided the leadership term of service does not exceed the member's approved subcommittee appointment.

14. Recordkeeping: The records of the Board and its subcommittees shall be managed in according with General Record Schedule 6.2, Federal Advisory Committee Records, or other approved agency records disposition schedule, and the appropriate DoD policies and procedures. These records will be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

15. Filing Date: May 2, 2019