

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) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(a), established the 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"), as set out in paragraph four below.
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/or the Deputy Secretary of Defense, through the Under Secretary of Defense for Personnel and Readiness (USD(P&R)). The USD(P&R), pursuant to Department of Defense (DoD) policy, may act upon the Board's advice and recommendations.
6. Support: The DoD, through the Office of the USD(P&R), provides support for the performance of the Board's functions and ensures compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended) ("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 \$227,000.00. 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) must be a full-time or permanent part-time DoD officer or employee, designated in accordance with established DoD policies and procedures.

The Board's DFO is required to be in attendance at all meetings of the Board and any subcommittees 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 according to established DoD policies and procedures, must attend the entire duration of all meetings of the Board and any subcommittees.

The DFO, or the Alternate DFO, calls all meetings of the Board and its subcommittees; 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.

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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.
11. Termination: The Board terminates upon rescission of 10 U.S.C. § 2113a.
12. Membership and Designation: Under the provisions of 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 Secretary of Defense;
 - b. the Secretary of Defense, or his 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 for 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 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 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 Secretary of Defense and shall be the presiding officer of the Board.

Board members that are not *ex-officio* members shall be appointed by the Secretary of Defense, and their appointments will be renewed on an annual basis according to DoD policies and procedures.

Those members appointed by the Secretary of Defense from civilian life provide their best judgment on the matters before the Board, based upon each individual's professional experience. Board members 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 serve as regular government employee (RGE) members pursuant to 41 C.F.R. § 102-3.130(a). No member may serve

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more than two consecutive terms of service without Secretary of Defense or Deputy Secretary of Defense approval.

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

13. Subcommittees: 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 Secretary of Defense, the Deputy Secretary of Defense, or the USD(P&R) as the Board's Sponsor.

Such subcommittees will not work independently of the Board and will report all of their recommendations and advice solely to the Board for full and open deliberation and discussion. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Board. No subcommittee or any of its members can update or report, verbally or in writing, on behalf of the Board, directly to the DoD or any Federal officer or employee.

Each member, based upon his or her individual professional experience, provides his or her best judgment on the matters before the Board, and he or she does so in a manner that is free from conflict of interest. All subcommittee members will be appointed by the Secretary of Defense or the Deputy Secretary of Defense to a term of service of one-to-four years, with annual renewals, even if the individual is already a member of the Board. Subcommittee member will not serve more than two consecutive terms of service, unless authorized by the Secretary of Defense or the Deputy Secretary of Defense.

Subcommittee members who are not full-time or permanent part-time Federal officers or employees will 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 will be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as an RGE member. With the exception of reimbursement of official travel and per diem related to the Board or its subcommittees, subcommittee members will serve without compensation.

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

14. Recordkeeping: The records of the Board shall be managed in accordance with General Records 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).

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15. Filing Date: May 2, 2017