



DEPARTMENT OF VETERANS AFFAIRS
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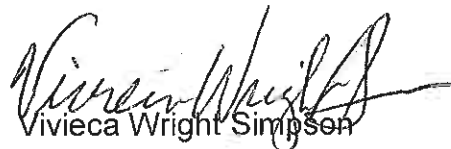
MESSAGE FROM THE CHIEF OF STAFF

At the Department of Veterans Affairs (VA), the roles and functions of our advisory committees continue to render great importance. VA has witnessed many valuable impacts from advisory committee recommendations and deliberations that continue to benefit Veterans.

The **VA Advisory Committee Management Guide** is designed as the principal tool to ensure that VA carries out its committee management responsibilities. This updated guide offers more resources, examples, and comprehensive knowledge that will aid Committee Managers (Designated Federal Officials (DFO), Alternate DFOs, and Committee Staff Support) and senior VA officials in addressing committee management and Federal Advisory Committee Act (FACA) matters. The policies and procedures in this guide, from appointing committee members to handling committee reports, are in compliance with FACA and provide repeatable, predictable, and reliable processes.

We also realize that the work of our advisory committees could not be achieved without the involvement of VA's leadership team. Ongoing leadership support as demonstrated by attending meetings, providing guidance, and being actively engaged in responding to committee recommendations moves VA forward.

VA values the input of advisory committees, and is committed to ensuring that their recommendations improve the lives of the Veterans, their families, and survivors whom we are privileged to serve. I appreciate your support and diligent work in this area, and look forward to improved outcomes as we work together to serve our Nation's Veterans.


Vivieca Wright Simpson

DEPARTMENT OF VETERANS AFFAIRS



Advisory Committee Management

GUIDE

AUGUST 2017

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INTRODUCTION

This publication is the principal tool to ensure that VA Federal Advisory Committees carry out their responsibilities under FACA. The VA Advisory Committee Management Guide (Guide) provides guidance and general information on committee management policies and procedures. The Designated Federal Officers (DFOs) and committee managers appointed to manage the day-to-day operations of VA's advisory committees will find it particularly useful.

An electronic version of this handbook is available on the Advisory Committee Management Office (ACMO) website (<http://www.va.gov/advisory/>). Updates will be posted to the ACMO website as committee management policies and procedures change. In addition, if you need advice or clarification on a topic, please contact the ACMO staff at VA.Advisory.cmte@va.gov.

We hope that this Guide is a helpful tool that assists you in carrying out your responsibilities for VA's Federal advisory committees.

Advisory Committee Management Office

Background

Advisory committees are used extensively by VA and agencies throughout the Federal Government to obtain objective advice and recommendations regarding Agency programs and policies.

Thousands of private citizens, from virtually every segment of our society, serve on Federal advisory committees throughout the Nation. These citizens willingly offer their expertise to assess government programs and recommend program changes to improve the delivery of benefits and services to the American people. This invaluable advice is provided to the Federal Government at relatively little cost.

VA recognizes the value of advisory committees and uses them extensively to obtain objective advice and recommendations on matters of importance to VA and the Veterans we serve. VA advisory committee members include stakeholders (e.g. Veterans and Veterans Service Organizations) and subject matter experts in areas ranging from education, homelessness, and benefits, to readjustment and scientific research.

While most VA advisory committees hold their meetings in Washington, DC, some conduct site visits as appropriate and hold town hall meetings at VA field facilities (e.g. VBA regional offices, VA medical centers, and cemeteries). Advisory committees meet regularly with VA's senior leadership and they receive frequent briefings by program managers in subject areas related to their particular chartered jurisdictions and duties.

VA's ACMO is responsible for working with each committee's DFO to ensure that charters are established and renewed, members are selected in a timely manner, Federal Register Notices are prepared to announce meetings, conflict of interest documents are reviewed, and annual and special reports are compiled and forwarded to appropriate officials.

The DFO is responsible for the day-to-day operations of his/her advisory committee and oversees meeting planning, report and minutes preparation, and other committee operations.

ACMO is responsible for the oversight of all VA Federal advisory committees by directing and managing all phases of committee management policy, and developing and disseminating policy to both VA staff and advisory committee members. These policies and procedures guide DFOs and committee support staff to ensure that applicable laws, regulations, and policies are understood and adhered to in the establishment and renewal of committees, the nomination and appointment of all committee members, and the various reporting duties required by law.

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Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2)

FACA, was enacted on October 6, 1972. To ensure that advice provided to agencies by Federal advisory committees is objective and accessible to the public, Congress established a legal framework to govern the creation and operation of advisory committees in the Executive Branch of the Federal Government.

Specifically, Congress determined that:

- The need for many existing committees had not been reviewed;
- New committees should be established only when determined to be essential;
- Committees should be terminated when they are no longer needed;
- There should be standard and uniform procedures governing the operation of committees;
- Congress and the public should be kept informed of the number, purpose, membership activities, and costs of advisory committees; and
- The function of advisory committees should be advisory only.

In order to accomplish this, FACA outlines general responsibilities of Federal officials involved with committee management and broad guidelines for the operation of advisory committees.

Government in the Sunshine Act (5 U.S.C. § 552b)

The Government in the Sunshine Act was enacted to ensure that certain government meetings are open. Subsection (c) includes 10 exemptions that allow an agency to close all or part of an agency's meetings, including Federal advisory committee meetings. Meetings may be closed in accordance with subsection (c) to protect certain types of information, including trade secrets, commercial or financial information obtained from an individual, or information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy.

5 U.S.C. §§ 552b(c)(4) and (6).

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Freedom of Information Act (FOIA) (5 U.S.C. 552)

FOIA sets standards for determining which records held by government agencies must be made available to the public and which records may be withheld. Pursuant to section 10(b) of FACA, the records of Federal advisory committees generally must be made available for public inspection and copying and the public does not need to submit a FOIA request to access these records. However, if there is a reasonable expectation that records sought fall within exemptions set forth in 552(b) of FOIA, they may be withheld.

Privacy Act (5 U.S.C. § 552a)

Congress found that in order to protect the privacy of individuals identified in information systems maintained by Federal agencies, it was necessary to regulate the collection, maintenance, use, and dissemination of information collected by such agencies. The purpose of the Privacy Act is to provide safeguards for an individual against an invasion of personal privacy. Records of members of advisory committees are subject to The Privacy Act. <http://www.justice.gov/opcl/privstat.htm>.

FACA Final Rule (Final Rule) (41 CFR Parts 101-6 and 102-3)

The Final Rule is an administrative document promulgated by the General Services Administration (GSA) that provides interpretive guidelines for FACA. For example, FACA requires that meetings be announced timely in the Federal Register. The Final Rule specifies that a notice must be published at least 15 days before the meeting.

Executive Order 12024

Signed by President Jimmy Carter on December 1, 1977, this Executive Order (EO) transferred to GSA the authority for administering FACA. The EO delegated to the Administrator of GSA the functions vested in the President by FACA.

Executive Order 12838

Signed by President Clinton on February 10, 1993, this EO directed agencies to reduce by one-third the number of discretionary advisory committees and required a compelling justification for the establishment of any new discretionary committees.

STRUCTURE OF ADVISORY COMMITTEES

Purpose of Advisory Committees

Advisory committees are defined as any committee, board, commission, council, conference, panel, task force, or other similar group, which is established or utilized by the President or by an agency official, for the purpose of obtaining advice or recommendations for the President or on issues or policies within the scope of an agency official's responsibilities.

Types of Members and Their Purpose

Chair: The Committee Chair is a member of the committee selected by the appointing authority. The Chair of a committee presides at all meetings of the committee, makes sure the agenda is adhered to as closely as possible, ensures public participation, and certifies the accuracy of meeting minutes. The Chair ensures that all rules of order and conduct are maintained during each meeting. If the Chair must leave the meeting due to a conflict of interest, that individual appoints another committee member/DFO to preside. When a committee member(s) may not participate in committee discussions due to a conflict of interest situation, the Chair ensures that the member(s) does not participate and physically leaves the room.

Special Government Employees (SGE): An SGE is an individual appointed based on expertise that will contribute to the committee's objectives. As defined in 18 U.S.C. § 202, an SGE is an officer or employee who is retained, designated, appointed, or employed to perform temporary duties, with or without compensation, for not more than 130 days during any period of 365 consecutive days. SGEs must review and comply with the standards of ethical conduct for employees of the executive branch.

Ex-officio Members: An ex-officio member is a Federal official who represents his or her agency and possesses expertise in a subject matter related to the committee's objectives. Ex-officio members have full voting rights unless otherwise stated in the charter or the committee's authorizing legislation.

Representatives: A representative is an individual who serves on an advisory committee to provide it with the point of view of a nongovernmental entity.

Regular Government Employees: Full-time employees of the Federal Government.

Consultants: Consultants are not members of advisory committees, but may be invited to subcommittee or parent committee meetings. They do not deliberate, vote on committee recommendations, or count toward a quorum.

Subcommittees/Workgroups

If authorized by the committee charter, a committee may establish subcommittees or workgroups to gather information, conduct research, draft position papers, and analyze relevant issues and facts. While subcommittees or workgroups are generally not subject to FACA, their activities are covered by the charter of the parent committee. Subcommittee or workgroups may not work independently of the parent committee and must report their recommendations and advice to the full committee for full deliberation and discussion.

ROLES AND RESPONSIBILITIES

Committee Management Officer (CMO)

The CMO is responsible for the oversight of all VA advisory committees established and operated under FACA. This includes:

- Exercising control and supervising the establishment, procedures, and accomplishments of advisory committees established by VA;
- Assembling and maintaining the reports, records, and other papers of any VA advisory committee during its existence;
- Ensuring compliance with FOIA, on behalf of VA, with respect to such reports, records, and other papers;
- Preparing various annual and intermittent reports on behalf of VA related to advisory committees, organization, activities, costs, etc. carried out on behalf of the agency, and compliance with the provisions of FOIA with respect to such reports, records, and other papers;
- Providing advice and training to the VA committee management community;
- Developing and disseminating VA policy regarding committee management, ensuring consistency in the implementation of committee management policies and procedures, and devising internal management controls for committee management;
- Establishing uniform administrative guidelines and management controls for VA advisory committees;
- Developing streamlined procedures for VA committee management functions;
- Overseeing and developing the database of committees, members, and committee costs;

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- Consulting with the Office of General Counsel (OGC) regarding the interpretation of applicable laws and regulations and disseminating this information for the committee management community;
- Working closely with GSA's Committee Management Secretariat regarding the reporting of the yearly achievements and costs of VA's advisory committees; and
- Coordinating FACA training for VA staff.

Designated Federal Officer (DFO)

Many of the duties and responsibilities of DFOs are set forth in sections 10(e) and 10(f) of FACA. The DFO must:

- Approve or call the meeting of the advisory committee;
- Approve the agenda;
- Attend all meetings or subcommittee meetings (or make arrangements for an alternate DFO to attend);
- Adjourn the meeting when such adjournment is in the public interest or in the best interest of the government; and
- Chair the meeting when so directed by the agency head.

In addition to the responsibilities required by FACA, the DFO may be required to:

- Ensure that accurate records are kept of the committee's deliberations; maintain the records, reports, transcripts, minutes, working papers, drafts, studies, agenda, or other documents that are made available to or are prepared for or by an advisory committee;
- Coordinate with OGC's Ethics Specialty Team (EST) for ethics training for those committees requiring training or, for other committees, the members who desire training. For those committees required to file financial disclosure reports, the DFO is responsible for ensuring that members submit their reports to the DFO or to the EST at least two weeks prior to the first meeting of the calendar year.
- Prepare minutes following the meeting and ensure they are certified by the Chair;

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- Send the agenda and copies of all related information to the members before the meeting; make logistical arrangements for the meeting including overnight accommodations for members when applicable, notify members of these arrangements; and arrange for resource persons, guest speakers, and supplementary materials when needed;
- Provide information for or prepare the Federal Register notice; notify individuals or organizations that have requested notification in advance; and use press releases and notices in professional journals, as appropriate;
- Keep all committee documents which are made available to or prepared by the advisory committee and adhere to the applicable Records Control Schedules;
- Ensure timely appointing of new advisory committee members, and establishing, renewing, amending, or terminating a committee's charter;
- Maintain communication with the Chair during the meeting and make sure that the committee business is conducted according to all applicable regulations, policies, and procedures;
- Be responsible for all fiduciary duties associated with managing their assigned committee; and
- Work closely with VA's CMO to ensure all these tasks are accomplished in a timely manner, in accordance with VA policy and FACA.

Alternate Designated Federal Officer (Alternate DFO)

The Alternate DFO's primary role is to perform the duties of the DFO in their absence from the committee and/or sub-committee meeting or during the planning phase of the committee preparation when decisions must be made to commit the agency to specific courses of action.

The Alternate DFO will also:

- Perform duties as issued by the DFO or his/her agency leadership to accomplish the mission of the committee; and
- Be designated by the agency organization to provide direct support in the charter.

Committee Management Staff

Committee management responsibilities reside at several different levels at VA. Staff duties may include:

- Providing technical assistance to DFOs to prepare amendments or renewal charter packages for committees as necessary;

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- Providing technical assistance to DFOs to prepare nomination and appointment documents for membership on advisory committees;
- Submitting Federal Register notices for timely notification to the public of advisory committee meetings;
- Advising VA staff on current policies and procedures; and
- Preparing reports on VA committees.

Committee Management Secretariat, GSA

Section 7 of FACA required the Administrator of GSA to establish and maintain a Committee Management Secretariat that is responsible for all matters relating to advisory committees. The Committee Management Secretariat responsibilities include:

- Prescribing administrative guidelines and management controls applicable to advisory committees; and
- Where applicable, providing advice, assistance, and guidance to advisory committees to improve their performance.

CHARTERING ADVISORY COMMITTEES

Federal advisory committees in VA may not be established unless such establishment is specifically authorized by statute, by the President, or by the Secretary of Veterans Affairs (Secretary). Discretionary (non-statutory) advisory committees will be established only after the Secretary has determined, after consultation with GSA, that the specific functions and duties cannot be adequately performed by existing VA offices, by working relationships within or between departments or agencies of the Federal Government, or by existing Federal advisory committees. A Federal advisory committee may be requested if:

- Committee deliberations will result in the creation or elimination of (or change in) regulations, policies, or guidelines affecting agency business;
- Committee recommendations will result in significant improvements in service or reductions in costs; or
- Committee recommendations will provide an important additional perspective or viewpoint affecting agency operations.

Which Groups Must be Chartered:

All groups that meet the criteria specified in FACA and its implementing regulations must be chartered in accordance with section 9(c). Unless an exception applies, FACA

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is applicable to “any committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof, which is established by statute, or established or utilized by the President or by an agency official, for the purpose of obtaining advice or recommendations for the President or on issues or policies within the scope of an agency official’s responsibilities.”

Title 41 Code of Federal Regulations (CFR) § 102-3.25.

Pursuant to 41 CFR § 103-3.40, groups not covered by FACA include:

- Committees exempted by statute;
- Groups assembled to obtain individual advice;
- Groups assembled to exchange facts or information;
- Intergovernmental committees;
- Intragovernmental committees;
- Local civic groups;
- Groups established to advise State or local officials; and
- Operational committees.

Establishing a New Committee

ACMO staff are responsible for handling the establishment of all VA Federal advisory committees. If a program office believes there is a need for a new VA advisory committee, their leadership should consult with VA’s CMO for guidance.

No advisory committee may meet or take any action until a charter has been filed by VA’s CMO in accordance with FACA. The purpose of the advisory committee charter is to specify the committee’s mission or charge and general operational characteristics (not membership behavior). **The charter must include all of the required statutorily components, and should include five other components (*) that are not explicitly required (at this time) but are recommended by GSA and improve the overall charter and provide valuable additional information for interested parties.**

The 15 sections of the charter, in order, are:

- Committee's Official Designation (Title). Provide the committee’s exact legal name.

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- *Authority. Provide the authority for the establishment of the committee (e.g., cite the statute, Executive Order, or note that the committee is agency authority) and reference that the committee is being established in accordance with the provisions of FACA.
- Objectives and Scope of Activities. Describe the objectives and scope of the committee's mission or charge.
- Description of Duties. Describe the particular functions the committee is expected to perform. In the absence of specific statutory authority or Presidential directive to the contrary, these duties must be advisory only.
- Agency or Official to Whom the Committee Reports. Identify the agency or official (by title or position) to whom the advisory committee provides its advice. Normally, this is the agency head.
- Support. Identify the agency (and component/office) responsible for providing necessary support for the committee.
- Estimated Annual Operating Costs and Staff Years. Provide the estimated annual fiscal year costs to operate the advisory committee in dollars and staff years (in full-time equivalent(FTE)). The cost expenditure categories used in the Annual Comprehensive Review of Federal Advisory Committees should be used to estimate these costs. The cost estimates include the salary cost of staff support with benefits.
- *DFO. This paragraph should indicate that a full-time or permanent part-time employee, appointed in accordance with agency procedures, will serve as the DFO (or designee). It should also state that the DFO will approve or call all of the advisory committee's and subcommittees' meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the advisory committee reports.
- Estimated Number and Frequency of Meetings. Provide the estimated number of meetings anticipated within a fiscal year and, if known, how frequently (e.g., "approximately every 4 months") the meetings will occur.
- Duration. State the period of time anticipated to be necessary for the advisory committee to carry out its purposes. For a committee that will exist for a longer period, "continuing" is appropriate.

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- Termination. Provide the committee's termination date, if less than 2 years from the date of the committee's establishment.
- *Membership and Designation. Provide the estimated number of members, a description of the expertise required, and/or groups to be represented in order to achieve a fairly balanced membership and whether the committee will be composed of SGEs, Representative members, Regular Government Employees, or members from several categories.
- *Subcommittees. Provide a statement as to whom (the agency) has the authority to create subcommittees and states that subcommittees must report back to the parent committee, and must not provide advice or work products directly to the agency.
- *Recordkeeping. State that the records of the committee, formally and informally established subcommittees, or other subgroups of the committee, 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 and copying, subject to FOIA.
- Filing Date. This is the date that the charter is filed with Congress.

Charters may contain additional information, such as the roles and responsibilities of members and staff and may define the quorum for meetings. Like other advisory committee records, charters are public documents.

Membership Balance Plan

Section 5(b)(2) of FACA requires an advisory committee to be fairly balanced in its membership in terms of the points of view represented and the functions to be performed. Section 102-3.60(b)(3) of the Final Rule requires agencies to develop a Membership Balance Plan to attain fairly balanced committee membership. Such plan will "ensure that, in the selection of members for the advisory committee, the agency will consider a cross-section of those directly affected, interested, and qualified, as appropriate to the nature and functions of the advisory committee." (41 CFR § 102-3.60(b)(3)) Per the Final Rule, "Advisory committees requiring technical expertise should include persons with demonstrated professional or personal qualifications and experience relevant to the functions and tasks to be performed." Id.

One of VA's principle objectives for its advisory committees is to ensure that committee members appropriately reflect the diversity of American society and the Veteran population.

In addition to the selection criteria outlined on page 18, each committee shall represent, to the extent possible, Veterans of diverse generations and branches of military service.

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A link to a Membership Balance Plan template from GSA may be found in Section 4.b.(2).

During the chartering process, advisory committees are required to provide a description of their plan to attain fairly balanced membership. Therefore, whenever a charter is submitted for *establishment, renewal, or reestablishment*, an advisory committee is required to create or update its membership balance plan, as applicable.

Committee Charter Package

Certain documents generally are included in a charter package when a Federal advisory committee is established. All proposed charters for the establishment of a new committee should be submitted in draft form for review by the CMO prior to submitting a final charter package for formal concurrence. In addition, the CMO will institute a consultation with GSA to ensure the charter meets all legal and regulatory requirements.

Discretionary Advisory Committee:

- Action memorandum to the Secretary to request a committee
- Proposed Charter
- Formal Determination
- Delegation of Authority to Appoint Members (if applicable)
- Financial Operating Plan
- Proposed Plan for Balanced Membership
- Filing letters and envelopes
- Electronic copy of all documents in the package

Statutory Advisory Committee:

- Action memorandum to the Secretary explaining the statutory authority for the Committee
- Proposed Charter
- Delegation of Authority to Appoint Members (if applicable)
- Financial Operating Plan
- Proposed Plan for Balanced Membership
- Copy of legislative authority
- Filing letters and envelopes
- Electronic copy of all documents in the package

Presidential Advisory Committee:

- Action memorandum to the Secretary explaining the authority or requirement for the Committee
- Proposed Charter
- Copy of Establishing Authority
- Electronic copy of all documents in the package
- Filing letters and envelopes

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A Federal advisory committee is not officially established until the following have been completed:

- The Secretary or designated official has signed the charter;
- The initiating organization has made a public announcement of the establishment of a discretionary committee in the Federal Register not less than 15 calendar days prior to the CMO filing the committee's charter; and
- The charters are filed with the appropriate Congressional Committees, the Library of Congress, and the Committee Management Secretariat at GSA by the CMO, in accordance with FACA.

Renewing a Committee Charter

Unless otherwise provided by statute, Federal advisory committees terminate no later than 2 years after their chartering or last renewal by appropriate action prior to the end of that 2-year period. Certain documents are incorporated into a charter package for the renewal request, depending on the committee type, as stated below.

Discretionary Advisory Committee:

- Action memorandum to the Secretary to Request Renewal
- Proposed Charter
- Delegation of Authority to appoint members (if applicable)
- Proposed Plan for Balanced Membership
- Financial Operating Plan
- Current Charter
- Electronic copy of all documents in the package
- Filing letters and envelopes

Statutory Advisory Committee:

- Action memorandum to the Secretary to Request Renewal
- Proposed Charter
- Delegation of Authority to Appoint Members (if applicable)
- Proposed Plan for Balanced Membership
- Copy of legislative authority
- Financial Operating Plan
- Current Charter
- Electronic copy of all documents in the package
- Filing letters and envelopes

Presidential Advisory Committee:

- Action memorandum to the Secretary to Request Renewal
- Notice of Renewal
- Proposed Charter
- Copy of Authority to Continue
- Proposed Plan for Balanced Membership
- Current Charter
- Electronic copy of all documents in the package
- Filing letters and envelopes

A Federal advisory committee is not officially renewed until the following steps have been completed:

- The Secretary has approved and signed the charter; and
- The charter has been filed with the appropriate Congressional Committees, the Library of Congress, and the Committee Management Secretariat of GSA by the CMO, in accordance with FACA.

Note: A notice to the public in the Federal Register is required when a discretionary advisory committee is established, renewed, or reestablished.

Amending an Existing Charter

Charters of committees may be amended for a variety of reasons. Most amendments are minor and made to reflect a change in budget, staffing, or supporting office.

Required Documents for Charter Amendments:

- Action memorandum to the Secretary to request to amend a Charter
- Amended section(s) of the Charter
- Copy of legislative authority or authority to continue
- Current charter
- Electronic copy of all documents in this package
- Filing letters and envelopes

The Secretary must approve all charter amendments. Consultation with GSA is required for major charter amendments.

Terminating/Abolishing a Committee

According to 41 CFR § 102-3.30(b), committees must be terminated when:

- The stated objectives of the committee have been accomplished;
- The subject matter or work of the committee has become obsolete by the passing of time or the assumption of the committee's functions by another entity;
- The agency determines that the cost of operation is excessive in relation to the benefits accruing to the Federal Government;
- In the case of a discretionary advisory committee, upon the expiration of a period not to exceed two years, unless renewed;
- In the case of a non-discretionary advisory committee required by Presidential directive, upon the expiration of a period not to exceed two years, unless renewed by the authority of the President; or
- In the case of a non-discretionary advisory committee required by statute, upon the expiration of the time explicitly specified in the statute, or implied by operation of the statute.

To terminate a statutory committee for which the statutory authority has not expired, specific legislation is required. A non-statutory committee is most easily terminated when its renewal is under consideration. In this case, if it is determined that the committee should be terminated, appropriate officials must be notified and the committee's charter may then be allowed to lapse.

Documents Required:

- Termination or abolition of *discretionary advisory committees* requires the submission of a request by the program office to VA's CMO for a) approval to allow a committee charter to expire; or b) approval to abolish a committee, which has completed its assigned tasks or whose existence is no longer deemed necessary.
- Termination or abolition of *statutory advisory committees*, other than upon expiration of the statutory authority (sunset date), requires a request from the Secretary to the Speaker of the House to repeal the statute. Legislation must be introduced and passed by Congress to eliminate statutory committees that are no longer needed. If a statutory committee has a sunset date written into its authorizing legislation, the committee terminates on that date and no further documentation is required.

Placing a Committee on Administratively Inactive Status

Under some circumstances, an advisory committee may be placed on Administratively Inactive status, such as:

- If a committee's establishing legislation does not have a sunset clause and VA, in consultation with VA's OGC and GSA, determines that:
 - The committee has accomplished its goals;
 - Another committee is doing the same work; or
 - The operational costs of the committee outweigh its benefits.

Documents Required:

- White paper prepared by the committee DFO and signed by the program office leadership outlining the salient points about placing the committee on Administratively Inactive status.
- OGC consultation on placing the committee on Administratively Inactive status.
- Office of Congressional and Legislative Affairs perspective on placing the committee on Administratively Inactive status.
- GSA consultation on placing the committee on Administratively Inactive status.
- Copy of the committee's Annual Comprehensive Review (ACR) for the past year.
- Relevant statutes:
 - Copy of the FACA.
 - Copy of the legislation which established the committee.
- Copy of most recent charter of the committee.
- Copy of the charter for the committee which is doing the same work, if applicable.

The CMO will prepare the Decision Paper for the Chief of Staff and will ensure it is entered into the Department's electronic tracking system and tracked through until final decision and will then inform the program office and DFO.

NOMINATIONS, SELECTIONS, AND APPOINTMENTS

Purpose

Persons are nominated, selected, and appointed to a VA Federal advisory committee based on their qualifications and ability to contribute to the accomplishment of the committee's objectives. The statutory authority or charter that establishes the committee often includes specific requirements for committee membership. Other criteria related to membership are contained in VA policy and committee membership balance plans.

Selection Criteria

One of VA's principal objectives in managing its advisory committees is to ensure that committee members appropriately reflect the diversity of American society and the Veteran population. In the selection of members for discretionary committees, VA is required to consider a cross-section of those directly affected, interested, and qualified, as appropriate to the nature of the advisory committee. Committees requiring technical expertise should include persons with demonstrated professional or personal qualifications and experience relevant to the functions and tasks to be performed. Each committee shall represent, to the extent possible, members with diverse professional and personal qualifications and experience, such as in military service, military deployments, working with Veterans, committee subject matter expertise, and working in complex organizations.

As a matter of VA policy, committee size generally is limited to 12 members, unless otherwise specified or required by the committee's authorizing statute. Membership above 12 for any existing or future advisory committee will require specific justification by the DFO, in consultation with the CMO and the affected VA program office. Ex-officio members are not counted when considering the 12-member limit. These policies do not apply to the following VA advisory committees that engage in scientific peer review of VA research:

- Clinical Science Research and Development Service Cooperative Studies Scientific Evaluation Committee;
- Health Services Research and Development Service Scientific Merit Review Board;
- Joint Biomedical Laboratory Research and Development and Clinical Science Research and Development Services Scientific Merit Review Board; and
- Rehabilitation Research and Development Service Scientific Merit Review Board.

These policies also do not apply to VA's Voluntary Service National Advisory Committee, which is composed entirely of representative members appointed by Veterans Service Organizations.

Terms of Appointment:

General – **One appointment term is two years.** A committee member generally may serve no longer than two terms of two years unless the committee's authorizing legislation or charter states otherwise (e.g. up to three-year terms for some statutory committees). All other committee members whose service exceeds two terms will complete their service at the end of the current term. To the extent possible, terms will be staggered to ensure that the dates for termination of the members' terms are not all the same.

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Vacancies – Vacancies may occur when a member resigns, dies, his/her service is terminated for any reason before the scheduled term is completed, or the member completes his/her term of appointment.

Reappointments – It is Departmental policy to avoid excessive individual memberships on advisory committees. Therefore, restrictions may apply to advisory committee membership. Absent specific justification, a VA committee member generally will not:

- Serve continuously as a member of any single advisory committee for more than six years (i.e. two, three-year terms); or
- Serve for more than eight combined years within a period of 12 years on one or more committees within an agency.

Dual Membership:

In general, unless specific justification is approved by the Secretary, a committee member **may only serve on one** Federal advisory committee (i.e., one at a time) that reports to VA.

Composition of Committees:

If not specified by statute, the general composition of each advisory committee is set forth in the committee's charter.

Special Government Employees - Most VA advisory committee members are SGEs. An SGE is a private citizen appointed based on expertise that will contribute to the committee's objectives. SGE's serve for 130 days or less during any period of 365 consecutive days, render personal opinions only, and are subject to the ethics laws governing Executive Branch employees.

Ex-Officio Members - A Federal official who represents his or her agency and possesses expertise in the subject matter. This person has full voting rights unless otherwise stated in the charter or legislation.

Representative - A non-voting member, also known as a representative. This person represents a special interest group, an organization, or an affected population. This designation generally is used only by the VA Voluntary Service National Advisory Committee, as they represent various Veterans service organizations whose members volunteer at VA facilities.

Compensation of Advisory Committee Members:

Special Government Employees - The stipend or honorarium generally paid to committee members who serve as SGEs is established by the Secretary of VA and

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will not exceed \$300 per day. Unless provided otherwise by a committee's authorizing statute, the honorarium payment is **only** available for the days of the committee's meeting and not for work performed outside of the meeting. Exceptions to this policy may be approved by the Chief of Staff for scientists and medical specialists. See ATTACHMENT A, Honorarium Payment Processing Document.

Full-time Federal Employees - Members are not eligible to receive a consultant fee and must travel under a Federal travel order.

Sources for Obtaining Candidates

Solicitation of names of individuals in a given area may come from leaders in pertinent fields, scientific and professional organizations, and staff. Nominees may also be received from Agency officials, members of Congress, the general public, current or former committee members, universities and colleges. VA also uses Federal Register notices to seek nominations.

Nomination Procedures

A nomination package should be prepared and sent to the Secretary 90 days in advance to ensure continuity of committee membership. A proposed nomination package includes a list of: current or previously appointed members eligible for membership renewal, newly proposed members, and/or members' whose terms expired or resigned.

DFO use the following uniform format when submitting nomination packages to the Secretary. NOTE: This process may be a bit different in the case of a committee with a delegated appointment authority.

- Action Memorandum for Recommended Nominees
- Current Charter
- Authorizing Legislation/Executive Order
- Current Membership Roster
- Professional Area Breakdown
- Biographies
- Letters of Appointment
- Enclosures to the letters of Appointment are:
 - Copy of Current Charter
 - 14 General Principles of Ethical Conduct
 - Ethics Rules of Committee Members Who Are Special Government Employees

Note: When seeking to reappoint a member who has already served two or more terms, the packet must include specific justification by the DFO, in consultation with the CMO and affected VA program office for the additional term of service.

Financial Disclosure

Currently, there are five VA advisory committees that must file the Office of Government Ethics (OGE) Form 450, Confidential Financial Disclosure Report:

- Advisory Committee on Cemeteries and Memorials;
- Advisory Committee on Prosthetics and Special-Disabilities Programs;
- Special Medical Advisory Group;
- Advisory Committee on the Structural Safety of Department of Veterans Affairs Facilities; and
- Advisory Committee on Disability Compensation.

The remaining committees existing at this time are exempt from this requirement. The OGC EST must conduct a review of the OGE 450 **before** the SGE is nominated. The potential SGE will complete, sign, and submit an OGC 450 prior to their nomination. A new SGE on a filing committee should not be appointed until after the EST certifies the OGE Form 450, Financial Disclosure Report. The Ethics Rules for SGE's (found in the Appendix) should be given to a potential SGE before their appointment and they submit their acknowledgement form along with the OGE Form 450. A potential SGE may decide not to serve on a filing committee if they learn that an ethics rule may impact them.

Completed forms are provided by the DFO to the OGC EST in a confidential envelope or the member (or potential member) may email their information directly to EST. Upon receipt of the completed forms, a member of EST:

- Reviews the forms for completeness, accuracy, and possible conflict of interest; and
- If a conflict of interest exists, the appropriate attorney must consult with the nominee. If there is still a conflict of interest after consulting with the nominee, the individual will not be appointed and the OGE Form 450 will be returned to the nominee.

Orientation of New Members

The DFO provides orientation to the members regarding the purpose and goals of the committee, including their responsibilities to the committee, the agency and ethics training by the appropriate official.

Termination of Committee Members

Expiration of Membership Terms

When members have completed their terms and rotate off a committee, no special type of paperwork is required.

Resignations

If a member resigns from the committee, a notification to the DFO is necessary, preferably by letter. The DFO forwards that information to ACMO. ACMO will update the GSA FACA database to reflect the end of that member's term.

Other Types of Member Termination

These may include death of a member. The DFO notifies ACMO of the death and ACMO will update the database to reflect the end of that member's term.

Letters and Certificates of Appreciation

As members complete their service on a VA Federal advisory committee or leave for other reasons, a letter of appreciation should be prepared for the signature of the Secretary as well as a Certificate of Appreciation, also signed by the Secretary, which will be prepared by ACMO. The letter of appreciation should be part of the membership package that the DFO prepares. The DFO should send a request for a Certificate of Appointment to ACMO including the members' name, credentials, term of service, and whether they served as a member or chair of the committee for processing.

ADVISORY COMMITTEE MEETINGS

No meeting shall be held in the absence of the DFO. VA FACA committees operate using the principles of a quorum and consensus to the maximum of possible. Unless otherwise established in the charter of the committee or legislation, a quorum shall consist of a majority (more than one half) of the committee's authorized membership including ex-officio members. If a **quorum is not present, contact ACMO immediately** to discuss options.

Each meeting of a committee shall be conducted in accordance with an approved agenda. If simultaneous subcommittee meetings are to be held, each subcommittee shall have a full-time Federal employee in attendance serving as the DFO.

Federal Register Notices

The Federal Advisory Committee Act requires that:

- Section 10 (a)(1) - Each advisory committee meeting shall be open to the public.
- Section 10(a)(2) - Except when the President determines otherwise for reasons of national security, timely notice of each such meeting shall be published in the Federal Register.

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The Federal Register is a legal publication in which the Executive Branch of the U.S. Government publishes regulations, orders, and other documents. The Federal Register is issued weekdays by the Office of the Federal Register. (<https://www.federalregister.gov/>)

Federal Register Notices of Meeting must be published in the Federal Register at least 15 calendar days prior to an advisory committee meeting.

Federal Register Notices will include:

- The name of the advisory committee;
- The time, date, place, and purpose of the meeting;
- A summary of the agenda and/or topics to be discussed;
- A statement whether all or part of the meeting is open to the public or closed; if closed, state the reasons why, citing the specific exemptions of the Government in the Sunshine Act (5 U.S.C. § 552b)(c)) as the basis for closure; and
- The name, address, and telephone number of the committee's DFO or other official who may be contacted for additional information concerning the meeting.

The approved package must be provided to ACMO no later than **30 days** before the meeting. See ATTACHMENTS B and C for samples of a Notice of Meeting with partial closure and open to the public. If the approved package isn't received in ACMO as required, the committee is at risk for *meeting cancellation* due to an untimely submission to the Federal Register for publication.

It is ACMO policy that a cancellation or amended notice of a previously announced meeting must be submitted to the Federal Register at least 15 days in advance of the original meeting date.

Responsibilities of the Designated Federal Officer (DFO) Include:

Before the meeting, the DFO:

- Approves the plan to hold a committee meeting;
- If necessary, coordinates with the OGC EST regarding ethics training and submission of financial disclosure reports;
- Approves the agenda;
- Invites the guest speaker(s) to a committee meeting, subcommittee meeting, or workshop, and makes necessary arrangements for the speaker(s) (if applicable);
- Ensures committee signage is visually placed outside of meeting room and/or in building for members and/or the public;

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- Ensures members' tent cards are placed;
- Ensures the agenda includes:
 - Concise descriptions of each major subject or issue listed in the agenda;
 - Priority and timing of topics; and
 - Grouping together the open and closed sessions, if any, of the meeting, for the convenience of the public.
- Ensures committee members receive the agenda and copies of all information relating to the meeting;
- Arranges for resource persons and supplementary materials to aid the committee in dealing with agenda items;
- Makes recording arrangements for transcripts, if necessary;
- Ensures logistical arrangements for the meeting including arranging overnight accommodations for members;
- Notifies the public of the meetings and also:
 - Maintains a list of persons and organizations who have requested notification of a meeting and notifies them in advance; and
 - Ensures that all meeting notices (including cancellation and amendment notices) are published in the Federal Register no later than 15 calendar days prior to the committee meeting in accordance with Section 10 (a)(l) of FACA.

To close all or part of an advisory committee meeting, the DFO must:

(a) *Obtain prior approval.* Submit a request to the agency head, or in the case of an independent Presidential advisory committee, the Secretariat, citing the specific exemption(s) of the Government in the Sunshine Act, 5 U.S.C. 552b(c), that justifies the closure. The request must provide the agency head or the Secretariat sufficient time (generally 30 calendar days) to review the matter in order to make a determination before publication of the meeting notice required by Final Rule Section 102–3.150.

(b) *Seek General Counsel review.* OGC or, in the case of an independent Presidential advisory committee, the General Counsel of GSA should review all requests to close meetings. The DFO shall obtain a preliminary review of any request to close a meeting from ACMO before requesting OGC review.

(c) *Obtain agency determination.* If the agency head, or in the case of an independent Presidential advisory committee, the Secretariat, finds that the request is consistent with the provisions in the Government in the Sunshine Act and FACA,

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the appropriate agency official must issue a determination that all or part of the meeting be closed.

(d) *Ensure public access to determination.* The agency head or the chairperson of an independent Presidential advisory committee must make a copy of the determination available to the public upon request.

Note: Common exemptions cited to legally close Federal advisory committee meetings include:

- Discussion of classified information;
- Reviews of proprietary data submitted in support of Federal grant applications (i.e. research committees); and
- Deliberations involving considerations of personal privacy (i.e. Veterans' PII, tours, etc.).

In conclusion, unless an exception applies, closing a Federal advisory committee to discuss a Committee's report and/or recommendation would violate FACA, and meetings should remain open to the public for transparency.

The agenda is still arranged so that members of the public are informed about being able to attend the open part(s) of the meeting.

During the meeting, the DFO:

- Confers with the Chair as needed.
- May chair meeting in the Chair's absence.
- Maintains an attendance log.
- Ensures that the committee conducts its business in accordance with all applicable regulations, policies, and procedures.
- Ensures that accurate records are kept of the committee's deliberations. Reminds members and other attendees that advance review materials, meeting reviews, discussions, and committee recommendations on applications are to be treated confidentially.
- Records motions and votes on each item of business and takes notes on discussions and proceedings, as necessary, to prepare the minutes.
- Authorizes the premature adjournment of any committee meeting if adjournment is in the best interest of the government. Also, authorizes adjournment of any meeting not considered to be in the public interest, such as unwarranted departure from the agenda of the meeting.

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Public Participants:

- May attend the open portion of the meeting.
- Any member of the public may speak to or otherwise address the advisory committee when the procedures for doing so are published in the Federal Register notice.
- Must be allowed to submit written statements to the DFO as provided for in the Federal Register notice. Public participants should be advised that committee members are given copies of all written statements submitted by the public.

After the meeting, the DFO:

- Ensures the Chair of the committee certifies and/or signs the minutes within 90 days.
- Ensures that stipends and travel vouchers are processed.

DFO Transition

When a DFO will be stepping down from his or her position, certain actions should be conducted prior to the exit to ensure the committee's smooth transition and functioning. See ATTACHMENT D for DFO Transition Checklist.

MINUTES/ TRANSCRIPTS/ RECORDS

All records, reports, and other documents of each advisory committee must be available for public inspection and copying pursuant to FACA. VA employees are required to retain Federal records in accordance with record retention schedules as required by the Federal Records Act, the regulations implemented by the National Archives and Records Administration and VA Directive 6300, Records and Information Management. VA employees must preserve records containing adequate and proper documentation of the organization, function, policies, decisions, procedures, and essential transactions of the agency. The documents referred to include the records, reports, transcripts, minutes, working papers, drafts, studies, agenda, or other documents made available to or prepared for or by each advisory committee.

Minutes/Transcripts

Detailed minutes are kept by the DFO or designee, of each advisory committee meeting and subcommittee meeting.

By law, the minutes must include the following:

- The time, date, and place of the meeting;

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- A list of the persons who were present at the meeting, including advisory committee members and staff, agency employees, and members of the public who presented oral or written statements;
- An accurate description of each matter discussed and the resolution, if any, made by the committee regarding such matter; and
- Copies of each report or other document received, issued, or approved by the committee.

Minutes must be prepared, reviewed, and signed by the Chair within 90 days of the meeting. See ATTACHMENT E for a sample of a committee's minute format. Immediately after certification by the Chair, the minutes should be added to the GSA FACA database and forwarded to ACMO.

Records Maintenance and Disposal

All advisory committee records are maintained and disposed of in accordance with the following provisions:

- VA Directive 6300, Records and Information Management (VA Directive 6300)
- General Records Schedule 6.2

VA Directive 6300 provides policy for VA's Records Management program, which includes records management, micrographics management, vital records, Privacy Act, FOIA, Computer Matching and Privacy Protection Act, Health Insurance Portability and Accountability Act of 1996 (HIPAA), and the Release of Names and Addresses.

The provisions of VA Directive 6300 are applicable to all elements of VA.

In addition, all committee records should be maintained and disposed with the provisions below:

- Part 102-193, Chapter 102 of the Federal Management Regulation (FMR)

This part of the FMR prescribes policies and procedures related to GSA's role to provide guidance on economic and effective records management for the creation, maintenance and use of Federal agencies' records.

Also, see regulations issued by the National Archives and Records Administration (section 36 CFR parts 1220, 1222, 1228, and 1234), or the Presidential Records Act, 44 U.S.C. Chapter 22.

Public Access to Records

Advisory committee records must be available for inspection and copying at a single location. The DFO or ACMO will make available to any person requesting them, copies of the transcripts of minutes of committee proceedings or meetings at a cost determined in accordance with the appropriate fee schedule.

FINANCIAL DISCLOSURE AND ETHICS

The purpose of the following guidance is to alert SGEs to potential ethics issues that may arise in connection with their service on a VA advisory committee so that they may seek advice from a VA deputy ethics official when advisable. Following such advice provides SGEs with a “safe harbor” under the government ethics rules, which is not available if they follow advice from others.

Who is an SGE? SGEs are individuals who have been appointed to perform temporary duties, with or without compensation, for not more than 130 days during any period of 365 consecutive days. Most VA advisory committee members are SGEs and are subject to the rules discussed below. However, a member is not an SGE if appointed to the committee to represent the official views of an outside organization and thus would not be subject to the rules discussed in this section. A member is also not an SGE if he or she is already a regular employee of another Federal entity, such as an ex-officio member appointed to a committee.

Financial Disclosure. SGEs are required under the Ethics in Government Act to file financial disclosure reports when first appointed and annually thereafter. However, the VA Designated Agency Ethics Official (DAEO) may exclude committee members from the filing requirement based on the particular duties and responsibilities of the committee and has done so with respect to all but five committees.

Currently, the committees whose SGEs must file financial disclosure forms are:

- Advisory Committee on Disability Compensation;
- Advisory Committee on Cemeteries and Memorials;
- Advisory Committee on Prosthetics and Special-Disabilities Programs;
- Special Medical Advisory Group; and
- Advisory Committee on Structural Safety of Department of Veterans Affairs Facilities.

The remaining committees are exempt from this requirement.

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A new SGE on a filing committee should not be appointed until after the EST certifies the OGE Form 450, Financial Disclosure Report. The DFO's of the committees required to file will notify members before they are appointed and annually prior to the committee's first meeting of the calendar year. **If an SGE is required to file a financial disclosure report, that member may not participate in a meeting until the report is reviewed and certified by an agency ethics official.** If required to file, the DFO should have an SGE submit his or her original completed report no later than 2 weeks prior to the first meeting of the year to the EST (GovernmentEthics@va.gov).

Questions or Ethics Advice. For ethics questions or advice, SGEs should contact the OGC's EST at (202) 461-7694 or by email at GovernmentEthics@va.gov.

Most VA ethics questions can be answered in a telephone call. More than half of ethics questions are **resolved the same day** they are raised. Seeking ethics advice from an ethics official before acting and complying with that advice will generally protect an SGE from criminal prosecution.

Office of General Counsel (OGC)

- Provides legal advice and interpretation of FACA as needed;
- Reviews OGE Form 450 submitted by members for those committees required to submit them, advises each member as to potential conflicts, and certifies those reports which are technically complete and reveal no conflicts of interest.
- Attends committee meetings as necessary to address questions and issues about compliance with restrictions on participation, financial disclosures, and other matters related to ethics laws and standards of conduct.

Federal Advisory Committee Members Appointed as SGEs

- Reads and acknowledges receipt of the "Standards of Ethical Conduct for Employees of the Executive Branch" and other ethics training materials provided in the Appendix. Only newly appointed SGEs must review these materials - it is not an annual requirement.
- For committees whose members are required to file financial disclosure reports, they must accurately complete and submit OGE Form 450 before accepting an appointment so the EST may review their information to determine if a conflict of interest exists and then certify the form.
- For committees whose members are required to file financial disclosure reports, voluntarily and promptly submits amended OGE Form 450 annually.

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- Publicly discloses any qualitative change in financial interests or professional business relationships that is or might be perceived as a conflict of interest at the beginning of each meeting.
- Recuses himself or herself from participating in any meeting or portion of a meeting or other activity where he or she would give advice or participate in a particular matter which might have a direct and predictable effect on his or financial interests or those of an organization which the member serves as an employee, officer, director, trustee, or general partner. However, the member may participate in such matter if the conflicting financial interest arises only because the particular matter would affect the interests of his or her outside employer as part of class and not have a unique impact on his or her outside employer.

ADVISORY COMMITTEE REPORTS

Annual Comprehensive Review of Federal Advisory Committees

ACMO coordinates the Department's submission of the fiscal year review. GSA will periodically issue instructions regarding requirements and procedures. GSA will use this information to prepare program recommendations and status reports on advisory committee matters.

As required by section 7(b) of FACA, as amended, GSA's Committee Management Secretariat must conduct an ACR of the activities and responsibilities of each Federal advisory committee to determine:

- Whether such committee is carrying out its purpose;
- Whether consistent with the provisions of applicable statutes, the responsibilities assigned it should be revised;
- Whether it should be merged with other advisory committees; or
- Whether it should be abolished.

Each year, the program offices begin preparing the individual committee reports by gathering information on actual costs for the fiscal year and estimating costs for the next fiscal year; all meeting dates; updating committee member information; and the activities and accomplishments of each advisory committee. The DFO and/or Committee Management Staff are to ensure that all required information is uploaded into GSA's FACA database no later than October 31st of each year. The ACMO staff reviews the reports for completeness and accuracy. After reviewing, the CMO marks the reports as verified. The Department Committee Management Officer compiles all the reports for the entire Department and forwards this single report to GSA. GSA combines all the reports from each agency that has advisory committees under FACA into a single report which also contains statistical data regarding all advisory committees.

Annual Operations Plan

In accordance with VA policy, each advisory committee shall submit an Annual Operations Plan. The Plan should include specific areas of committee interest for the upcoming year, the approximate date(s) of any expected recommendations, reports, official communications or other deliverables from the committee and any proposed engagement with the Secretary, Deputy Secretary, or Chief of Staff. Meeting dates, places, activities and resource allocations should be *specifically* identified and not stated in general terms. The Plan should also encompass how the committee aligned itself to the MyVA Breakthrough Priority Strategies. The DFO or Chair is encouraged to involve committee members' participation in this planning process.

A template is provided in ATTACHMENT F that captures information committees should provide. The Plan should also be limited to two pages.

The Annual Operations Plan is due to ACMO no later than **December 1** of each year and must be signed by the DFO, Committee Chair, and Program Office. Items to be considered for inclusion are Committee objectives and expected committee activities, such as briefings and site visits.

Annual Assessment of Committee Activities (“Performance Review”)

Each advisory committee shall submit an Annual Assessment of Committee Activities to ACMO by **December 1** of each year. The assessment is submitted and signed by the DFO, Committee Chair, and Program Office. The assessment will describe the quality of committee recommendations, the usefulness of communications between the affected program office and the committee, and actions taken to implement committee recommendations.

The Annual Assessment Report should provide a granular assessment with actionable results and not a restatement of meeting minute summaries. A template is provided in ATTACHMENT G that identifies key information for the Report. Also, this Report should be limited to two pages.

DEFINITIONS

Advisory Committee - Unless specifically exempted by statute, any committee, board, commission, council, conference, panel, task force, or other similar group, which is established by statute, or established or utilized by the President or by an agency official, for the purpose of obtaining advice or recommendations for the President or on issues or policies within the scope of an agency official's responsibilities.

Advisory Committee Member - An individual who serves by appointment or invitation on an advisory committee or subcommittee.

Advisory Committee Management Office (ACMO) - This office formulates and oversees the implementation of Department policies, laws, regulations and procedures governing committee management activities.

Alternate Designated Federal Officer (Alternate DFO) – The individual who performs the duties of the DFO in his or her absence from the committee and/or sub-committee meeting or during the planning phase of the committee preparation when decisions must be made to commit the agency to specific courses of action.

Committee Management Officer (CMO) - The VA employee designated by the Secretary to implement the provisions of section 8(b) of FACA and any delegated responsibilities of the agency head under FACA.

Attendance Log - Record of all persons who attend all or part of a committee meeting. This listing will be included in the summary of minutes of the meeting.

Balanced Membership - Membership must be fairly balanced in terms of points of view represented and the functions to be performed.

Chair - Individual appointed to preside at committee meetings and ensure that all rules of order and conduct are maintained during each session.

Charter - Document which details the purpose for the establishment of a committee; the authority under which the committee is established; the function and structure of the committee. Also provides an estimate of the frequency of meetings, how members will be compensated, the annual cost of operating the committee, reports due from or about the committee, and the date the committee will terminate if the charter is not renewed.

Closed Meeting - A meeting or portion of a meeting that is not open to the public. Closure must be consistent with the exemption(s) of the Government in the Sunshine Act, 5 U.S.C. 552b(c).

Committee Management Secretariat (CMS) - The organization established pursuant to section 7(a) of FACA, which is responsible for all matters related to advisory committees and carries out the responsibilities of the Administrator under FACA.

Committee Meeting - Any gathering of advisory committee members (whether in person or through electronic means) held with the approval of an agency for the purpose of deliberating on the substantive matters upon which the advisory committee provides advice or recommendations.

Consultant - A person who provides expertise to a Federal advisory committee on an intermittent basis.

Designated Federal Officer (DFO) - The individual designated by the agency head, for each advisory committee for which the agency head is responsible, to implement the provisions of sections 10(e) and (f) of FACA and any advisory committee procedures of the agency under the control and supervision of the CMO.

Discretionary Advisory Committee - An advisory committee established under the authority of an agency head or authorized (but not required) by statute; its establishment or termination is within the legal discretion of an agency head.

Disqualification - Refers to conflict of interest, prohibiting a member from providing advice on matters which have a direct or indirect effect on the member's organizational, institutional or financial interests.

Establishment Date - The date the committee's charter is filed with the appropriate standing committee of the Senate, House of Representatives, and the Library of Congress. It is the same as the date of the transmittal letter and remains the same throughout the committee's existence; may also be referred to as filing date. The establishment date for committees established by Executive Order is the date the charter is received by the Director, Committee Management Secretariat, and GSA.

Ex-Officio Member - A Federal official who serves as a committee member and possesses expertise in the subject matter. This member has full voting rights unless prohibited by statute or restricted by the committee charter.

Expert - A person with excellent qualifications in a professional, scientific, technical or other field, who is regarded as an authority or a practitioner of unusual competence and skill by other persons in the profession, occupation, or activity.

Federal Register - The daily publication used as a means to provide the public with information regarding regulations and legal notices issued by Federal agencies.

Federal Register Notice - A specific document published in the Federal Register to inform the public of meetings of Federal advisory committees, the establishment of new committees, request names of potential nominees, or to provide other information.

Financial Operating Plan - Method of capturing the total costs related to the operation and staff costs of committees. This information is used when preparing the GSA Report, when a committee is being established to estimate the costs it will incur, and

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when a committee is being renewed to permit cost comparisons of prior and proposed expenditures.

Form 450 Confidential Financial Disclosure Report - When a Committee is required to submit financial disclosure reports, Committee members use this form to report their employment, investments, other income and assets, and their outside activities which may be used to assist in determining whether conflicts of interest exist.

Guest - An individual who has been requested by the DFO or other Federal official to share views or knowledge of a subject before the committee. A guest is not required or expected to perform a service, officially or unofficially. A guest may not attend closed meetings.

Non-Discretionary Advisory Committee - Another name for a committee established by statute. (See Statutory Advisory Committee.)

Non-Statutory Advisory Committee - Another name for a committee established by discretionary authority. (See Discretionary Advisory Committee.)

Office of Government Ethics (OGE) - OGE is a separate executive agency established under the Ethics in Government Act of 1978, as amended (5 U.S.C. appendix 4, section 401). OGE provides overall direction of executive branch policies in preventing conflicts of interest on the part of officers and employees of all executive agencies.

Open Meeting - This meeting is held to review and discuss non-confidential data and documents, approve minutes of the previous meeting, discuss pending matters, make reports and presentations and plan future meeting dates.

Operational Committee - An operational committee is established to perform primarily operational as opposed to advisory functions and are specifically authorized by statute or Presidential directive, such as making or implementing government decisions or policy.

Partially Closed Meeting - A Federal advisory committee meeting that has open and closed sessions.

Quorum - A quorum is a majority (one more than half) of the committee's authorized membership including ex-officio members, unless the charter or statutory authority states otherwise.

Reappointment of Members - The reappointing of a member to the same committee.

Renewal of charter - The process used to document the continuance of an advisory committee.

Representative - A committee member who represents a particular stakeholder interest.

Secretary - As used in this Guide, the Secretary of VA.

Special Government Employee (SGE) - An officer or employee in the executive branch of the Federal Government who is appointed to perform temporary duties, with or without compensation, for a period not to exceed 130 days during any period of 365 consecutive days.

Statutory Advisory Committee - A committee established by Congress or required to be established by Congress. These types of committees may also be referred to as non-discretionary.

Subcommittee - A subcommittee is defined as a group, generally not subject to FACA, that reports to an advisory committee and not directly to a Federal officer or agency, whether or not its members are drawn in whole or in part from the parent advisory committee. The activities of the subcommittees are covered by the charter of the parent committee.

Term of Office - This is the period of a committee member's service. VA terms are usually two years, unless the charter or establishing authority provides otherwise.

Termination Date - The date the committee ceases to function.

Vacancy - The vacancy that occurs when a committee member completes his/her designated term of service or when a member resigns, dies, or service is terminated for other reason(s).

APPENDIX - A

ETHICS RULES FOR ADVISORY COMMITTEE MEMBERS WHO ARE SPECIAL GOVERNMENT EMPLOYEES

The purpose of this paper is to alert SGEs to potential ethics issues that may arise in connection with their service on a VA advisory committee so that they may seek advice from a VA deputy ethics official when advisable. Following such advice provides you with a safe harbor under the government ethics rules, which is not available if you follow advice from others.

Who is an SGE?

SGEs are individuals who have been appointed to perform temporary duties, with or without compensation, for not more than 130 days during any period of 365 consecutive days. Most VA advisory committee members are SGEs and are subject to the rules discussed in this paper. However, you are not an SGE if appointed to the committee to represent the official views of an outside organization and thus would not be subject to the rules discussed in this paper. You would also not be an SGE if you are already a regular employee of another Federal entity.

Financial Disclosure

SGEs are required under the Ethics in Government Act to file financial disclosure reports when first appointed and annually thereafter. However, the DAEO may exclude committee members from the filing requirement based on the particular duties and responsibilities of the committee and has done so with respect to many committees. Committee managers, who help administer the disclosure program, know whether committee members are required to file. **If you are required to file a financial disclosure report, you may not participate in a meeting until your report is reviewed and certified by an agency ethics official.** If required to file, you should submit your original completed report no later than two weeks prior to the first meeting of the year to your committee manager or to the OGC employee identified by your committee manager.

For Questions or Ethics Advice

For ethics questions or advice, contact VA's OGC Ethics Specialty Team at (202) 461-7694 or by email at GovernmentEthics@va.gov. Most VA ethics questions can be answered in a telephone call. More than half of ethics questions get **resolved on the same day** they are raised. Seeking ethics advice from an ethics official before acting and complying with that advice will in virtually all cases protect an SGE from criminal prosecution.

THE FEDERAL CRIMINAL CODE

Conflicts of Interest

18 U.S.C. § 208. Certain advisory committees have as part of their mission to recommend that VA take action with financial consequences to entities or individuals outside the Department. The main criminal conflict of interest statute in the Federal criminal code prohibits an SGE from participating personally and substantially in any particular matter, such as a grant review, that directly and predictably affects the financial interests of the SGE, his or her spouse, minor child, general partner, an organization in which the SGE serves as an officer, director, trustee, general partner, or employee, or an organization with which the SGE is negotiating, or with which the SGE has an arrangement, for prospective employment.

A particular matter is a matter that is narrowly focused upon the financial interests of specific persons, or a discrete and identifiable class of persons. By way of illustration, a grant review process and a decision to award a contract are both particular matters, but the process of selecting among broad policy options directed to the interests of a large and diverse group of persons is not a particular matter.

Examples of some actions an SGE would be prohibited from taking under this statute are:

- Reviewing a grant application submitted by a university that employs him. *Consistent with the well-established practice in the scientific community, the statute would require that the SGE “recuse” - disqualify - himself from participation in the review.*
- Participating in a decision to award a contract to a firm in which the SGE or his spouse or minor child holds publicly issued stock worth more than \$15,000.

Acting on Someone Else’s Behalf Before the Government

18 U.S.C. § 205. This law prohibits an SGE from representing a party, with or without compensation, before VA or another Federal agency or other specified entity (such as a court or commission) in any particular matter involving a specific party in which the United States is a party or has a direct and substantial interest that the SGE participated in personally and substantially as a government employee.

For example, if an SGE participated in reviewing a proposal for a VA grant to support a certain study, he or she would be prohibited under this provision from sending a personal letter to VA advocating for an increase in the grant that resulted from the review.

Compensation for Representational Services

18 U.S.C. § 203. This law prohibits an SGE from receiving compensation for representational services rendered by the employee or another person before VA or

another Federal agency or other specified entity (such as a court or commission) in any particular matter involving a specific party in which the SGE has participated personally and substantially as a government employee. By their nature, policy matters generally do not involve specific parties. Representational services are communications with the intent to influence or persuade the government.

For example: An SGE is employed with a law firm that is lobbying the VA on behalf of a Veterans organization against a particular proposal to remove inpatient treatment affecting 15 Veterans. If the SGE participated in any deliberations or made any recommendations regarding this proposal as a government employee, the SGE should structure his or her compensation with the law firm so that he or she does not share in revenues derived from the lobbying before VA.

Post-Government Employment Restrictions

18 U.S.C. § 207. The “post-Government employment” statute imposes a lifetime ban on a former SGE from representing another person or entity to VA or another Federal agency or other specified entity (such as a court or commission) in any particular matter involving a specific party in which the former SGE participated personally and substantially while serving in the government.

Bribery

18 U.S.C. § 201. The bribery statute prohibits Federal employees, including SGEs, from seeking, accepting, or agreeing to receive anything of value in return for being influenced in the performance of an official act.

Foreign Agents

18 U.S.C. § 219. An SGE is prohibited from acting as an agent of a foreign principal registered under the Foreign Agents Registration Act unless the head of the agency certifies that employment of the SGE is in the national interest.

STANDARDS OF ETHICAL CONDUCT

The Appearance of a Conflict of Interest

5 C.F.R. § 2635.502. There may be circumstances in which an SGE’s participation in committee business would raise a question regarding the SGE’s impartiality.

ETHICS RULES FOR ADVISORY COMMITTEE MEMBERS WHO ARE SPECIAL GOVERNMENT EMPLOYEES

For example, if an SGE is asked to review a grant application submitted by the SGE’s mentor, or someone with whom the SGE has a close personal or professional relationship, the situation may raise a concern about the SGE’s impartiality in the

review. In such circumstances, the SGE should discuss the relationship with the DAEO before participating.

Gifts

5 C.F.R. § 2635.202. A gift given to an SGE because of his or her service on a VA advisory committee or given by a prohibited source, which includes an entity whose interests are affected financially by agency decisions, would obviously raise concerns. Please consult with a deputy ethics official should this situation arise. Gifts given to the SGE because of his or her private sector position or achievements generally are not problematic.

Please note that the Standards of Conduct requires that an SGE who is offered a gift which may otherwise be accepted under an exception, must first consider whether s/he should accept the gift. Specifically, the SGE is asked to consider whether a reasonable person with knowledge of all the relevant facts would question their impartiality or integrity, or the integrity of the agency's program and operations, as a result of their accepting the gift. As noted in the Standards of Conduct, even though acceptance of a gift may be permitted by an exception to the gift rules, it is never inappropriate and frequently prudent for SGE to decline a gift if acceptance would cause a reasonable person to question the SGE's integrity or impartiality.

An exception often applicable to allow SGEs to accept gifts: An SGE may accept meals, lodgings, transportation, and other benefits resulting from his or her outside business or employment activities when it is clear that such benefits have not been offered or enhanced because of his or her official status.

For example: An SGE member of the Capital Asset Realignment for Enhanced Services Advisory Committee has a consulting business. She may accept an invitation to a \$50 dinner from her client, a Veterans Service Organization, unless the invitation was extended in order to discuss the activities of the committee.

Charitable Fundraising

5 C.F.R. § 2635.808. An SGE may engage in fundraising in a personal capacity (not using or permitting others to use his or her advisory committee membership), if he or she does not personally solicit from anyone known to have interests that may be substantially affected by his or her committee duties. If you have questions concerning particular fundraising events or activities, please consult with a deputy ethics official.

Teaching, Speaking and Writing

5 C.F.R. § 2635.807. There are some circumstances where SGEs may not receive compensation for teaching or for certain speaking and writing. For most non-curriculum teaching and most speaking and writing, SGEs may not be paid if the activity "relates to the employee's official duties." The "relatedness" test is met for such activities if the

invitation was extended to the SGE either primarily because of the member's committee position rather than his or her expertise or by someone whose interests may be affected substantially by the member's government duties, or if the information conveyed draws substantially on ideas not publicly available.

Additionally, any SGE expected to work no more than 60 days a year is prohibited from accepting compensation if the subject matter deals significantly with *any specific party matter* to which the SGE is assigned or was assigned within the past year of his or her current SGE appointment. If the SGE is to work more than 60 days a year, he or she is prohibited from accepting compensation if the subject deals significantly with any particular matter to which the SGE is assigned or was assigned within the past year of his or her current SGE appointment.

For example: An SGE serves on an advisory committee concerned with moving and closing medical clinics. Because his service under that appointment is not expected to exceed 60 days, the SGE may accept compensation for an article about the hardships a community may endure with the loss of VA clinics even though he is reviewing proposals to move clinics. The proposals which are the focus of the advisory committee deliberations are not particular matters involving specific parties.

Expert Testimony

5 C.F.R. § 2635.805. An SGE may not serve as an expert witness, except for the United States, in any proceeding in which the United States is a party or has a direct and substantial interest, if: (1) He or she has participated as an employee or special government employee in the particular subject matter of the proceeding; or (2) His or her employing agency is a party or has a direct and substantial interest and he or she: (a) Is appointed by the President; (b) Serves on a commission established by statute; or (c) Has served or is expected to serve for more than 60 days in a period of 365 consecutive days.

OTHER PROHIBITIONS

Foreign Gifts

5 U.S.C. § 7342. This law limits gifts SGEs can accept from foreign governments and international organizations to \$375 in value. A prohibited gift even includes travel expenses exceeding \$375 in value unless the travel takes place entirely outside the United States. The restriction extends to the spouse and dependents of the SGE. SGEs *can* accept travel and related expenses from a foreign government as part of U.S. Government duties.

Hatch Act

5 U.S.C. §§ 7321-7326. The Hatch Act rules limiting political activities apply to SGEs only while they are conducting government business. Details are available from a deputy ethics official.

14 General Principles of Ethical Conduct

5 C.F.R. § 2635.101(b) - Principles of Ethical Conduct

The following general principles apply to every employee and may form the basis for the standards contained in this part. Where a situation is not covered by the standards set forth in this part, employees shall apply the principles set forth in this section in determining whether their conduct is proper.

1. Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.
2. Employees shall not hold financial interests that conflict with the conscientious performance of duty.
3. Employees shall not engage in financial transactions using nonpublic government information or allow the improper use of such information to further any private interest.
4. An employee shall not, except as permitted by subpart B of this part, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
5. Employees shall put forth honest effort in the performance of their duties.
6. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the government.
7. Employees shall not use public office for private gain.
8. Employees shall act impartially and not give preferential treatment to any private organization or individual.
9. Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.
10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official government duties and responsibilities.
11. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
12. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those--such as Federal, State, or local taxes—that are imposed by law.
13. Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.

14. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.

How to Get Ethics Advice

Call, Write, or Email:

Office of the General Counsel (02EST)

VA Central Office

810 Vermont Avenue, NW

Washington, DC 20420

Telephone: (202) 461-7694

Telephone: (202) 461-6000

Facsimile: (202) 273-6403

Email: GovernmentEthics@va.gov

ETHICS REVIEW

I certify that I have completed my review of or received training on “Ethics Rules for Advisory Committee Members Who are Special Government Employees (SGE).”

SPECIAL GOVERNMENT EMPLOYEE:

Signature

Date

PRINT NAME

Advisory Committee Name (Print Full Name of Committee)

UPON COMPLETING REVIEW, PLEASE EMAIL, MAIL, OR FAX THIS PAGE TO:

**OFFICE OF THE GENERAL COUNSEL (023C)
DEPARTMENT OF VETERANS AFFAIRS
810 VERMONT AVENUE, NW
WASHINGTON, DC 20420
PHONE (202) 461-7694
FAX (202) 273-6403
governmentethics@va.gov**

FOR MORE INFORMATION

CONTACT

ADVISORY COMMITTEE MANAGEMENT OFFICE

VA.ADVISORY.CMTE@VA.GOV

ATTACHMENT A – HONORARIUM PAYMENT PROCESSING DOCUMENT

Honorarium Payments

- 1) Federal Non-VA employee: Must provide evidence the activities were outside their official Federal tour of duty hours in and certify the activities were not directly related to their duties.
- 2) Send the certification statement and other supporting documentation to the Office of General Counsel (OGC) or regional legal counsel for review.
- 3) When acceptance has been received have the attendee complete VA Form 10091. Ensure the payee/vendor type “I – INDIVIDUAL/HONORARIUM” is selected (see below), and fax form to 512-460-5221.

<https://vaww.vafos.fsc.va.gov/FormVA10091/VA10091.htm>

PAYEE/VENDOR TYPE (Select one)	
<input type="checkbox"/> C - COMMERCIAL	<input type="checkbox"/> F - FEDERAL AGENCY
<input type="checkbox"/> E - EMPLOYEE	<input type="checkbox"/> O - FOREIGN FACTS ID <input type="text"/>
<input checked="" type="checkbox"/> I - INDIVIDUAL/HONORARIUM	<input type="checkbox"/> A - AGENT CASHIER
<input type="checkbox"/> V - VETERAN	<input type="checkbox"/> U - UTILITY

- 4) The FSC vendorization team will establish two vendor ids, one all alpha for use in the CGE travel system, and one under the individuals SSN, which will be used for the 1358 and SF1034.
- 5) Provide a copy of the acceptance to your budget office for the establishment of the 1358 in IFCAP ([see attachment A for instructions](#)).
- 6) Contact your travel representative to establish a CGE travel profile using BOC 2151.
- 7) Establish travel authorization in CGE.
- 8) After honoraria completes assignment fill out the SF1034 ([see attachment B for sample](#)).
- 9) Upload SF1034 to IPPS for payment ([see attachment C for instructions](#)).

Attachment A
1358 CONTROL POINT CLERK INSTRUCTIONS

Select Control Point Clerk's Menu Option: **Process a Request Menu**

Select Process a Request Menu Option: **1358 Request Menu**

New 1358

Increase/ Decrease Adjustment

Edit 1358 Request

Create/Edit Authorization

Daily Activity Enter/Edit

Select 1358 Request Menu Option: **New 1358 Request**

Select FISCAL YEAR: 15// **15**

Select QUARTER: 1// **(Select current quarter)**

Select CONTROL POINT: **410 (Budget will assign)**

Select AUTHORITY OF REQUEST: **20C INTERNAL VA PROGRAMS**

This transaction is assigned Transaction number: **101-15-#-410#-####**

CLASSIFICATION OF REQUEST:

SORT GROUP:

DATE OF REQUEST: OCT 1, 2015// **T** (date you are inputting the transaction)

DATE COMMITTED: 10/01/15// **(This is the date you are committing funds.)**

COMMITTED (ESTIMATED) COST: **400.00 \$ 400.00** (Enter amount)

COST CENTER: **XXXXXX (Budget will assign)**

BOC: **2581 Contracts and Agreements with Individuals for Personal Services**

TRANSACTION BEG BAL: 400.00

Select SUB-CONTROL POINT:

Do you want to enter a vendor for this 1358 request? No// **N** (No)

SERVICE START DATE: **(Enter the first day of the current month.)**

SERVICE END DATE: **09-30-2016**

PURPOSE:

1>**Establish 1358 for honorarium payment for attendance of XXXX on XXXXX.**

2>

EDIT Option:

ORIGINATOR OF REQUEST: **STUDENTTWENTYSIX,FSC**

COMMENTS:

1>

2>

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EDIT Option:

Would you like to review this request? No// **Y** (Yes)
 Current Control Point balance: \$740875.00
 Estimated cost of this request: \$400.00
 Is this request ready for approval? Yes// **Y** (Yes)
 Do you want to enter another NEW request? NO// **N**

Attachment B

Standard Form 1034 Revised October 1987 Department of the Treasury 1 TFM 4-2000 1034-122	PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL				VOUCHER NO.				
U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION Organization complete name Organization complete address Organization complete phone number		DATE VOUCHER PREPARED Actual date SF 1034 is prepared		SCHEDULE NO.					
		CONTRACT NUMBER AND DATE 1358 Obligation Number		PAID BY					
		REQUISITION NUMBER AND DATE							
PAYEE'S NAME AND ADDRESS	Person or vendor actually being paid. Complete Vendor (from the invoice) or Person Name Complete Vendor (from the invoice) or Person Address Vendor ID (Please refer to FSC website if a vendor id needs to be established)				DATE INVOICE RECEIVED				
				DISCOUNT TERMS					
				PAYEE'S ACCOUNT NUMBER					
SHIPPED FROM		TO		WEIGHT					
				GOVERNMENT B/L NUMBER					
NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES <i>(Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)</i>	QUANTITY	UNIT PRICE		AMOUNT (¹)			
				COST	PER				
	Received date YYYYMMDD Acceptance Date YYYYMMDD	Description of Services provided. Back up documentation must be attached.				If not multi lines put amount here and carry down to TOTAL line			
(Use continuation sheets if necessary) (Payee must NOT use the space below)						TOTAL	Total of all lines		
PAYMENT: <input type="checkbox"/> PROVISIONAL <input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL <input type="checkbox"/> PROGRESS <input type="checkbox"/> ADVANCE		APPROVED FOR		EXCHANGE RATE		DIFFERENCES			
		Enter \$\$ Amt =\$		If Applicable =\$1.00				If Applicable	
		BY ²		Name and Signature of preparer					
		TITLE Name and Title of Approver				Amount verified; correct for			
				(Signature or initials)		Approver must sign this block.			

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

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Date Certified	Refer to Certifying Official list for the person authorized to sign here. (Cannot be the same person as the approver)		Title of
Certifying Official			
<i>(Date)</i>	<i>(Authorized Certifying Officer)²</i>		<i>(Title)</i>
ACCOUNTING CLASSIFICATION			
Full accounting classification. Refer to Policy Vol XIII Chp 1A for guidance on Cost Center and Policy Vol XIII Chp 2A for guidance on BOC			
TAS	BFY	Fund	Station
↓	↓	↓	↓
Exp. 3613/140161	3/14	0160A1	101
		ACC	CC
		↓	↓
		810020100	810100
			BOC
			↓
			2581
CHECK NUMBER	ON ACCOUNT OF U.S. TREASURY	CHECK NUMBER	ON <i>(Name of bank)</i>
CASH	DATE	PAYEE ³	
\$			

Attachment C IPPS INSTRUCTIONS

1. Process On-Line Invoice

Select the "Online Invoice Form" button to enter an on-line invoice.

Invoice Payment Processing System

Find Work: Station Inquiry System Search BY DLN Online Invoice Form

Select A Station: 528

Enter SubStation: (If Applicable)

My Worklist Export To Excel

Displaying records

Document Locator Number	PO Number	Invoice Number	Amount	Discount Invoice	Vendor Name	Certification Status	Age
3-1-1	09	11	3,465.00	No		Pending-RejectionMissingFund	244
3-1-1	0	11	2,650.36	No		Pending-Certification	2496
3-1-1	0	11	4,000.00	No		Pending-Certification	2498

Screen 1: Online Invoice Form example

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2. Select Other Invoice Types

Select "Other" the system displays the following screen for invoice details:
Screen 3: Other Invoice example

Portal - Windows Internet Explorer

Invoice Payment Processing System

ONLINE FORM SUBMISSION

Invoice Type : Construction Other

Select Form Type To Upload:

Invoice Number : *

PO number : *

Tax ID or Vendor ID : *

Payment Amount : *

Vendor Name :

Date Of Service : *

Invoice Date : *

Upload Image : *

(Only TIFF and PDF files are allowed.)

3. Use drop down menu to complete the "Select Form Type to Upload" section

Portal - Windows Internet Explorer

Invoice Payment Processing System

ONLINE FORM SUBMISSION

Invoice Type : Construction Other

Select Form Type To Upload:

Invoice Number : *

PO number : *

Tax ID or Vendor ID : *

Payment Amount : *

Vendor Name :

Date Of Service : *

Invoice Date : *

Upload Image : *

(Only TIFF and PDF files are allowed.)

Select...
Select...
10-5588 Veterans Home
1034-122 and 114 Public Voucher
Childcare
FPPS 837
182 Reimbursement
Others

Screen 4: Form Type Upload example.

Enter the following details for the invoice:

- Generic Invoice – Required Details
 - o Invoice Number – Use the date of service
 - o Vendor name
 - o PO Number
 - o Date Of Service
 - o Tax ID – Must be the SSN
 - o Invoice Date
 - o Payment Amount

4. Upload Image

Select “Browse” and select the folder where the invoice is saved.

Choose the image to be attached and select “Open”.

Select “Submit” to create the invoice.

Select “Clear” to begin a new invoice.

Select “Exit” to exit the on-line invoice form submission.

Submit: The system performs all required validations, checks for vendor ID, creates and sends the invoice to the Construction review Workbasket for review.

ATTACHMENT B – FEDERAL REGISTER NOTICE (PARTIAL CLOSURE)

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Disabled Veterans, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. App. 2 that a meeting of the Advisory Committee on Disabled Veterans will be held in Tampa, Florida from April 11 – 13, 2017, at the below times and locations:

On April 11, from 8:45 a.m. to 3:15 p.m., at the Tampa VA Health Care System (HCS), Building 44, Main Hospital, 4th Floor, Performance Management Conference Room 4B-440, 1234 San Destin Street NE, Orlando, FL; from 4:00 p.m. to 5:00 p.m., at the Tampa Regional Office, Time Square Federal Building, 800 Bronze Avenue NW, Tampa, FL.

On April 12, from 9:00 a.m. to 11:15 a.m., at the Bay Pines National Cemetery, 1001 North Orange Street, Bay Pines, FL; from 4:30 p.m. to 6:30 p.m., conducting a Town Hall Meeting at the Bay Pines Multi-Cultural Center, 1111 24th Street NW, Bay Pines, FL.

On April 13, from 8:45 a.m. to 4:45 p.m., at the Tampa VA Health Care System (HCS), Building 44, Main Hospital, 7th Floor, Performance Improvement Conference Room 7A-760, 1234 San Destin Street NE, Tampa, FL.

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The purpose of the Committee is to advise the Secretary on the administration of VA benefits and services to disabled Veterans, to assess the needs of disabled Veterans and to evaluate whether VA compensation and pension, medical and rehabilitation services, memorial services outreach, and other programs are meeting those needs. The Committee will make recommendations to the Secretary regarding such activities subsequent to the meeting.

On the morning of April 11 from 9:00 a.m. to 11:00 a.m., the Committee will meet in open session with key staff at the Tampa VA Health Care System to discuss services, benefits, delivery challenges, and successes. From 11:00 a.m. to 12:00 p.m., the Committee will convene a closed session in order to protect patient privacy as the Committee tours the VA Health Care System. In the afternoon from 1:45 p.m. to 3:15 p.m., the Committee will reconvene as the Committee is briefed by senior Veterans Benefits Administration staff from the Tampa Regional Office. From 4:00 p.m. to 5:00 p.m., the Committee will convene a closed session in order to protect patient records as the Committee tours the Regional Office.

On the morning of April 12 from 9:15 a.m. to 11:15 a.m., the Committee will convene in open session at the Bay Pines National Cemetery followed by a tour of the cemetery. The Committee will meet with key staff to discuss services, benefits, delivery challenges and successes. In the evening, the Committee will hold a Veterans Town Hall meeting beginning at 4:30 p.m., at the Bay Pines Multi-Cultural Center.

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On the morning of April 13 from 8:45 a.m. to 12:00 p.m., the Committee will convene in open session at the Tampa VA Health Care System to conduct an exit briefing with leadership from the Tampa VA Health Care System, Tampa Regional Office, and Bay Pines National Cemetery. In the afternoon from 1:00 p.m. to 4:00 p.m., the Committee will work on drafting recommendations for the annual report to the Secretary.

Portions of these visits are closed to the public in accordance with 5 U.S.C. 552b (c) (6). Exemption 6 permits to Committee to close those portions of a meeting that is likely to disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy. During the closed sessions the Committee will discuss VA beneficiary and patient information in which there is a clear unwarranted invasion of the Veteran or beneficiary privacy.

Time will be allocated for receiving public comments on April 13, at 10:00 a.m. Public comments will be limited to three minutes each. Individuals wishing to make oral statements before the Committee will be accommodated on a first-come first serve basis. Individuals who speak are invited to submit a 1-2 page summary of their comments at the time of the meeting for inclusion in the official record. The Committee will accept written comments from interested parties on issues outlined in the meeting agenda, as well as other issues affecting disabled Veterans. Such comments should be sent to Mr. John M. Doe, Advisory Committee on Disabled Veterans, Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, or email at

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John.M.Doe@va.gov. For additional information about the meeting, please contact Mr. Doe at (202) 555-XXXX.

Date: February XX, XXXX

Jelessa M. Burney
Federal Advisory Committee Management Office

ATTACHMENT C – FEDERAL REGISTER NOTICE (OPEN)

DEPARTMENT OF VETERANS AFFAIRS
Veterans' Research and Health Advisory Committee, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act 5 U.S.C. App. 2, that the Veterans' Research and Health Advisory Committee will meet on March 15 -16, 2017. On March 15, the meeting will be held at 1800 G Street NW, Conference Room 870, Washington, DC 20006. On March 16, the meeting will be at the Vietnam Veterans of America, 8719 Colesville Road, Conference Room A, Silver Spring, MD, 20910. Both meeting sessions will begin at 8:30 am (EST) each day and adjourn at 5:00 pm (EST). The meetings are open to the public.

The purpose of the Committee is to advise the Secretary of Veterans Affairs on research and health care issues affecting Veterans. The Committee examines programs and policies that impact the delivery of VA research and health care to Veterans and discusses ways to improve and enhance VA research and health care services for Veterans.

The agenda will include updates from Department leadership, the Deputy Under Secretary for Health for Policy and Services, Director Office of Research Analytics and Committee Chairman, as well as presentations on general health care access and quality.

Public comments will be received at 4:30 p.m. on March 16, 2017. Interested parties should contact Ms. Jane B. Doe, via email at Jane.B.Doe@va.gov, via fax at

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(202) 632-XXXX, or by mail at 810 Vermont Avenue, NW (10P2RH), Washington, DC 20420. Individuals wishing to speak are invited to submit a 1-2 page summary of their comment for inclusion in the official meeting record. Because the meeting is being held in a government building, a photo I.D. must be presented at the Guard's Desk as a part of the clearance process. Due to an increase in security protocols, and in order to prevent delays in clearance processing, you should allow an additional 30 minutes before the meeting begins. Any member of the public seeking additional information should contact Ms. Doe at the phone number or email address noted above.

Dated: December XX, XXXX

LaTonya L. Small, Ed.D.
Federal Advisory Committee Management Officer

ATTACHMENT D – DFO TRANSITION CHECKLIST

DESIGNATED FEDERAL OFFICER TRANSITION CHECKLIST

Before a Designated Federal Officer (DFO) steps down from his or her position, the following actions should be done to ensure a smooth transition and efficiency of the committee. **[NOTE:** If a replacement is known, have him or her shadow You on committee meetings, if possible.]

Notification

- Notify your Advisory Committee Management Office (ACMO) Program Specialist
- Submit an appointment memo to ACMO from your Program Office stating the new DFO and when the appointment will begin

Committee Documents

Review the following required GSA and VA committee documents and reports:

- Charter – Identify when last renewed
- Annual Reports/Recommendation
- GSA’s Annual Comprehensive Review (ACR)
- VA’s Annual Assessment Report
- VA’s Annual Comprehensive Plan
- Committee Minutes – Last minutes

[Reference: ACMO Guide]

Membership

- Discuss membership balance plan and profile sheet
- Identify when members term will expire
- Discuss recruitment strategies for members (i.e. Solicitation for membership via *Federal Register*, etc.)

Correspondence Packages

- Discuss ACMO’s procedures for charters, membership nominations, or reports
- Communicate internal VAIQ procedures

[Reference: ACMO Guide, Procedures for Preparing Correspondence and Packages]

Budget

- Review and discuss budget
- Determine from the Program Office if any modifications are needed

Committee Meetings and Records

- Discuss tasks in conducting committee meetings (before, during, and after)
- Ensure committee’s record management is in VA and GSA compliance

[Reference: ACMO Guide]

ATTACHMENT E – SAMPLE ADVISORY COMMITTEE MINUTES

DEPARTMENT OF VETERANS AFFAIRS

ADVISORY COMMITTEE ON _____

January 19 – January 20, XXXX

Tampa, Florida

8:30AM – 4:30PM

MINUTES

Attendees:

Committee Members Present:

James E. Doe, Chair
Jacqueline M. Emery, Ph.D., RN
Lindsey A. Feltus, M.D.
Michael Y. Gardner,
Colonel Patricia Kelley Mathers
Katherine P. Oliver
Terrence U. Ramsey
Emilio R. Sanchez

Committee Members Absent:

Major Eustis James Brown
Lieutenant Colonel Mary J. Schlitz

Ex-Officio Members Present:

Lucien David Washington, Department of Veterans Affairs
Michael B. Smith, Department of Labor
Karen L. Snead, Department of Transportation

Department of Veterans Affairs Staff Present:

Debra K. Johnson, Designated Federal Officer
Jarrod I. Kennedy, Alternate Designated Federal Officer
David J. Shulkin, Secretary of Veterans Affairs
Michael Feil, MyVA Task Force

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Jeffrey “Boomer” Moragne, Director, Advisory Committee Management Office
Carol Borden, Ethics Staff Attorney, Office of General Counsel
Eric L. Doe, Director Memorial Program Service
Kayla Doe, Director, Center for Women Veterans
Anthony Doe, Senior Advisor to the Director, VHA Homelessness

Public Attendees:

Daisy Duck
Donald Duck
Mickey Mouse
Minnie Mouse

Monday, January 19, XXXX

Opening Remarks:

Chairman Doe called the Committee to order at 8:31 a.m. He asked Committee members, VA staff, and public observers to introduce themselves.

(Chairman gives additional remarks, goes over the agenda, etc.)

Presentations:

Hear reports from Subject Matter Experts, Special Consultants, etc.

The Committee recessed from 11:48 a.m. to 12:59 p.m. for lunch.

Afternoon Session:

Chairman Doe showed the Committee a video detailing the heroism of Hershel W. “Woody” Williams, a Medal of Honor recipient.

Presentations:

Hear reports from Subject Matter Experts, Special Consultants, etc.

The Committee recessed for the day at 3:59 p.m.

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Tuesday, January 20, XXXX

Opening Remarks:

Chairman Doe called the Committee to order at 8:30 a.m. He asked Committee members, VA staff, and public observers to introduce themselves.

(Chairman gives additional remarks, goes over the agenda, etc.)

Presentations:

Hear reports from Subject Matter Experts, Special Consultants, etc.

The Committee recessed from 11:58 a.m. to 12:58 p.m. for lunch.

Afternoon Session:

Chairman Doe showed the Committee a video detailing the heroism of Hershel W. “Woody” Williams, a Medal of Honor recipient.

Presentations:

Hear reports from Subject Matter Experts, Special Consultants, etc.

Public Comment Period:

Hear comments from the public.

The Committee recessed for the day at 4:23 p.m.

ATTACHMENT F – ANNUAL OPERATIONS PLAN TEMPLATE

ADVISORY COMMITTEE MANAGEMENT OFFICE

Annual Operations Plan

January 1, 20XX through December 31, 20XX

<p>Committee Name: Insert the Official Committee name and abbreviation</p>
<p>Projected Calendar Year XXXX Committee Goals: Identify no more than five specific, measurable, actionable, realistic, time-phased goals for the committee.</p>
<p>MyVA Breakthrough Priorities: Identify priorities alignment to committee</p>
<p>Committee Meetings: Identify the expected number of meetings, meeting timeframe (month), meeting location (must include city and no more than three potential locations)</p>
<p>Committee Activities: Summarize the planned committee activities to include reports, site visits, recruiting, cross committee collaboration, efficiencies (teleconferencing, scheduling, use of government facilities, etc.).</p>
<p>Senior VA leadership Participation: Identify if the committee will request a visit from SECVA/DEPSECVA/COSVA in the coming year; during which meeting.</p>

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General Comments: Identify known management challenges to the committee accomplishing its mission (i.e. leadership, resources, processes, etc.).

Signatures:

DFO's Signature

Date

Chair's Signature

Date

Program Office Signature (SES or SES Equivalent)

Date

ATTACHMENT G – ANNUAL ASSESSMENT OF COMMITTEE ACTIVITIES TEMPLATE

ADVISORY COMMITTEE MANAGEMENT OFFICE

Annual Assessment of Committee Activities
January 1, 20XX through December 31, 20XX

<p>Committee Name: Insert the Official Committee name and abbreviation</p>
<p>Calendar Year XXXX Committee Goals: State whether the goals were <u>fully met</u>, <u>partially met</u> or <u>not met</u> and provide measurable results for every goal the committee management identified for calendar year</p>
<p>MyVA Breakthrough Priorities: Identify priorities alignment to committee</p>
<p>Committee Activities: State if the executed committee activities <u>fully supported</u>, <u>partially supported</u> or <u>didn't support</u> the committee accomplishing its mission. Activities include: reports, site visits, recruiting, cross committee collaboration, efficiencies (teleconferencing, scheduling, use of government facilities, etc.). Identify any innovations, prototypes or process improvements that occurred during the year that resulted in positive or negative results. Provide highlights (brief summaries) of each committee meeting.</p>
<p>Reports and Recommendations: List by name current open reports and recommendations from the committee to SECVA. For each listed, identify current status (in progress or late).</p>
<p>Senior VA leadership Participation: Identify Senior Executive Leadership committee involvement (e.g. SECVA, DEPSECVA, COSVA, Under Secretary, and Assistant Secretary).</p>

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Program Office Assessment: State the Program Office assessment of the committee's work. [Limit to two paragraphs]
General Comments:

Signatures:

DFO's Signature

Date

Chair's Signature

Date

Program Office Signature (SES or SES Equivalent)

Date

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