



DEPARTMENT OF VETERANS AFFAIRS
Washington DC 20420

SEP 24 2019

MESSAGE FROM THE CHIEF OF STAFF

At the Department of Veteran Affairs (VA), the role and functions of our advisory committees render great importance to the Department. VA has witnessed many valuable effects and policy changes from advisory committee recommendations and deliberations that benefited our 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 resources, examples, and comprehensive knowledge that will aid our advisory committee managers community (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 knowledge captured in this **Guide** provides our advisory committees with administrative support to address such issues as chartering subcommittees, appointing committee members, and preparing for committee meetings. The policies and procedures in this **Guide** comply with FACA and provide repeatable, predictable, and reliable processes.

We acknowledge that the work of our advisory committees could not be achieved without the involvement of VA's leadership team. Senior officials' ongoing support in attending meetings, providing guidance, and being actively engaged in responding to committee recommendations is what moves VA forward.

The Secretary values the input of VA's advisory committees and is committed to ensuring that their recommendations improve the lives of Veterans and their Families or Survivors whom we are privileged to serve. With your continuous support and diligent work in advisory committee management, we achieve our goal.

A handwritten signature in black ink, appearing to read "Pamela Powers".

Pamela Powers
Chief of Staff

DEPARTMENT OF VETERANS AFFAIRS



Advisory Committee Management

GUIDE

SEPTEMBER 2019

Department of Veterans Affairs Advisory Committee Management Guide

TABLE OF CONTENTS

	Page
INTRODUCTION	1
Background	2
Federal Advisory Committee Act (FACA)	
Government in the Sunshine Act	
Freedom of Information Act	
Privacy Act	
FACA Final Rule	
Executive Order 12024	
Executive Order 12838	
STRUCTURE OF ADVISORY COMMITTEES	5
Purpose of Advisory Committees	5
Types of Members and Their Purpose	5
Chair	
Special Government Employees	
Ex-officio Members	
Representatives	
Regular Government Employees	
Consultants	
Subcommittees/Workgroups	6
ROLES AND RESPONSIBILITIES	6
Committee Management Officer (CMO)	6
Designated Federal Officer (DFO)	7
Alternate Designated Federal Officer (Alternate DFO)	9
Committee Support Staff	9
Committee Management Secretariat, General Services Administration	10
CHARTERING ADVISORY COMMITTEES	10
Which Groups Must Be Chartered	10
Establishing a New Committee	11
Membership Balance Plan	13
Committee Charter Package	14
Renewing a Committee Charter	15
Amending an Existing Charter	17
Terminating/Abolishing a Committee	17
Placing a Committee on Administratively Inactive Status	18

Department of Veterans Affairs Advisory Committee Management Guide

	Page
NOMINATIONS, SELECTIONS, AND APPOINTMENTS	19
Purpose	19
Selection Criteria	19
Terms of Appointment	20
General	
Vacancies	
Reappointments	
Dual Membership	21
Composition of Committees	21
Special Government Employees (SGE)	
Ex-Officio Members	
Representatives	
Compensation of Advisory Committee Members	22
Special Government Employees (SGE)	
Full-time Federal Employees	
Sources for Obtaining Candidates	22
Nomination Procedures	22
Members Appointed by the Secretary	
Orientation of New Members	23
Termination of Committee Members	23
Expiration of Membership Terms	
Resignations	
Other Types of Term Ends	
Letters and Certificates of Appreciation	24
ADVISORY COMMITTEE MEETINGS	24
Federal Register Notices	24
Responsibilities of Designated Federal Officer (DFO)	25
Before the meeting	
During the meeting	
After the meeting	
DFO Transition	29
MINUTES/ TRANSCRIPTS/RECORDS	29
Minutes/Transcripts	29
Records Maintenance and Disposal	30
Public Access to Records	30

Department of Veterans Affairs Advisory Committee Management Guide

	Page
FINANCIAL DISCLOSURE AND ETHICS	31
Office of the General Counsel.....	32
Federal Advisory Committee Members Appointed as Special Government Employees.....	32
ADVISORY COMMITTEE REPORTS	33
Annual Comprehensive Review of Federal Advisory Committees.....	33
VA Annual Reports	
Operations Plan.....	33
Assessment of Committee Activities.....	34
DEFINITIONS	35
APPENDIX A	40
Ethics Rules for Special Government Employees.....	40
ATTACHMENTS	50
A. VA Subcommittee Operating Instructions	50
B. Establishment Subcommittee SECVA Memo	54
C. Delegation of Authority to Issue An Agency Determination to Close All or Part of an Advisory Committee Meeting	56
D. VA Advisory Committee Self-Certification Statement.....	59
E. Federal Register Notice of Meeting (Open to the Public – One Single Meeting Date and Time)	61
F. Federal Register Notice of Meeting (Open to the Public – Multiple Meeting Dates and Times)	63
G. Federal Register Notice of Meeting (Partial Closure)	66
H. DFO Transition Checklist	69
I. Sample Advisory Committee Minutes	70
J. Annual Operations Plan Template	73
K. Annual Assessment of Committee Activities Template	75

INTRODUCTION

This publication is the principal tool to ensure that VA Federal Advisory Committees carry out their responsibilities under Federal Advisory Committee Act (FACA). The VA Advisory Committee Management Guide (Guide) provides guidance and general information on committee management policies and procedures. The Designated Federal Officers (DFOs), 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. Some information provided in the Guide is also supported and further discussed in detail in the ACMO's Procedures for Preparing and Processing Advisory Committee Correspondence and the VA's Committee Member Handbook.

If you need advice or clarification on a topic, please contact the ACMO staff at vaadvisorycmte@va.gov. We hope 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. Veterans Benefits Administration regional offices, Veterans Health Administration medical centers, and National Cemetery Administration national cemeteries). Advisory committees meet regularly with VA's senior leadership and they receive frequent briefings by program managers in subject areas related to their particularly 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 filed; committee reports and recommendations receive VA response; and other 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

Department of Veterans Affairs Advisory Committee Management Guide

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.

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.

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).

Department of Veterans Affairs Advisory Committee Management Guide

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 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 13875

On June 14, 2019, President Trump signed an EO on Evaluating and Improving the Utility of Federal Advisory Committees. This EO advised each executive department and agency to evaluate the need for each of its current advisory committees particularly those authorized by law but not required by statute (discretionary committees). By September 30, 2019, each agency shall terminate at least one-third of its current committees or request a waiver request of the requirement from the Director of the Office of Management and Budget.

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 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. All SGEs must review and comply with the Standards of Ethical Conduct for Employees of the Executive Branch. The Standards of Ethical Conduct are outlined in the VA Committee Member Handbook.

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.

Department of Veterans Affairs Advisory Committee Management Guide

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.

To provide a general example of how a Federal Advisory Committee (FAC) subcommittee should operate, the Department established VA Federal Advisory Committee Subcommittee Operating Instructions (See Attachment A). This document provides guidance and detailed information on the role and functions of the parent committee and subcommittees, subcommittee collaboration, and the DFO responsibility. To further assist in the subcommittee establishment process, a template is provided to inform the Secretary (SECVA) for his situational awareness. See Attachment B, Establishment Subcommittee SECVA Memo Template.

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

Department of Veterans Affairs Advisory Committee Management Guide

the agency, and compliance with the provisions of FOIA with respect to such reports, records, and other papers;

- Providing advice and coordinating FACA and other 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;
- 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; and
- Working closely with GSA's Committee Management Secretariat regarding the reporting of the yearly achievements and costs of VA's advisory committees.

In addition, the Secretary has delegated authority to the CMO to issue an agency determination to close all or part of an advisory committee meeting. See Attachment C - Delegation of Authority to Issue An Agency Determination to Close All or Part of an Advisory Committee Meeting (dated March 25, 2019).

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;

Department of Veterans Affairs Advisory Committee Management Guide

- Attend all meetings or subcommittee meetings (or make arrangement 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 is 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 (or signed) by the Chair within the 90 days of the committee meeting;
- 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;

Department of Veterans Affairs Advisory Committee Management Guide

- 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;
- Assist Chair and Committee members with committee management items or duties (i.e., upcoming meetings, scheduling site visits, reporting recommendations and other administrative items);
- 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 subcommittee 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 engaged in the committee management, meeting and support of the DFO

Committee Support Staff

Committee support staff 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;
- 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

Department of Veterans Affairs Advisory Committee Management Guide

- 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. 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 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

Department of Veterans Affairs Advisory Committee Management Guide

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 is 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). Requests for establishment of discretionary committees should include its specific purpose (to make recommendations, produce a report) and a termination date, when applicable. **The charter must include all required statutorily components and should include five other components (*) that are not explicitly required (at this time) but are recommended by GSA to improve the overall charter and provide valuable additional information for interested parties.**

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

Department of Veterans Affairs Advisory Committee Management Guide

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

Department of Veterans Affairs Advisory Committee Management Guide

- **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 time period 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.
- **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 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 6.2, 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

Department of Veterans Affairs Advisory Committee Management Guide

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.”

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. 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 are required 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 be established
- Proposed charter
- Formal Determination
- Delegation of Authority to Appoint Members (if applicable)
- Financial Operating Plan
- Proposed Plan for Balanced Membership
- Filing letters and envelopes (or mailing labels)
- Electronic copy of all documents in the package (editable version)

Department of Veterans Affairs Advisory Committee Management Guide

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 (or mailing labels)
- Electronic copy of all documents in the package (editable version)

Presidential Advisory Committee:

- Action memorandum to the Secretary explaining the authority or requirement for the Committee
- Proposed charter
- Copy of Establishing Authority
- Filing letters and envelopes (or mailing labels)
- Electronic copy of all documents in the package (editable version)

Note: 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.

Department of Veterans Affairs Advisory Committee Management Guide

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
- Filing letters and envelopes (or mailing labels)
- Electronic copy of all documents in the package (editable version)

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
- Filing letters and envelopes (or mailing labels)
- Electronic copy of all documents in the package (editable version)

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
- Filing letters and envelopes (or mailing labels)
- Electronic copy of all documents in the package (editable version)

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

- The Secretary has approved and signed the charter; and

Department of Veterans Affairs Advisory Committee Management Guide

- 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: For discretionary advisory committees, if the charter is not renewed by its 2-year date, GSA will require the charter to be reestablished, which will require a longer wait time to resume committee activities and meetings. 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
- Filing letters and envelopes (or mailing labels)
- Electronic copy of all documents in this package (editable version)

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;

Department of Veterans Affairs Advisory Committee Management Guide

- 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.

Department of Veterans Affairs Advisory Committee Management Guide

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:
 - FACA (5 U.S.C. App. 2)
 - 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 similar 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

Department of Veterans Affairs Advisory Committee Management Guide

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.

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.

Department of Veterans Affairs Advisory Committee Management Guide

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 VA advisory committee for more than four to six years (i.e. two, two-year terms, or three-year terms); in accordance with the term limits in the Committee's charter; 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 - An SGE is a private citizen appointed based on expertise that will contribute to the committee's objectives. 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 ethical rules discussed in this Guide and required to complete an SGE Self-Certification Statement (See Attachment D). 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.

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

Department of Veterans Affairs Advisory Committee Management Guide

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 generally paid to committee members who serve as SGEs is established by the SECVA and will not exceed \$300 per day. Unless provided otherwise by a committee's authorizing statute, the stipend 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.

Full-time Federal Employees - Members are not eligible to receive a consultant or stipend 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 VA staff. Nominees may also be received from Agency officials, members of Congress, the public or self-referral, current or former committee members, and 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 will address current or previously appointed members eligible for membership renewal, newly proposed members, and/or members' whose terms expired or resigned.

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

- Action Memorandum for Recommended Nominees (Memo to Secretary)
- Current Charter
- Authorizing Legislation/Executive Order
- Current Membership Roster
- Professional Area Breakdown
- Brief Biographies
- Letters of appointment, reappointment and appreciation

Department of Veterans Affairs Advisory Committee Management Guide

- Certificates of appointment and appreciation
- Enclosures to the letters of new 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.

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. This orientation should take at the new members first meeting.

Termination of Committee Members

Expiration of Membership Terms

When members' term expires, they will receive a thank you letter along with a certificate of appreciation. The DFO should prepare the membership termination package. Please follow the instructions provided in ACMO's Procedures for Preparing and Processing Advisory Committee Correspondence and Packages which can be found at <https://www.va.gov/advisory/index.asp>.

Resignations

If a member resigns from the committee, a notification to the DFO is necessary, preferably by letter, but an email will be accepted. The DFO forwards that information to the CMO. The DFO will update the GSA FACA database to reflect the end of that member's term. In addition, the DFO should prepare the membership termination package. Please follow the instructions provided in ACMO's Procedures for Preparing and Processing Advisory Committee Correspondence and Packages.

Department of Veterans Affairs Advisory Committee Management Guide

Other Types of Member Termination

In case of a member's death, the DFO notifies the CMO of the death and updates the database to reflect the end of that member's term. For ethical conduct violations, see VA Committee Member Handbook.

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 SECVA as well as a certificate of appreciation, which will be prepared by ACMO and added to the membership package. The letter of appreciation should be part of the membership package that the DFO prepares. At the time the membership package is prepared, the DFO should send an email 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. The way the member is addressed should be consistent throughout the membership package.

ADVISORY COMMITTEE MEETINGS

No meeting shall be held in the absence of the DFO or Alternate DFO. VA Federal advisory committees operate using the principles of a quorum and consensus to the maximum of possible. Unless otherwise established in the committee's charter 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.

Department of Veterans Affairs Advisory Committee Management Guide

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 E and F for samples of a Notice of Meeting that is open to the public with one single meeting date and time and one with multiple meeting dates and times. See Attachment G for a partially closed meeting to the public. If the approved package is not received in ACMO as required, the Committee is at risk for *meeting cancellation* due to an untimely submission to the Federal Register for publication. Exceptions must be discussed with ACMO as aware of a situation.

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) for Planning a Meeting:

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;

Department of Veterans Affairs Advisory Committee Management Guide

- 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;
- Ensures members' tent cards are placed;
- Ensures the agenda includes:
 - Concise descriptions of each major subject or issue listed in the agenda, speaker name and title;
 - Priority and timing of topics;
 - VA Response to Committee Recommendations or Report; 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)(1) 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

Department of Veterans Affairs Advisory Committee Management Guide

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, the appropriate agency official must issue a determination that all or part of the meeting be closed. The SECVA has given authority to the CMO to issue an agency determination to close all or part of an advisory committee meeting. See Attachment C, Delegation of Authority for Agency Determination Closed Meetings.

(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, VA Medical Center tours, etc.).

In conclusion, unless an exception applies, closing a Federal advisory committee to discuss a Committee's report and/or recommendations 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;

Department of Veterans Affairs Advisory Committee Management Guide

- May chair meeting in the Chair's absence;
- Maintains an attendance log;

Ensures the committee conducts business in accordance with all applicable regulations, policies, and procedures

Ensures accurate records are kept of the committee's deliberation.

- Reminds members and other public 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.

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 and with a designated time limit to speak.
- 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 and becomes part of the meeting minutes.

After the meeting, the DFO:

- Ensures the Committee Chair certifies and/or signs the minutes within 90 days.
- Ensures that stipends and travel vouchers are processed in a timely manner.

Department of Veterans Affairs Advisory Committee Management Guide

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 H for DFO Transition Checklist. During a DFO transition, the DFO Checklist MUST be signed by both the outgoing and incoming DFO. Email the form directly to the, CMO, at Jeffrey.Moragne@va.gov.

MINUTES/ TRANSCRIPTS/ RECORDS

All records, reports, and other documents of each advisory committee must be available for public inspection and copying pursuant to FACA. DFOs and advisory committee support staff 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. DFOs and advisory committee support staff must preserve records containing adequate and proper documentation of the organization, function, policies, decisions, procedures, and essential transactions of the advisory committee. 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 FACA law, the minutes must include the following:

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

Department of Veterans Affairs Advisory Committee Management Guide

Minutes must be prepared, reviewed, and signed by the Chair within 90 days of the meeting. See Attachment-I 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 ACOM.

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 ACOM 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

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

- Advisory Committee on Cemeteries and Memorials;
- Advisory Committee on Disability Compensation;
- Advisory Committee on Prosthetics and Special-Disabilities Programs;
- Advisory Committee on the Structural Safety of Department of Veterans Affairs Facilities;
- Creating Options for Veterans' Expedited Recovery Commission;
- Special Medical Advisory Group; and
- Veterans and Community Oversight and Engagement Board.

The remaining committees existing are exempt from this requirement.

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 duties and responsibilities of the committee. 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.** 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 Ethics Specialty Team (EST).

The Ethics Rules for SGE's (found in the Appendix A) should also 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.

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 possible criminal prosecution.

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

Department of Veterans Affairs Advisory Committee Management Guide

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.
- 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 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 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 (ACR) 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 Support 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 and verifies the report for completeness and accuracy. After reviewing, the CMO certifies the Department's reports to GSA. Once GSA is notified the Department's report has been certified, GSA reviews and finalizes all Departments and agencies reports into a single report which also contains statistical data regarding all advisory committees and makes available to the public.

VA Annual Reports

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 calendar 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

Department of Veterans Affairs Advisory Committee Management Guide

dates, places, activities and resource allocations should be *specifically* identified and not stated in general terms.

The Annual Operations Plan should encompass how the committee aligns itself with the Department's Strategic Goals. The DFO and Chair are encouraged to involve committee members' participation in this planning process. A template is provided in Attachment J that captures information committees should provide.

The 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")

Annual Assessment of Committee Activities describes the quality of committee recommendations, the usefulness of communications between the affected program office and the committee, and actions taken to implement committee recommendations conducted in the immediate current calendar year.

The Assessment Report should provide a granular assessment with actionable results and not a restatement of meeting minute summaries and state how the committee achieved its goals or not according to the Department's Strategic Goals and its annual operations plan.

The Report is **due to ACMO by December 1 of each year** and must be signed by the DFO, Committee Chair and Program Office. Attachment K is a template that identifies key information for the DFO to complete.

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 subcommittee 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.

Department of Veterans Affairs Advisory Committee Management Guide

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 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.

Deliberation - The act of the Committee or Subcommittee discussing and deciding carefully recommendations and/or data.

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.

Department of Veterans Affairs Advisory Committee Management Guide

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 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 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

Department of Veterans Affairs Advisory Committee Management Guide

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 (SECVA).

Special Government Employee - 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

Department of Veterans Affairs Advisory Committee Management Guide

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.

Department of Veterans Affairs Advisory Committee Management Guide

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.

Department of Veterans Affairs Advisory Committee Management Guide

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 - VA SUBCOMMITTEE OPERATING INSTRUCTIONS

PURPOSE:

To provide rules of engagement to the Department of Veteran Affairs (VA) Federal Advisory Committee Designated Federal Officer (DFO) duties and responsibilities regarding subcommittee operations.

BACKGROUND:

- This information is pertinent to the VA's Federal Advisory Committee Managers, Committee Chairs, Designated Federal Officers (DFOs) and Committee Members and was based on guidance from VA's General Council Office (OGC).
- When authorized by the committee charter, a Committee may form subcommittees to gather information, conduct research, draft position papers, and analyze relevant issues and facts in support of the committee's-chartered mission.
- In accordance with the subcommittee establishment memo sent to the Secretary of Veterans Affairs (SECVA) by the parent committee's DFO, the subcommittee must abide by the operating instructions described in this document.

GUIDANCE:

- Based on a Committee's charter, a Committee may establish subcommittees, with the DFO approval, to perform specific projects or assignments as necessary and consistent with its mission. The Committee Chair shall notify the SECVA, through the DFO, of the establishment of any subcommittee, including its function, membership, and estimated duration.
- While subcommittees are generally not subject to the Federal Advisory Committee Act (FACA), their activities are covered by the charter of the parent committee. A parent committee is the overarching statutory or discretionary committee that the subcommittee serves under.
- Subcommittees **do not advise** the SECVA. They **do not work independently** of the parent committee. They must report their recommendations and advice to the full committee for full deliberation and discussion. **Exception:** In accordance with the statute authorizing the Geriatrics, Epilepsy, Multiple Sclerosis and Parkinson's Centers of Excellence local advisory groups, these specific subcommittees are exempt from having their recommendations and advice deliberated and/or

Department of Veterans Affairs Advisory Committee Management Guide

discussed by the parent committee. They must provide input in the form of meeting minutes or parent committee DFO standardized report in a timely fashion (i.e. less than 90 days after a meeting or the advice is provided to their respective local Center of Excellence).

- VA policy requires if subcommittees are established, the following will occur:
 1. The parent committee's balance plan and subcommittee appointments are subject to their program office charge and oversight.
 2. The parent committee's balance plan should describe how it is different, not including the recruitment of subcommittee members.
 3. If the authority to appoint subcommittee members is delegated by the Program Office, the subcommittee is required to submit information, similar to that developed for parent committee members, to the SECVA (i.e. thru the parent committee DFO for awareness).
- Pursuant to OGC Ethics Specialty Team (EST), subcommittee members will be designated as Special Government Employee (SGEs), Regular Government Employee (RGEs), or representatives, as appropriate.
 - Note: SGEs may be exempted from the OGE Form 450 filing requirement by Assistant General Counsel VA's Designated Agency Ethics Official. Existing exemptions would also cover subcommittee members. To determine if 450 filing is warranted, the subcommittee DFO can contact EST.
- Like committee members, subcommittee members may be reimbursed for travel or other expenses pursuant to the federal travel regulations and VA Financial Policy Volume XIV. The FACA regulations defines "committee member" as an individual who services by appointment or invitation on an advisory committee or subcommittee. The regulations also denote such:
 - “(k) *Travel expenses*. Advisory committee members and staff, while engaged in the performance of their duties away from their homes or regular places of business, may be allowed reimbursement for travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703, for persons employed intermittently in the Government service.”
- Subcommittee members must act in accordance with VA guidance captured in the VA Committee Members Handbook (SEP 2019)

SUBCOMMITTEE CROSS COMMITTEE COLLABORATION

- A parent committee DFO and Chair must formally establish a subcommittee to collaborate with another parent committee's subcommittee.
- A subcommittee must be established in accordance with the charter and Membership Balance Plan; and an OGC approved DFO Memo to SECVA covering the subcommittee's scope, duration, size and budget (contact ACMO for assistance).
- After collaborating with other subcommittees, the subcommittee must report their results/recommendations to their parent committee for further action.

Subcommittees may have non-parent committee members as identified by the program office (i.e. Senior Executive Leadership).

UNIQUE SUBCOMMITTEE DFO RESPONSIBILITIES

- The Subcommittee DFO is a federally mandated management position that should take approximately 10 - 20 hours a year to accomplish.
- The Subcommittee DFO must complete mandatory DFO initial training (2 hours) and annual training (1 hour).
- The Subcommittee DFO must support the Subcommittee in its efforts to achieve its goals and objectives as prescribed in the statutes authorizing these groups formation by the parent committee.
- The Subcommittee DFO must support the Subcommittee Chair in executing meeting agendas.
- The Subcommittee DFO must provide the logistical foundation for the Subcommittee to include meeting space, support equipment, support personnel and related tasks such as take summary meeting minutes or ensure its accomplished.
- In the absence of the Subcommittee Chair, the Subcommittee DFO or Alternate DFO will lead the meeting.
- The Subcommittee DFO must provide timely feedback to the parent committee DFO (i.e. subcommittee summary meeting minutes within 30 days if the meeting and annual FACA database inputs as required for the parent committee).
- The Subcommittee DFO should have knowledge of the assigned Center of Excellence subcommittee membership recruiting and selection process but has no role in that process
- The Subcommittee DFO must act in accordance with FACA and VA Policy as directed in the Advisory Committee Management Guide (SEP 2019)

Department of Veterans Affairs Advisory Committee Management Guide

- **NOTE:** Per the FACA, subcommittee meetings do not require a Federal Register Notice of Meeting. Meetings are normally closed to the public with discussion of subcommittee work at a parent committee meeting. Subcommittee may invite guests to participate.

Attachment B – ESTABLISHMENT SUBCOMMITTEE SECVA MEMO

**Department of
Veterans Affairs**

Memorandum

Date: [Enter date]

From: [Enter name of the Advisory Committee] Designated Federal Officer [Enter DFO's mail code]

Subj: Establishment of [Enter name of the Subcommittee] Subcommittee under the [Enter name of the Advisory Committee] [Enter VAIQ or VIEWS #number]

To: Secretary (00)

1. This memo provides notice that the _____ [Enter name of the Advisory Committee] is establishing the _____ [Enter name of the Subcommittee]. The Committee is a VA Federal Advisory Committee established pursuant to _____ [Enter authority from Committee's Charter]. Paragraph 13 of the Committee's charter authorizes the Committee to establish subcommittees to perform specific projects or assignments as necessary and consistent with the Committee's mission, with the approval of the Designated Federal Officer and notice to the Secretary.

2. In support of the Committee's mission, the subcommittee shall assemble and review information related to the needs of _____ [Enter Committee's objective and scope of activity from Committee's Charter].

3. The Committee shall oversee and guide the subcommittee's activities. The subcommittee shall report only to the Committee and shall not report to VA or any other entity. Not less than once a year, the subcommittee shall submit a report (if applicable) to the Committee detailing its activities, findings, and recommendations, and may submit such other reports and recommendations to the Committee as the subcommittee considers appropriate.

4. The subcommittee will be comprised of a Chairperson and not more than [Enter #number] additional members. All members will serve for [Enter term

Department of Veterans Affairs Advisory Committee Management Guide

[#number] term **not to exceed two years** from [Enter start date month and year] to [Enter end date month and year]. Members will meet on a [Enter i.e. monthly, quarterly, etc.] basis and the budget will be limited to [Enter \$amount] per person per meeting. Members will receive travel expenses and a per diem allowance in accordance with the Federal Travel Regulation for any travel made in connection with their duties as members of the subcommittees.

5. Subcommittee membership will be drawn from [Enter membership designation from Committee's Charter], in accordance with the membership balance plan for the Committee.

6. If further information is needed, your staff may contact [Enter DFO's name], Designated Federal Officer, [Enter supporting Program Office name], at [Enter DFO's telephone number (202) XXX-XXXX] or via email at [Enter DFO's email address Jane.Doe@va.gov].

Jane Doe
Designated Federal Officer
[Enter name of the Advisory Committee]

Department of Veterans Affairs Advisory Committee Management Guide

Attachment C – DELEGATION OF AUTHORITY TO ISSUE AN AGENCY DETERMINATION TO CLOSE ALL OR PART OF AN ADVISORY COMMITTEE

Department of
Veterans Affairs

Memorandum

Date: March 14, 2019

From: Director, Advisory Committee Management Office (00AC)

Subj: Delegation of Authority to Issue an Agency Determination to Close All or Part of an Advisory Committee Meeting (VIEWS #00195868)

To: Secretary (00)

1. The purpose of this memorandum is for the Department of Veterans Affairs (VA) Secretary to delegate his authority to issue an agency determination to ACMO's current Committee Management Officer (CMO), Jeffrey A. Moragne.
2. Jeffrey A. Moragne was appointed to serve as VA's CMO in January 2014.
3. The Federal Advisory Committee Act's (FACA) Final Rule 2001, §102-3.155 requires a Designated Federal Officer (DFO) to do the following to close all or part of an advisory committee meeting:
 - a) *Obtain prior approval.* Submit a request to the agency head citing the specific exemption(s) of the Government in the Sunshine Act, 5 U.S.C. 552b(c), that justifies closures. 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 the Final Rule Section 102-3.150.
 - b) *Seek General Counsel review.* Office of General Counsel (OGC) 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 finds that the request is consistent with the provisions in the Government in the Sunshine Act and FACA, 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 must make a copy of the determination available to the public upon request.
4. The CMO is responsible for the oversight of all VA advisory committees established and operated under FACA which includes:
 - Exercising control and supervising the establishment, procedures, and accomplishments of advisory committees established by VA;

Department of Veterans Affairs Advisory Committee Management Guide

Page 2.

Delegation of Authority to Issue an Agency Determination to Close All or Part of an Advisory Committee Meeting (VIEWS #00195868)

- Assembling and maintaining the reports, records, and other papers of any VA advisory committee during its existence;
- Ensuring compliance with the Freedom of Information Act (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;
- Consulting with the Office of General Counsel regarding the interpretation of applicable laws and regulations and disseminating this information for the committee management community;
- Working closely with the General Services Administration's (GSA) Committee Management Secretariat regarding the reporting of the yearly achievements and costs of VA's advisory committees; and
- Coordinating FACA training for VA staff.

5. The delegation of authority to the CMO to make agency determinations, will significantly ease the burden of DFOs preparing multiple and ongoing documentation packages, as it relates to closed or partially closed meetings; decrease the number of potentially hundreds of meeting packages which by regulation will have to go to the Secretary for review and agency determination; and alleviate potential risks of planned advisory committee meetings getting cancelled due to delays in the VA concurrence process.

Department of Veterans Affairs Advisory Committee Management Guide


Page 3.

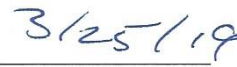
Delegation of Authority to Issue an Agency Determination to Close All or Part of an Advisory Committee Meeting (VIEWS #00195868)

6. I recommend you sign the delegation of authority to issue an agency determination to close all or part of an advisory committee meeting.


Jeffrey A. Moragne

 APPROVED / DISAPPROVED


Robert L. Wilkie


Date

Comments:

**Attachment D – VA ADVISORY COMMITTEE SELF-CERTIFICATION
STATEMENT**

**VA ADVISORY COMMITTEE SELF-CERTIFICATION FOR SPECIAL GOVERNMENT
EMPLOYEES**

Name [Last, First]:

(Please print)

Name of VA Advisory Committee:

(Please print)

I certify that I am ***not*** a Federally registered lobbyist, or have ceased active lobbying as reflected in a filed bona fide de-registration, or have been de-listed by my employer, or I have been absent from a quarterly lobbying report for three consecutive quarters.

I understand that I am obligated to notify the Designated Federal Officer of the Committee I've been appointed to serve on and the Ethics Specialty Team immediately of any addition or change in status that would make the above certification inaccurate.

I also certify that I have read the attached "14 General Principles of Ethical Conduct" (Title 5 C.F.R. § 2635.101(b) - Principles of Ethical Conduct.

Signature: _____ **Date:** _____

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.

Department of Veterans Affairs Advisory Committee Management Guide

Attachment E – FEDERAL REGISTER NOTICE - OPEN TO THE PUBLIC (ONE SINGLE MEETING DATE AND TIME)

Font: Times
New Roman, 12

VA Title
Committee
Name, Notice
of Meeting

DEPARTMENT OF VETERANS

Veterans' Advisory Committee on Rehabilitation, Notice of Meeting

Do Not
Include FACA
citation
Meeting
Logistics:
Date(s),
Facility Name,
Facility
Address, City,
State, Zip
Time(s)

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, that a meeting of the Veterans' Advisory Committee on Rehabilitation (the Committee) will be held on Tuesday, March 26, at the VA Central Office, 810 Vermont Avenue NW, Sonny Montgomery Conference Room 230, Washington, DC. The meeting will begin at 8:30 a.m. EST and adjourn at 4:30 p.m. EST The meeting is open to the public.

Add
Committee's
Purpose from
Charter

The purpose of the Committee is to provide advice to the Secretary on the rehabilitation needs of Veterans with disabilities and on the administration of VA's rehabilitation programs.

Add
descriptive
details or
summarized
agenda topic
as it pertains
to the
meeting.

On March 26, 2019, the Committee will receive updated briefings on various VA programs designed to enhance the rehabilitative potential of disabled Veterans. Additionally, the Committee will discuss and explore potential recommendations to be included in the next annual report.

Add whether
or not there
will be a
public
comment
period. Add
details of the
public
comment
period (i.e.
who, what,
where, why,
how long).

Although no time will be allocated for receiving oral presentations from the public, members of the public may submit written statements for review by the

Department of Veterans Affairs Advisory Committee Management Guide

Add DFO or designee contact information to address questions.

DO NOT ADD hyperlinks or underlines to email address.

Committee to Latrese Arnold, Designated Federal Officer, Veterans Benefits

Administration (28), 810 Vermont Avenue, NW, Washington, DC 20420, or via email at

Latrese.Arnold@va.gov. In the communication, writers must identify themselves and

state the organization, association or person(s) they represent. Because the meeting is

being held in a government building, a photo I.D. must be presented as 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 who wishes to attend the meeting should RSVP to

Latrese Arnold at (202) 461-9773 no later than close of business, March 18, 2019, at the

phone number or email address noted above.

Date:

LaTonya L. Small

Federal Advisory Committee Management Officer

Department of Veterans Affairs Advisory Committee Management Guide

Attachment F – FEDERAL REGISTER NOTICE - OPEN TO THE PUBLIC (MULTIPLE MEETING DATES AND TIMES)

Font: Times
New Roman, 12

VA Title
Committee
Name, Notice
of Meeting

DEPARTMENT OF VETERANS

Voluntary Service National Advisory Committee, Notice of Meeting

Do Not
Include FACA
citation

Meeting
Logistics:
Date(s),
Facility Name,
Facility
Address, City,
State, Zip
Time(s)

Meetings with
multiple dates
and different
ending times
should get
added to a
table for
clarity.

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act that the annual meeting of the Department of Veterans Affairs Voluntary Service National Advisory Committee will be held Monday, April 1 – Wednesday, April 3, 2019, at the Double Tree Hilton Colonade Convention Center, 5555 Colonade Boulevard, Houston, TX. The meeting sessions will begin and end as follows:

Date:	Time:
April 1, 2019	9:00 a.m. to 11:30 a.m.
April 2, 2019	8:30 a.m. to 4:30 p.m.
April 3, 2019	8:30 a.m. to 3:30 p.m.

The meeting sessions are open to the public.

Add
Committee's
Purpose from
Charter

The Committee, comprised of fifty-one national voluntary organizations, advises the Secretary, through the Office of the Under Secretary for Health, on the coordination and promotion of volunteer activities and strategic partnerships within VA facilities, in the community, and on matters related to volunteerism and charitable giving. The purpose of these meetings are: to provide for Committee review of volunteer policies and

Department of Veterans Affairs Advisory Committee Management Guide

procedures; to accommodate full and open communications between organization representatives and the Voluntary Service Office and field staff; to provide educational opportunities geared towards improving volunteer programs with special emphasis on methods to recruit, retain, place, motivate, and recognize volunteers; and to provide Committee recommendations.

On April 1, 2019, there is a National Executive Committee Meeting, Health and

Information Fair, and VAVS Representative and Deputy Representative training session.

On April 2, 2019, the agenda includes welcoming remarks from local officials, and remarks by VA officials on new and ongoing VA initiatives and priorities. Educational workshops will be held in the afternoon and will focus on general post funds and gifts, telehealth, award writing, and leadership training. On April 3, 2019, the educational workshops will be repeated in the morning. The afternoon session will include subcommittee reports, the Voluntary Service Report, NAC Chair Report, and remarks by VA officials on new and ongoing VA initiatives and priorities.

No time will be allocated at this meeting for receiving oral presentations from the public. However, the public may submit written statements for the Committee's review to Ms. Sabrina C. Clark, Designated Federal Officer, Voluntary Service Office (10B2A), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC, 20420, or by email at Sabrina.Clark@va.gov. Any member of the public wishing to attend the meeting or seeking additional information should contact Ms. Clark at (202) 461-7300.

Add descriptive details or summarized agenda topic as it pertains to the meeting.

Add whether or not there will be a public comment period. Add details of the public comment period (i.e. who, what, where, why, how long)

Add DFO or designee contact information to address questions. **DO NOT ADD** hyperlinks or underlines to email address.

Department of Veterans Affairs Advisory Committee Management Guide

Dated: March 8, 2019

Jelessa M. Burney
Federal Advisory Committee Management Officer

Department of Veterans Affairs Advisory Committee Management Guide

Attachment G – FEDERAL REGISTER NOTICE – PARTIAL CLOSURE

Font: Times
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VA Title
Committee
Name, Notice
of Meeting

→ **DEPARTMENT OF VETERANS**

→ **Advisory Committee on Women Veterans, Notice of Meeting**

Do Not
Include FACA
citation
Meeting
Logistics:
Date(s),
Facility Name,
Facility
Address, City,
State, Zip
Time(s)

Do ADD the 5
USC citation
for partially
closing the
meeting.

→ The Department of Veterans Affairs (VA) gives notice under the Federal
Advisory Committee Act that the Advisory Committee on Women Veterans (Committee)
will conduct a site visit on Wednesday, March 27 – Thursday, March 28, 2019, in North
Carolina/ VISN 6: VA Mid-Atlantic Health Care Network. Sessions are open to the
public, except when the Committee is conducting tours of VA facilities, and participating
in off-site events. Tours of VA facilities are closed to protect Veterans' privacy and
personal information, in accordance with 5 U.S.C Sec. 552b(c)(6). The site visit will also
include a town hall meeting for women Veterans and those who provide services to
women Veterans.

Add
Committee's
Purpose from
Charter

→ The purpose of the Committee is to advise the Secretary of Veterans Affairs
regarding the needs of women Veterans with respect to health care, rehabilitation,
compensation, outreach, and other programs and activities administered by VA designed
to meet such needs. The Committee makes recommendations to the Secretary regarding
such programs and activities.

Add
descriptive
details or
summarized
agenda topic
as it pertains
to the
meeting.

→ On March 27, the Committee will convene an open session at the Durham VA
Health Care System, (508 Fulton Street, Durham, NC 27705), from 8:30 am to 2:30 pm.
The agenda will include overview briefings from the VISN 6 leadership, Durham VA

Department of Veterans Affairs Advisory Committee Management Guide

Health Care System leadership on the facilities, programs, demographics, women Veterans programs, and other services available for Veterans. In the afternoon, the Committee will reconvene a closed meeting from 2:30 pm to 4:00 pm, as it tours the

Durham VA Health Care System. Tours of VA facilities are closed to protect Veterans' privacy and personal information, in accordance with 5 U.S.C Sec. 552b(c)(6).

In the morning of March 28, the Committee will convene an open session at the Fayetteville VA Health Care Center (7300 South Raeford Road, Fayetteville, NC 28304), from 9:00 am to 2:00 pm. The agenda will include overview briefings from Fayetteville VA Medical Center/Fayetteville VA Health Care Center leadership on the facilities, programs, demographics, women Veterans programs, and other services available. In the afternoon, the Committee will reconvene a closed session from 2:00 pm to 4:00 pm, as it tours the Fayetteville VA Health Care Center. Tours of VA facilities are closed to protect Veterans' privacy and personal information, in accordance with 5 U.S.C Sec. 552b(c)(6).

From 4:00 pm to 5:00 pm, the Committee will observe a women Veterans' town hall meeting at the Fayetteville VA Health Care Center; this session is open to the public.

With the exception of the town hall meeting, there will be no time for public comment during the meeting. Members of the public may submit written statements for the Committee's review to 00W@mail.va.gov, or by fax at (202) 273-7092. Any member of the public and media planning to attend or seeking additional information should notify Shannon L. Middleton at (202) 461-6193, or 00W@mail.va.gov.

Add descriptive details or summarized agenda topic as it pertains to the meeting.

Add whether or not there will be a public comment period. Add details of the public comment period (i.e. who, what, where, why, how long)

Add DFO or designee contact information to address questions. DO NOT ADD hyperlinks or underlines to email address.

Department of Veterans Affairs Advisory Committee Management Guide

Dated: March 8, 2019

Jelessa M. Burney
Federal Advisory Committee Management Officer

Department of Veterans Affairs Advisory Committee Management Guide

Attachment H – DFO TRANSITION CHECKLIST

DESIGNATED FEDERAL OFFICER (DFO) TRANSITION CHECKLIST

Before a 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
- ☐ Committee Reports/Recommendation
- ☐ GSA's Annual Comprehensive Review
- ☐ VA's Annual Assessment Report
- ☐ VA's Annual Comprehensive Plan
- ☐ Committee Minutes – Last minutes

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

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, Procedures for Preparing Correspondence and Packages]

Current DFO Signature

Date

Current DFO Signature

Date **[Reference: ACMO Guide]**

Department of Veterans Affairs Advisory Committee Management Guide

Attachment I – 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

Department of Veterans Affairs Advisory Committee Management Guide

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.

Department of Veterans Affairs Advisory Committee Management Guide

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.

Department of Veterans Affairs Advisory Committee Management Guide

Attachment J – ANNUAL OPERATIONS PLAN TEMPLATE

ADVISORY COMMITTEE MANAGEMENT OFFICE

Annual Operations Plan

January 1, 20XX through December 31, 20XX

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

Department of Veterans Affairs Advisory Committee Management Guide

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 K – ANNUAL ASSESSMENT OF COMMITTEE ACTIVITIES TEMPLATE

ADVISORY COMMITTEE MANAGEMENT OFFICE

Annual Assessment of Committee Activities

January 1, 20XX through December 31, 20XX

Committee Name: Insert the Official Committee name and abbreviation
Calendar Year XXXX Committee Goals: State whether the goals were <u>fully met</u> , <u>partial met</u> or <u>not met</u> and provide measurable results for every goal the committee management identified for calendar year
VA Strategic Goals: Identify priorities alignment to committee
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.
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).
Senior VA leadership Participation: Identify Senior Executive Leadership committee involvement (e.g. SECVA, DEPSECVA, COSVA, Under Secretary, and Assistant Secretary).

Department of Veterans Affairs Advisory Committee Management Guide

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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