

DEPARTMENT OF VETERANS AFFAIRS
CHARTER OF THE
ADVISORY COMMITTEE ON TRIBAL AND INDIAN AFFAIRS

1. **OFFICIAL DESIGNATION:** Advisory Committee on Tribal and Indian Affairs.

2. **AUTHORITY:** The Advisory Committee on Tribal and Indian Affairs (Committee) is a statutory committee established as required by the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 (P.L. 116-315) and 38 U.S.C. §547. The Committee operates in accordance with provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C. Appendix 2.

3. **OBJECTIVES AND SCOPE OF ACTIVITIES:** The Committee provides advice and guidance to the Secretary of Veterans Affairs on all matters relating to Indian tribes, tribal organizations, Native Hawaiian organizations and Native American Veterans.

4. **DESCRIPTION OF DUTIES:** The Committee serves in an advisory capacity and advises the Secretary on ways the Department can improve the programs and services of the Department to better serve Native American Veterans. The activities of the Committee include, but are not limited to the following:
 - Identify for the Department evolving issues of relevance to Indian tribes, tribal organizations and Native American Veterans relating to programs and services of the Department;
 - Propose clarifications, recommendations and solutions to address issues raised at tribal, regional and national levels, especially regarding any tribal consultation reports;
 - Provide a forum for Indian tribes, tribal organizations, urban Indian organizations, Native Hawaiian organizations and the Department to discuss issues and proposals for changes to Department regulations, policies and procedures;
 - Identify priorities and provide advice on appropriate strategies for tribal consultation and urban Indian organizations conferring on issues at the tribal, regional or national levels;
 - Ensure that pertinent issues are brought to the attention of Indian tribes, tribal organizations, urban Indian organizations and Native Hawaiian organizations in a timely manner, so that feedback can be obtained;
 - Encourage the Secretary to work with other Federal agencies and Congress so that Native American Veterans are not denied the full benefit of their status as both Native Americans and Veterans;
 - Highlight contributions of Native American Veterans in the Armed Forces;
 - Make recommendations on the consultation policy of the Department on tribal matters;

- Support a process to develop an urban Indian organization confer policy to ensure the Secretary confers, to the maximum extent practicable, with urban Indian organizations; and
- With the Secretary's approval, conduct other duties recommended by the Committee.

Not less frequently than once each year, the Committee shall submit to the Secretary and the appropriate committees of Congress such recommendations as the Committee may have for legislative or administrative action for the upcoming year.

Not less frequently than once every two years, the Committee shall submit to the Secretary and the appropriate committees of Congress a report describing the activities of the Committee during the previous 2 years.

5. OFFICIAL TO WHOM THE COMMITTEE REPORTS: The Committee reports to the Secretary of Veterans Affairs through the Assistant Secretary for the Office of Public and Intergovernmental Affairs (OPIA).
6. AGENCY RESPONSIBLE FOR PROVIDING THE NECESSARY SUPPORT: VA is responsible for providing the funding, organization, and logistical support and resources. Within VA, support for the Committee shall be furnished by OPIA.
7. ESTIMATED ANNUAL OPERATING COSTS AND STAFF-YEARS: Annual operating cost for the Committee is estimated at \$400,000 per year and 2 full-time equivalent staff to support the Committee. All members will receive travel expenses and a per diem allowance in accordance with the Federal Travel Regulations for any travel made in connection with their duties as members of the Committee. Members shall serve without pay.
8. DESIGNATED FEDERAL OFFICER: The DFO, a full-time VA employee, will approve the schedule of Committee meetings. The DFO or alternate will be present at all meetings, and each meeting will be conducted in accordance with an agenda approved by the DFO. The DFO is authorized to adjourn any meeting when they determine it is in the public interest to do so.
9. ESTIMATED NUMBER AND FREQUENCY OF MEETINGS: The Committee shall meet in-person with the Secretary, or the Secretary's designee, not less frequently than twice each year and hold conference calls as necessary.
10. DURATION: The Committee is exempt from Section 14 of the Federal Advisory Committee Act (5 U.S.C. Appendix 2) and will not automatically terminate after a period of 2 years.
11. TERMINATION: The Committee is authorized by law for an indefinite period of time and, therefore, has no termination date.

12. MEMBERSHIP and DESIGNATION: The Committee shall be comprised of 15 voting Members selected by the Secretary from among individuals nominated as specified under the subsection below and shall be designated as Special Government Employees:

A. APPOINTMENT AUTHORITY:

- i. At least one member should come from each of the 12 service areas identified by Indian Health Service and said member must be nominated by Indian tribes or tribal organization from that service area.
- ii. At least one member of the Committee represents the Native Hawaiian Veteran community nominated by a Native Hawaiian Organization.
- iii. At least one member of the Committee represents urban Indian organizations nominated by a national urban Indian organization.
- iv. Not fewer than half of the members are Veterans, unless the Secretary determines that an insufficient number of qualified Veterans were nominated.
- v. No member of the Committee may be an employee of the Federal Government.

B. TERMS/VACANCIES: A member of the Committee shall be appointed for a term of 2 years. If a vacancy occurs, it shall be filled in the same manner as the original appointment within 180 days. Additionally, a member may be reappointed for one additional term at the Secretary's discretion.

13. SUBCOMMITTEE(S): With the DFO's approval, the Committee is authorized to establish subcommittees to perform specific projects or assignments consistent with this Charter. The Committee Chairperson shall notify the Secretary, through the DFO, of the establishment of any subcommittee, including its function, membership and estimated duration. Such subcommittees may not work independently of the chartered Committee and must report their recommendations and advice to the full Committee for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the parent Committee nor can they report directly to VA.

14. RECORDKEEPING: Records of the Committee shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedules. Those records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

15. DATE CHARTER IS FILED:

Approved: ALAC Date 4/23/21
Denise McDonough
Secretary of Veterans Affairs