

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

1. Committee's Official Designation: The advisory committee shall be known as the Board of Regents, Uniformed Services University of the Health Sciences (BoR USUHS).
2. Authority: The Secretary of Defense, pursuant to 10 U.S.C. § 2113a and in accordance with chapter 10 of title 5, U.S.C. (commonly known as "the Federal Advisory Committee Act" or "FACA") and 41 C.F.R. § 102-3.50(a), established this non-discretionary advisory committee.
3. Objectives and Scope of Activities: The BoR USUHS provides independent advice and recommendations on matters pertaining to carrying out the Secretary's responsibility to conduct the business of the Uniformed Services University of the Health Sciences ("the University").
4. Description of Duties: The BoR USUHS provides independent advice and recommendations on academic and administrative matters critical to the full accreditation and successful operation of the University.
5. Agency or Official to Whom the Committee Reports: The BoR USUHS reports to the Secretary of Defense and the Deputy Secretary of Defense ("the DoD Appointing Authority"), through the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), who has the delegated authority to act upon the BoR USUHS' advice and recommendations.
6. Support: The Department of Defense (DoD), through the Office of the USD(P&R), provides support for the BoR USUHS functions and ensures compliance with the requirements of the FACA; subsection 552b(c) of title 5, U.S.C.; governing Federal statutes and regulations; and DoD policy and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost for the BoR USUHS, to include travel, meetings, and contract support, is approximately \$355,129.00. The estimated annual personnel cost to the DoD is 1.20 full-time equivalents.
8. Designated Federal Officer: The BoR USUHS' Designated Federal Officer (DFO) shall be a full-time or permanent part-time DoD Federal civilian officer or employee, or active-duty member of the Armed Forces, designated in accordance with DoD policy and procedures.

The BoR USUHS' DFO is required to attend all BoR USUHS meetings for the entirety of each meeting. However, in the absence of the BoR USUHS' DFO, a properly approved Alternate DFO, duly designated to the BoR USUHS in accordance with DoD policy and procedures, shall attend the entirety of all BoR USUHS meetings.

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

9. Estimated Number and Frequency of Meetings: The BoR USUHS meets at the call of the BoR USUHS' DFO, in consultation with the BoR USUHS' Chair and the USD(P&R). The BoR USUHS shall meet at least once a quarter.

Charter
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10. Duration: The need for this advisory function is on a continuing basis; however, the BoR USUHS is subject to renewal every two years.
11. Termination: The BoR USUHS terminates upon rescission of 10 U.S.C. § 2113a.
12. Membership and Designation: Pursuant to 10 U.S.C. § 2113a(b), the BoR USUHS shall consist of 16 members appointed by the DoD Appointing Authority, as follows:
 - a. nine persons outstanding in the fields of health care, higher education administration, or public policy, who shall be appointed from civilian life by the DoD Appointing Authority;
 - b. the Secretary of Defense, or his or her designee, who shall be an ex officio member;
 - c. the Director of the Defense Health Agency, who shall be an ex officio member;
 - d. the Surgeons General of the Uniformed Services, who shall be ex officio members; and
 - e. the President of the University, who shall be a non-voting, ex officio member.

BoR USUHS members who are not ex officio members shall be appointed by the DoD Appointing Authority pursuant to 10 U.S.C. §§ 2113a(b)(1) and (c) for a six-year term of service except that:

- a. any member appointed to fill a vacancy occurring before the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term; and,
- b. any member whose term of office has expired shall continue to serve until his or her successor is appointed.

Appointments for BoR USUHS members who are not ex officio members shall be renewed on an annual basis in accordance with DoD policy and procedures. No member, unless approved by the DoD Appointing Authority in writing, may serve on more than two DoD Federal advisory committees at one time or serve more than two consecutive terms of service on an advisory committee, to include its subcommittees.

BoR USUHS members who are not full-time or permanent part-time Federal officers or employees, or active-duty members of the Uniformed Services, shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee (SGE) members. BoR USUHS members who are full-time or permanent part-time Federal civilian officers or employees, or active-duty members of the Uniformed Services, shall be designated pursuant to 41 C.F.R. § 102-3.130(a) to serve as regular government employee (RGE) members.

Pursuant to 10 U.S.C. § 2113a(d), the DoD Appointing Authority shall appoint the BoR USUHS chair for a term of service of one-to-two years, with annual renewal, which shall not exceed the member's approved BoR USUHS appointment, in accordance with DoD policy and procedures.

All members of the BoR USUHS are appointed to exercise their own best judgment, without representing any particular point of view, and to discuss and deliberate in a manner that is free from conflicts of interest.

Pursuant to 10 U.S.C. § 2113a(e), BoR USUHS members, who are not ex officio members, shall be entitled to receive compensation. In accordance with a May 15, 2022 decision by the Secretary of

Charter
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Defense, each BoR USUHS member appointed consistent with 10 U.S.C. § 2113a(b)(1), shall be entitled to receive compensation at the daily GS-15, step 10 level rate, with locality pay, while attending conferences or meetings or otherwise performing official duties as a member of the BoR USUHS. All BoR USUHS members shall be eligible for official BoR USUHS-related travel and per diem.

13. Subcommittees: The DoD, when necessary and consistent with the BoR USUHS mission and DoD policy and procedures, may establish subcommittees, task forces, task groups, or working groups (“subcommittee”) to support the BoR USUHS. Establishment of subcommittees will be based upon a written determination, to include terms of reference (ToR), by the DoD Appointing Authority or the USD(P&R), as the BoR USUHS Sponsor. All subcommittees operate in accordance with the FACA; subsection 552b(c) of title 5, U.S.C.; governing Federal statutes and regulations; and DoD policy and procedures. If the DoD does not renew the BoR USUHS, then all subcommittees shall terminate when the BoR USUHS does.

Subcommittees shall not work independently of the BoR USUHS and shall report all their recommendations and advice solely to the BoR USUHS for its thorough discussion and deliberation at a properly noticed and open meeting, unless the meeting must be closed in accordance with one or more of the exemptions found in subsection 552b(c) of title 5, U.S.C. Subcommittees have no authority to make decisions or recommendations, orally or in writing, on behalf of the BoR USUHS. Neither the subcommittee nor any of its members may provide updates or reports, orally or in writing, directly to the DoD or to any Federal officer or employee, or active-duty member of the Uniformed Services. If a majority of BoR USUHS members are appointed to a particular subcommittee, then that subcommittee may be required to operate pursuant to the same notice and openness requirements of the FACA which govern the BoR USUHS operations.

Individual appointments to serve on BoR USUHS subcommittees shall be approved by the DoD Appointing Authority for a term of service of one-to-four years, with annual renewals, in accordance with DoD policy and procedures. No member shall serve more than two consecutive terms of service on the subcommittee without prior written approval from the DoD Appointing Authority. Subcommittee members who are not full-time or permanent part-time Federal civilian officers or employees, or active-duty members of the Uniformed Services, shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal civilian officers or employees, or active-duty members of the Uniformed Services, shall be designated pursuant to 41 C.F.R. § 102-3.130(a) to serve as RGE members.

All subcommittee members are appointed to exercise their own best judgment, without representing any particular points of view, and to discuss and deliberate in a manner that is free from conflicts of interest.

The DoD Appointing Authority shall appoint the subcommittee leadership from among the membership previously approved to serve on the subcommittee in accordance with DoD policy and procedures, for a term of service of one-to-two years, with annual renewal, which shall not exceed the subcommittee member’s approved subcommittee appointment or designation.

Charter

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14. Recordkeeping: The records of the BoR USUHS and its subcommittees shall be managed in accordance with General Records Schedule 6.2, Federal Advisory Committee Records, or other approved agency records disposition schedule, as well as the appropriate DoD policies and procedures. These records will be available for public inspection and copying, subject to subsection 552 of title 5, U.S.C. (commonly known as “the Freedom of Information Act”).
15. Filing Date: May 23, 2024