

U.S. Department of Homeland Security - HQ

Federal Advisory Committee Management Office (FACMO)



2021

DFO Manual
Revised
FY2021



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INTRODUCTION

Welcome to the Federal Advisory Committee Act Community. As a new member, you are joining a team that has made advisory committees an asset to the fulfillment of the DHS mission. We hope that your experience here will be challenging and enjoyable. This manual should not be misconstrued as a contract or an agreement. The information we have included in this handbook is necessarily detailed and may be subject to change; however, all laws, rules, and U.S. General Services Administration (GSA) resolutions from which this handbook is derived can be found on the GSA website. If any information contained in this handbook conflicts with any of the above, those laws, rules and policies take precedence over the information provided in this handbook.

We wish you success in your new job, and we hope that you quickly feel at home. At DHS, every position is important. We hope you will immediately connect with our core values of people, learning, partnerships, relationships, sustainability and stewardship. Your commitment to these values is critical for our mutual success of advisory committee quality and success, research and innovation, and community and economic development

Each federal agency that sponsors advisory committees must adhere to the requirements established by the FACA, as well as regulations promulgated by the U.S. General Services Administration's (GSA) Committee Management Secretariat. Any advisory group, with limited exceptions, that is established or utilized by a federal agency and that has at least one member who is not a federal employee, must comply with the FACA.

To ensure the advisory committee's success in accomplishing its mission, this manual has been prepared to provide you with a comprehensive understanding of the FACA mission, vision, policies, and your responsibilities as a supportive member. It was prepared to make you aware of what you can expect from your role – and what DHS will expect from you.

BACKGROUND

Federal advisory committees—which may be designated as commissions, councils, or task forces—are created as provisional advisory bodies to collect viewpoints on various policy issues. Advisory bodies have been created to address a host of issues and can help the government manage and solve complex or divisive issues. Congress, the President, or an agency head may create a federal advisory committee to render independent advice or make policy recommendations to various federal agencies or departments.

In 1972, Congress enacted the Federal Advisory Committee Act (FACA; 5 U.S.C. Appendix—Federal Advisory Committee Act; 86 Stat.770, as amended). Enactment of FACA was prompted by the perception that advisory committees were duplicative, inefficient, and lacked adequate control or oversight. FACA mandates certain formal structural and operational requirements, including formal reporting and oversight procedures. Additionally, FACA requires committee meetings be open to the public, unless they meet certain requirements. Also, FACA committee records are to be accessible to the public. Pursuant to statute, the General Services Administration (GSA) maintains and administers management guidelines for federal advisory committees. During FY2011, 1,029 active committees reported a total of 69,750 members. Operating costs for those committees reportedly was \$395,179,373, of which \$188,342,083 was reportedly spent on federal staff to support the committees' operations.

FACA was originally enacted to make executive branch advisory committee operations more accessible and transparent. Congress can decide, however, to apply FACA's requirements to a legislative branch advisory committee. Existing statutes are sometimes unclear as to whether a congressionally created committee would have to comply with FACA's requirements—except in cases when the statute includes language that indicates whether the act is to apply.

In the 112th Congress, one bill has been introduced that would modify FACA's implementation and administration. On October 6, 2011, Representative William Lacy Clay introduced H.R. 3124, the Federal Advisory Committee Act Amendments of 2011. Among other changes, the bill would require the selection of advisory committee members without regard to their partisan affiliation.

In addition, H.R. 3124 would create a formal process for the public to recommend potential advisory committee members. The bill seeks to clarify the ethics requirements placed on committee members, and the bill increases records access requirements. On October 6, 2011, the bill was concurrently referred to the House Committee on Oversight and Government Reform and the House Committee on Ways and Means. On October 13, 2011, the House Committee on Oversight and Government Reform ordered the bill to be reported by unanimous consent. No further action has been taken on the bill.

In addition to considering H.R. 3124, the 112th Congress may create new advisory bodies as well as oversee the operations of existing bodies. This report offers a history of the Federal Advisory Committee Act, examines its current requirements, and analyzes various advisory body design elements and operations.

ESTABLISHING A NEW ADVISORY COMMITTEE

The Secretary is the approving authority for the establishment of all advisory committees within DHS. Typically, the establishment of a FACA committee takes between 3-4 months, depending on how quickly documents move through the approval process.

The following documents are required for the establishment of an advisory committee (refer to CMO intranet page for examples):

- Memorandum from Component head requesting the establishment of a committee
- Draft Charter
- Federal Register notice of establishment (notice may also include request for candidates)
- Bylaws
- Membership Balance Plan (MBP)

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

No advisory committee may meet or take any action until a charter has been filed by DHS'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 15 sections of the charter, in order, are as follows:

- 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.
- **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.

Purpose

Persons are nominated, selected, and appointed to a DHS 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.

Selection Criteria

One of DHS's principal objectives in managing its advisory committees is to ensure that committee members appropriately reflect the diversity of American society. In the selection of members for discretionary committees, DHS is required to consider a cross-section of those directly affected, interested, and qualified, as appropriate to the nature of the advisory committee. Committees requiring technical expertise should include persons with demonstrated professional or personal qualifications and experience relevant to the functions and tasks to be

performed. Each committee shall represent, to the extent possible, members with diverse professional and personal qualifications and experience.

As you continue to make progress with your work as a DFO, it is important for you to keep up to date with the membership of your committee. Three portions of the charter development process must be completed before considering membership for your committee.

These include a signed:

1. Charter
2. Membership Balance Plan (MBP)
3. ByLaws

All the required details for potential membership to your committee will be included in these documents. Once your documents have been approved, you as the DFO should prepare a solicitation for membership as a draft Federal Register Notice (FRN) and submit the document to the committee management office for review. Your solicitation for membership should include details from your Charter, MBP, & Bylaws, that support the requirements to fulfill for a fairly balanced membership. The Federal Register has provided an example of how your solicitation for nomination should look. Please use this resource below as a guide when completing this step.

<https://www.federalregister.gov/documents/2019/07/01/2019-14015/solicitation-of-nomination-for-appointment-to-the-advisory-committee-on-women-veterans>

When you submit your FRN for membership solicitation, you will receive resumes and bios from potential members. Once received, you will select the most qualified candidates based on the needs of the committee which are guided by your committee Charter, MBP, and Bylaws. As you filter through your potential candidates, it is important to have a good understanding of the types of members you can solicit for your committee.

Members can be:

1. Special Government Employees (SGE)
2. Representatives of non-governmental organizations or other groups, including state, local, or tribal governments
3. Regular Government Employees (RGE) or
4. Ex officio

Once your selections have been made, you will send primary and alternate candidate’s information in a vetting chart along with their resumes or bios to the CMO for approval. Once the candidates have been cleared by the CMO and properly vetted by the vetting authority the White House Liaisons Office, the CMO will return the cleared candidate list back to the DFO.

**Candidates for Appointment/Reappointment to the
Committee Name
FY2021**

POSITION:

NAME	HOME ADDRESS	OCCUPATION	COMPANY	COMPANY ADDRESS
PRIMARY Candidate				
PRIMARY Candidate				
PRIMARY Candidate				
ALTERNATE Candidate				

Following this, the DFO will need to create an appointment memo and an appointment letter for each selected member and submit them to the CMO for approval. Once the appointment memo has been approved by the CMO the appointment memo and letters are sent to the component head or DHS Secretary for signature. An appointment is not valid until the appointment letters are signed by the component head or DHS Secretary. Once signed, the appointment letters are mailed to the selected members.

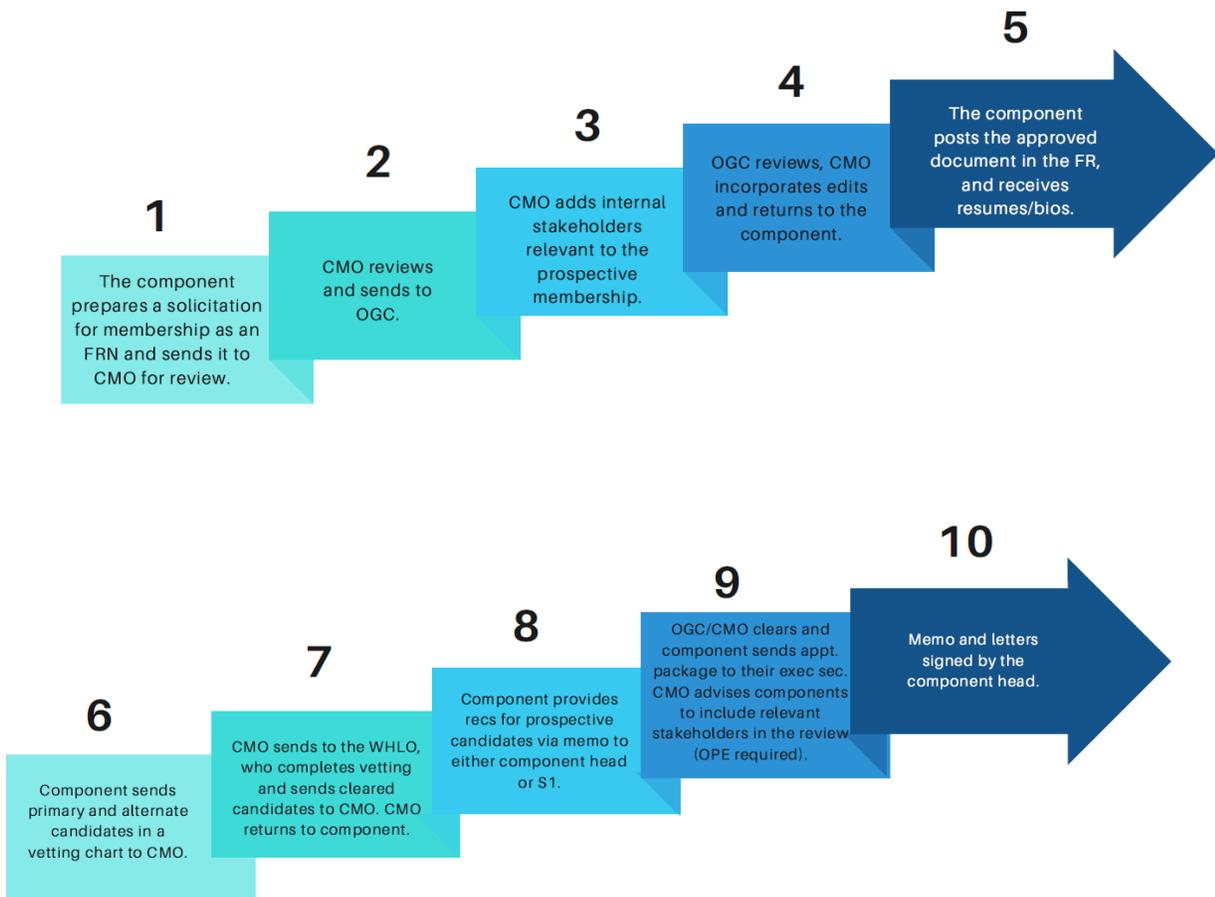
SUPPORT STAFF

Advisory committee staff must be assembled quickly if the entity is to complete its mission in the time allotted. Most committees include an executive director, staff members, committee members, and—occasionally—outside consultants. While committee staff may draft most of what will become a committee's final report, committee members approve the final product.

Please see below for the appointment document process and sample appointment letter:

APPOINTMENTS

Incoming Document Flow



SAMPLE OF A LETTER APPOINTING A MEMBER

Mr. Selected Member
Inter-Tribal Economic Alliance
PO Box 930
2508 Highway 72
Mandaree, ND 58757

Dear Mr. Member:

You are invited to serve as a Representative Member from the Inter-Tribal Economic Alliance on the GSA SBAC for a term to begin on upon acceptance of this invitation and to end on August 31, 2008.

As an appointed Representative Member of the SBAC, you are asked to represent the viewpoints of your organization in the area of small business issues and doing business with the GSA and the Federal Government and to develop recommendations for GSA's consideration.

Thank you for agreeing to serve as a member of the General Services Administration (GSA) Small Business Advisory Committee (SBAC).

Please contact Mr. Daniel Coleman, Designated Federal Officer, in the GSA Office of Small Business Utilization to confirm acceptance of this appointment. He may be reached at (202) 501-3456 or via e-mail at Daniel.coleman@gsa.gov.

Cordially,

Appointed Head of Agency

U.S. General Services Administration
1800 F Street, NW
Washington, DC 20405-0002
Telephone: (202) 501-1234
Fax: (202) 219-5678
www.gsa.gov

RENEWING YOUR ADVISORY COMMITTEE

Once your committee has completed the length of the proposed term, in your committee charter, you may decide that the committee has not completed the work needed to fulfill their objectives. If this is the case, you will need to think about preparing for the renewal of your charter. This length of time can be found in your committee's charter documents. If you have determined that your committee needs to be renewed for another term, it is best to begin preparing a few months in advance of the date that your charter will expire. If you overlook this renewal date and your charter expires, your committee will not be able to move forward with any actions until it has been re-established. The re-establishment process may take some time and the ability to fulfill committee objectives will come to a standstill. With this in mind, we advise you as the DFO to be aware of the renewal date and prepare to file accordingly.

RENEWALS

As your committee gets closer to their renewal date, you will need to revisit your charter. While you are not required to update your MBP or Bylaws you may if it fits your committee needs.

A minimum of three months prior to the charter expiration date, the DFO should consult with the CMO to review the need for continuing their advisory committee. The CMO will then conduct the required consultation with OGC and/or the Committee Management Secretariat in GSA, as appropriate.

- Draft or revise the charter using the required elements for DHS charters.
- Draft an action memorandum from the Component head to the Secretary requesting establishment or renewal of the committee.
- Email the draft memorandum, charter, bylaws, and MBP to your component OGC for review. Make any necessary edits.
- Email the final draft memorandum draft charter, bylaws, and MBP in Word format to the CMO. The CMO's office will review the draft documents will advise the DFO of any required edits.
- Incorporate all edits and comments and provide the revised drafts to the CMO for final clearance (if requested). After final clearance by the CMO, submit the action memo charter package to the Component head for signature.

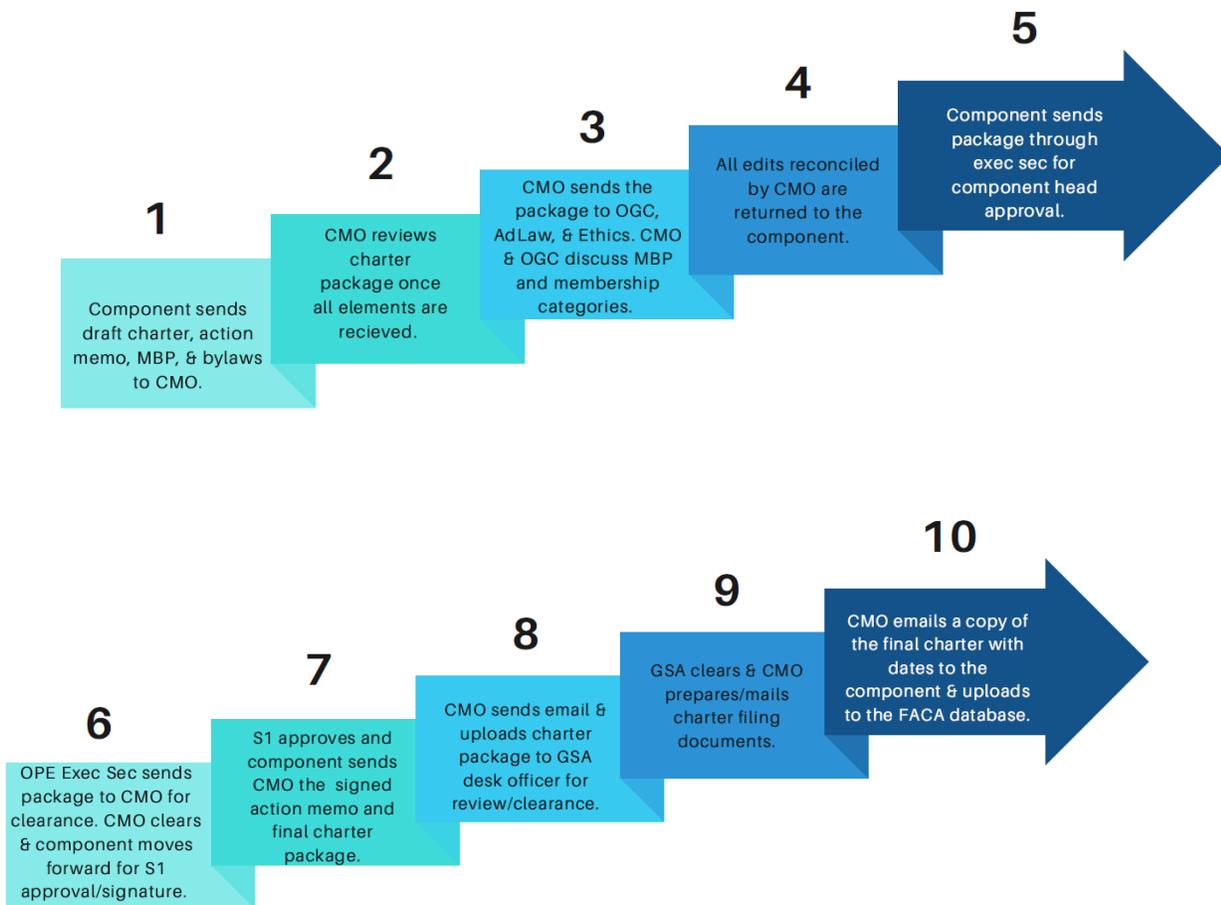
A minimum of two months prior to the charter expiration date:

- Your component ExecSec uploads the memorandum signed by the Component head and the draft charter into IQ. DHS ESEC will enter documents into clearance and any issues/comments will be resolved through your Component's ExecSec.
- While the package is being processed for the Secretary's approval, prepare a Federal Register Notice of the charter renewal and submit to the CMO for review. Publication of a notice of charter renewal in the Federal Register is required for discretionary committees and is considered a best practice for statutory advisory committees.
- After the charter has been approved by the Secretary, the CMO will advise the DFO to proceed with the publication of the Federal Register notice of charter renewal. The CMO will file the charter with the appropriate Congressional oversight committees and the Library of Congress. Notices of charter renewals may be published concurrently with the filing of the charter.

Please also see the below flow chart for guidance on charter renewal processing.

CHARTERS

Incoming Document Flow



RE-ESTABLISHMENT

Under FACA, an advisory committee must be re-established if it is not renewed and a new charter is not filed before the date of expiration. Advisory committees may not resume meetings or conduct any business until the re-establishment charter is filed with Congress. Follow the procedures for charter renewals in the subsequent section. If an advisory committee's charter is renewed in a timely manner, re-establishment is not necessary. Note that the CMO must wait 15 calendar days after publication of the notice of re-establishment in the Federal Register before filing the charter.

TERMINATION

An advisory committee should terminate as soon as it has completed its mission, become obsolete in the time that has passed since it was established, no longer undertaking the purpose for which it was originally formed, or the Department determines that it is no longer needed. If this determination is made prior to the charter's expiration, the charter will simply not be renewed, and the Component head will advise the Secretary via an information memorandum. When termination of an advisory committee is appropriate prior to the charter expiration date, the Component head will recommend termination to the Secretary via an action memorandum.

If a legislative change is required to terminate a non-discretionary advisory committee, the CMO will note this action in the FACA database and the committee will be listed as "Administratively inactive" pending legislative action.

OPERATING YOUR ADVISORY COMMITTEE

Congratulations!

You have just been appointed as the Designated Federal Officer (DFO) for your advisory committee. So, what does it mean to be the DFO of an advisory committee and what are your next steps? As the DFO, you are required by law to know and understand various aspects of how to legally and ethically manage your advisory committee.

Specifically, the DFO role requires understanding the below:

- How FACA, FACA regulations, Secretariat guidance, and related laws apply
- The agency FACA administrative procedures
- Excellent oral & written communication skills (briefings)
- Strong coordination/organizational skills
- Ability to work with external parties (public)
- FACA Training
- What comes first, the DFO or the committee?
- The authority/function of your committee
- the role of the DFO in Establishing, Managing, Operating, and Terminating a FAC
- Use and purpose of subcommittees
- Serving as liaison between your FAC and the public
- Ensuring independence of your FAC

As you begin to navigate these requirements, it is important to be aware of how you will structure your committee. To begin, you should understand what a committee is as well as the purpose of your committee. 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.

Following this, take the time to review your committee documents. This includes your Charter, Bylaws and Membership Balance Plan (MBP). 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. Your charter will show you the purpose of the committee's establishment, when it was established and provide you with guidance when in doubt. Getting familiar with your charter establishment date or renewal date will allow you to be fully prepared when it is time for your charter renewal. Please check your renewal date as soon as possible to verify that it is current. As the DFO, if you allow the charter to expire you will be forced to file a re-establishment which

could prevent your committee from fulfilling their duties in a timely manner. Equally as important, your committee's bylaws will guide you on the appropriate operations and activities of your committee. Lastly, your MBP will notate the how you will balance your committee in order to maintain the integrity, perception, credibility, and acceptance of the work your committee performs. See Figures 1-6 for examples on how your committee documents should look.

GSA provides guidance on how to prepare charters, you may find that information here:

[https://www.gsa.gov/cdnstatic/Preparing FAC Charters %28F%29-110211.pdf](https://www.gsa.gov/cdnstatic/Preparing_FAC_Charters_%28F%29-110211.pdf)

Along with these example charters, GSA also provides additional guidance on the best practices for writing effective and compliant advisory committee charters. You may find this information here:

[https://www.gsa.gov/cdnstatic/Preparing Federal Advisory Committee Charters vers 4.pdf](https://www.gsa.gov/cdnstatic/Preparing_Federal_Advisory_Committee_Charters_vers_4.pdf)

MEETINGS

As you continue to progress in your position as the DFO, you will find that there may be pressure to conduct your first meeting quickly. However, before you begin planning for your meeting, it is important that you have a good understanding of the legal and ethical requirements.

No meeting shall be held in the absence of the DFO or ADFO. DHS 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 the CMO immediately** to discuss options. Each meeting of a committee shall be conducted in accordance with an approved agenda.

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 regarding ethics training and submission of financial disclosure reports;
- Approves the agenda;
- Invites the guest speaker(s) to a committee meeting, subcommittee meeting, or workshop, and makes necessary arrangements for the speaker(s) (if applicable)
- Ensures committee signage is visually placed outside of meeting room and/or in building for members and/or the public;
- 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;
- 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
- Ensures that all meeting notices (including cancellation and amendment notices) are published in the Federal Register no later than 15 calendar days prior to the committee meeting in accordance with Section 10 (a)(l) of FACA.

CLOSED MEETINGS

Government in the Sunshine Act

Advisory committee meetings may be closed or partially closed to the public based upon provisions of the Government in the Sunshine Act of 1976 (Public Law 94-409). Examples of meetings that may be closed under the FACA are:

- Those including discussions of classified information;
- Reviews of proprietary data submitted in support of federal grant applications; and
- Deliberations involving considerations of personnel privacy.

For more information on Government in the Sunshine Act:

Click: [The Government in the Sunshine Act \[PDF - 18 KB\]](#)

Closure must be consistent with the exemption(s) of the Government in the Sunshine Act, 5 U.S.C. 552b(c).

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 Secretary, 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 Secretary sufficient time (generally 30 calendar days) to review the matter in order to make a determination before publication of the meeting notice required by Final Rule Section 102–3.150.

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

(c) *Obtain agency determination.* If the agency head, or in the case of an independent Presidential advisory committee, the Secretary 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 Secretary has given authority to the CMO to issue an agency determination to close all or part of an advisory committee meeting.

(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.

- 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.

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)
- Deliberations involving considerations of personal privacy

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
- 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.

COMMITTEE 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 and regulations implemented by the National Archives and Records

Administration. 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.

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.
- Copies of each report or other document received, issued, or approved by the committee.

ROBERT'S RULES OF ORDER (SIMPLIFIED)**Guiding Principle:**

Everyone has the right to participate in discussion if they wish, before anyone may speak a second time.

Everyone has the right to know what is going on at all times.

Only urgent matters may interrupt a speaker.

Only one thing (motion) can be discussed at a time.

A **motion** is the topic under discussion (e.g., "I move that we add a coffee break to this meeting"). After

being recognized by the president of the board, any member can introduce a motion when no other

motion is on the table. A motion requires a second to be considered. Each motion must be disposed of

(passed, defeated, tabled, referred to committee, or postponed indefinitely).

How to do things:**You want to bring up a new idea before the group.**

After recognition by the president of the board, present your motion. A second is required for the motion to go to the floor for discussion, or consideration.

You want to change some of the wording in a motion under discussion.

After recognition by the president of the board, move to amend by

☐ adding words,

☐ striking words or

☐ striking and inserting words.

You like the idea of a motion being discussed, but you need to reword it beyond simple word changes.

Move to substitute your motion for the original motion. If it is seconded, discussion will continue

on both motions and eventually the body will vote on which motion they prefer.

You want more study and/or investigation given to the idea being discussed.

Move to refer to a committee. Try to be specific as to the charge to the committee.

You want more time personally to study the proposal being discussed.

Move to postpone to a definite time or date.

You are tired of the current discussion.

Move to limit debate to a set period of time or to a set number of speakers. Requires a 2/3rds vote.

You have heard enough discussion.

Move to close the debate. Requires a 2/3rds vote. Or move to previous question. This cuts off discussion and brings the assembly to a vote on the pending question only. Requires a 2/3rds vote.

You want to postpone a motion until some later time.

Move to table the motion. The motion may be taken from the table after 1 item of business has been conducted. If the motion is not taken from the table by the end of the next meeting, it is

dead. To kill a motion at the time it is tabled requires a 2/3rds vote. A majority is required to table a motion without killing it.

You believe the discussion has drifted away from the agenda and want to bring it back.

Call for orders of the day.

You want to take a short break.

Move to recess for a set period of time.

You want to end the meeting.

Move to adjourn.

You are unsure that the president of the board has announced the results of a vote correctly.

Without being recognized, call for a "division of the house." At this point a roll call vote will be taken.

You are confused about a procedure being used and want clarification.

Without recognition, call for "Point of Information" or "Point of Parliamentary Inquiry." The president of the board will ask you to state your question and will attempt to clarify the situation.

You have changed your mind about something that was voted on earlier in the meeting for which you were on the winning side.

Move to reconsider. If the majority agrees, the motion comes back on the floor as though the vote had not occurred.

You want to change an action voted on at an earlier meeting.

Move to rescind. If previous written notice is given, a simple majority is required. If no notice is given, a 2/3rds vote is required.

You may INTERRUPT a speaker for these reasons only:

to get information about business – **point of information**

to get information about rules – **parliamentary inquiry**

if you can't hear, safety reasons, comfort, etc. – **question of privilege**

if you see a breach of the rules – **point of order**

if you disagree with the president of the board's ruling – **appeal**

SUBCOMMITTEES

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. Subcommittees can be named anything and can be labelled as a task force, work group, group, etc. While subcommittees are generally not subject to FACA, their activities are covered by the charter of the parent committee. Subcommittees may not work independently of the parent committee and must report their recommendations and advice to the full committee for full deliberation and discussion.

FEDERAL REGISTER NOTICES

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/>)

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.

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

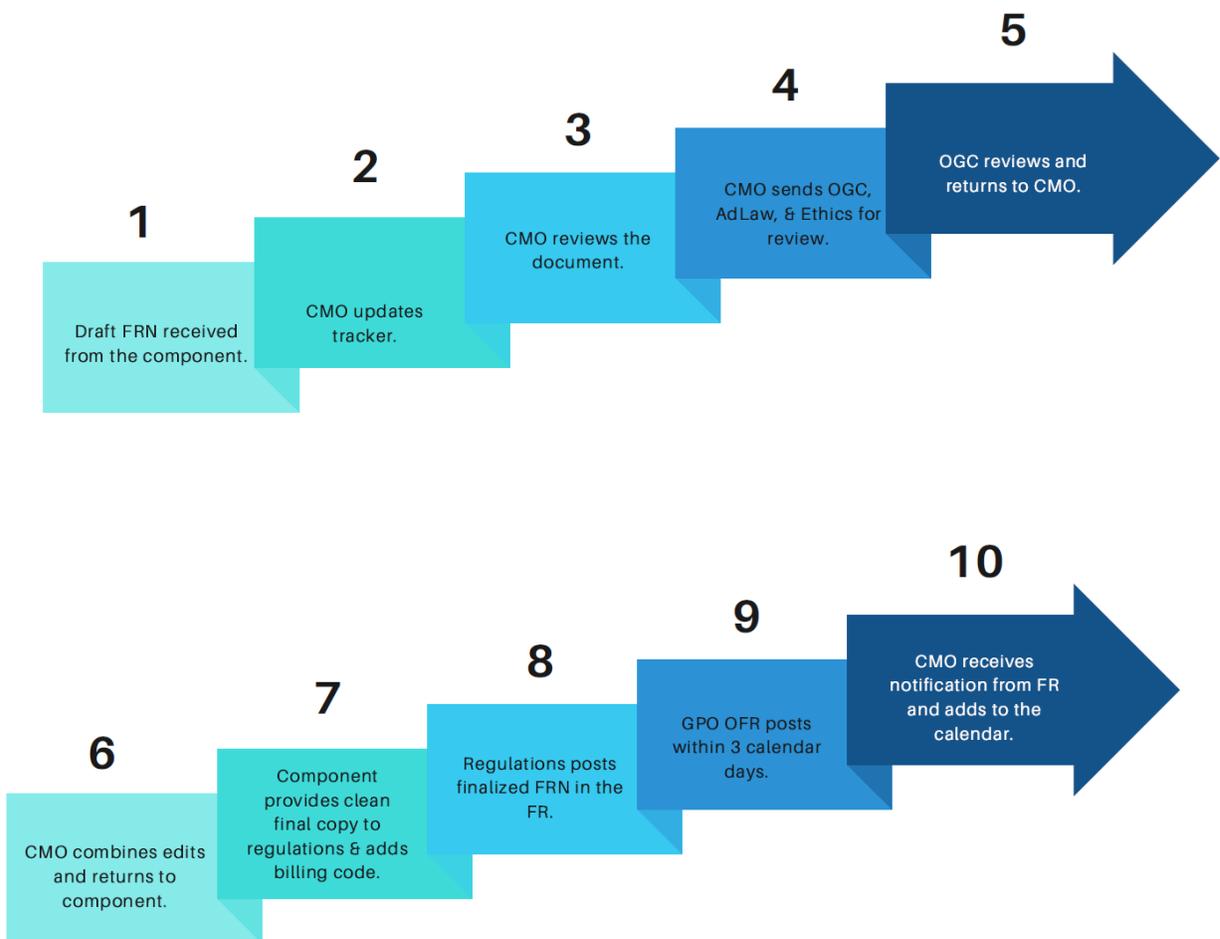
Federal Register Notices must include:

- 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
- 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 CMO no later than **30 days** before the meeting. If the approved package is not received in CMO 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 the CMO.
- 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.

FEDERAL REGISTER NOTICE

Incoming Document Flow



STAFFING YOUR ADVISORY COMMITTEE

When making committee decisions such as determining who will be comprised of your advisory committee it is essential to review the FACA Final Rule and your committee documents (Charter, Bylaws, & MBP).

Section 5(b)(2) of FACA requires an advisory committee to be fairly balanced in its membership in terms of the points of view represented and the functions to be performed.

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

ROLES & RESPONSIBILITIES

Considering these requirements look below to see what types of members your committee may be comprised of:

Chairperson

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.

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, not to exceed 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.

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

Regular government employees are represented by full-time employees of the Federal Government.

Consultants

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

Committee Management Officer (CMO)

- The CMO is responsible for the oversight of all DHS advisory committees established and operated under FACA. This includes:
 - Exercising control and supervising the establishment, procedures, and accomplishments of advisory committees established by DHS.
 - Assembling and maintaining the reports, records, and other papers of any DHS advisory committee during its existence.
 - Ensuring compliance with FOIA, on behalf of DHS, with respect to such reports, records, and other related documents.
 - Preparing various annual and intermittent reports on behalf of DHS 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 coordinating FACA and other training to the DHS committee management community

- Developing and disseminating DHS 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 DHS advisory committees.
- Developing streamlined procedures for DHS committee management functions
- Overseeing and developing the database of committees, through the customer relationship management (CRM) system managed by the General Services Administration (GSA).
- Consulting with the Office of General Counsel (OGC) regarding the interpretation of applicable laws and regulations and disseminating this information for the committee management community.
- Working closely with GSA's Committee Management Secretariat regarding the reporting of the yearly achievements and costs of DHS's advisory committees.

Designated Federal Officer (DFO)

Many of the duties and responsibilities of DFOs and the ADFOs are set forth in sections 10(e) and 10(f) of FACA.

They must:

- Approve or call the meeting of the advisory committee
- Approve the agenda
- 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
- Chair the meeting when so directed by the agency head.

- 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 your agency's 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
- Prepare minutes following the meeting and ensure they are certified (or signed)
- by the Chair within 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
- Ensure timely appointing of new advisory committee members, and establishing, renewing, amending, or terminating a committee's charter.
- Maintain communication with the Chair during the meeting and make sure that the committee business is conducted according to all applicable regulations, policies, and procedures
- Assist Chair and Committee members with committee management items or duties (i.e., upcoming meetings, reporting recommendations and other administrative items);
- Be responsible for all fiduciary duties associated with managing their assigned Committee
- Work closely with DHS's CMO to ensure all these tasks are accomplished in a timely manner, in accordance with DHS policy and FACA.

Committee Support Staff

Committee support staff responsibilities reside at several different levels at DHS. 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 (FRNs) for timely notification to the public of advisory committee meetings
- Advising DHS staff on current policies and procedures
- Preparing reports on DHS committees.

Committee Management Secretariat (CMS), 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
- Where applicable, providing advice, assistance, and guidance to advisory committees to improve their performance.

FACA DATABASE

ACCESS

The Federal Advisory Committee Act (FACA) database is used by Federal agencies to continuously manage an average of 1,000 advisory committees' government wide. This database is also used by the Congress to perform oversight of related Executive Branch programs and by the public, the media, and others, to stay abreast of important developments resulting from advisory committee activities.

Although centrally supported by the General Services Administration's Committee Management Secretariat, the database represents a true "shared system" wherein each participating agency and individual committee manager has responsibility for providing accurate and timely information that may be used to assure that the system's wide array of users has access to data required by FACA.

In order to gain access to the database the DFO, ADFO and support staff, will need to submit a signed Rules of Behavior form and their FACA 101 certificate of completion to the CMO.

TRAINING

GSA's Committee Management Secretariat offers two Federal Advisory Committee (FACA) training courses: (1) an online FACA Fundamentals course (FACA 101); and (2) an Instructor-Led FACA Management Training course (FACA 201).

GSA FACA Fundamentals Online Course

The FACA 101 course is a fundamental course that can be taken by anyone with a .gov or .mil e-mail address and is highly recommended for Federal officials who need a basic understanding of FACA or are interested in learning more about FACA. Successful completion of the FACA 101 course is a pre-requisite for enrolling in the FACA 201 course.

GSA Two Day In-Person Training

The FACA 201 course is intended for Federal officials directly involved in managing Federal advisory committees, FACA and ethics legal staff, FACA support staff, and managers and decision makers involved in advisory committee management and/or operations. Enrollment in both courses is managed through GSA's online registration process.

DHS On-The-Job Training

Additional one-on-one training is offered to supplement the learning opportunities offered through GSA. Each committee is unique in how it operates, and the one-on-one training is designed to focus on how to run each committee as seamlessly as possible. In addition to this, CMO holds a monthly training that will support the requirements for the completion of FACA 201 training. If interested, you may submit an email requesting participation to dhsfaca@hq.dhs.gov.

Committee Annual Ethics Training

The Committee is required to conduct annual ethics training for new committee members and annually for current members. This training is conducted by a representative of the component's Office of Government Ethics (OGE) and organized by the DFO. It is strongly suggested that this training be provided in conjunction with an administrative meeting session so that all training needed for the members can be included. Also, of importance, a Form 450 must be completed and provided to the OGE for each Special Government Employee (SGE) annually before membership can be permitted or continued for any committee member.

ANNUAL COMPREHENSIVE REVIEW (ACR)

The CMO coordinates the DHS'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 such committees are consistent with the provisions of applicable statutes, the responsibilities assigned it should be revised.
- Whether such committees should be merged with other advisory committees.
- Whether such committees 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 CMO 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 that 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 it available to the public.

DHS FACA COMMITTEES

Board of Visitors for the National Fire Academy (BOVNFA):

The BOVNFA is a United States Fire Administration (USFA) committee that supports the academic stature of the National Fire Academy (NFA). This committee reviews NFA programs, ensures NFA facilities can complete their duties, ensures funding for NFA programs, and provides recommendations to the USFA. Members are professionals in fire-related fields and seek to provide a balanced representation of fire and emergency services interests.

National Chemical Transportation Safety Advisory Committee (CTAC):

CTAC is a United States Coast Guard (USCG) that provides advice regarding water transportation of hazardous materials in bulk. This committee reports to the Coast Guard's Marine Safety and Environmental Protection Directorate.

Commercial Customs Operations Advisory Committee (COAC):

COAC is a Department of Homeland Security (DHS) committee that advises the Secretaries of Homeland Security and the Treasury on commercial operations of the United States Customs and Border Patrol (CBP). This specifically regards policy matters, improvements on commercial operations of CBP, and other functions prescribed by the law.

National Commercial Fishing Safety Advisory Committee (NCF SAC):

NCF SAC is a USCG committee that provides advice on commercial fishing safety, equipment, and vessels.

Data Privacy and Integrity Advisory Committee (DPIAC):

DPIAC is a DHS advisory committee that provides advice requested by the Secretary of Homeland Security and the DHS Chief Privacy Officer on issues related to technology within DHS, especially focusing on personally identifiable information and other privacy matters.

Federal Emergency Management Agency National Advisory Council (NAC):

NAC is a Federal Emergency Management Agency (FEMA) federal advisory committee that advises on all aspects of emergency management. This includes preparedness,

protection, response, recovery, and mitigation for natural disasters, acts of terrorism, and other manmade disasters.

Great Lakes Pilotage Advisory Committee (GLPAC):

GLPAC is a USCG committee that makes recommendations on Great Lakes pilotage, or the act of navigating the Great Lakes on ships. This committee provides updates and changes to the regulations and policies regarding sailing commercial and private vessels on the Great Lakes.

Homeland Security Advisory Council (HSAC):

HSAC is a DHS council that provides advice and recommendations to the department Secretary that includes creation and implementation of policies for homeland security. This council also conducts research and analysis on security issues and evaluates the impact of any policies on public and private practice.

Homeland Security Science and Technology Advisory Committee (HSSTAC):

HSSTAC is a DHS committee that provides independent expert advice to the Under Secretary for Science and technology.

National Merchant Marine Personnel Advisory Committee (MERPAC):

MERPAC is a USCG committee that provides advice on regulation and policies that affect personnel in the United States Merchant Marines.

National Merchant Mariner Medical Advisory Committee (MEDMAC):

MEDMAC is a USCG committee that advises the Secretary of Homeland Security and the Commandant of the Coast Guard on medical research, medical examiner education, medical standards, and medical certification issues related to the United States Merchant Marines.

National Boating Safety Advisory Council (NBSAC):

NBSAC is a USCG council that conducts studies and provides recommendations for increasing boating safety for both commercial and private boats and ships. This can be done in consultation with private individuals and groups or other local/state governments.

National Infrastructure Advisory Council (NIAC):

NIAC is a Cybersecurity and Infrastructure Security Agency (CISA) council that advises on reducing physical and cyber risks for critical infrastructure sectors. This council is made up of executive leaders from both private industry and state/local government agencies.

National Maritime Security Advisory Committee (NMSAC):

NMSAC is a USCG committee that provides advice on strategy and policies that seek to ensure safe transportation at sea and in American ports.

National Offshore Safety Advisory Committee (NOSAC):

NOSAC is a USCG committee that provides advice on offshore mineral and energy resources and industries.

National Navigation Safety Advisory Council (NAVSAC):

NAVSAC is a USCG council that provides advice and recommendations on matters relating to maritime navigation including collisions, ramming's, groundings, navigation regulations, diving safety and marine information.

President's National Security Telecommunications Advisory Committee (NSTAC):

NSTAC is a CISA committee that provides advice on the availability and reliability of telecommunication services.

Technical Mapping Advisory Council (TMAC):

TMAC is a FEMA council that provides advice on standards and procedures for flood risk mapping.

National Towing Safety Advisory Committee (TSAC):

TSAC is a USCG committee that advises on costal waterway navigation in the commercial towing industry on America's waterways.

US Customs and Border Protection User Fee Advisory Committee (UFAC):

UFAC is a United States Customs and Border Protection (CBP) committee that advises on the performance of immigration inspection services in airports and seaports.

Faith Based Security Advisory Council (FBSAC):

FBSAC is a DHS council that provides advice and recommendations on protecting houses of worship, preparedness, and coordination with the faith community. FBSAC reports to the Assistant Secretary for Partnership and Engagement.

FREQUENTLY ASKED QUESTIONS

Q: Committee meetings require transparency. To accomplish this, should I write meeting minutes or a meeting summary?

A: Both options are good, just do one or the other.

Q: What do the committee meeting minutes require?

A: The minutes must contain enough information to ascertain who participated, where it was and what was discussed.

Q: What does the idea of “public inspection” entail?

A: The idea of “public inspection” is the ability for the public to scrutinize committee minutes and committee business. While required by the FACA Final Rule, public inspection is usually accomplished by simply posting the minutes or summary on the committee’s webpage.

Q: Can a committee meeting be completely closed to the public?

A: Yes, but there needs to be enough justification to accomplish this. The material needs to be of either a sensitive nature either via security clearances or could have a serious effect on DHS business if the public knows. The DHS FACA director will decide whether the justification is enough based on the information provided.

Q: What is the estimated time for appointment reviews?

A: Max of 5 days review time for CMO and OGC

Q: What comes after the appointment reviews?

A: Review of apt memo and letters by CMO, then AS1 to signs each, and then Exec Sec will mail/email for you or send the signed copies back to PRIV to mail/email

Q: Is there a timeline or checklist that I could consult to make sure I'm working through all requirements?

A: There are no more requirements other than FRNs and CMO maintains a DFO tip list to remember for meeting days.

Q: Should we plan for an administrative meeting with just the new members to conduct necessary training?

A: There is no training for members other than Ethics and FACA briefing prior to their first meeting.

Q: How long does it typically take to get new members onboarded?

A: The onboard is on your own timeline once you receive AS1's signature on the appointment letters.

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.

Alternate Designated Federal Officer (ADFO) – 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 DHS employee designated by the Secretary to implement the provisions of section 8(b) of FACA and any delegated responsibilities of the agency head under FACA.

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

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

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

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

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

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

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 accurate 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.

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

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

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

Federal Register - The daily publication used as 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.

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

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

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 Handbook, the Secretary of DHS.

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 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.

Termination Date - The date the committee ceases to function.

Vacancy - 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).

STAKEHOLDERS

Departmental Federal Advisory Committee Management Office

- Director
- Lead Management Analyst
- Management Analyst
- Intern

Departmental Office of General Counsel, Administrative Law Division

- Assistant General Counsel
- Attorney-Advisor

Departmental Office of General Counsel, Ethics Division

- Deputy Assistant General Counsel
- Attorney-Advisor

White House Liaison's Office

- White House Liaison
- Deputy White House Liaison

Departmental Executive Secretariat

- Associate Executive Secretary
- Director

Office of the Federal Registrar

- Legal Administrative Specialist of Regulations
- Management and Program Analyst of Regulations

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General Services Administration
www.gsa.gov/faca

Committee Management Office
<https://www.dhs.gov/committee-management-office>

FACA Database
<https://www.facadatabase.gov/>