

Charter
Vietnam War Commemoration Advisory Committee

1. Committee's Official Designation: The committee shall be known as the Vietnam War Commemoration Advisory Committee ("the Committee").
2. Authority: The Secretary of Defense, in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(d), established this discretionary Committee.
3. Objectives and Scope of Activities: The Committee provides the Secretary of Defense and the Deputy Secretary of Defense, through the Deputy Chief Management Officer (DCMO), independent advice and recommendations on the Department of Defense (DoD) program to commemorate the 50th Anniversary of the Vietnam War, as set out in paragraph four below.
4. Description of Duties: The Committee provides independent advice and recommendations to the DoD on how to best achieve the following objectives in commemorating the 50th Anniversary of the Vietnam War, as referenced in section 598(c) of Public Law 110-181:
 - a. Thank and honor veterans of the Vietnam War, including personnel who were held as prisoners of war or listed as missing in action, for their service and sacrifice on behalf of the United States and to thank and honor the families of these veterans;
 - b. Highlight the service of the Armed Forces during the Vietnam War and the contributions of Federal agencies and governmental and non-governmental organizations that served with, or in support of, the Armed Forces;
 - c. Pay tribute to the contributions made on the home front by the people of the United States during the Vietnam War;
 - d. Highlight the advances in technology, science, and medicine related to military research conducted during the Vietnam War; and
 - e. Recognize the contributions and sacrifices made by the allies of the United States during the Vietnam War.
5. Agency or Official to Whom the Committee Reports: The Committee shall report to the Secretary and the Deputy Secretary of Defense, through the DCMO, who may act upon the Committee's advice and recommendations.
6. Support: The DoD, through the office of the DCMO, shall provide any necessary support for the performance of the Committee's functions and shall ensure compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended) ("the Sunshine Act"), governing Federal statutes and regulations, and established DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$277, 000. The estimated annual personnel cost to the DoD is 1.4 full-time equivalents.

Charter
Vietnam War Commemoration Advisory Committee

8. Designated Federal Officer: The Committee's Designated Federal Officer (DFO), pursuant to DoD policy, shall be a full-time or permanent part-time DoD officer or employee, designated in accordance with established DoD policies and procedures.

The Committee's DFO is required to attend all meetings of the Committee and its subcommittee for the entire duration of each and every meeting. However, in the absence of the Committee's DFO, a properly approved Alternate DFO, duly designated to the Committee according to DoD policies and procedures, will attend the entire duration of all meetings of the Committee or its subcommittees.

The DFO, or the Alternate DFO, shall call all of the Committee and its subcommittees meetings; prepare and approve all meeting agendas; and adjourn any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Meetings: The Committee will meet at the call of the Committee's DFO, in consultation with the Committee's Chair. The estimated number of meetings of the Committee is approximately two per year.
10. Duration: The need for this advisory function is on a continuing basis; however, it is subject to renewal every two years.
11. Termination: The Committee shall terminate upon completion of its mission, or two years from the date this charter is filed, whichever is sooner, unless the Secretary of Defense renews its charter.
12. Membership and Designation: The Committee shall be composed of no more than 20 members. These members shall represent Vietnam Veterans, their families, and the American public. Candidates for the Committee shall be selected from the Military Services (both retired veterans and active members who served during the Vietnam era), the Department of Defense, the Department of State, the Department of Veterans Affairs, and the Intelligence Community. In addition, candidates from nongovernmental organizations that support veterans or contribute to the public's understanding of the Vietnam War shall be selected.

The appointment of Committee members will be authorized by the Secretary of Defense or the Deputy Secretary of Defense and administratively certified by the DCMO for a term of service of one-to-four years, with annual renewals, in accordance with DoD policies and procedures. Members of the Committee who are not full-time or permanent part-time Federal officers or employees will be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee (SGE) members. Committee members who are full-time or permanent part-time Federal officers or employees will be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as regular employee (RGE) members. No member, unless authorized by the Secretary of Defense or Deputy Secretary of Defense, may serve more than two consecutive terms of service on the Committee, to include its subcommittees, or serve on more than two DoD federal advisory committees at one time.

Charter
Vietnam War Commemoration Advisory Committee

Each Committee member is appointed to provide advice on behalf of the government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

The DCMO, as the Committee's DoD Sponsor, has the delegated authority to appoint the Committee's leadership from among the membership previously appointed to the Committee according to DoD policies and procedures and, in doing so, will determine the leader's term of service, which will not exceed the member's approved term of service.

All Committee members will be reimbursed for travel and per diem as it pertains to official business of the Committee. Committee members will serve without compensation.

13. Subcommittees: The DoD, when necessary and consistent with the Committee's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Committee. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense or the Deputy Secretary of Defense.

Such subcommittees shall not work independently of the Committee and shall report all their recommendations and advice solely to the Committee for full deliberation and discussion. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Committee. No subcommittee or any of its members can provide updates or reports, verbally or in writing, directly to the DoD or to any Federal officer or employee. If a majority of Committee 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 Committee's operations.

Pursuant to Secretary of Defense policy, the DCMO, as the Committee's DoD Sponsor, is authorized to administratively certify the appointment of subcommittee members if the Secretary of Defense or the Deputy Secretary of Defense has previously authorized the individual's appointment to the Committee or another DoD advisory committee. If this prior authorization has not occurred, then the individual's subcommittee appointment must first be authorized by the Secretary of Defense or the Deputy Secretary of Defense and subsequently administratively certified by the DCMO.

Subcommittee members will be appointed for a term of service of one-to-four years, subject to annual renewals, according to DoD policies and procedures; however, no member shall serve more than two consecutive terms of service on the subcommittee. Subcommittee members, if not full-time or permanent part-time Federal officers or employees, will 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 officers or employees will be appointed pursuant to 41 C.F.R. §102-3.130(a) to serve as RGE members.

The DCMO has the delegated authority to appoint the leadership of any subcommittees from among the membership previously appointed to serve on the subcommittee according to DoD policies and procedures and, in doing so, will determine the leader's term of service, which will not exceed the subcommittee member's approved term of service.

Charter
Vietnam War Commemoration Advisory Committee

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With the exception of reimbursement of travel and per diem as it pertains to official travel related to the Committee or its subcommittees, Committee subcommittee members shall serve without compensation.

All subcommittees operate under the provisions of the FACA, the Sunshine Act, governing Federal statutes and regulations, and established DoD policies and procedures.

14. Recordkeeping: The records of the Committee 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, and the appropriate DoD policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

15. Filing Date: January 14, 2017