SECNAV INSTRUCTION 5420.60K

From: Secretary of the Navy

Subj: DEPARTMENT OF THE NAVY FEDERAL ADVISORY COMMITTEE MANAGEMENT PROGRAM

Ref: (a) DoD Instruction 5105.04 of 6 Aug 07
(b) 5 U.S.C., Appendix, Federal Advisory Committee Act
(c) SECNAVINST 5420.194A

Encl: (1) Federal Advisory Committee Authority and Workflow

1. Purpose. To implement reference (a) for the Department of the Navy (DON) and specify policy, procedures, and responsibilities for the DON Federal Advisory Committee Management Program.

2. Cancellation. SECNAVINST 5420.60J.

3. Applicability. Guidance in this instruction pertains to all DON Federal Advisory Committees to which the provisions of references (a) and (b) pertain. Specific guidance to establish and administer Department of Defense (DoD) inter- or intra-agency advisory committees to which the provisions of references (a) and (b) do not pertain is provided separately in reference (c).

4. Policy. All Federal Advisory Committees must strictly follow reference (a) when establishing and maintaining Federal Advisory Committee or subcommittee charters, establishing or updating terms, hiring committee membership, closing or partially closing meetings from the public, and maintaining annual meeting reports.

5. Responsibilities

   a. The Secretary of the Navy (SECNAV) is the sponsor for all DON Federal Advisory Committees and endorses membership authorization packages.
b. The Secretary, or a designee (Department of the Navy/Assistant for Administration (DON/AA)), acts as the Group Federal Officer and endorses proposed DON Federal Advisory Committee members.

c. Each Federal Advisory Committee may propose a Designated Federal Officer (DFO) for SECNAV consideration. SECNAV, or designee, will select and appoint a DFO who is responsible for managing each committee in strict accordance with the guidance contained in reference (a) and the DFO Designation Letter.

d. Each DFO shall:

(1) Ensure all closed and partially closed meetings are approved in advance and public notice is published in the Federal Register;

(2) Coordinate compensation requests with DON/AA for advisory committee members who are not Federal Government employees;

(3) Ensure all information required by reference (a), to include committee charters and annual meeting reports, is entered into the DoD Federal Advisory Committee Act online portal at: https://usdbmi.sp.pentagon.mil/sites/BP/FRN.

e. SECNAV or DON/AA shall determine, in consultation with the General Counsel of the Navy, whether to close all or part of a committee or subcommittee meeting to the public pursuant to section 552b(c) of reference (b).

6. Action. Addressees will carry out policies and execute the responsibilities prescribed in this instruction.

7. Reports. The reports required in paragraph 4 of this instruction are exempt from reports controlled by SECNAV M-5214.1, part IV, paragraph 7k.

8. Records Management

a. Records created as a result of this instruction, regardless of format or media, must be maintained and
dispositioned according to the records disposition schedules found on the Directives and Records Management Division (DRMD) portal page:

b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact your local Records Manager or the DRMD program office.

THOMAS B. MODLY
Under Secretary of the Navy

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FEDERAL ADVISORY COMMITTEE AUTHORITY AND WORKFLOW

1. Purpose. The Department of the Navy (DON) Issuance (SECNAVINST 5420.60K) is a supplement to reference (a).

2. Authority. Federal Advisory Committee Act (FACA) is a procedural law governing the establishment, operation, administration, and termination of Federal advisory committees. The Office of the Secretary of Defense (OSD), Director, Administration & Management, Chief Management Officer and Advisory Committee Management Officer (ACMO) ensure that the DoD and its Federal Advisory Committees comply with the FACA, the General Services Administration (GSA) regulations and DoD policies and procedures. The Secretary of Defense issues management controls and administrative guidelines for every Agency advisory committee subject to the FACA. The ACMO provides policy oversight, enforces controls, and operates day-to-day program management for all DoD Federal Advisory Committees.

3. Workflow. See reference (a) for further guidance, responsibilities, definitions, and procedures. All submissions pertaining to the four FACA functions/applications—Federal Register Notice (FRN), Terms of Reference (ToR), Committee Charters, and Membership Authorization Package (MAP) must be submitted through the OSD FACA Portal at https://usdbmi.sp.pentagon.mil/sites/BP/FRN/Pages/Home.aspx. The OSD FACA Portal and GSA FACA Database are two different systems with different requirements.

   a. The Automated Workflow Platform ("the Platform") is users/roles access permission-based utilizing a DoD issued Common Access Card. The Platform automates, workflows, and historically maintains, for perpetuity, each committee action.

   b. Contained within the Platform are dropdown actionable menus, fill-in-the-blank forms, previous historical documents and the capability to include/attach supporting, clarifying, required documents, e.g., resumes and other correspondence.

   c. Along with maintaining version control of documents, each user access occurrence is captured.
d. Processing notifications are accomplished via electronic mail providing the workflow "next" action officer a Uniform Resource Locator or URL link to the action.

e. Upon completion of a Platform application, all documents are maintained within the SharePoint library and are available for reference or later use. The Platform "Homepage" provides the user the capability to navigate to each of the four common committee functions/applications, provide user feedback/Request Access and Metrics. Training dates and training registration along with system-wide messages are also contained on the "Homepage."

4. DON Internal Routing

a. Designated Federal Officer (DFO)/Alternate Designated Federal Officer (ADFO) begins and completes committee actions. The OSD FACA Portal houses all committee information. All actions should be started, uploaded, and completed in the portal. It may be necessary to download your work for internal DON approval routing (except Charter renewals), then upload and submit for routing to the ACMO.

b. Once uploaded and/or submitted via the portal, package notification is sent to the Federal Register Liaison Office (FRLO) and ACMO for action via email URL. If submitting an FRN “Closed Meeting” request, once the DON/AA approval and individual supporting documents are uploaded, bypass General Counsel (GC) routing as this has been performed on the front end.

c. Business process:

   (1) FRN (Open) - DFO/ADFO > FRLO; FRN (Fully/Partially Closed) - DFO/ADFO > GC > DON/AA > DFO/ADFO > FRLO

   (2) ToR - DFO/ADFO > GC > DON/AA > DFO/ADFO (update matrix) > ACMO

   (3) Charter - DFO/ADFO > GC > DON/AA > DFO/ADFO (update matrix and membership balance plan) > ACMO; Re-Charter - DFO/ADFO > GC > ACMO
(4) MAP - DFO/ADFO > ACMO (GC) > DON/AA (GC) > ACMO > DON/AA > ACMO

(a) Simultaneously, DFO/ADFO should initiate the internal committee process and perform required checks (e.g., White House Liaison Office (WHLO) concurrence, lobbyist, resumes, etc.)

(b) Start the committee internal process no later than 90 days from the effective date.

(c) All appointed members must be sworn in within 30 days of the MAP signing.

5. Administrative Management Procedures. See SECNAVINST 5216.5, Navy Correspondence Manual of June 2015 for DON internal guidance. Sample letters and templates meeting FACA requirements may be found on the OSD FACA Portal under “User Guides.”