

National Institute of Corrections Advisory Board Charter

1. Committee's Official Designation

This committee is designated the National Institute of Corrections (NIC) Advisory Board (hereafter referred to as "Advisory Board").

2. Authority

Public Law 93-415, Title V, § 521, Sept. 7, 1974, 88 Stat. 1139, codified at 18 U.S.C. § 4351 (b), directs that the overall policy and operations of the NIC shall be under the supervision of an Advisory Board. The Advisory Board charter is enacted pursuant to the authority provided at 5 U.S.C. §§ 1001-1014, the Federal Advisory Committee Act (FACA), and 41 C.F.R. § 102-3.50(a).

3. Objectives and Scope of Activity

The overall policy and operations of the NIC are under the supervision of the Advisory Board. In general, the NIC provides training, technical assistance, information services, and policy/program development assistance to Federal, state, and local corrections agencies; through cooperative agreements, awards funds to support program initiatives; and provides leadership to influence correctional policies, practices, and operations nationwide in areas of emerging interest and concern to correctional executives and practitioners as well as public policymakers. The Advisory Board will help develop long-range plans, advise on program development, and recommend guidance to assist the NIC's efforts in these areas. The Advisory Board will also advise the Attorney General about the appointment of the Director of the NIC.

4. Description of Duties

The Advisory Board may analyze, review, and examine work products, legislation, research, fiscal and technical support, policies, regulations, practices, or operations of correctional agencies in order to execute the above cited objectives. See 18 U.S.C. § 4351.

5. Agency or Official to Whom the NIC Advisory Board Reports

The Advisory Board will report to the Attorney General.

6. Support

The NIC shall provide necessary support services for the Advisory Board.

7. Estimated Annual Operating Costs and Staff Time

The annual operating costs associated with supporting the Advisory Board functions are estimated to be approximately \$88,000 per year, including all direct and indirect expenses. This estimate includes \$25,000 for collateral duty Advisory Board support by .25 Full Time

Equivalent (FTE) employees. The \$88K per year covers entirety of costs related to the Advisory Board, including the .25 FTE DFO. In addition, the funding covers travel costs to and from in person meeting sites for ten (10) Advisory Board members (air/rail/vehicle, hotel, baggage, meals, ground transportation, miscellaneous, etc.), meeting transcriber costs, printing costs, etc.

8. Designated Federal Officer

The Director of the NIC, appointed in accordance with 18 U.S.C. § 4351(h), will appoint a full time or permanent part-time employee to serve as the Designated Federal Officer (DFO) for purposes of the Federal Advisory Committee Act. The DFO will approve or call all meetings of the Advisory Board and any subcommittees; prepare and approve all meeting agenda; attend all Advisory Board and subcommittee meetings; adjourn the meetings when the DFO determines it to be in the public interest; and chair the meetings when so directed by the Attorney General.

9. Number and Frequency of Meetings

It is anticipated the Advisory Board will meet at a minimum bi-annually, and/or more frequently as necessary. Meetings can be held in person or virtually utilizing online meeting platforms.

10. Duration

The Advisory Board is continuing.

11. Termination Date

The Advisory Board charter shall expire two years from the filing date, and is subject to renewal biennially.

12. Membership

Under 18 U.S.C. §§ 4351(b) and (c), the Advisory Board shall consist of sixteen members, comprised of regular Government employees and special Government employees.

The following six individuals shall serve as members of the Board ex officio: the Director of the Federal Bureau of Prisons or designee, the Director of the Bureau of Justice Assistance or designee, the Chairman of the United States Sentencing Commission or designee, the Director of the Federal Judicial Center or designee, the Administrator for the Office of Juvenile Justice and Delinquency Prevention or designee, and the Assistant Secretary for Human Development of the Department of Health and Human Services or designee. The remaining ten members of the Board shall be selected by the Attorney General of the United States. Five of these shall be qualified as a practitioner (Federal, State, or local) in the field of corrections, probation, or parole, and shall serve for staggered three-year terms. Five of these members shall be from the private sector, such as business, labor, and education, having demonstrated an active interest in corrections, probation, or parole, and shall serve for staggered three-year terms.

Also, under 18 U.S.C. § 4351(e), the Advisory Board shall elect a chairman from among its members who shall serve for a term of one year. The members of the Advisory Board shall also elect one or more members as a vice-chairman.

13. Subcommittees

The Chairman of the Advisory Board and the Director of the NIC, who is or has appointed the Designated Federal Officer (DFO) or the approved DFO, have the authority to create subcommittees. All subcommittees report to the Advisory Board, and may not provide advice or work products directly to the NIC.

14. Recordkeeping

The records of the Advisory Board, formally and informally established subcommittees, or other subgroups shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedules. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

15. Filing Date

The filing date is the date the Charter is filed with Congress.

Filing Date: September 14, 2023