

FINAL RECOMMENDATION

February 20, 2001

**Recommendation of the Action Plan Team:
Leadership and Communications Item #89
(Page 26 of the Action Plan):**

Summary: (verbatim from the Action Plan)

Recommendation # 89 *“The Board of Visitors shall be a strong and active organization with staff support, independent USFA resources for its activities, and shall continue to have a direct reporting relationship with the FEMA Director through the Chief Operating Officer.”*

Recommendations:

Time Frame: Ongoing

The Leadership & Communications Team recommends that the Board of Visitors continue to be a strong and active organization receiving staff support and USFA resources as per the Federal Fire Prevention and Control Act of 1974 (Public Law 93-498, Section 7[j]).

The Leadership & Communications Team recommends that the existing NFA Board of Visitors be expanded to become the USFA Board of Visitors. With the reorganization of the United States Fire Administration the function of the National Fire Academy was refocused for more significant and timely impact to be the delivery arm of the United States Fire Administration training and education activities. For the Board of Visitors to be an effective and viable entity as intended by Section 7 (j) of the Federal Fire Prevention and Control Act (P.L. 93-498) it must be expanded and designated the United States Fire Administration Board of Visitors. These issues are being addressed through FEMA Office of General Counsel. See attachments, titled BOV Charter, Section 2205 of PL-93-498 and the Conversion of NFA BOV.

If the BOV is modified and expanded to become USFA BOV, the Leadership & Communications Team recommends modifying the membership to reflect the USFA mission and less of a training contingent as is justifiably the case now. In addition to members of fire service and allied professional cadre, the membership should expand and be diversified to include, for example; members from emergency management, elected officials, college president or similar academic representative from higher education and a member from private sector business and industry.

Background:

The original Board of Visitors was set up to work entirely with National Fire Academy with their responsibilities limited to: An examination of Academy programs to determine whether these programs further the basic missions which are approved by the Director;

- a. An examination of the organization of the Academy to determine whether it affords the most appropriate structure for delivering the Academy programs;

- b. An examination of the physical plant of the Academy to determine the adequacy of the facilities; and,
- c. An examination of the funding levels for the Academy programs.

See the attached BOV Charter for a complete description. The BOV's relationship with the FEMA office of the Director has been inconsistent over the years but has been improved under the reorganization of the USFA.

Budget Impact:

There is no immediate budget impact for this recommendation. However, there is an impact for Recommendation #90, which is, addressed in detail that recommendation.

Conclusions:

The role of the Board of Visitors like the organization of the USFA is changing to reflect the needs of the nation's fire service and allied professionals.

Submitted by:
Leadership and Communications Action Plan Team:

Tim O'Dowd
Karen Haines
Trina Clever
Chuck Burkell
Maury Grundy
Carol Bouma

Approval Date _____

Disapproval Date _____

FEDERAL EMERGENCY MANAGEMENT AGENCY
CHARTER OF
BOARD OF VISITORS
FOR THE
NATIONAL FIRE ACADEMY

ESTABLISHMENT:

The Director of the Federal Emergency Management Agency (FEMA), in accordance with the Federal Fire Prevention and Control Act of 1974 (Public Law 93-498, Section 7[j]), has established the Board of Visitors (hereafter referred to as the Board) for the National Fire Academy (hereafter referred to as the Academy), as an Advisory Committee pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, and the Presidential Reorganization Order Number 3 of 1978.

OBJECTIVES AND DUTIES:

The Board shall review annually the programs of the Academy and make comments and recommendations to the Director regarding the operation of the Academy and any improvements therein which the Board deems appropriate. The Board shall make interim comments and recommendations to the Director whenever there is an indicated urgency to do so in fulfilling its duties.

1. In carrying out their responsibilities, the Board shall include in their review:
 - a. An examination of Academy programs to determine whether these programs further the basic missions which are approved by the Director;
 - b. An examination of the organization of the Academy to determine whether it affords the most appropriate structure for delivering the Academy programs;
 - c. An examination of the physical plant of the Academy to determine the adequacy of the facilities; and,
 - d. An examination of the funding levels for the Academy programs.
2. The Board shall submit its annual report to the Director, in writing, within 30 days following its meeting for the preparation of this report. This report shall provide detailed comments and recommendations regarding the operation of the Academy. The Board shall submit interim reports to the Director whenever there is an indicated need to do so in the fulfillment of its duties.

MEMBERS OF THE BOARD OF VISITORS:

The Board shall be comprised of eight members. The Director shall select the members of the Board. The Director will also appoint an additional number of alternates as necessary. The members of the Board shall be selected from among professionals in the fields of fire safety, fire prevention, fire control research and development in fire protection, treatment and rehabilitation of fire victims, or local government services management, and from such professional organizations as will ensure a balanced representation of fire and emergency services interests. Members serve as representatives of non-Federal interests. The FEMA Office of the General Counsel is responsible for counseling Board members on Federal ethics rules and criminal conflict of interest statutes.

OFFICERS:

The Board, at its first organizational meeting of each Federal fiscal year, shall select from among its members a Chairperson and a Vice-Chairperson. These officers shall serve for the ensuing year and are eligible to succeed themselves.

In the absence of both the Chairperson and the Vice-Chairperson, the Board shall select a member from those present to preside as Chairperson for that meeting.

DUTIES OF CHAIRPERSON:

The Chairperson shall be responsible for the expeditious and efficient conduct of the Board's duties and responsibilities including: presiding over duly constituted meetings of the Board; appointing committees and assigning individual members to Board functions; coordinating with the Secretary of the Board on agendas, minutes, reports, and other business of the Board; serving as the spokesperson for the Board; reporting to the Director; and other duties that may be prescribed by the Director that are appropriate and within the purview of the Board.

DUTIES OF THE VICE-CHAIRPERSON:

The Vice-Chairperson shall assume the duties and responsibilities of the Chairperson in the absence of the Chairperson.

TERMS OF THE BOARD MEMBERS:

Members of the Board shall be selected for terms of up to 3 years to commence October 1 of the first year through September 30 of the last year. Members may be selected for up to three additional terms of up to 3 years per term at the discretion of the Director. Board members will continue to serve until their replacement is appointed. In the event of a vacancy on the Board, the Director may select a member to serve the unexpired term. Terms of members are staggered to provide for continuity of representation by members. The terms of members are so staggered to provide for no more than three members being replaced (or reappointed) in any given year unless there are resignations for reasons other than term expiration.

MEETINGS:

Depending on funding availability and scheduling considerations, the Board shall meet up to four times, but not less than twice, each Federal fiscal year at the National Emergency Training Center in Emmitsburg, Maryland, to address its objectives and duties.

It shall be cause for consideration of dismissal from the Board if any member is absent from two consecutive Board meetings. Such action shall be recommended by the Board to the Director.

The Board shall meet at the National Emergency Training Center in Emmitsburg, Maryland, unless permission for an alternate location is granted by the Director or the Chief Operating Officer.

The Director may, with appropriate notice, call a special meeting of the Board to address an agenda within its purview. Timely notices of each meeting shall be published in the Federal Register and such notice shall include a statement that Board meetings are open to the public.

ADMINISTRATIVE PROVISIONS:

In accordance with the authorizing statute, the members of the Board shall not be compensated for their services, but shall be reimbursed for appropriate and permitted expenses actually incurred in the performance of their duties as members of the Board.

The Chief Operating Officer of the U.S. Fire Administration is the Designated Federal Official who will attend each meeting of the Board and is authorized, whenever he/she so determines it to be in the public interest, to adjourn any such meeting. The Chief Operating Officer can designate an employee of the U.S. Fire Administration to be the designated Federal Official to act on his/her behalf in his/her absence. The Board shall not conduct meetings in the absence of the Designated Federal Official.

The Chief Operating Officer shall also designate an employee of the U.S. Fire Administration to serve as the Secretary to the Board with all the attendant secretarial duties to cause the Board to be appropriately supported with its administrative needs, minutes, notices, records, and reports. The Secretary may also serve as the Designated Federal Official for the purpose set forth in the previous paragraph. The U.S. Fire Administration shall provide such other clerical and supporting services for the Board as may be deemed appropriate by the Chief Operating Officer.

The costs of supporting the Board are estimated at \$23,500 annually. This includes approximately \$7,500 for ¼ work year of staff support and \$16,000 for travel and per diem for the meetings for Board members.

Board meeting minutes shall be maintained and shall be subject to the Freedom of Information Act. All records pertaining to the Board shall be maintained in the Office of the designated Secretary to the Board.

DURATION:

The Board shall function on a continuing basis in accordance with the authorizing Statute unless terminated by appropriate legislative authority. In compliance with Section 14(b)(2) of the Federal Advisory Committee Act, a Charter shall be filed upon the expiration of each successive 2-year period following the date of the enactment of the Federal Fire Prevention and Control Act of 1974, Public Law 93-498, on October 9, 1974.

2/23/2000

Date

-SIGNED-

Director

Federal Emergency Management Agency

Public Law

93-498

Section

2205

Upon establishment of the Academy, the {Secretary} [Director] shall establish a procedure for the selection of professionals in the field of fire safety, fire prevention, fire control, research and development in fire protection, treatment and rehabilitation of fire victims, or local government services management to serve as members of a Board of Visitors for the {Academy} [United States Fire Administration].

Pursuant to such procedure, the {Secretary} [Director] shall select eight such persons to serve as members of such Board of Visitors to serve such term as the {Secretary} [Director] may prescribe. The function of such Board shall be to review annually the {program} [programs] of the {Academy} [United States Fire Administration] and to make comments and recommendations to the {Secretary} [Director] regarding the operation of the {Academy} [United States Fire Administration] and any improvement therein which such Board deems appropriate. Each member of such Board shall be reimbursed [from the United States Fire Administration Emergency Management Planning and Assistance appropriations] for any expenses actually incurred by him in the performance of his duties as a member of such Board.

Conversion of National Fire Academy Board of Visitors

Description: Convert the funding of the National Fire Academy Board of Visitors from S& E funds to EMPA funds and expand the National Fire Academy Board of Visitors to the United States Fire Administration Board of Visitors - legislative change and appropriations language

Challenges: 1) A long standing concern has existed and several alternatives have been attempted relative to the funding of the National Fire Academy Board of Visitors out of critically limited S&E, resulting in the need to curtail the number of BOV meetings to one or two a year, severely limiting the ability of the BOV to carry out its responsibility.

2) FEMA Director James Lee Witt created a Blue Ribbon Panel to provide recommendations to guide the USFA toward its goal of becoming a world-class organization. The outcome of this Panel was the USFA Action Plan, and approved by the Director, that outlined the steps required to implement the Blue Ribbon Panel recommendations.

One of the items in the Blue Ribbon Panel Report and continued into the USFA Action Plan is to increase involvement of the Board of Visitors in the plans and activities that impact the National Fire Academy.

Many of the recommendations of the Blue Ribbon Panel Report and the resulting USFA Action Plan culminated into the reorganization of the USFA.

With the reorganization of the United States Fire Administration the function of the National Fire Academy was refocused for more significant and timely impact to be the delivery arm of the United States Fire Administration training and education activities.

For the Board of Visitors to be an effective and viable entity as intended by Section 7 (j) of the Federal Fire Prevention and Control Act (P.L. 93-498) it must be expanded and designated the United States Fire Administration Board of Visitors.

3) The FEMA Office of General Council concludes that the desired changes; funding the travel for the Board of Visitors with EMPA appropriations and expanding the current National Fire Academy Board of Visitors to the United States Fire Administration requires legislative provisions (Section 7 (j) 93-498) and appropriation language to fund the travel of the BOV with EMPA funds instead of the currently authorized S&E funds.

Timeframes: While we should seek every opportunity to initiate these changes, the next regularly predictable time frame will be with the submission of the next annual review of legislative programs and the FY 2002 budget submission.

Date:October 18, 2000

Responsible Organization:USFA-MO

POC:Ronald P. Face, Jr.

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