§ 416. Advisory Council

(a) Establishment

The Retirement Home shall have an Advisory Council, to be known as the “Armed Forces Retirement Home Advisory Council”. The Advisory Council shall serve the interests of both facilities of the Retirement Home.

(b) Duties

(1) The Advisory Council shall provide to the Chief Operating Officer and the Administrator of each facility such guidance and recommendations on the administration of the Retirement Home and the quality of care provided to residents as the Advisory Council considers appropriate.

(2) Not less often than annually, the Advisory Council shall submit to the Secretary of Defense a report summarizing its activities during the preceding year and providing such observations and recommendations with respect to the Retirement Home as the Advisory Council considers appropriate.

(3) In carrying out its functions, the Advisory Council shall—

   (A) provide for participation in its activities by a representative of the Resident Advisory Committee of each facility of the Retirement Home; and

   (B) make recommendations to the Inspector General of the Department of Defense regarding issues that the Inspector General should investigate.

(c) Composition

(1) The Advisory Council shall consist of at least 15 members, each of whom shall be a full or part-time Federal employee or a member of the Armed Forces.

(2) Members of the Advisory Council shall be designated by the Secretary of Defense, except that an individual who is not an employee of the Department of Defense shall be designated, in consultation with the Secretary of Defense, by the head of the Federal department or agency that employs the individual.

(3) The Advisory Council shall include the following members:

   (A) One member who is an expert in nursing home or retirement home administration and financing.

   (B) One member who is an expert in gerontology.

   (C) One member who is an expert in financial management.

   (D) Two representatives of the Department of Veterans Affairs, one to be designated from each of the regional offices nearest in proximity to the facilities of the Retirement Home.

   (E) The Chairpersons of the Resident Advisory Committees.

   (F) One enlisted representative of the Services’ Retiree Advisory Council.

   (G) The senior noncommissioned officer of one of the Armed Forces.

   (H) Two senior representatives of military medical treatment facilities, one to be designated from each of the military hospitals nearest in proximity to the facilities of the Retirement Home.

   (I) One senior judge advocate from one of the Armed Forces.

   (J) One senior representative of one of the chief personnel officers of the Armed Forces.

   (K) Such other members as the Secretary of Defense may designate.

(4) The Administrator of the each facility of the Retirement Home shall be a nonvoting member of the Advisory Council.
(5) The Secretary of Defense shall designate one member of the Advisory Council to serve as the Chairperson of the Advisory Council. The Chairperson shall conduct the meetings of the Advisory Council.

(d) Term of service
(1) Except as provided in paragraphs (2), (3), and (4), the term of service of a member of the Advisory Council shall be two years. The Secretary of Defense may designate a member to serve one additional term.
(2) Unless earlier terminated by the Secretary of Defense, a person may continue to serve as a member of the Advisory Council after the expiration of the member’s term until a successor is designated.
(3) The Secretary of Defense may terminate the term of service of a member of the Advisory Council before the expiration of the member’s term.
(4) A member of the Advisory Council serves as a member of the Advisory Council only for as long as the member is assigned to or serving in a position for which the duties include the duty to serve as a member of the Advisory Council.

(e) Vacancies
A vacancy in the Advisory Council shall be filled in the manner in which the original designation was made. A member designated to fill a vacancy occurring before the end of the term of the predecessor shall be designated for the remainder of the term of the predecessor. A vacancy in the Advisory Council shall not affect its authority to perform its duties.

(f) Compensation
(1) Except as provided in paragraph (2), a member of the Advisory Council shall—
   (A) be provided a stipend consistent with the daily government consultant fee for each day on which the member is engaged in the performance of services for the Advisory Council; and
   (B) while away from home or regular place of business in the performance of services for the Advisory Council, be allowed travel expenses (including per diem in lieu of subsistence) in the same manner as a person employed intermittently in Government under sections 5701 through 5707 of title 5.
(2) A member of the Advisory Council who is a member of the Armed Forces on active duty or a full-time officer or employee of the United States shall receive no additional pay by reason of serving as a member of the Advisory Council.


Prior Provisions