OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

ADMINISTRATION AND
MANAGEMENT

MAY 25 2012

The Honorable Hal Rogers
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman,

Enclosed is a copy of the charter that renews the Advisory Council on Dependents' Education, which is being filed with your office in accordance with the Federal Advisory Committee Act of 1972, as amended (5 U.S.C. Appendix).

Copies of this charter are also being filed with the Library of Congress, the Senate Committees on Armed Services, Appropriations; and the House Committees on Armed Services.

Sincerely,

James D. Freeman II
Advisory Committee Management
Officer for the Department of Defense

1 Enclosure
As stated

OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

ADMINISTRATION AND
MANAGEMENT

MAY 25 2012

The Honorable Howard P. McKeon
Chairman
Committee on Armed Services
U.S. House of Representatives
2120 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman,

Enclosed is a copy of the charter that renews the of Advisory Council on Dependents' Education, which is being filed with your office in accordance with the Federal Advisory Committee Act of 1972, as amended (5 U.S.C. Appendix).

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ADMINISTRATION AND
MANAGEMENT

MAY 25 2012

Library of Congress
Federal Advisory Committee Desk
Government Documents Section
101 Independence Avenue, S.E.
Washington, D.C. 20540

Dear Sir or Madam,

Enclosed is a copy of the charter that renews the Advisory Council on Dependents' Education, which is being filed with your office in accordance with the Federal Advisory Committee Act of 1972, as amended (5 U.S.C. Appendix).

Copies of this charter are also being filed with the Senate Committees on Armed Services, Appropriations; and the House Committees on Armed Services, and Appropriations.

Sincerely,

James D. Freeman II
Advisory Committee Management
Officer for the Department of Defense

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OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

ADMINISTRATION AND
MANAGEMENT

MAY 25 2012

The Honorable Daniel K. Inouye
Chairman
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman,

Enclosed is a copy of the charter that renews the Advisory Council on Dependents' Education, which is being filed with your office in accordance with the Federal Advisory Committee Act of 1972, as amended (5 U.S.C., Appendix).

Copies of this charter are also being filed with the Library of Congress, the Senate Committees on Armed Services; and the House Committees on Armed Services, Appropriations.

Sincerely,

James D. Freeman II
Advisory Committee Management
Officer for the Department of Defense

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OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

ADMINISTRATION AND
MANAGEMENT

MAY 25 2012

The Honorable Carl Levin
Chairman
Committee on Armed Services
United States Senate
228 Russell Senate Office Building
Washington, D.C. 20510

Dear Mr. Chairman,

Enclosed is a copy of the charter that renews the Advisory Council on Dependents' Education, which is being filed with your office in accordance with the Federal Advisory Committee Act of 1972, as amended (5 U.S.C. Appendix).

Copies of this charter are also being filed with the Library of Congress, the Senate Committees on Appropriations; and the House Committees on Armed Services, and Appropriations.

Sincerely,

James D. Freeman II
Advisory Committee Management
Officer for the Department of Defense

1 Enclosure
As stated

CHARTER
ADVISORY COUNCIL ON DEPENDENTS' EDUCATION

1. Committee's Official Designation: The committee shall be known as the Advisory Council on Dependents' Education (hereafter referred to as "the Council").

2. Authority: The Secretary of Defense, under the provisions of 20 U.S.C. § 929 the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 CFR § 102-3.50(a) (required by statute), established the Council.

3. Objectives and Scope of Activities: The Council shall provide independent advice and recommendations on the Department of Defense (DoD) dependents' education system, as set out in paragraph 4 below.

4. Description of Duties: The Council shall provide independent advice and recommendations to the Director, Department of Defense Education Activity (hereafter referred to as "the Director"), on the following:

   a. General policies for operation of DoD dependents' education system with respect to curriculum selection, administration, and operation of the system.
   b. Information from other Federal agencies concerned with primary and secondary education with respect to education programs and practices which such agencies have found to be effective and which should be considered for inclusion in the DoD dependents' education system.
   c. The design of the study and the selection of the contractor referred to in 20 U.S.C. § 930(a)(2).
   d. Other tasks as may be required by the Secretary of Defense.

5. Agency or Official to Whom the Committee Reports: The Council reports to the Director for all matters listed in section 4a through 4c above, and any other matters involving the DoD dependents' education system that are within the Director's purview. All matters outside the Director's purview shall be reported to the Secretary of Defense, the Secretary of Education, or the Under Secretary of Defense for Personnel and Readiness (hereafter referred to as "the Under Secretary"), as appropriate.

   The Under Secretary or the Director, as appropriate, may act upon the Council's advice and recommendations.

6. Support: The DoD, through the Office of the Under Secretary of Defense for Personnel and Readiness, shall provide support, as deemed necessary, for the performance of the Council's functions, and shall ensure compliance with the requirement of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b) (hereafter referred to as "the Government in the Sunshine Act"), governing Federal statutes and regulations, and governing DoD policies/procedures.

Additional information and assistance, as required and with DoD approval, may be obtained from other DoD Components with contracting authority and support contractors, including DoD Federally Funded Research and Development Centers, for studies and analysis support.

7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately $391,000.00 and 0.5 full-time equivalents.

8. Designated Federal Officer: The Designated Federal Officer, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with governing DoD policies/procedures.

   In addition, the Designated Federal Officer is required to be in attendance at all Council and subcommittee meetings for the entire duration of each and every meeting; however, in the absence of the Designated Federal Officer, a properly approved Alternate Designated Federal Officer shall attend the entire duration of the Council or subcommittee meeting.

   The Designated Federal Officer, or the Alternate Designated Federal Officer, shall call all of the Council's and subcommittees' meetings; prepare and approve all meeting agendas; adjourn any meeting when the Designated Federal Officer, or the Alternate Designated Federal Officer, determines adjournment to be in the public interest or required by governing regulations or DoD policies/procedures; and chair meetings when directed to do so by the official to whom the Council reports.

9. Estimated Number and Frequency of Meetings: The Council shall meet at the call of the Council's Designated Federal Officer, in consultation with the Council's Co-Chairs as defined in paragraph 12 below. Pursuant to 20 U.S.C. § 929(c), the Council shall meet at least two times each year.

10. Duration: The need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.

11. Termination: The Council shall terminate upon repeal 20 U.S.C. § 929.

12. Membership and Designation: The Council, pursuant to 20 U.S.C. 929(a), shall be composed of the following 16 members:

    a. The Secretary of Defense and the Secretary of Education or their respective designees;
    b. Twelve appointed individuals who demonstrate an interest in the field of primary or secondary education, and who shall include representatives of professional employee organizations, school administrators, parents of students enrolled in the DoD dependents' education system, and one student enrolled in such system; and

c. A representative of the Secretary of Defense and of the Secretary of Education.

The twelve Council members, appointed under the authority of 20 U.S.C. § 929(a)(1)(B), shall be appointed jointly by the Secretary of Defense and the Secretary of Education.

The Secretary of Defense and the Secretary of Education may approve the appointment of individuals appointed pursuant to 20 U.S.C. § 929(a)(1)(B) for one-to-four year terms of service; however, no member appointed pursuant to 20 U.S.C. § 929(a)(1)(B), unless authorized by the Secretary of Defense and the Secretary of Education, may serve more than two consecutive terms of service. This same term of service limitation also applies to any DoD authorized subcommittees.

Members appointed to the Council from professional employee organizations, pursuant to 20 U.S.C. § 929(a)(2), shall be individuals designated by those organizations and shall serve three-year terms of service, not to exceed two full terms on the Council.

Any member appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

Council members, who are not full-time or permanent part-time Federal officers or employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109 and shall serve as special government employee members. Council members serving as special government employees shall have their appointments renewed on an annual basis.

Pursuant to 20 U.S.C. § 929(d), members of the Council who are not full-time or permanent part-time employees of the Federal government, shall, while attending meetings or conferences of the Council or otherwise engaged in the business of the Council, be entitled to compensation at the daily equivalent of the rate specified at the time of such service for level IV of the Executive Schedule under 5 U.S.C. § 5315. All Council members, while on official travel, shall be entitled to compensation for travel and per diem.

The Secretary of Defense and the Secretary of Education, or their designated representatives, shall serve as the Council's Co-Chairs.

The Director, Department of Defense Education Activity, shall be the Executive Secretary of the Council, but shall not vote on matters before the Council.

Each Council 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.

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

    Such subcommittees shall not work independently of the chartered Council, and shall report all their recommendations and advice to the Council for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the chartered Council; nor can any subcommittee or its members update or report directly to the DoD or any Federal officers or employees.

    All subcommittee members shall be appointed in the same manner as the Council members; that is, the Secretary of Defense and the Secretary of Education shall appoint subcommittee members even if the member in question is already a Council member. Subcommittee members, with the approval of the Secretary of Defense and the Secretary of Education, may serve a term of service on the subcommittee of one-to-four years.

    Subcommittee members, if not full-time or part-time government employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109, and shall serve as special government employees, whose appointments must be renewed by the Secretary of Defense and the Secretary of Education on an annual basis.

    Subcommittee members who are not full-time or permanent part-time employees of the Federal government, shall, while attending meetings or conferences of the Council or otherwise engaged in the business of the Council, be entitled to compensation at the daily equivalent of the rate specified at the time of such service for level IV of the Executive Schedule under 5 U.S.C. § 5315. All subcommittee members, while on official travel, shall be entitled to compensation for travel and per diem.

    All subcommittees operate under the provisions of FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b), governing Federal statutes and regulations, and governing DoD policies/procedures.

14. Recordkeeping: The records of the Council and its subcommittees shall be handled according to section 2, General Record Schedule 26, and appropriate Department of Defense 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).

15. Filing Date: May 25, 2012