OFFICE OF THE SECRETARY OF DEFENSE
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ADMINISTRATION AND
MANAGEMENT

APR 9 2012

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT
GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter and Membership Balance Plan Consultation – *U.S. Army Science Board*

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972, as amended, intends to renew the charter for the *U.S. Army Science Board* (attached). The Board will operate under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act, and governing federal regulations.

Prior to filing the Board's charter with the Library of Congress and the appropriate congressional committees the Department of Defense respectively requests that the Committee Management Secretariat review and approve the proposed charter and Membership Balance Plan (attached). The proposed charter and Membership Balance Plan has been reviewed and approved by the Office of the General Counsel for the Department of Defense.

If you should have any questions about this charter or the Membership Balance Plan please contact my point of contact, Len O'Reilly, at 703-692-5952.

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

2 Attachments
1. Proposed Charter
2. Proposed Membership Balance Plan

CHARTER
UNITED STATES ARMY SCIENCE BOARD

1. Committee's Official Designation: The committee shall be known as the United States Army Science Board (hereafter referred to as "the Board").

2. Authority: The Secretary of Defense, under the provision of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 CFR § 102-3.50(d) (agency authority), established the Board.

3. Objectives and Scope of Activities: The Board shall provide independent advice and recommendations on matters relating to the Army's scientific, technical, manufacturing, acquisition, logistics, and business management functions, and other Department of the army related matters as determined by the Secretary of the Army, as set out in (4) below.

4. Description of Duties: The Board shall provide independent advice and recommendations to the Secretary of Defense; the Secretary of the Army; the Under Secretary of the Army and Department of the Army Chief Management Officer; the Assistant Secretary of the Army for Acquisition, Logistics and Technology; and as requested, other Army organizations as determined by the Office of the Secretary of the Army.

   The Board is not established to advise on individual Department of Defense (DoD) or Department of the Army procurements, but instead shall be concerned with the pressing and complex technology and business management issues facing the Department of the Army in the areas referenced in (3) above.

   No matter shall be assigned to the Board for its consideration that would require any Board member to participate personally and substantially in the conduct of any specific procurement or place him or her in the position of acting as a contracting or procurement official.

5. Agency or Official to Whom the Committee Reports: The Board shall report to the Secretary of Defense, through the Secretary of the Army. The Secretary of the Army, pursuant to DoD policy may act upon the Board's advice and recommendations.

6. Support: The DoD, through the Secretary of the Army, shall provide administrative support services as deemed necessary for the performance of the Board'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),governing Federal statutes and regulations, and governing DoD policies/procedures.

7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating

costs, to include travel and meeting and contract support, are approximately $2,540,000.00. The estimated annual personnel costs to the DoD are 8.0 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 and procedures.

   In addition, the Designated Federal Officer is required to be in attendance at all Board 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 Board or subcommittee meeting.

   The Designated Federal Officer, or the Alternate Designated Federal Officer, shall call all of the Board'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 Board reports.

9. Estimated Number and Frequency of Meetings: The Board shall meet at the call of the Board's Designated Federal Officer, in consultation with the Board's Chairperson. The estimated number of Board meetings is four per year.

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

11. Termination: The Board shall terminate upon completion of its mission or two years from the date this charter is filed, whichever is sooner unless extended by the Secretary of Defense.

12. Membership and Designation: The Board shall be comprised of no more than 60 members who are eminent authorities in one or more of the following disciplines: science, technology, manufacturing, acquisition, logistics, business management functions, and other matters of special interest to the Department of the Army.

    Board members shall be appointed by the Secretary of Defense, and their appointments will be renewed on an annual basis. Board members who are not full-time or permanent part-time federal 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.

    The Secretary of Defense may approve the appointment of Board members for three year terms of service; however, no member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service. This same term of

service limitation also applies to any DoD authorized subcommittees.

Appointments normally will be staggered among the Board membership to ensure balance and an orderly turnover of the Board's overall composition on a periodic basis.

The Secretary of the Army shall designate the Board's Chairperson and Vice Chairperson from the total Board membership.

With the exception of travel and per diem for official Board related travel, Board members shall serve without compensation. The Secretary of the Army may authorize compensation for Board members when the circumstances warrant.

The Secretary of the Army, pursuant to DoD policies and procedures, may appoint, as deemed necessary, non-voting consultants to provide special expertise to the Board. However, no more than 41 experts and consultants may be appointed to advise the Board. These experts and consultants, if not full-time or part time government employees, shall be appointed under the authority of Title 5 U.S.C. § 3109, shall serve as special government employees, shall be appointed on an intermittent basis to work specific Board-related efforts, shall have no voting rights whatsoever on the Board or any of its subcommittees, and shall not count toward the Board's total membership. Six of the 41 experts and consultants shall be designated "Senior Army Science Board Fellows" and shall be former Board members. All 41 experts and consultants shall serve terms of appointments as determined by the Secretary of the Army, and those appointments shall be renewed as appropriate.

Each Board 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 Board's mission and DoD policies and procedures, may establish subcommittees deemed necessary to support the Board. 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 advisory committee's sponsor.

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

All subcommittee members shall be appointed in the same manner as the Board members; that is, the Secretary of Defense shall appoint subcommittee members even if the member in question is already a Board member. Subcommittee members, with the approval of the Secretary of Defense, may serve a term of

service on the subcommittee of three years; however, no member shall serve more than two consecutive terms of service on the subcommittee.

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 on an annual basis. With the exception of travel and per diem for official Board related travel, subcommittee members shall serve without compensation. The Secretary of the Army may authorize compensation for Board members when the circumstances warrant.

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 Board 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:

Membership Balance Plan
United States Army Science Board

Agency: Department of Defense (DoD)

1. **Authority:** The Secretary of Defense, under the provisions of the Federal Advisory Committee Act (FACA) of 1972, (5 U.S.C., Appendix, as amended) and 41 CFR § 102-3.50(d) (agency authority), established the United States Army Science Board (hereafter referred to as "the Board").

2. **Mission/Function:** The Board, under the provisions of FACA, shall provide independent advice and recommendations to the Secretary of Defense; through the Secretary of the Army on matters relating to the Army's scientific, technical, manufacturing, acquisition, logistics, and business management functions, and other matters as determined by the Secretary of the Army.

3. **Points of View:** The Board shall be comprised of no more than 60 members who are eminent authorities in one or more of the following disciplines; science, technology, manufacturing, acquisition, logistics, business management functions, and other matters of special interest to the Department of the Army.

   The Department of Defense, in selecting potential candidates for the Board, reviews the educational and professional credentials of individuals and bases its selection on this review and the subject matters being handled by the Board. The Department has found that viewing the complex issues facing the Army through a multidiscipline advisory committee provides the Department and, more importantly, the American public, with a broader understanding of the issues on which to base subsequent policy decisions.

   Each member, based upon his or her individual and professional experiences, provides his or her best judgment on the matters before the Board, and he or she does so without representing any particular point of view and in a manner that is free from conflict of interest. Board members appointed by the Secretary of Defense, 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 to serve as special government employees. Board members shall be appointed on an annual basis by the Secretary of Defense.

   The Board's membership balance is not static and the Secretary of Defense may change the membership based upon work assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or the Board's sponsor. In addition, the Department, unless otherwise directed by an Act of Congress or Presidential directive, does not use representative members on DoD established or supported advisory committees.

4. **Other Balance Factors:** N/A

5. **Candidate Identification Process:** The Department, in selecting potential candidates for this advisory committee, reviews the educational and professional credentials of individuals with extensive professional experience in the areas of science, technology, manufacturing, acquisition, logistics, and business management functions. Candidates for appointment are typically selected from academia, industry/business, Federally-Funded Research Development and Engineering Centers (FFRDCs), non-

profit organizations and National Laboratories. Individual appointments are based on the subject matter being reviewed by the Board.

A formal request, soliciting potential candidates is dispatched to senior Army officials, current members of the Board, technical directors of Service science and technology organizations, and FFRDCs that support the Army.

Once potential candidates are identified, the Designated Federal Officer (DFO) in consultation with the Board's other Federal staff, reviews each candidate's technical credentials, expertise, participation and service on the Board (for those who have already served one term), balance across technical specialties, and employer categories. The DFO provides the list of candidates to the Board's Senior Executive Group (the Assistant Secretary of the Army for Acquisitions, Logistics and Technology, the Deputy Assistant Secretary of the Army for Research and Technology, and the Army Chief Scientist) who reviews the credentials of the each individual, and narrows the list of potential candidates. The list of potential candidates is then forwarded to the Secretary of the Army.

During the Secretary of the Army review, he or she strives to achieve a balance between the educational and professional credentials of the individuals and the subject matters that he or she anticipates will be reviewed by the Board to achieve expertise in points of view regarding anticipated topics.

Prior to nominating the potential candidates, the list of candidates will undergo a review by the DoD Office of General Counsel and the Office of the Advisory Committee Management Officer to ensure compliance with Federal and DoD governance requirements; for example, compliance with the advisory committee's charter and membership balance plan. Following this review, the Secretary of the Army formally nominates the potential candidates to the Secretary of Defense for approval; pursuant to DoD policy, only the Secretary of Defense or the Deputy Secretary of Defense can invite or approve the appointment of individuals to advisory committees established or supported by the DoD.

Following the Secretary of Defense or Deputy Secretary of Defense approval, the approved candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members.

Board and subcommittee member vacancies will be filled in the same manner as described in the previous seven paragraphs above.

The Secretary of Defense may approve the appointment of Board members for three year terms of service; however, no member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service. This same term of service limitation also applies to any DoD authorized subcommittees.

6. **Subcommittee Balance:** The Department, when necessary, and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees deemed necessary to support the Board. 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 advisory committee's sponsor.

The Secretary of Defense or the Deputy Secretary of Defense shall approve the appointment of subcommittee members in the same manner as Board appointments are made, and these individuals may come from the parent committee or new nominees, as recommended by the advisory committee's sponsor and based upon the matters under consideration.

As required by the Board's charter, these 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.

7. **Other:** The DoD adheres to the rules and regulations issued by the Office of Government Ethics and the Administration's prohibition against registered Federal lobbyists.

8. **Prepared:**