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

ADMINISTRATION AND
MANAGEMENT

APR 10 2012

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT
GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter Consultation – *Defense Advisory Committee on Military Personnel Testing*

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972, as amended, intends to renew the charter for the *Defense Advisory Committee on Military Personnel Testing* (attached). The Committee will operate under the provisions of the Federal Advisory Committee Act of 1972, as amended and in accordance with 41 CFR § 102-3.50.

Prior to filing the Committee'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 please contact, Len O'Reilly, at 703-692-5949.

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

Attachments
Proposed Charter

CHARTER
DEFENSE ADVISORY COMMITTEE ON MILITARY PERSONNEL TESTING

1. Committee's Official Designation: The Committee shall be known as the Defense Advisory Committee on Military Personnel Testing (hereafter referred to as "the Committee").

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 41CFR §102-3.50(d) (agency authority), established the Committee.

3. Objectives and Scope of Activities: The Committee shall provide independent advice and recommendations on matters relating to military personnel testing, as set out in (4) below.

4. Description of Duties: The Committee, at the direction of the Secretary of Defense, the Deputy Secretary of Defense or the Under Secretary of Defense for Personnel and Readiness (hereafter referred to as "the Under Secretary") shall provide the Secretary of Defense, through the Under Secretary, with independent advice and recommendations on matters pertaining to military personnel testing.

   The Committee shall review the calibration of personnel selection and classification tests to ensure the accuracy of resulting scores, review relevant validations studies to ensure that the test have utility in predicting success in technical and on-the- job training, review on-going testing research and development in support of the enlistment program, and make recommendations for improvements to make the testing process more responsive to the Department of Defense (DoD) needs.

5. Agency or Official to Whom the Committee Reports: The Committee shall report to the Secretary of Defense or the Deputy Secretary of Defense, and the Under Secretary is authorized to act upon the Committee's advice and recommendations.

6. Support: The DoD, through the Office of the Under Secretary, shall provide support as deemed necessary for the Committee'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.

   Additional information and assistance, as required, may be obtained from the Military Departments, other DoD Components, and the Department of Homeland Security, as it pertains to the U.S. Coast Guard.

7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating costs, to include travel costs and meeting and contract support, are approximately

$125,000.00. The estimated annual personnel cost to the DoD is 0.6 full-time equivalents (FTEs).

8. Designated Federal Officer: The Committee's 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.

   The Committee's Designated Federal Officer is required to be in attendance at all Committee and subcommittee meetings for the entire duration of each and every meeting. However, in the absence of the Committee's Designated Federal Officer, an Alternate Designated Federal Officer, duly appointed to the Committee according to DoD policies and procedures, shall attend the entire duration of the Committee or subcommittee meetings.

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

9. Estimated Number and Frequency of Meetings: The Committee shall meet at the call of the Committee's Designated Federal Officer, in consultation with the Committee's Chairperson. The estimated number of Committee meetings is two per 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 Committee shall terminate upon completion of its mission or two years from the date this charter is filed, whichever is sooner, unless the Secretary of Defense extends it.

12. Membership and Designation: The Committee shall be composed of not more than seven members who are eminent authorities in the fields of educational and psychological testing. Committee members, with the approval of the Secretary of Defense, shall serve a term of service of four years, with annual renewals of the member's appointment; however, no member shall serve on the Committee for two consecutive terms of service.

    The Committee members shall elect the Committee's Chairperson for a term not to exceed two years.

    Committee members are appointed to provide advice on behalf of the government on the basis of their best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

Committee 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. With the exception of travel and per diem for official travel, Committee members shall serve without compensation.

The Under Secretary shall select and appoint the Committee's chairperson from the total membership.

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

    These subcommittees or working groups shall operate under the provisions 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.

    Such subcommittees or task groups shall not work independently of the chartered Committee, and shall report all their recommendations and advice to the Committee for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the chartered Committee; 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 Committee members; that is, the Secretary of Defense shall appoint subcommittee members even if the member in question is already a Committee member. Subcommittee members, with the approval of the Secretary of Defense, may serve a term of service on the subcommittee of four 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 to serve as special government employees, whose appointments must be renewed on an annual basis. With the exception of travel and per diem for official travel, subcommittee members shall serve without compensation.

14. Recordkeeping: The records of the Committee 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, as amended).

15. Filing Date:

Membership Balance Plan
Defense Advisory Committee on Military Personnel Testing

Agency: Department of Defense (DoD)

1. **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 Defense Advisory Committee on Military Personnel Testing (hereafter referred to as "the Committee").

2. **Mission/Function:** The Committee, under the provisions of FACA, shall provide independent advice and recommendations to the Secretary of Defense through the Under Secretary of Defense for Personnel and Readiness (hereafter referred to as "the Under Secretary") on matters relating to military personnel testing.

3. **Points of View:** The Committee shall be comprised of not more than seven members; DoD, in selecting individual members for this advisory committee, looks for individuals who are eminent authorities in the fields of educational and psychological testing. Depending upon the matters being reviewed by the Committee the emphasis on membership criteria may vary, but in general DoD places emphasis on individuals with a proven track record in psychometrics.

   Each member, based upon his or her individual and professional experiences, provides his or her best judgment on the matters before the Committee, and he or she does so without representing any particular point of view and in a manner that is free from conflict of interest. Committee Members appointed by the Secretary of Defense, who are not full-time or permanent part-time Federal officers of 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. Committee members shall be appointed on an annual basis by the Secretary of Defense.

   The Committee's membership balance is not static and the Secretary of Defense may change the membership based upon work assigned to the Committee 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 of Defense, in selecting potential candidates for this advisory committee, reviews the educational and professional credentials of individuals with extensive backgrounds in the areas of psychometrics. Potential candidates are identified by the Committee's professional staff and, in some instances, based upon discussions with other DoD officers or employees.

   Once potential candidates are identified, the Committee's Designated Federal Officer (DFO) reviews the credentials of each individual and narrows the list of candidates. During his or her review, the DFO strives to achieve a balance between the professional credentials of the individuals and the near-term subject matters that the Department anticipates will be reviewed by the advisory committee.

After the DFO has narrowed the list of candidates and before formal nomination to the Secretary of Defense, the list of potential candidates undergoes 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 Under Secretary formally nominates the potential candidates to the Secretary of Defense for approval; pursuant to DoD policy only the Secretary of Defense and 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 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.

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

Committee members, with the approval of the Secretary of Defense, shall be appointed to serve four-year terms of service, with annual renewals approved by the Secretary of Defense; however, no member, according to DoD policy, shall serve more than two full terms on the Committee. This same term of service limitation also applies to any DoD authorized subcommittees. Committee vacancies are filled in the same manner as described above.

6. **Subcommittee Balance:** The Department of Defense, when necessary, and consistent with the Committee's mission and DoD policies and procedures, may establish subcommittees, task groups, or working groups deemed necessary to support the Committee. 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 Committee 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, but they must be approved by the Secretary or Deputy Secretary before participating in the subcommittee's work.

   As required by the Committee's charter, these subcommittees operate under the provisions 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. **Other:** The DoD adheres to the rules and regulations issued by the Office of Government Ethics and the Administration's rules pertaining to scientific integrity and registered federal lobbyists.

8. **Prepared:**