OFFICE OF THE SECRETARY OF DEFENSE
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ADMINISTRATION AND
MANAGEMENT

MAR 15 2012

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT
GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter Consultation – *Defense Advisory Committee on Women in the Services*

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 Women in the Services* (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 (attached). The proposed charter 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 my point of contact, Len O'Reilly, at 703-692-5949.

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

Attachments
Proposed Charter

CHARTER
DEFENSE ADVISORY COMMITTEE ON WOMEN IN THE SERVICES

1. Committee's Official Designation: The committee shall be known as the Defense Advisory Committee on Women in the Services (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 41 CFR § 102-3.50(d) (agency authority), established the Committee.

3. Objectives and Scope of Activities: The Committee shall examine and advise on matters relating to women in the Armed Forces of the United States, as set out in (4) below.

4. Description of Duties: The Committee shall provide the Secretary of Defense, through the Under Secretary of Defense for Personnel and Readiness (hereafter referred to as the "Under Secretary"), independent advice and recommendations on matters and policies relating to women in the Armed Forces of the United States.

5. Agency or Official to Whom the Committee Reports: The Committee shall report to the Secretary of Defense through the Under Secretary, and the Under Secretary in accordance with governing DoD policies and procedures may act upon the Committee's advice and recommendations.

6. Support: The Department of Defense (DoD), through the Office of the Under Secretary, shall provide support as deemed necessary for the Committee's performance and functions, and shall ensure compliance with the requirements 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, meeting and contract support, is approximately $745,000.00 and 4.0 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/procedures.

   In addition, the 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 Designated Federal Officer, a properly approved Alternate Designated Federal Officer shall attend the entire duration of the Committee or subcommittee meeting.

The Designated Federal Officer, or the Alternate Designated Federal Officer, shall call all of the Committee'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 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 four 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 comprised of no more than 20 members appointed by the Secretary of Defense who have experience with the military or with women's workforce issues. The Secretary of Defense shall select and appoint the Board's chairperson from the total membership. All Committee member appointments must be renewed by the Secretary of Defense on an annual basis.

    The Secretary of Defense may appoint the Director of the Center for Women Veterans for the Department of Veterans Affairs to serve as a non-voting ex-officio member, and to participate in the Committee's deliberations. If appointed, he or she will not count toward the Committee's total membership, or to determine whether a quorum exists.

    The Under Secretary may request the appointment of additional experts and consultants to advise the Committee as subject matter experts. If approved by the Secretary of Defense, these experts and consultants, appointed under the authority of 5 U.S.C. § 3109, shall have no voting rights on the Committee or its subcommittees, shall not count toward the Committee's total membership, and shall not engage in Committee deliberations.

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

    The Secretary of Defense may approve the appointment of Committee members for

one to four 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. To the extent possible, approximately one-third of the membership should rotate on an annual basis.

Each Committee 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 Committee's mission and DoD policies and procedures, may establish subcommittees 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.

    Such subcommittees 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. Subcommittees shall comply with FACA.

    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 one to 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 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 Committee related travel, subcommittee members shall serve without compensation.

    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 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).

15. Filing Date:

Membership Balance Plan
Defense Advisory Committee on Women in the Services

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 Women in the Services (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 on matters and policies relating to women in the Armed Forces of the United States.

3. **Points of View:** The Committee shall be comprised of no more than 20 members; DoD, in selecting individual members for this advisory committee, looks for individuals with extensive professional experience in women's workforce issues, and the military.

   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 women's workforce issues and the military. Potential candidates are identified when the Under Secretary of Defense for Personnel and Readiness requests a list from members of Congress, senior DoD officials, and existing Committee members with at least three years of service on the Committee.

   Once potential candidates are identified, the Under Secretary of Defense for Personnel and Readiness reviews the credentials of each individual and narrows the list of potential candidates. During the Under Secretary's review he or she strives to achieve a balance between the educational and professional credentials of the individuals and the anticipated subject matters that will be reviewed by the Committee 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 Department of Defense Office of General Counsel (DoD OGC) 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 or the Deputy Secretary of Defense can invite or approve the appointment of individuals to advisory committees established or supported by the Department.

Following the Secretary or Deputy Secretary approval, the 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.

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

6. **Subcommittee Balance:** The Department of Defense, when necessary, and consistent with the Committee's mission and DoD policies and procedures, may establish subcommittees 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 the parent committee appointments are made. 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 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:**