OFFICE OF THE SECRETARY OF DEFENSE
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ADMINISTRATION AND
MANAGEMENT

April 3, 2012

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT
GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter Consultation – *Defense Science Board*

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972, as amended, intends to renew the charter for the *Defense Science Board* (attached). The Board 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 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 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
Proposed Membership Balance Plan

CHARTER
DEFENSE SCIENCE BOARD

1. Committee's Official Designation: The committee shall be known as the Defense 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 Department of Defense's (DoD) scientific and technical enterprise, as set out in (4) below.

4. Description of Duties: The Board shall provide the Secretary of Defense, the Deputy Secretary of Defense, the Under Secretary of Defense for Acquisition, Technology and Logistics, the Chairman of the Joint Chiefs of Staff and, as requested, other Office of the Secretary of Defense Principal Staff Assistants, the Secretaries of the Military Departments, and the Commanders of the Combatant Commands, independent advice and recommendations on science, technology, manufacturing, acquisition process, and other matters of special interest to the DoD. Tasks assigned to the Board or its authorized subcommittees shall be determined by the Secretary of Defense, the Deputy Secretary of Defense, or the Under Secretary of Defense for Acquisition, Technology and Logistics.

   The Board is not established to advise on individual DoD procurements, but instead shall be concerned with the pressing and complex technology problems facing the Department in such areas as research, engineering, and manufacturing, and will ensure the identification of new technologies and new applications of technology in those areas to strengthen national security.

   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.

   The Under Secretary of Defense for Acquisition, Technology and Logistics shall be authorized to act upon the advice and recommendations of the Board.

5. Agency or Official to Whom the Committee Reports: The Board shall report to the Secretary of Defense, through the Under Secretary of Defense for Acquisition, Technology and Logistics.

6. Support: The Department of Defense (DoD), through Office of the Under Secretary of Defense for Acquisition, Technology and Logistics, shall provide support as

deemed necessary for the Board's performance, 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 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 costs, to include travel and meeting and contract support, are approximately $2,000,000.00 and 5.0 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 the Secretary of Defense extends it.

12. Membership and Designation: The Board shall be comprised of no more than 45 members and no more than 13 Senior Fellow members, who are eminent authorities in the fields of science, technology, manufacturing, acquisition process, and other

matters of special interest to the DoD. Senior Fellows shall be voting members and count toward the Board's total membership.

Board members and Senior Fellows shall be appointed by the Secretary of Defense, and their appointments shall be renewed on an annual basis. Those members or Senior Fellows, 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 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.

Such appointments will normally be staggered among the Board membership to ensure an orderly turnover in the Board's overall composition on a periodic basis. With the exception of travel and per diem for official Board related travel, Board members and Senior Fellows shall serve without compensation, unless the Secretary of Defense authorizes compensation for particular member(s).

The Secretary of Defense, based upon the recommendation of the Under Secretary of Defense for Acquisition, Technology and Logistics, shall appoint the Board's Chairperson. The Under Secretary of Defense for Acquisition, Technology and Logistics shall appoint the Vice Chairperson. The Board Chairperson and Vice Chairperson may serve more than one term of service, not to exceed two terms, and not to exceed their maximum allowed membership on the Board.

The Secretary of Defense may invite other distinguished U.S. Government officers or chairpersons from other DoD supported federal advisory committees to serve as non-voting observers.

The Under Secretary of Defense for Acquisition, Technology, and Logistics may appoint experts and consultants, with special expertise, to assist the Board on an ad hoc basis. These experts and consultants, if not full-time or part time government employees, shall be appointed under the authority of 5 U.S.C. § 3109, shall serve as special government employees, shall be appointed on an intermittent basis to work specific Board-related efforts, and shall have no voting rights.

Non-voting observers and those non-voting experts and consultants appointed by the Under Secretary of Defense for Acquisition, Technology, and Logistics shall not count toward the Board's total membership.

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.

The Committee has established two permanent subcommittees:

a. The Permanent Task Force on Nuclear Weapons Surety shall be comprised of no more than 15 members. The primary focus of the Task Force is to assess all aspects of nuclear weapons surety to include military, federal, and contractors. This assessment should include, but not limited to: nuclear weapons physical security, nuclear weapons safety, nuclear weapons control, command can control, nuclear operations (crew training) and execution, and nuclear surety policy. Continue to build on the work of the former Joint Advisory Committee on Nuclear Weapons Surety, the Nuclear Command & Control System End-to-End Review, and the Drell Panel. Review and recommend methods and strategies to maintain a safe, secure, and effective nuclear deterrent. Monitor and review the readiness of U.S. nuclear forces and weapons operations. The estimated number of subcommittee meetings is up to 12 per year.

b. The Survivability of DoD Systems and Assets to Electromagnetic Pulse (EMP) and Other Nuclear Weapons Effects Task Force shall be comprised of no more than 15 members. The focus of the Task Force should be to assess implementation of the DoD Instruction 3150.09, The Chemical, Biological, Radiological, and Nuclear (CBRN) Survivability Policy, dated September 17, 2008, covering nuclear survivability, including EMP, and to assess the effectiveness of the management oversight group established by the DoD Instruction. Conduct an independent review and assessment of DoD's EMP survivability program, and review other matters associated with nuclear survivability, such as the first biennial DoD report to Congress on EMP survivability. The estimated number of subcommittee meetings is up to 12 per year.

These 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 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 Board 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 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
Defense 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 Defense Science (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, the Under Secretary of Defense for Acquisition, Technology and Logistics, the Chairman of the Joint Chiefs of Staff, and as requested, other Office of the Secretary of Defense Principal Staff Assistants, the Secretaries of the Military Departments, and the Commanders of the Combatant Commands on scientific and technical enterprise.

3. **Points of View:** The Board shall be comprised of no more than 45 members and no more than13 Senior Fellows, who are eminent authorities in the fields of science, technology, manufacturing, acquisition process and other matters of special interest to the Department of Defense (DoD). Senior Fellows are selected in the same manner as Board members, shall have voting rights and count toward the Board's total membership. Senior Fellows typically fill the Chair and/or Vice Chair position on the Board, mentor junior members, and conduct peer-review of reports.

   The Department of Defense, in selecting potential candidates for the Board, reviews the educational and professional credentials of individuals and bases its selections on this review and the subject matters being handled by the Board. The Department has found that viewing complex issues through a multi-discipline advisory committee provides DoD senior leadership and, more importantly the American public, with a broader understanding 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:** Candidates for appointment come from government service, military service, academia, and private industry, and individual appointments are based on the subject matter being reviewed by the Board.

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 process and other matters of special interest to the DoD. Potential candidates are identified by the Board's professional staff, and senior DoD career and political officials.

Once potential candidates are identified, the Designated Federal Officer and the Board's staff reviews the credentials of each individual, narrows the list of potential candidates and forwards the list to the Under Secretary of Defense for Acquisition, Technology and Logistics. During the Under Secretary of Defense for Acquisition, Technology and Logistics review, he or she strives to achieve a balance between the educational and professional credentials of the individuals and the subjects 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 Under Secretary of Defense for Acquisition, Technology and Logistics 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 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.

The Secretary of Defense may approve the appointment of Board 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.

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 Board has two permanent subcommittees: The Permanent Task Force on Nuclear Weapons Surety, and the Survivability of DoD Systems and Assets to Electromagnetic Pulse (EMP) and Other Nuclear Weapons Effects Task Force.

   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.

Membership Balance Plan
Defense Science Board

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:**