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

ADMINISTRATION AND
MANAGEMENT

APR 10 2012

MEMORANDUM FOR SECRETARY OF THE ARMY

SUBJECT: Inland Waterways Users Board—Amended Charter and Balance Membership Plan

I have approved the amended charter and membership balance plan for the Inland Waterways Users Board; the amended charter reflects that the Secretary of Defense will invite primary commercial users and shippers of the inland and intracoastal waterways to serve on the Board, and the invited organizations will designate an individual to represent the organization's interests.

Recognizing the Board's importance to the Nation, I appreciate your staff's assistance in resolving the numerous questions raised by my staff and the General Services Administration (GSA); based upon the detailed information provided by the Office of the Assistant Secretary of the Army for Civil Works, all of our questions and concerns are resolved.

The Advisory Committee Management Officer (ACMO) will immediately file the Board's charter with the Congressional oversight committees, GSA, and the Library of Congress. Effective immediately with the ACMO's filing, the Board and its membership may begin work under the amended charter.

As the Board's DoD Sponsor, you are responsible for:

(a) Ensuring that the Board's Designated Federal Officer (DFO) attends all Board and subcommittee meetings for the entire duration of each and every meeting.

(b) Ensuring that the DFO and the Board fully comply with all governing Federal statutes and regulations, to include DoD Instruction 5105.04, "Department of Defense Federal Advisory Committee Management Program."

(c) Ensuring that all Board and subcommittee work is based upon the Board's authorizing statute or written tasks/terms of reference assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or you as the sponsor. All tasks or terms of reference are subject to public review and, at a minimum, shall include:

i. A description of the problem or policy to be analyzed and the DoD decision maker for the matter(s) under consideration.
ii. Authority for the Board members to have access to DoD officials and DoD data that is pertinent to the matter(s) under consideration.
iii. A budget limitation under which the Board members must operate.
iv. A date by which the Board or subcommittee must submit its written conclusions (advice and recommendations) to the DoD decision maker.

(d) Providing adequate support to the Board and its membership, and ensuring that the Board's membership is not unduly or inappropriately influenced by Federal officers or employees, or any special interest group.

(e) Ensuring that primary commercial users and shippers of the inland and intracoastal waterways are invited to serve on the Board according to DoD policy and that their representatives comply with all DoD or Department of the Army appointment requirements for representative members.

(f) Ensuring that all DoD and other agency documents provided to the Board are marked according to governing DoD policy and procedures.

(g) Monitoring the implementation status of any recommendation adopted by the DoD or the Congress, and ensuring that this information is available for future inquiries.

If you should have any questions about the Department's program, the Federal governance and compliance requirements, the charter amendment, or the membership balance plan, please contact the ACMO, Mr. Jim Freeman, at 703-692-5952 or by email at James.Freeman@osd.mil.

Michael L. Rhodes
Director

cc:
ASD(LA)