

2014 Current Fiscal Year Report: Defense Legal Policy Board

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1. Department or Agency

Department of Defense

2. Fiscal Year

2014

3. Committee or Subcommittee

Defense Legal Policy Board

3b. GSA Committee No.

80471

4. Is this New During Fiscal Year?

5. Current Charter	6. Expected Renewal Date	7. Expected Term Date
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No 04/28/2014 04/28/2016

8a. Was Terminated During Fiscal Year?

Yes

8b. Specific Termination Authority

8c. Actual Term Date

09/30/2014

9. Agency Recommendation for Next Fiscal Year

Continue

10a. Legislation Req to Terminate?

No

10b. Legislation Pending?

Enacted

11. Establishment Authority

Agency Authority

12. Specific Establishment Authority

Director for Administration and Management
Memorandum, April 6, 2012

13. Effective Date

04/06/2012

14. Committee Type

Continuing

14c. Presidential?

No

15. Description of Committee

Other Committee

16a. Total Number of Reports

No Reports for this Fiscal Year

17a. Open 0 17b. Closed 0 17c. Partially Closed 0 Other Activities 0 17d. Total 0

Meetings and Dates

No Meetings

Current FY

Next FY

18a(1). Personnel Pmts to Non-Federal Members

\$0.00 \$0.00

18a(2). Personnel Pmts to Federal Members	\$0.00	\$0.00
18a(3). Personnel Pmts to Federal Staff	\$600.00	\$0.00
18a(4). Personnel Pmts to Non-Member Consultants	\$0.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$0.00	\$0.00
18b(2). Travel and Per Diem to Federal Members	\$0.00	\$0.00
18b(3). Travel and Per Diem to Federal Staff	\$0.00	\$0.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$0.00	\$0.00
18d. Total	\$600.00	\$0.00
19. Federal Staff Support Years (FTE)	0.01	0.00

20a. How does the Committee accomplish its purpose?

At the direction of the Secretary of Defense, the Deputy Secretary of Defense, or the Department of Defense General Counsel, the Board will examine and advise on legal and related legal policy matters within DoD, the achievement of DoD policy goals through legislation and regulations, and other assigned matters. In carrying out its duties, the Board shall consider, as appropriate:

- a. Issues and policies relating to legal and related matters;
- b. The interplay between laws and regulations, on the one hand, and the achievement of policy goals, on the other;
- c. Identifying and evaluating the process for compliance with such laws and regulations;
- d. Proposing necessary revisions to the Department's policy goals, and to laws, regulations or procedures intended to achieve

such goals; ande. Any other research and analysis of topics raised by the Secretary of Defense, the Deputy Secretary of Defense, or the General Counsel of the Department of Defense.

20b. How does the Committee balance its membership?

The Board shall be composed of not more than 15 members appointed by the Secretary of Defense; all appointments are renewed on an annual basis by the Secretary of Defense. The Department of Defense, in selecting individual members for this advisory committee, looks for individuals who have distinguished backgrounds in law, investigations, military command, governmental organizations, or related fields. The Department of Defense has found that viewing complex issues through a multidiscipline advisory committee provides the Department and, more importantly, the American public, with a broader understanding on which to base subsequent policy decisions. Candidates for appointment come from the private and public sectors, and individual appointments are based on the subject matter being reviewed by the Board and a review of the individual's experiences and knowledge.

20c. How frequent and relevant are the Committee Meetings?

Estimated Number of Meetings per Year - 2.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

The Board's independent advice is essential in aiding the Secretary of Defense and his principal advisors in addressing numerous legal policy matters facing the Department of Defense. The DoD OGC along with the Advisory Committee Management Officer determined no existing DoD

advisory committee, FACA or non-FACA, is available to assist the Secretary of Defense or his principal advisors in these matters.

20e. Why is it necessary to close and/or partially closed committee meetings?

Meetings are not closed to the public unless the Department of Defense determines that items on the planned agenda meet the closed meeting provisions of 5 U.S.C. § 552b(c). Pursuant to DoD policy closed meetings can only be authorized by the Board's DoD Sponsor, and only after a written consultation with the Department of Defense Office of General Counsel.

21. Remarks

There were no meetings for FY14 as there was no new tasking.

Designated Federal Officer

James R Schwenk Designated Federal Officer

Committee Members	Start	End	Occupation	Member Designation
Bellinger, John	10/04/2012	10/03/2014	Partner,	Special
			Arnold & Porter	Government Employee (SGE) Member
Dell'Orto, Daniel	10/04/2012	10/03/2014	General	Special
			Counsel, AM General	Government Employee (SGE) Member
DiBattiste, Carol	10/03/2012	10/02/2014	Senior Vice President, Chief Legal and Compliance Officer at Education Management Corp	Special Government Employee (SGE) Member

Fidell, Eugene	10/03/2012	10/02/2014	Florence Rogatz Visiting Lecturer in Law Yale Law School	Special Government Employee (SGE) Member
Gorelick, Jamie	10/25/2012	10/24/2014	Partner, WilmerHale	Special Government Employee (SGE) Member
Huffman, Walter	10/09/2012	10/08/2014	Dean Emeritus and Professor of Law, Texas Tech School of Law	Special Government Employee (SGE) Member
McPherson, James	10/03/2012	10/02/2014	Executive Director, National Association of Attorneys General	Special Government Employee (SGE) Member
Miller, Judith	10/01/2012	09/30/2014	Former DoD General Counsel	Special Government Employee (SGE) Member
Parrino, Roger	10/11/2012	10/10/2014	Retired NYPD (criminal investigator)	Special Government Employee (SGE) Member
Rich, Michael	10/01/2012	09/30/2014	Assistant United States Attorney	Regular Government Employee (RGE) Member
Smith, Jeffrey	10/03/2012	10/02/2014	Partner, Arnold & Porter	Special Government Employee (SGE) Member
At Lee, William [Review and Assessment of the Application of Military Justice in Deployed Areas]	10/01/2012	09/30/2014	Air Force	Regular Government Employee (RGE) Member
Chiarelli, Peter [Review and Assessment of the Application of Military Justice in Deployed Areas]	10/04/2012	10/03/2014	CEO, One Mind for Research	Special Government Employee (SGE) Member

Fidell, Eugene [Review and Assessment of the Application of Military Justice in Deployed Areas]	10/03/2012	10/02/2014	Florence Rogatz Visiting Lecturer in Law, Yale Law School Dean Emeritus and Professor of Law, Texas Tech School of Law	Special Government Employee (SGE) Member Special Government Employee (SGE) Member Regular Government Employee (RGE) Member
Huffman, Walter [Review and Assessment of the Application of Military Justice in Deployed Areas]	10/09/2012	10/08/2014	Assistant U.S. Attorney	Regular Government Employee (RGE) Member
Kovats, Charles [Review and Assessment of the Application of Military Justice in Deployed Areas]	10/01/2012	09/30/2014	Deputy Staff Judge Advocate, U.S. Coast Guard	Regular Government Employee (RGE) Member
Lederer, Calvin [Review and Assessment of the Application of Military Justice in Deployed Areas]	10/01/2012	09/30/2014	Former DoD General	Special Government Employee (SGE) Member
Miller, Judith [Review and Assessment of the Application of Military Justice in Deployed Areas]	10/01/2012	09/30/2014	Retired New York Police Department (criminal investigator)	Special Government Employee (SGE) Member
Parrino, Roger [Review and Assessment of the Application of Military Justice in Deployed Areas]	10/11/2012	10/10/2014	Professor, Texas Tech School of Law	Special Government Employee (SGE) Member
Rosen, Richard [Review and Assessment of the Application of Military Justice in Deployed Areas]	10/19/2012	10/18/2014	Former Director, Strategic Plans and Policy, Joint Staff	Special Government Employee (SGE) Member

Number of Committee Members Listed: 21

Narrative Description

The Board, through the General Counsel of the Department of Defense, provides the Secretary of Defense and the Deputy Secretary of Defense, independent, informed advice, opinions, and recommendations concerning matters referred to the Board relating to legal and related legal policy matters within the Department of

Defense, the achievement of Departmental policy goals through legislation and regulations, and other matters as assigned.

What are the most significant program outcomes associated with this committee?

Checked if
Applies

- | | |
|---|--------------------------|
| Improvements to health or safety | <input type="checkbox"/> |
| Trust in government | <input type="checkbox"/> |
| Major policy changes | <input type="checkbox"/> |
| Advance in scientific research | <input type="checkbox"/> |
| Effective grant making | <input type="checkbox"/> |
| Improved service delivery | <input type="checkbox"/> |
| Increased customer satisfaction | <input type="checkbox"/> |
| Implementation of laws or regulatory requirements | <input type="checkbox"/> |
| Other | <input type="checkbox"/> |

Outcome Comments

The Board has made its recommendations to the Secretary of Defense and they remain pending.

What are the cost savings associated with this committee?

Checked if Applies

- | | |
|----------------------------|-------------------------------------|
| None | <input type="checkbox"/> |
| Unable to Determine | <input checked="" type="checkbox"/> |
| Under \$100,000 | <input type="checkbox"/> |
| \$100,000 - \$500,000 | <input type="checkbox"/> |
| \$500,001 - \$1,000,000 | <input type="checkbox"/> |
| \$1,000,001 - \$5,000,000 | <input type="checkbox"/> |
| \$5,000,001 - \$10,000,000 | <input type="checkbox"/> |
| Over \$10,000,000 | <input type="checkbox"/> |
| Cost Savings Other | <input type="checkbox"/> |

Cost Savings Comments

The Board has made its recommendations to the Secretary of Defense and they remain pending.

What is the approximate Number of recommendations produced by this committee for the life of the committee?

51

Number of Recommendations Comments

The Board has made its recommendations to the Secretary of Defense and they remain pending.

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

0%

% of Recommendations Fully Implemented Comments

The Board has made its recommendations to the Secretary of Defense and they remain pending.

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

0%

% of Recommendations Partially Implemented Comments

The Board has made its recommendations to the Secretary of Defense and they remain pending.

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes ☐ No ☐ Not Applicable ☒

Agency Feedback Comments

N/A

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

Reorganized Priorities	<input type="checkbox"/>
Reallocated resources	<input type="checkbox"/>
Issued new regulation	<input type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>

Other

☐

Action Comments

The Board has made its recommendations to the Secretary of Defense and they remain pending.

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

N/A

How is access provided to the information for the Committee's documentation?

Checked if Applies

Contact DFO

☒

Online Agency Web Site

☐

Online Committee Web Site

☐

Online GSA FACA Web Site

☒

Publications

☐

Other

☐

Access Comments

N/A