

SECRETARY OF DEFENSE 1000 DEFENSE PENTAGON WASHINGTON, DC 20301-1000

1/30/21

MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP COMMANDERS OF THE COMBATANT COMMANDS DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: DoD Advisory Committees — Zero-Based Review

Advisory committees have and will continue to provide an important role in shaping public policy within DoD. That said, our stewardship responsibilities require that we continually assess to ensure each advisory committee provides appropriate value today and in the future, as times and requirements change.

I am aware of and appreciate earlier review efforts to reshape how we use advisory committees and consider the tangible benefits they bring to the Department. Nevertheless, I am directing a zero-based review of all DoD advisory committees, to include any advisory committee that is not subject to the Federal Advisory Committee Act (FACA) (5 U.S.C., Appendix). This review will, by definition and intent, focus our advisory committee efforts to align with our most pressing strategic priorities and the National Defense Strategy.

The Interim Director of Administration and Management (DA&M), in consultation with the Acting General Counsel of the DoD (GC DoD) will lead this review, and I am asking for your personal attention in this effort. As an interim step, I am directing the immediate suspension of all advisory committee operations until the review is completed unless otherwise directed by myself or the Deputy Secretary of Defense. In addition, the DA&M, who exercises the Secretary of Defense statutory and regulatory authorities pertaining to the FACA, will not, for the duration of the review, establish or renew a DoD advisory committee unless authorized by myself or the Deputy Secretary of Defense.

I also direct, no later than February 16, 2021, the conclusion of service for all DoD advisory committee and subcommittee members currently serving on DoD advisory committees where the DoD approving authority is the Secretary of Defense or where statute authorizes another DoD civilian officer or employee, or Active Duty member of the Armed Services to act as the DoD approving authority. Each Component head ("DoD Sponsor") that sponsors a DoD advisory committee subject to this review, will ensure that appropriate letters are sent no later than February 26, 2021 to each advisory committee or subcommittee member thanking them for their service. The Interim DA&M will provide each component head the required letter that must be signed by the DoD Sponsor.

A list of the affected DoD advisory committees, to include those not subject to the FACA, is attached. Please note the only advisory committees and/or committee members not subject to the zero-based review or conclusion of service are described in the attachment. In addition, each Component head, no later than February 28, 2021, will certify to the Interim DA&M that no other advisory committee has been established and utilized within the Component where at least one advisory committee member is not a full-time or permanent part-

time Federal civilian officer or employee, or Active Duty member of the uniformed services. If the Component established or utilized such an advisory committee, then it will be suspended until the Interim DA&M, in consultation with the Acting GC DoD, determines the advisory committee's status. The Interim DA&M will notify me no later than March 15, 2021 of any such identified advisory committee and its status.

With regard to the zero-based review, each DoD Sponsor will conduct an in-depth business case of every sponsored advisory committee, supported by fact-based evidence for continued utilization of the advisory committee. Each business case should consider, but is not limited to: review of the committee's mission and function as it relates to DoD strategic priorities and National Defense Strategy; potential functional realignments to create a single cross-functional advisory committee; and potential legislative changes to non-discretionary advisory committees to properly align them with our strategic priorities. Each DoD Sponsor will provide his or her business case(s) to the Interim DA&M based on the tier-review schedule described in the attachment.

The Interim DA&M, in consultation with the Acting GC DoD and following the tierreview schedule, will review each DoD Sponsor's business case and make final recommendations to me on each DoD advisory committee, to include retention, realignment, termination, changes to mission or functions, membership balance, membership size, and possible legislative changes to non-discretionary advisory committees. Following appropriate discussions, I will take action on the Interim DA&M recommendations.

This process shall ensure that advisory committee and subcommittee member appointments comply with all applicable federal statutes and regulations, to include DoD policies and procedures. DoD Sponsors, in consultation with the Special Assistant to the Secretary of Defense for White House Liaison, will develop potential member candidates that conform to the advisory committee's membership balance plan or, in the case of those not subject to the FACA, statutory requirements. All member and subcommittee member appointments will be approved by me or the Deputy Secretary of Defense using the DoD Appointment Approval Instrument prepared by the DoD Advisory Committee Management Officer, in consultation with the Office of the GC DoD. In addition, all committee and subcommittee work will be based on written terms of reference unless otherwise provided for by statute or Presidential directive. No committee or subcommittee member will perform any work until properly appointed, unless they have an active appointment.

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Attachment: As stated

- 1. Advisory Committee on Arlington National Cemetery
 - Non-discretionary Advisory Committee
 - > Sponsor: Secretary of the Army
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission is accelerated and must be submitted no later than February 26, 2021
- 2. Advisory Committee on Industrial Security and Industrial Base Policy
 - Non-discretionary Advisory Committee
 - > Sponsor: Under Secretary of Defense for Intelligence and Security
 - Member Appointment Authority: Secretary of Defense
 - > Subject to Zero-Based Review: <u>Yes. Sponsor's Zero-Based Review submission must be</u> submitted no later than April 30, 2021.
 - Additional Comments: Sponsor's submission must also address the fact that the advisory committee has not been populated and the fact that the advisory committee sunsets September 30, 022
- 3. Advisory Panel on Community Support for Military Families with Special Needs
 - Non-discretionary Advisory Committee
 - > Sponsor: Under Secretary of Defense for Personnel and Readiness
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021
- 4. Air University Board of Visitors
 - Discretionary Advisory Committee
 - > Sponsor: Secretary of the Air Force
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission is accelerated and must be submitted no later than March 26, 2021
- 5. Armed Forces Retirement Home Advisory Council
 - Non-discretionary Advisory Committee
 - > Sponsor: Director of Administration and Management
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021
 - Additional Comment: Sponsor's submission will address prior establishment and utilization of this advisory committee.

- 6. Army Education Advisory Committee
 - Discretionary Advisory Committee
 - > Sponsor: Secretary of the Army
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: <u>Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission is accelerated and must be submitted no later than March 26, 2021</u>
- 7. Board of Regents, Uniformed Services University of the Health Sciences
 - Non-discretionary Advisory Committee
 - Sponsor: Under Secretary of Defense for Personnel and Readiness
 - > Member Appointment Authority: Secretary of Defense and statute
 - Subject to Zero-Based Review: Yes. Those member appointed by the Secretary of Defense will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021
- 8. Board of Visitors for the Western Hemisphere Institute for Security Cooperation
 - Non-discretionary Advisory Committee
 - > Sponsor: Secretary of the Army
 - Member Appointment Authority: Secretary of Defense, statute, and Congress
 - Subject to Zero-Based Review: Yes. Those members appointed by the Secretary of Defense will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission is accelerated and must be submitted no later than March 26, 2021
- 9. Board of Visitors of the U. S. Air Force Academy
 - Non-discretionary Advisory Committee
 - > Sponsor: Secretary of the Air Force
 - Member Appointment Authority: President of the United States and Congress
 - Subject to Zero-Based Review: <u>Yes. Members will be retained, and Sponsor's Zero-Based Review submission will be submitted no later than April 30, 2021</u>
- 10. Board of Visitors, Marine Corps University
 - Non-discretionary Advisory Committee
 - > Sponsor: Secretary of the Navy
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission is accelerated and must be submitted no later than March 26, 2021
- 11. Board of Visitors, National Defense University
 - Discretionary Advisory Committee
 - > Sponsor: Chairman of the Joint Chiefs of Staff
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission is accelerated and must be submitted no later than March 26, 2021

- 12. Board on Coastal Engineering Research
 - Non-discretionary Advisory Committee
 - > Sponsor: Secretary of the Army
 - Member Appointment Authority: Secretary of Defense
 - > Subject to Zero-Based Review: <u>Yes. Members will conclude their service no later than</u>
 <u>February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021</u>
- 13. Defense Advisory Committee for the Prevention of Sexual Misconduct
 - Non-discretionary Advisory Committee
 - > Sponsor: Under Secretary of Defense for Personnel Readiness
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: <u>Yes. Advisory committee is not populated at this time;</u>
 <u>Sponsor's Zero-Based Review submission must be submitted no later April 30, 2021</u>
- 14. Defense Advisory Committee on Diversity and Inclusion
 - Discretionary Advisory Committee
 - > Sponsor: Under Secretary of Defense for Personnel and Readiness
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: <u>Yes. Advisory committee is not populated at this time</u>; <u>Sponsor's Zero-Based Review submission must be submitted no later April 30, 2021</u>
- 15. Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces
 - Non-discretionary Advisory Committee
 - > Sponsor: General Counsel of the Department of Defense
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission is accelerated and must be submitted no later than March 26, 2021
- 16. Defense Advisory Committee on Military Personnel Testing
 - Discretionary Advisory Committee
 - > Sponsor: Under Secretary of Defense for Personnel and Readiness
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: <u>Yes. Members will conclude their service no later than</u>
 <u>February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021</u>
- 17. Defense Advisory Committee on Women in the Services
 - Discretionary Advisory Committee
 - Sponsor: Under Secretary of Defense for Personnel and Readiness
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: <u>Yes. Members will conclude their service no later than</u>
 <u>February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021</u>

18. Defense Business Board

- Discretionary Advisory Committee
- > Sponsor: Deputy Secretary of Defense
- Member Appointment Authority: Secretary of Defense
- Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission is accelerated and must be submitted no later than February 16, 2021
- Additional Comment: Sponsor's review will also address future re-alignment of the DoD Sponsor.

19. Defense Health Board

- Discretionary Advisory Committee
- > Sponsor: Under Secretary of Defense for Personnel and Readiness
- Member Appointment Authority: Secretary of Defense
- Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission is accelerated and must be submitted no later than March 12, 2021

20. Defense Innovation Board

- Discretionary Advisory Committee
- > Sponsor: Under Secretary of Defense for Research and Engineering
- Member Appointment Authority: Secretary of Defense
- Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission is accelerated and must be submitted no later than March 12, 2021

21. Defense Policy Board

- Discretionary Advisory Committee
- Sponsor: Under Secretary of Defense for Policy
- Member Appointment Authority: Secretary of Defense
- Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission is accelerated and must be submitted no later than February 16, 2021

22. Defense Science Board

- Discretionary Advisory Committee
- > Sponsor: Under Secretary of Defense for Research and Engineering
- Member Appointment Authority: Secretary of Defense
- Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission is accelerated and must be submitted no later than March 12, 2021

23. Department of Defense Board of Actuaries

- Non-discretionary Advisory Committee
- > Sponsor: Under Secretary of Defense for Personnel and Readiness
- Member Appointment Authority: Secretary of Defense
- Subject to Zero-Based Review: <u>Yes. Members will be retained, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021</u>

- 24. Department of Defense Medicare-Eligible Retiree Health Care Board of Actuaries
 - Non-discretionary Advisory Committee
 - Sponsor: Under Secretary of Defense for Personnel and Readiness
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: Yes. Members will be retained, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021
- 25. Department of Defense Military Family Readiness Council
 - Non-discretionary Advisory Committee
 - > Sponsor: Under Secretary of Defense for Personnel and Readiness
 - Member Appointment Authority: statute, and Secretary of Defense
 - Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021
- 26. Department of Defense Wage Committee
 - Discretionary Advisory Committee
 - Sponsor: Under Secretary of Defense for Personnel and Readiness
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: <u>Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021</u>
- 27. Education for Seapower Advisory Board
 - Discretionary Advisory Committee
 - > Sponsor: Secretary of the Navy
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: <u>Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021</u>
- 28. Inland Waterways Users Board
 - Non-discretionary Advisory Committee
 - > Sponsor: Secretary of the Army
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021
- 29. National Intelligence University Board of Visitors
 - Discretionary Advisory Committee
 - Sponsor: Under Secretary of Defense for Intelligence and Security
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: <u>Yes. Members will conclude their service no later than</u>
 <u>February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021</u>

TAB A

Zero-Based Review of Department of Defense Federal Advisory Committees

- 30. National Reconnaissance Advisory Board (Advisory Board for National Reconnaissance Office)
 - Non-discretionary Advisory Committee; not subject to the Federal Advisory Committee Act (FACA) by statute
 - > Sponsor: Under Secretary of Defense for Intelligence and Security
 - Member Appointment Authority: by statute the Director, National Reconnaissance Office
 - > Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021
- 31. National Security Agency Emerging Technologies Board
 - Non-discretionary Advisory Committee; not subject to the FACA by statute
 - > Sponsor: Under Secretary of Defense for Intelligence and Security
 - Member Appointment Authority: by statute the Director, National Security Agency
 - Subject to Zero-Based Review: <u>Yes. Members will conclude their service no later than</u>
 <u>February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021</u>
- 32. National Security Education Board
 - ➤ Non-discretionary Advisory Committee
 - > Sponsor: Under Secretary of Defense for Personnel and Readiness
 - Member Appointment Authority: statute and President of the United States
 - Subject to Zero-Based Review: <u>Yes. Members will be retained, and Sponsor's Zero-Based Review submission must e submitted no later than April 30, 2021</u>
- 33. Ocean Research Advisory Panel
 - Non-discretionary Advisory Committee
 - > Sponsor: Secretary of the Navy
 - Member Appointment Authority: statute, Secretary of Defense
 - Subject to Zero-Based Review: <u>No. Currently, no active members appointed by the Secretary of Defense</u>
 - Additional Comments: The National Defense Authorization Act for Fiscal Year 2021 amends 10 U.S.C. 8933
- 34. Reserve Forces Policy Board
 - Non-discretionary Advisory Committee
 - > Sponsor: Under Secretary of Defense for Personnel and Readiness
 - Member Appointment Authority: Secretary of Defense, and Secretary of Homeland Security
 - Subject to Zero-Based Review: Yes. Members appointed by the Secretary of Defense will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission is accelerated and must be submitted no later than February 26, 2021

- 35. Strategic Environmental Research and Development Program Scientific Advisory Board I
 - > Non-discretionary Advisory Committee
 - > Sponsor: Under Secretary of Defense for Acquisition and Sustainment
 - Member Appointment Authority: statute, joint approval by the Secretary of Defense and Secretary of Energy in consultation with the Administrator, Environmental Protection
 - Subject to Zero-Based Review: <u>Yes. Members appointed by the Secretary of Defense will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021</u>
 - Additional Comment: DoD Sponsor will ensure notification to the Department of Energy and Environment Protection Agency for those members appointed by the Secretary of Defense who are concluding their service.
- 36. Table Rock Lake Oversight Committee
 - Non-discretionary Advisory Committee
 - > Sponsor: Secretary of the Army
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: No. Advisory committee has concluded its mission.
 - Additional Comments: Sponsor will affirm that there are no members and provide a request to administratively suspend this non-discretionary advisory committee no later than February 16, 2021.
- 37. U.S. Air Force Scientific Advisory Board
 - Discretionary Advisory Committee
 - > Sponsor: Secretary of the Air Force
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: <u>Yes. Members will conclude their service no later than</u>
 <u>February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021</u>
- 38. U.S. Army Science Board
 - Discretionary Advisory Committee
 - > Sponsor: Secretary of the Army
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: <u>Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021</u>
- 39. U.S. Strategic Command Strategic Advisory Group
 - Discretionary Advisory Committee
 - > Sponsor: Chairman of the Joint Chiefs of Staff
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021

- 40. Uniform Formulary Beneficiary Advisory Panel
 - > Non-discretionary Advisory Committee
 - > Sponsor: Under Secretary of Defense for Personnel and Readiness
 - Member Appointment Authority: Secretary of Defense
 - Subject to Zero-Based Review: <u>Yes. Members will conclude their service no later than February 16, 2021, and Sponsor's Zero-Based Review submission must be submitted no later than April 30, 2021</u>
- 41. United States Military Academy Board of Visitors
 - Non-discretionary Advisory Committee
 - > Sponsor: Secretary of the Army
 - Member Appointment Authority: President of the United States, and Congress
 - Subject to Zero-Based Review: Subject to Zero-Based Review: Yes. Members will be retained, and Sponsor's Zero-Based Review submission will be submitted no later than April 30, 2021
- 42. United States Naval Academy Board of Visitors
 - Non-discretionary Advisory Committee
 - > Sponsor: Secretary of the Navy
 - Member Appointment Authority: President of the United States, and Congress
 - Subject to Zero-Based Review: Subject to Zero-Based Review: Yes. Members will be retained, and Sponsor's Zero-Based Review submission will be submitted no later than April 30, 2021