

Membership Balance Plan

Defense Policy Board

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, in accordance with the chapter 10 of title 5, U.S.C. (commonly known as the “Federal Advisory Committee Act” or “FACA”) and 41 C.F.R. § 102-3.50(d), established the Defense Policy Board (DPB) as a discretionary Federal advisory committee.

2. Mission/Function: The DPB shall provide independent advice and recommendations to the Secretary of Defense and the Deputy Secretary of Defense (“the DoD Appointing Authority”) through the Under Secretary of Defense for Policy (USD(P)) and shall focus on matters pertaining to (a) issues central to strategic DoD planning; (b) policy implications of U.S. force structure and modernization on DoD’s ability to execute U.S. defense strategy; (c) U.S. regional defense policies; and (d) other defense and national security policy topics of special interest to the DoD, as determined by the DoD Appointing Authority or the USD(P).

3. Points of View: The DPB shall be composed of no more than 25 members who have distinguished backgrounds in defense and national security affairs. These members will come from varied backgrounds including prior government or military service, multinational corporations, academia, or other non-government organizations.

The DoD, in evaluating candidates for the DPB, considers the candidate's educational and professional experience concerning the subject matters anticipated to be tasked to the DPB. The DoD has found that viewing the complex issues facing the DoD through a multidisciplinary advisory committee provides the DoD and, more importantly, the American public with a broader understanding of the issues on which subsequent policy decisions are based.

Membership shall be fairly balanced to provide a variety of background, experience, and thought in support of the DPB's mission. The DPB's membership balance is not static, and the DoD Appointing Authority may change the membership based upon work assigned to the DPB by the DoD Appointing Authority or the USD(P), as the DPB's sponsor.

Each member, based upon his or her individual experiences, exercises his or her own best judgment concerning matters before the DPB, does not represent any particular point of view, and discusses and deliberates in a manner that is free from conflicts of interest.

DPB members who are not full-time or permanent part-time Federal civilian officers or employees, or active duty members of the Uniformed Services, shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee

(SGE) members. DPB members who are full-time or permanent part-time Federal civilian officers or employees, or active-duty members of the Uniformed Services shall be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as regular government employee (RGE) members. The DoD, unless otherwise provided for by statute or Presidential directive, does not use representative members on DoD Federal advisory committees.

4. Other Balance Factors: N/A

5. Candidate Identification Process: The DoD, in selecting potential candidates for the DPB, reviews the educational and professional credentials of individuals with extensive professional experience in the areas of defense and national security affairs.

Once potential candidates are identified, the DPB's Designated Federal Officer (DFO), in consultation with the DPB's staff, reviews the credentials of each individual and narrows the list of candidates for the USD(P). The USD(P), in consultation with the Special Assistant to the Secretary of Defense for White House Liaison (SATSD(WHL)), reviews the list of potential candidates, and in his or her review, the USD(P) strives to achieve a balance between the professional credentials of the individuals and the near-term subjects to be reviewed by the DPB to achieve a membership that is diverse and inclusive, both in terms of the points of views to be represented and the functions to be performed by the DPB.

Before formal nomination to the DoD Appointing Authority, the list of potential nominees is reviewed by the SATSD(WHL), the DoD Office of General Counsel, and the DoD Advisory Committee Management Officer (ACMO) to ensure compliance with Federal and DoD governance requirements, including compliance the DPB's charter and membership balance plan. Following this review, the DoD ACMO prepares the appropriate DoD Appointment Approval Instrument for the Director of Administration and Management who submits it to the DoD Appointing Authority for approval.

Following approval by the DoD Appointing Authority, the candidates must complete appointment paperwork and training, to include any financial disclosure or other ethics requirements stipulated by the Office of Government Ethics for advisory committee members.

All DPB members are appointed to serve a term of service of one-to-four years, with annual renewals. No member, unless approved by the DoD Appointing Authority, may serve more than two consecutive terms of service on the DPB, including its subcommittees. Membership vacancies for the DPB will be filled in the same manner as described above.

6. Subcommittee Balance: The DoD, as necessary and consistent with the DPB's mission and DoD policy and procedures, may establish subcommittees, task forces, or working groups to support the DPB.

Individuals considered for appointment to any subcommittee of the DPB may come from the DPB itself or from new nominees, as recommended by the USD(P) and based upon the

subject matters under consideration. Pursuant to DoD policy and procedures, the USD(P) shall follow the procedures described above in Section 5 to select candidates for appointment to the DPB's subcommittees.

Subcommittee members shall be appointed to serve a term of service for a one-to-four years, with annual renewals; however, no member will serve more than two consecutive terms of service on a subcommittee unless previously approved by the DoD Appointing Authority. Subcommittee members, if not full-time or permanent part-time Federal civilian officers or employees, or active-duty members of the Uniformed Services, shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal civilian officers or employees, or active-duty members of the Uniformed Services, shall be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as RGE members.

7. Other: As nominees are considered for appointment to the DPB, the DoD adheres to the Office of Management and Budget's Revised Guidance on Appointment of Lobbyists to Federal Committees, Boards, and Commissions (79 FR 27482; August 13, 2014) and the rules and regulations issued by the Office of Government Ethics.

8. Date Prepared: September 1, 2023