

Charter
Board of Visitors, National Defense University

1. Committee's Official Designation: The committee shall be known as the Board of Visitors, National Defense University (BoV NDU).
2. Authority: The Secretary of Defense, in accordance with 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 this discretionary advisory committee.
3. Objectives and Scope of Activities: The BoV NDU shall provide independent advice and recommendations on matters pertaining to the overall management and governance of the National Defense University (NDU) to support its mission to educate joint warfighters and other national security leaders in critical thinking and the creative application of military power to inform national strategy and globally integrated operations, under conditions of disruptive change, in order to prevail in war, peace, and competition, as set out in paragraph four below.
4. Description of Duties: The BoV NDU shall focus on matters pertaining to (a) accreditation compliance; (b) organizational management; (c) strategic planning; (d) resource management; and (e) other matters of interest to the NDU in fulfilling its mission. The BoV NDU also provides an assessment of NDU leadership for consideration by the Chairman of the Joint Chiefs of Staff (CJCS), fulfilling essential Middle States Commission on Higher Education accreditation compliance.

All BoV NDU work will be in response to written terms of references (ToR) approved by the Secretary of Defense or the Deputy Secretary of Defense ("the DoD Appointing Authority"), the CJCS, or the Director of the Joint Staff (DJS) acting on behalf of the CJCS, unless otherwise provided by statute or Presidential directive.

5. Agency or Official to Whom the Committee Reports: The BoV NDU reports to the DoD Appointing Authority, through the CJCS, who may act upon the BoV NDU's advice and recommendations in accordance with DoD policy and procedures.
6. Support: The DoD, through the Organization of the Joint Chiefs of Staff and NDU, provides support for the BoV NDU's functions and ensures compliance with the requirements of the FACA; section 552b(c); governing Federal statutes and regulations; and DoD policy and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and federal and contract support, is approximately \$139,500. The estimated annual personnel cost to the DoD is 0.79 full-time equivalents.
8. Designated Federal Officer (DFO): The BoV NDU's Designated Federal Officer (DFO) shall be a full-time or permanent part-time DoD civilian officer or employee, or active-duty member of the Armed Forces, designated in accordance with DoD policy and procedures.

The BoV NDU's DFO is required to attend all BoV NDU and subcommittee meetings for the entirety of each meeting. However, in the absence of the BoV NDU's DFO, a properly

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approved Alternate DFO, duly designated to the BoV NDU in accordance with DoD policy and procedures, shall attend the entirety of all BoV NDU and subcommittee meetings.

The DFO, or the Alternate DFO, calls all BoV NDU and any subcommittee meetings; prepares and approves all meeting agendas; and adjourns any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public's interest or required by governing regulations or DoD policy and procedures. The DFO, or Alternate DFO, also chairs meetings when directed to do so by the DoD appointing authority.

9. Estimated Number and Frequency of Meetings: The BoV NDU shall meet at the call of the BoV NDU's DFO, in consultation with the BoV NDU's Chair, the CJCS, and/or the President of the NDU. The estimated number of NDU meetings is two per year.
10. Duration: The need for the BoV NDU is on a continuing basis; however, it is subject to renewal every two years.
11. Termination: The BoV NDU shall terminate upon completion of its mission or two years from the date this charter is filed, whichever is sooner, unless the DoD renews the BoV NDU in accordance with FACA and DoD policy and procedures.
12. Membership and Designation: The BoV NDU shall be composed of no more than 12 members who have distinguished backgrounds in defense, management, leadership, academia, national military strategy, joint planning at all levels of war, joint doctrine, joint command and control, or joint requirements and development.

The appointment of BoV NDU members shall be approved by the DoD Appointing Authority for a term of service of one-to-four years, with annual renewals, in accordance with DoD policy and procedures. No member, unless approved by the DoD Appointing Authority, may serve more than two consecutive terms of service on the BoV NDU, to include its subcommittees, or serve on more than two DoD Federal advisory committees at one time.

BoV NDU 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. BoV NDU members who are full-time, or permanent part-time, Federal civilian officers or employees, or active-duty members of the Uniformed Services, shall be designated pursuant to 41 C.F.R. § 1023.130(a) to serve as regular government employee (RGE) members. The DoD Appointing Authority shall appoint the BoV NDU's leadership from among the membership previously approved to serve on the BoV NDU in accordance with DoD policy and procedures for a term of service of one-to-two years, with annual renewal, not to exceed the member's approved appointment.

All members of the BoV NDU are appointed to exercise their own best judgment on behalf of the DoD, without representing any particular point of view, and to discuss and deliberate in a manner that is free from conflict of interest. With the exception of reimbursement of official BoV NDU-related travel and per diem, BoV NDU members serve without compensation.

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13. Subcommittees: The DoD, as necessary and consistent with the BoV NDU's mission and DoD policy and procedures, may create subcommittees, task forces, task groups, or working groups ("subcommittees") to support the BoV NDU. Creation of subcommittees will be based upon a written determination, to include terms of reference (ToR), by the DoD Appointing Authority, the CJCS, as the BoV NDU's Sponsor, or the DJS if the authority is delegated in writing by the CJCS. All subcommittees operate in accordance with the FACA; section 552b(c) of title 5, U.S.C.; governing Federal statutes and regulations; and DoD policy and procedures. All subcommittees will terminate when the BoV NDU does.

Subcommittees shall not work independently of the BoV NDU and shall report all of their recommendations and advice solely to the BoV NDU for its thorough deliberation and discussion at a publicly noticed and open BoV NDU meeting, unless the meeting must be closed to the public in accordance with one or more of the exemptions found at section 552b(c) of title 5, U.S.C. Subcommittees have no authority to make decisions and recommendations, orally or in writing, on behalf of the BoV NDU. Neither the subcommittee nor any of its members may provide updates or report directly to the DoD or any Federal officer or employee, whether orally or in writing. If a majority of BoV NDU members are appointed to a particular subcommittee, then that subcommittee may be required to operate pursuant to the same notice and openness requirements of FACA which govern the BoV NDU's operations.

Individual appointments to serve on BoV NDU subcommittees shall be approved by the DoD Appointing Authority for a term of service of one-to-four years, with annual renewals, in accordance with DoD policy and procedures. No member shall serve more than two consecutive terms of service on the subcommittee, unless approved by the DoD Appointing Authority. Subcommittee 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 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 designated pursuant to 41 C.F.R. § 102-3.130(a) to serve as RGE members. The DoD Appointing Authority shall appoint subcommittee leadership from among the membership previously appointed to serve on the subcommittee in accordance with DoD policy and procedures, for a term of service of one-to-two years, with annual renewal, not to exceed the member's approved appointment.

Each subcommittee member is appointed to exercise his or her best judgment on behalf of the DoD, without representing any particular point of view, and to discuss and deliberate in a manner that is free from conflict of interest.

With the exception of reimbursement of official BoV NDU- and subcommittee-related travel and per diem, subcommittee members serve without compensation.

14. Recordkeeping: The records of the BoV NDU and its subcommittees shall be handled in accordance with General Records Schedule 6.2, Federal Advisory Committee Records and governing DoD policy and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. § 552).

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15. Filing Date: August 30, 2024