



Department of Defense INSTRUCTION

NUMBER 5105.18
July 10, 2009

DA&M

SUBJECT: DoD Intergovernmental and Intragovernmental Committee Management Program

References: See Enclosure 1

1. PURPOSE. This Instruction:

- a. Reissues DoD Directive (DoDD) 5105.18 (Reference (a)) as a DoD Instruction (DoDI) in accordance with the authority in DoDD 5105.53 (Reference (b)).
- b. Establishes policy, provides procedures, and assigns responsibilities for the DoD Intergovernmental and Intragovernmental Committee Management Program.

2. APPLICABILITY

a. This Instruction applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense (hereafter referred to collectively as the "DoD Components").

b. Nothing in this Instruction shall:

(1) Limit or restrict the free exchange of information, advice, and ideas between representatives of the DoD Components and other Federal agencies through ad hoc or occasional meetings or other means.

(2) Apply to any committee, board, commission, council, conference, panel, task force, subcommittee or other subgroup, or any other similar types of groups that are:

(a) DoD intergovernmental and intragovernmental committees that are intended to or actually operate for less than 12 months.

(b) DoD-supported Federal advisory committees subject to the provisions of DoDI 5105.04 (Reference (c)).

(c) Internal DoD staff meetings, any accident investigation boards, safety mishap boards, flying evaluation boards, or medical evaluation boards; or boards to select members of the Military Services for promotion, reassignment, education, training, separation, or retirement.

(d) Organizations created by a non-Federal entity (such as a contractor or private organization) and not actually managed or controlled by an officer or employee of the Federal Government.

(e) Meetings initiated by one or more Federal officials with more than one other individual to obtain advice from individual attendees and not for the purpose of utilizing the group to obtain consensus advice or recommendations.

(f) Local civic groups whose primary function is that of rendering a public service with respect to a Federal program or any State or local committee, council, board, commission, or similar group established to advise or make recommendations to State or local officials or agencies.

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that:

a. No DoD intergovernmental or intragovernmental committee shall be established unless its functions cannot be accomplished by existing DoD organizations. When establishing committees, consideration shall be given to ensuring necessity, economy and efficiency of operation, and execution within resource constraints.

b. All DoD intergovernmental and intragovernmental committees shall perform such tasks as fact-finding, research, evaluation, studies, and reviews.

c. All DoD intergovernmental or intragovernmental committees shall be carefully managed and, unless prescribed by statute, terminated when:

(1) The stated objectives have been accomplished, the subject matter or work of the intergovernmental or intragovernmental committee has become obsolete by the passing of time, or their functions are assumed by another entity.

(2) The authorizing authority determines that the cost of operation exceeds the benefits acquired by the Department of Defense.

(3) In the opinion of the authorizing authority, the Department of Defense can no longer continue to support the intergovernmental or intragovernmental committee due to a declared national emergency.

d. All DoD intergovernmental or intragovernmental committees, unless funded by statute, Presidential Directive, or otherwise determined by the Office of the Under Secretary of Defense (Comptroller), shall be funded from amounts appropriated for the Department of Defense for operation and maintenance accounts.

e. No DoD intergovernmental or intragovernmental committee, unless otherwise authorized by statute, shall allow public participation in its deliberations.

f. All DoD intergovernmental and intragovernmental committees shall comply with DoD 5200.1-R (Reference (d)).

g. All DoD intergovernmental and intragovernmental committees that receive national security information from any Federal agency shall obtain the appropriate security reviews prior to the release of information to the public. Releases to the public include, but are not limited to, news releases and public reports.

h. No commissioned officer of the Military Services, unless authorized by the Secretary of Defense, shall have his or her duty to a DoD intergovernmental or intragovernmental committee considered joint duty for the purpose of chapter 38 of title 10, United States Code (Reference (e)).

i. All reports, work papers, background papers, graphic designs, and desktop publishing files generated by and for DoD intergovernmental or intragovernmental committees shall be considered property of the U.S. Government and shall be maintained and preserved pursuant to DoDD 5015.2 (Reference (f)).

j. All DoD intergovernmental and intragovernmental committees shall provide an electronic copy, using portable document format, of every unclassified report they issue to the Pentagon Library.


k. All DoD intergovernmental and intragovernmental committees, unless otherwise directed by DoDI 5330.03 (Reference (g)), shall use the Document Automation and Production Service for their printing requirements.

5. RESPONSIBILITIES. See Enclosure 2.

6. INFORMATION REQUIREMENTS. The annual report on DoD Intergovernmental and Intragovernmental Committees has been assigned Report Control Symbol (RCS) DD-DA&M(A)2322 in accordance with DoDI 8910.01 (Reference (h)).

7. RELEASABILITY. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Web Site at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Instruction is effective immediately.


Michael L. Rhodes
Acting Director for Administration
and Management

Enclosures

1. References
 2. Responsibilities
- Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5105.18, "DoD Committee Management Program," February 8, 1999 (hereby canceled)
- (b) DoD Directive 5105.53, "Director of Administration and Management (DA&M)," February 26, 2008
- (c) DoD Instruction 5105.04, "Department of Defense Federal Advisory Committee Management Program," August 6, 2007
- (d) DoD 5200.1-R, "Information Security Program," January 14, 1997
- (e) Chapter 38 of title 10, United States Code
- (f) DoD Directive 5015.2, "DoD Records Management Program," March 6, 2000
- (g) DoD Instruction 5330.03, "Document Automation and Production Service (DAPS)," February 8, 2006
- (h) DoD Instruction 8910.01, "Information Collection and Reporting," March 6, 2007

ENCLOSURE 2

RESPONSIBILITIES

1. DIRECTOR OF ADMINISTRATION AND MANAGEMENT (DA&M). The DA&M shall:

a. Develop, establish, and implement DoD-wide policies for the DoD Intergovernmental and Intragovernmental Committee Management Program.

b. Represent the Department of Defense and maintain liaison with the Congress, the Government Accountability Office (GAO), the Office of Management and Budget (OMB), and other Federal agencies, as required, on matters involving the DoD Intergovernmental and Intragovernmental Committee Management Program.

c. Respond to GAO and OMB queries about DoD intergovernmental and intragovernmental committees governed by this Instruction.

d. Provide policy oversight and management of the DoD Intergovernmental and Intragovernmental Committee Management Program through the Committee Management Officer (CMO) for the Department of Defense, as defined by Reference (c).

2. OSD PRINCIPAL STAFF ASSISTANTS (PSAs), THE SECRETARIES OF THE MILITARY DEPARTMENTS, AND THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.

The OSD PSAs, the Secretaries of the Military Departments, and the Chairman of the Joint Chiefs of Staff shall:

a. Establish, when deemed appropriate or when directed, DoD intergovernmental or intragovernmental committees. This authority may be further delegated in writing, but no lower than the Assistant Secretary level or the three-star flag officer equivalent.

b. Provide adequate support to any DoD intergovernmental or intragovernmental committee, which may, depending on the committee's requirements, include support in funding, facilities, human resources (e.g., staffing requirements, when authorized), information technology, central services (telephones, supplies, furniture, printing, etc.), contracting, and access to key decision makers.

c. Terminate DoD intergovernmental and intragovernmental committees when their work has been accomplished, the subject matter is no longer relevant, their work has become obsolete, or their functions have been assumed by another Federal Government entity.

d. Confirm that all DoD intergovernmental and intragovernmental committees within their respective DoD Components are administered consistent with this Instruction.

e. Issue such operating procedures and provide supplemental guidance as may be required to ensure the efficient operation of DoD intergovernmental or intragovernmental committees.

f. Evaluate, unless prohibited by a statute or an Executive order, the advice and recommendations provided by DoD intergovernmental or intragovernmental committees and determine which actions shall be implemented by the Department of Defense. OSD PSAs, Secretaries of the Military Departments, and the Chairman of the Joint Chiefs of Staff shall exercise this authority only:

(1) For intergovernmental or intragovernmental committees that they establish.

(2) When such advice falls within the scope of the responsibilities and functions formally assigned to them by a statute or a DoD charter Directive.

g. Appoint a DoD Intergovernmental and Intragovernmental Committee Officer to provide policy oversight and management of the DoD Intergovernmental and Intragovernmental Advisory Management Program at the DoD Component level.

h. Provide, upon request, information to the DA&M or the CMO on DoD intergovernmental and intragovernmental committees operating under their cognizance.

i. Maintain a listing of all DoD intergovernmental or intragovernmental committees that operate for more than 12 months.

j. Submit an annual report to the CMO on the DoD intergovernmental or intragovernmental committees they authorized or were operating under their cognizance for more than 12 months during the previous year. At a minimum, this report shall include the committee's name, purpose, membership, recommendations made, and recommendations implemented.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

CMO	Committee Management Officer
DA&M	Director of Administration and Management
DoDD	DoD Directive
DoDI	DoD Instruction
GAO	Government Accountability Office
OMB	Office of Management and Budget
PSA	Principal Staff Assistant

PART II. DEFINITIONS

These terms and their definitions are for the purposes of this Instruction.

committee. Any committee, board, commission, council, conference, panel, task force, integrated process team, or other similar group or any subcommittee or subgroup thereof that is composed of U.S. or foreign officials and is established at the direction of the OSD or DoD Component Heads.

intergovernmental committee. Any committee composed wholly of full-time or permanent part-time Federal officers or employees and elected officers of State, local, and tribal governments (or their designated employees with authority to act on their behalf), acting in their official capacities.

intragovernmental committee. Any committee composed wholly of full-time or permanent part-time Federal officers or employees. Intragovernmental committees composed wholly of DoD representatives from two or more DoD Components may also be referred to as joint DoD committees.

PSA. The Under Secretaries of Defense; the Deputy Chief Management Officer; the General Counsel of the Department of Defense; the Inspector General of the Department of Defense; and those Assistant Secretaries of Defense, Assistants to the Secretary of Defense, and OSD Directors and their equivalents who report directly to the Secretary or Deputy Secretary of Defense. OSD PSAs are also known as the “Heads of the OSD Components.”