

CHARTER
DEPARTMENT OF DEFENSE SITING CLEARINGHOUSE
BOARD OF DIRECTORS

I. References:

- Part 211 of title 32, Code of Federal Regulations (hereinafter the “Rule”);
- Department of Defense (DoD) Instruction 5105.18, “DoD Intergovernmental and Intragovernmental Committee Management Program;”
- Secretary of Defense Memorandum, “Designation of a Senior Officer, Senior Official, and Lead Organization for a DoD Mission Compatibility Evaluation Process,” dated July 15, 2011.

II. Purpose: This charter defines and formalizes the composition, responsibilities, and operating procedures for the DoD Siting Clearinghouse (the “Clearinghouse”) Board of Directors (BoD). The BOD is responsible for overseeing the DoD’s commitment to maintaining an effective, consistent, transparent, and timely process for evaluating the impact of energy projects on its military test, training, and operational missions. The BoD shall:

- Manage the Clearinghouse and the mission compatibility evaluation process as defined in the Rule.
- Advise the Senior Official (the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L))) on proposed projects that may present an unacceptable risk to national security.

III. Scope: The BoD, supported by the Clearinghouse, is responsible for expediting the Department’s responsibilities outlined in the Rule. The BoD will recommend to USD(AT&L) detailed policy and guidance for publication in a DoD Instruction.

IV. Organization and Composition:

Chair and Co-Chairs. The BoD shall be chaired by the Deputy Under Secretary of Defense for Installations and Environment and co-chaired by the Deputy Assistant Secretary of Defense (Readiness)(DASD(R)) and the Principal Deputy Director, Operational Test and Evaluation (PDDOT&E).

Members. The members of the BoD are:

- The chair and co-chairs (or an alternate as designated by the chair or co-chairs, respectively);
- The Assistant Secretary of the Army for Installations, Energy, and Environment (or an alternate as designated by the Secretary of the Army);

- The Assistant Secretary of the Navy for Energy, Installations and Environment (or an alternate as designated by the Secretary of the Navy);
- The Assistant Secretary of the Air Force for Installations, Environment, and Logistics (or an alternate as designated by the Secretary of the Air Force);
- The Vice Director of Strategic Plans and Policies, Joint Staff (J5) (or an alternate as designated by the Director, Joint Staff);
- The Principal Deputy Assistant Secretary of Defense for Homeland Defense and America's Security Affairs (or an alternate as designated by the Assistant Secretary of Defense for Homeland Security and America's Security Affairs);
- Director, Test Resource Management Center; and
- Other ad hoc members at the direction of the chair and co-chairs.

Legal Counsel. The DoD Deputy General Counsel (Environment & Installations) (or an alternate as designated by the Deputy General Counsel) is the legal advisor to the BoD and to its committees, teams, and working groups and may attend all meetings.

V. Operating Procedures.

Meetings. The BoD will meet frequently to communicate on matters and address issues affecting the Clearinghouse. BoD members may request ad hoc meetings to address special or urgent issues.

- Meetings may be in person or by electronic communication.
- Under the direction of the chair and co-chairs, the Clearinghouse shall develop meeting agendas with input from the members.
- The Clearinghouse Executive Director shall serve as the executive secretary for Clearinghouse BoD meetings.
- The Clearinghouse staff shall produce minutes of the meetings.


Committees and Working Groups: The BoD may establish committees and working groups to support the functions of the BoD. These bodies may include but are not limited to:

- Mitigation Oversight Committee (MOC). The MOC will review mitigation negotiations and initial recommendations of proposed projects to evaluate whether they pose an unacceptable risk to national security. The MOC is comprised of a senior subordinate to each member of the BoD and other representatives, to include senior officers or Federal civil servants of commensurate rank/grade from Combatant Commands. The MOC shall be chaired by the Clearinghouse Executive Director and co-chaired by officials designated by the DASD(R) and PDDOT&E. The chairmanship of individual MOC meetings shall rotate consecutively among the chair and co-chairs. The Clearinghouse shall provide staff support and meeting planning to the MOC.

- Mitigation Response Teams (MRTs). MRTs are established on an as-needed basis. MRTs are authorized to engage in discussions with proponents of proposed projects to seek mitigation measures addressing potential adverse impacts. The MRTs are tasked with conducting or overseeing detailed analyses to evaluate whether a proposed project may result in an unacceptable risk to the national security of the United States. MRTs shall be established as needed by the MOC, shall be led by a Military Department (the most severely impacted Department when multiple Departments are affected), and supported by the DoD functional organization with responsibility for the most severely impacted function. The MRT lead will establish MRT membership in consultation with the DoD functional organization supporting the MRT, which may include representatives from the DoD Components and representation from the appropriate Regional Environmental Coordinators, Community Plans and Liaison Offices, and local and regional commanders.

VI. Charter Review: This charter will be reviewed 2 years from the date of signature. Thereafter, the BoD may review this charter biennially and recommend changes to the chair and co-chairs.

VII. Effective Date: This charter becomes effective immediately.

Approved: 
Frank Kendall
Under Secretary of Defense for
Acquisition, Technology, and Logistics

Date: 3 Oct. 2012