



CHIEF NATIONAL GUARD BUREAU INSTRUCTION

NGB-J5
DISTRIBUTION: A

CNGBI 5400.01
17 August 2017

NATIONAL GUARD BUREAU ADVISORY COMMITTEE MANAGEMENT PROGRAM

References: See Enclosure A.

1. Purpose. This instruction establishes policy and assigns responsibilities for the establishment, operation, and oversight of National Guard Bureau (NGB) advisory committees, including General Officer Advisory Councils (GOAC), in accordance with (IAW) references a and b.

2. Cancellation. None.

3. Applicability. This instruction applies to the NGB and members of NGB advisory committees. It does not apply to:

a. Committees composed solely of full-time or permanent part-time Federal employees.

b. Meetings initiated by one or more NGB 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.

4. Policy. It is NGB policy that:

a. NGB advisory committees may be established by the Chief and Vice Chief of the National Guard Bureau (CNGB and VCNGB). The Director of the Army National Guard (DARNG) and Director of the Air National Guard (DANG) may establish advisory committees for subjects pertaining to their responsibilities in law and policy. These four officials are referred to in this instruction as Appointing Authorities. This authority may not be delegated.

b. No NGB advisory committee will be established unless its functions cannot be accomplished by existing NGB organizations. When establishing committees, consideration will be given to ensuring necessity, economy and

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efficiency of operation, and execution within resource constraints.

c. NGB advisory committees may provide advice and recommendations, but do not establish policy or make decisions for the National Guard (NG) or NGB.

d. NGB advisory committees will be organized and will operate as prescribed in this instruction and will comply with Department of Defense (DoD) policy for intergovernmental and intragovernmental committees (reference b), as applicable.

e. The NGB will not establish or operate any Federal Advisory Committee, as defined in reference c, unless specifically authorized by the President of the United States, Congress, the Secretary of Defense, or an official authorized by the Secretary of Defense.

f. An NGB Advisory Committee Officer (ACO) will be appointed to advise and assist the Appointing Authorities in maintaining oversight and assessing NGB advisory committees.

g. Each NGB advisory committee will have a charter signed by the appropriate Appointing Authority. Charters signed by the CNGB or VCNGB will be in the format prescribed by the NGB Joint Actions Control Office Executive Secretariat in the template at reference d. Charters signed by the DARNG or DANG will comply with the relevant Service regulations.

(1) The charter will describe the committee's subject, objectives, structure, membership, procedures, resourcing, and duration, and identify the committee's proponent office or directorate.

(2) The charter will also designate the chairperson(s) or other member of the committee responsible for the committee's compliance with applicable records management policies and conference policies, including references e and f.

(3) Each charter will be coordinated IAW reference g.

(a) For committees established by the CNGB and VCNGB, coordination will include, at a minimum, the Strategy, Policy, Plans and International Affairs Directorate (NGB-J5), the Programs and Resources/Comptroller Directorate (NGB-J8), the NGB Chief Counsel (NGB-JA), the Office of the NGB Inspector General (NGB-IG), and the NGB ACO.

(b) For committees established by the DARNG and DANG, coordination will include, at a minimum, NGB-JA, NGB-IG, and the NGB ACO.

(4) A copy of each signed charter will be provided to, and maintained by, the NGB ACO.

5. Definitions. See Glossary.

6. Responsibilities.

a. Appointing Authorities. The Appointing Authorities will:

(1) Establish advisory committees; appoint, reappoint, or replace their members; and approve, amend, or terminate their charters IAW this instruction.

(2) For each committee established under their authority, designate a proponent office or directorate to draft the committee's charter and assist with management of the committee, if desired.

(3) Assess each committee at least once every two years to ensure that it is still relevant and necessary, and that its benefits outweigh its costs.

(4) Following an assessment, amend the committee's charter if appropriate and disestablish any committee that has fulfilled its objectives, reached the termination date in its charter, or become irrelevant, unproductive, or inappropriate.

b. Director of the NGB Joint Staff (DNGBJS). The DNGBJS will:

(1) Appoint an NGB ACO to perform the duties in paragraph 6.c, below, on behalf of the CNGB.

(2) As necessary, support and assist the ACO in the performance of assigned duties.

c. NGB ACO. The NGB ACO will:

(1) Advise and assist the Appointing Authorities and proponents in maintaining oversight and conducting assessments of NGB advisory committees.

(2) Within 180 days of the publication of this instruction, review all currently operating NGB advisory committees – including but not limited to GOACs and Functional Advisory Councils – for compliance with this instruction and with reference b, as applicable, and recommend to the Appointing Authorities any necessary corrective actions. Currently chartered NGB advisory committees may continue to function until this review is complete and corrective actions implemented, if necessary.

(3) Review the charters of all proposed new NGB advisory committees for compliance with this instruction and with reference b, as appropriate.

(4) Coordinate with the DoD Advisory Committee Management Officer, as necessary.

d. NGB-JA. The NGB-JA Chief Counsel will review the charters of all NGB advisory committees for legal sufficiency and will confirm to the proponent and the NGB ACO whether the committee is an intergovernmental or intragovernmental committee as defined in references b and h, or a Federal Advisory Committee as defined in references c and h.

7. Summary of Changes. This is the initial publication of CNGBI 5400.01.

8. Releasability. This instruction is approved for public release; distribution is unlimited. Obtain copies through <<http://www.ngbpdcc.ngb.army.mil>>.

9. Effective Date. This instruction is effective upon publication and must be reissued, cancelled, or certified as current within five years of its publication.



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Enclosure:

A -- References
GL -- Glossary

ENCLOSURE A

REFERENCES

- a. DoD Directive 5105.77, 30 October 2015, “National Guard Bureau (NGB)”
- b. DoD Instruction 5105.18, 10 July 2009, “DoD Intergovernmental and Intragovernmental Committee Management Program”, as amended
- c. DoD Instruction 5105.04, 06 August 2007, “Department of Defense Federal Advisory Committee Management Program”
- d. NGB Executive Secretariat website:
<<https://gkoportal.ng.mil/joint/JACO/ExecSec/SitePages/Home.aspx>>
accessed 10 April 2017
- e. CNGB Instruction 5001.01, 05 December 2016, “National Guard Bureau Records Management Program”
- f. CNGB Instruction 8100.01, 29 September 2014, “National Guard Conference Policy”
- g. CNGB 5050.01 Series, “National Guard Bureau Staff Actions”
- h. Title 41, Code of Federal Regulations, Sections 102-3.5 through 102-3.185, “Federal Advisory Committee Management”

GLOSSARY

PART I. ACRONYMS

ACO	Advisory Committee Officer
CNGB	Chief of the National Guard Bureau
DANG	Director of the Air National Guard
DARNG	Director of the Army National Guard
DNGBJS	Director of the National Guard Bureau Joint Staff
GOAC	General Officer Advisory Council
IAW	In accordance with
NG	National Guard
NGB	National Guard Bureau
NGB-IG	Office of the National Guard Bureau Inspector General
NGB-JA	Office of the National Guard Bureau Chief Counsel
NGB-J5	Strategy, Policy, Plans and International Affairs Directorate
NGB-J8	Programs and Resources/Comptroller Directorate
VCNGB	Vice Chief of the National Guard Bureau

PART II. DEFINITIONS

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

Advisory Committee -- Any committee, subcommittee, board, commission, council, conference, panel, task force, or other similar group established or utilized by the National Guard Bureau to obtain advice or recommendations. As defined, "Advisory Committee" does not include any committee that is composed solely of full-time or permanent part-time federal employees.

Appointing Authority -- An official authorized to establish an advisory committee and appoint its members. Appointing authorities for National Guard Bureau advisory committees are the Chief of the National Guard Bureau, Vice Chief of the National Guard Bureau, Director of the Army National Guard, and Director of the Air National Guard.

General Officer Advisory Council -- A group consisting of National Guard General Officers or Senior Executive Service members appointed to perform duties of an advisory nature (such as fact-finding, research, and analysis) in support of the Chief of the National Guard Bureau and the National Guard Bureau.