

DOCUMENT RESUME

00437 - [A1051972]

Better Evaluations Needed to Weed Out Useless Federal Advisory Committees. GGD-76-104; B-127685. April 7, 1977. 38 pp. + appendices (37 pp.).

Report to the Congress; by Elmer B. Staats, Comptroller General.

Contact: General Government Div.

Budget Function: General Government: Other General Government (806).

Organization Concerned: Office of Management and Budget; Department of Commerce; Department of Health, Education, and Welfare; Department of the Interior; Environmental Protection Agency; National Science Foundation.

Congressional Relevance: Congress.

Authority: Federal Advisory Committee Act (P.L. 92-463). OMB Circular A-63.

Legislation to control the growing number of advisory committees, 1267 as of December 31, 1975, assigned oversight responsibilities to Congress, the President, and the Director of the Office of Management and Budget (OMB). The OMB is required to make an annual comprehensive review of each committee to determine whether it has carried out its purpose, needs revised responsibilities, or should be merged or abolished.

Findings/Conclusions: The OMB and agencies have had a difficult time identifying useless committees because they have not developed objective criteria. Because of lack of leadership by OMB, the agencies have developed their own approaches.

Uncertainties existed within agencies about the status of subgroups and ad hoc groups, cost analyses, reporting procedures, and committee missions. Recommendations: OMB should (1) develop uniform guidelines on sub-groups and ad hoc groups; (2) require that agency committee charters state purposes clearly and include a timespan; (3) issue guidelines for consistent cost estimates; and (4) develop a standard definition of "report" and provide for followup. (HTW)

REPORT TO THE CONGRESS



*BY THE COMPTROLLER GENERAL
OF THE UNITED STATES*

Better Evaluations Needed To Weed Out Useless Federal Advisory Committees

An important purpose of the Federal Advisory Committee Act is to provide ways to control the number of advisory committees serving Federal departments and agencies and make sure that only committees with well-defined, necessary functions are authorized to continue.

The Office of Management and Budget and the agencies have not acted effectively to carry out the law. Although many committees are being abolished, more can be done in this regard.

The act directs the Office of Management and Budget to prepare guidelines and controls suitable for managing advisory committees. It directs that the committees be managed under uniform standards and procedures. No uniform or consistent Government-wide standards exist because the Office of Management and Budget has not provided effective leadership and adequate guidance.



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-127685

To the President of the Senate and the
Speaker of the House of Representatives

This report describes the management problems with the Federal advisory committee program and suggests ways to correct them. The report covers the management practices of the Office of Management and Budget; the Departments of Commerce; Health, Education, and Welfare; and the Interior; the Environmental Protection Agency; and the National Science Foundation.

Our evaluation of the effectiveness of the Federal advisory committee program was made pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67). A special interest in this evaluation was expressed by the former Chairman of the Joint Economic Committee, Senator Hubert H. Humphrey.

Copies are being sent to the Director, Office of Management and Budget, and the heads of the departments and agencies discussed in this report.

A handwritten signature in black ink that reads "James B. Stacks".

Comptroller General
of the United States

COMPTROLLER GENERAL'S
REPORT TO THE CONGRESS

BETTER EVALUATIONS NEEDED
TO WEED OUT USELESS
FEDERAL ADVISORY COMMITTEES
Office of Management and Budget
Multiagency

D I G E S T

Out of concern about mushrooming Federal advisory committees and a desire to improve committee management, the Congress enacted the Federal Advisory Committee Act.

As of December 31, 1975, 1,267 advisory committees--25 more than at the end of 1974--spent about \$52 million of the taxpayers' money to support themselves. The Office of Management and Budget and other Federal agencies have made strides in improving the advisory committee program. Although some committees are being abolished, more can be done in this regard.

EVALUATIONS NOT IDENTIFYING
ALL USELESS COMMITTEES

The annual comprehensive review--which the Office of Management and Budget uses to oversee committee activities--and the process for establishing and renewing committees do not guarantee that only useful committees exist. The Office and the agencies have a difficult time identifying useless committees because they have not developed objective criteria to evaluate the committees.

GAO believes that the following criteria could play an important part in evaluating committee activity and productivity:

- Number of committee meetings. (Those holding no meetings should be questioned.)
- Support costs incurred. (Limited budget and staff support could indicate a lack of agency commitment to the committee's activities.)
- Age of a committee. (Extremely old committees would be suspect.)
- Reports and recommendations. (This is a measure of committee output. Those producing no

reports or recommendations could be suspect. This should also include the agencies' action or followup on committee reports and recommendations.) (See p. 16.)

BETTER LEADERSHIP AND GUIDANCE POSSIBLE

The Office of Management and Budget has not provided the management and leadership envisioned by the Federal Advisory Committee Act. Because of this, adequate Government-wide uniform committee standards and procedures do not exist. The agencies, not unexpectedly, have developed their own approaches and procedures regarding their committees. (See ch. 3.)

Committee management practices of the Departments of Commerce; Health, Education, and Welfare; and the Interior; the Environmental Protection Agency; and the National Science Foundation show that the following problems need correction:

- Agencies are unsure of the status of subgroups and ad hoc groups. As a result, they classify different groups as advisory committees. (See p. 19.)
- The methods for determining committee costs are not consistent, making it hard to compare costs among committees or agencies. Most inconsistencies are due to the agencies' difficulties and differences in figuring staff support costs. Also, quite a few committee program costs are not included in the President's annual report to the Congress on advisory committees. Thus, the annual report on cost and staff support figures does not accurately estimate committee program costs. (See p. 24.)
- Neither the Office's nor the agencies' guidelines adequately define "report." Some agencies classify minutes of committee meetings as reports, others only classify formally issued reports, while still others classify the annual closed-meeting reports as committee reports. As a result, the information in the President's annual report is misleading. (See p. 26.)

--Committee charters generally do not define committees' missions clearly. Charters fail to include the specific timespan needed to accomplish a committee's purpose. (See p. 23.)

Beginning in 1975, the Office of Management and Budget started using budget examiners to evaluate committee usefulness, and, after the 1975 evaluation, it began to notify the agencies about questionable committees. But the Office still needs to

--develop objective criteria to be used consistently and systematically to evaluate the committees (see pp. 9 and 31) and

--revise and clarify its guidelines and help agencies formulate their own guidelines for reviewing committees. (See ch. 3 and p. 31.)

The Office and the heads of agencies should jointly develop a standardized monitoring and evaluation system to follow up on committee reports and recommendations. (See p. 28.)

Although each of GAO's conclusions and recommendations was agreed to by either the Office or one or another of the agencies, all took exception to something in the report. (See ch. 5.)

On February 25, 1977, shortly before issuance of this report, the President addressed a memorandum to heads of executive departments and agencies stating that "many existing (advisory) committees have outlived their usefulness, or are not providing truly balanced advice and recommendations." He ordered a Government-wide, zero-based review of all advisory committees and expressed the hope that the number of such committees would be sharply reduced.

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ABBREVIATIONS

CMO	committee management officer
CMS	Committee Management Secretariat
EPA	Environmental Protection Agency
FACA	Federal Advisory Committee Act
FEA	Federal Energy Administration
GAO	General Accounting Office
HEW	Department of Health, Education, and Welfare
NSF	National Science Foundation
OMB	Office of Management and Budget

CHAPTER 1

INTRODUCTION

The Congress passed the Federal Advisory Committee Act (Public Law 92-463) to control advisory committee management and the President signed it on October 6, 1972. The Congress passed the act because it was concerned about the lack of policy guidelines and reliable data on advisory committees. It felt that with good uniform management procedures, such committees would be established only when they were essential and would be terminated when they no longer fulfilled a useful purpose. The Congress assigned oversight responsibilities to itself; the President; and the Director, Office of Management and Budget (OMB); it assigned management responsibilities to heads of executive agencies.

The act defines an advisory committee as:

"Any committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or subgroup which has been established by statute or reorganization plan, established or utilized by the President, or established or utilized by one or more agencies in the interest of obtaining advice and recommendations * * *."

The act excludes the Advisory Commission on Intergovernmental Relations, the Commission on Government Procurement, and any committee composed wholly of full-time Federal employees. Also excluded are the Central Intelligence Agency, Federal Reserve System, and certain State and local groups.

The act sets out the following responsibilities:

- The Congress must continually review the committees under its jurisdiction.
- The President must issue an annual report describing committee activity in the preceding calendar year.
- The Director of OMB must make a comprehensive annual review; issue administrative guidelines and management controls; and provide advice, assistance, and guidance to committees to improve their performance.
- The agency heads must establish administrative guidelines and management controls, designate a committee management officer (CMO) to supervise and control

the establishment of committees, and assemble data on committees.

Section 9 of the act requires that no advisory committee be established unless it is (1) specifically authorized by statute or by the President or (2) determined to be in the public interest by the head of the agency involved, after consulting OMB. Section 14 of the act requires that committees be terminated after 2 years unless the President or an agency head decides to renew them. (Statutory committees, whose durations are provided by law, are not bound by this requirement.)

To carry out its responsibilities under the act, OMB established the Committee Management Secretariat (CMS). OMB is responsible for concurring or not concurring with the agency heads' request for establishing or renewing a committee. It is also required to make an annual comprehensive review of all committees to identify those which should be abolished. To implement the act, OMB issued Circular A-63 to provide guidance to the agencies.

All the agencies we visited have issued committee management guidelines to implement the act. All have appointed CMOs to control and supervise the committees in their respective subcomponents. The CMOs, the main contact for OMB, are responsible for maintaining information on their agencies' committees and overseeing the preparation and submission of the data for the comprehensive review and the President's annual report.

To evaluate individual agencies' responsiveness to the act's requirements, we reviewed operations at OMB and at five executive agencies: the Department of Health, Education, and Welfare (HEW); the Department of the Interior; the Department of Commerce; the National Science Foundation (NSF); and the Environmental Protection Agency (EPA). These five agencies accounted for 573 (45 percent) of the 1,267 committees in existence on December 31, 1975.

DATA ON ADVISORY COMMITTEES

Because of its available personnel, the General Services Administration was made responsible for compiling the data for the President's annual report. The 1975 report showed a growth in both number and cost of committees, as shown below.

	<u>Calendar year</u>	
	<u>1974</u>	<u>1975</u>
Number of committees (as of Dec. 31)	1,242	1,267
Staff-years of Federal support	1,076	1,359
Cost	\$42,380,636	\$51,769,400

Obviously, attempts to reduce the number and cost of committees are making little headway.

In 1974, 239 committees were created while 299 were terminated--a net loss of 60 committees. Termination was accomplished in three ways: 20 committees were merged, 112 were abolished, and 167 were allowed to expire. At year's end, 1,242 committees still existed. In 1975, 272 committees were created and 233 were terminated--a net gain of 39 committees. Termination was accomplished as follows: 5 were merged, 101 were abolished, and 127 expired. However, the 101 abolishments included 52 similar committees abolished by one agency. At year's end, there were 1,267 committees--25 more than in 1974.

GAO AND AGENCY INTERNAL AUDITS OF ADVISORY COMMITTEES

We have issued several reports on advisory committees. One, "Better Followup System Needed on Recommendations by Study Commissions in the Federal Government" (RED-76-33, Dec. 4, 1975), addressed the immediate need for a system which would establish and fully follow up on study commissions' reports and recommendations. It stated that OMB should provide the leadership in evaluating such recommendations. (See app. I.)

A January 26, 1976, report (MWD-76-79) noted that HEW's Alcohol, Drug Abuse, and Mental Health Administration used 18 unchartered committees (see p. 23) to perform essentially the same functions of chartered committees.

An August 2, 1976, report (EMD-76-5) noted that the Federal Energy Administration's (FEA's) committees were functioning according to requirements. However, we noted several problems inhibiting committee effectiveness. More than half the members interviewed stated their committee was ineffective or marginally effective. Some members said FEA had not adequately considered committee

recommendations and had not informed their committee on FEA action planned in response to committee recommendations. In addition, some members said that their committee had not discussed all major energy issues within the committee's scope.

The internal audit staffs of the five agencies we reviewed have not audited committee activities. However, both NSF's Office of Internal Audit and EPA's Office of Management and Evaluation plan to review committee activities in fiscal year 1977.

CHAPTER 2

EVALUATIONS NOT IDENTIFYING

ALL USELESS COMMITTEES

The lack of objective criteria for establishing and evaluating committees is causing OMB and the agencies difficulties in determining whether many of these committees are really needed.

Several "evaluation indicators" that could help solve this problem by providing data on committee activity and productivity are: (1) number of committee meetings, (2) support costs incurred, (3) committee age, and (4) reports and recommendations issued. Although this list is not all-inclusive and by itself does not present a total picture of a committee's worth, its use should lead to a more comprehensive and qualitative analysis of committee activities by both OMB and the agencies.

COMMITTEE EVALUATIONS AND THE ASSOCIATED PROBLEMS

An agency interested in establishing a new committee sends a letter of consultation to OMB for concurrence. Likewise, at renewal time, agencies send a consultation letter accompanied by an information package delineating the committee's past activities and accomplishments. This renewal process is conducted biennially as required by the act.

When OMB makes its annual comprehensive review of each committee, it tries to determine whether the committee

- has carried out its purpose,
- needs revised responsibilities,
- should be merged with another, or
- should be abolished.

The annual comprehensive review is implemented through OMB Circular A-63. The circular makes the agencies responsible for making the basic evaluation of all committee activities (the comprehensive review "justification") and the decision of whether a committee is useful enough to be continued. OMB maintains responsibility for overseeing and reviewing the agencies' written evaluations. On the basis of this review, OMB is to recommend to the President

and to either the agency head or the Congress actions that should be taken to improve committee management. However, our review showed that no such recommendations were ever made.

OMB "recommends" because it cannot, under Public Law 92-463, terminate, abolish, or prohibit the establishment of advisory committees. However, an OMB official pointed out that OMB has a "perceived power" which the agencies have elected to respect. When OMB has disapproved establishing or renewing a committee, the agencies have always complied. According to this official, the law restricts OMB's authority, but agencies would not defy OMB's decisions because of repercussions.

Only agency-established committees must have an establishment request. As provided by the act, statutory and Presidential committees have only to submit a charter; therefore, they are not evaluated and do not have to justify their establishment. However, OMB officials said that, theoretically, these committees are still subject to renewal and comprehensive reviews; but they added that actually these committees receive little attention from OMB.

Both agency officials and OMB hesitate to request abolishing Presidential and statutory committees, because such committees can be terminated only by an executive order or legislation. All other committees, under the 2-year limitation provision of the act, can be terminated if the agencies do not request their renewal, either with or without OMB's recommendation to do so.

However, terminating even these committees can be difficult. One OMB official said that, in a recent case, convincing an agency to terminate a committee required extensive negotiations and documentation and took about 10 working days. He felt that, because of his workload, 10 days was excessive.

If OMB approves a request for establishment or renewal, it so informs the agency orally; if not, it usually sends a letter of nonconurrence. Among the reasons OMB gives for nonconurrence: (1) a proposed committee is not consistent with the agency's role, (2) a proposed committee will duplicate activities of others, or (3) an established committee has accomplished its objectives.

During 1974, OMB sent no letters of nonconurrence. In 1975, it sent only four letters denying establishment and none denying renewals. Between January 1 and May 11, 1976, OMB sent seven letters denying the establishment of 10 committees and two letters denying renewals for 2 committees. In addition, some agencies, because they preferred to, received nonconurrence decisions orally. Officials at three of the five agencies we visited estimated that, from January 1974 to May 1976, they received 27 oral nonconurrences--25 of these were in one agency.

Since 1975, establishment and renewal requests, and comprehensive review justifications have been sent to OMB budget examiners for evaluation. These evaluations are usually brief, since committee affairs are not a high priority and the examiner's main responsibility is analyzing agency programs. Further, some examiners' reviews are less comprehensive than others'. For example, for the four budget examiners we interviewed, the annual time spent reviewing committee requests (establishment and renewal) and annual review justifications ranged from 3 to 10 days.

The budget examiners told us their reviews are based on personal knowledge of the agency's needs, its role, and the priority of programs being implemented. Their main source of information on committee activities is agency justifications, although they can ask agency program officers for further details. They can also examine committee reports, attend meetings, and contact committee members (except, of course, in the case of an establishment request).

The comprehensive review consists of answering a set of questions provided by OMB. The program officials collect and prepare the justifications that division directors and other top officials later review to insure conformance with agency policy and needs. Two common justifications for committees' existence are that they are (1) a source of expertise and (2) a contact point for outside groups. Established committees with little or no activity are sometimes justified on the basis of future usefulness and need.

OMB made its second comprehensive review in November 1974. (The first review was made in July 1973.) The agency justifications for the second comprehensive review varied widely in scope and detail, but in most cases they were not sufficient for OMB to accurately appraise whether a committee should be continued or abolished. Nor did OMB--with the data that was submitted--make an analysis,

produce a summary or report, or make recommendations regarding overall committee activities. In short, agencies received no constructive feedback from OMB on their committee activities. For this reason, officials at four of the five agencies reviewed by us questioned the purpose and need for an annual comprehensive review.

To improve its annual comprehensive review, OMB changed the procedures and timing for submitting agency data for 1975. First, Circular A-63 was revised to provide new instructions which emphasized that OMB's comprehensive review was to be a qualitative analysis of each committee. These instructions also attempted to improve the quality of agency submissions by outlining the information required for the OMB comprehensive review. Second, the timing of the review was changed from November to April for three basic reasons:

1. Agencies could prepare the annual report and comprehensive review material simultaneously, since the annual report material is due on March 31 to the Congress.
2. OMB could have the quantitative data from the annual report before performing its qualitative analysis of committee operations.
3. OMB budget examiners could fully participate in the review process because the review was moved from the middle of the budget cycle.

Additionally, OMB is setting up a computerized information system to help spot duplication of activities by similar committees at different agencies. The CMS staff was also increased to its present level of four positions to permit a more detailed review and improve overall management. (We could not evaluate the effectiveness of all these changes because the 1975 comprehensive review had not been completed before we finished this report.)

Agency justifications for 1975 were improved over those of the previous year. However, most of the five agencies' justifications were still too general and sketchy for OMB to accurately appraise a committee's usefulness.

According to one agency CMO, his agency tried to expand its 1975 annual review process by holding review meetings involving the department CMO and program officials. At these meetings, the officials explained their justifications for continuing committees. The agency

invited OMB budget examiners and CMS officials to these reviews so they could become more familiar with the committees' activities. We attended three of these reviews ourselves. However, they seemed to be more of a forum for explaining the committees' activities, rather than a critical look at the need to continue committees. No other agency had tried this procedure.

USE OF SYSTEMATIC EVALUATION CRITERIA NEEDED

OMB has provided only limited guidance on the criteria that should be used to determine if a committee warrants continuation. As a result, neither OMB nor the agencies have systematically and consistently used objective criteria to help evaluate committees. Using the evaluation indicators would at least help in determining whether committees should be established or renewed.

Section 7 of the act requires OMB, after making the comprehensive review, to submit recommendations to the President and to either agency heads or the Congress concerning any action that should be taken. In 1974 OMB issued no such recommendations; however, for 1975 it had begun to provide feedback to the agencies on questionable committees.

The act further states that the head of an agency, after consulting with the OMB Director, must determine as a matter of formal record whether a committee is "in the public interest." However, the act does not specify what the criteria are for such a determination, and OMB has not clarified the situation despite the fact that it issued Circular A-63 as a guide.

The circular states that advisory committees should be essential--if not, they should be terminated. It contains nine factors (such as number of meetings and reports) which the agencies must consider in making their reviews. The problem is that the agencies respond to the factors but do not consider them integral to committee evaluation. An OMB official agrees that neither OMB nor the agencies have used these factors to develop objective criteria for evaluating committees. He added, however, that developing such criteria is difficult because of the variety of committee types and activities.

At the agencies we visited, CMOs said that they do not have the authority or expertise to decide whether to continue or terminate a committee. Their only basis for termination was the information submitted by program

officials. In addition, as stated, no agency we visited has used its internal audit staff to independently review committee operations. Therefore, division directors and program officials have to evaluate the effectiveness of their own committees and decide whether they should be continued, merged, or abolished.

One OMB budget examiner told us he tried to develop objective criteria--"workload projections"--to help him make an accurate determination. His is the only attempt we have seen to introduce some objective quantitative analysis into the review process.

Like OMB, four of the five agencies have not tried to develop objective evaluation criteria. The one agency that has tried has guidelines that recommend abolishing or converting committees which have not been staffed for 1 year or have not met for 2 years. The other agencies felt that these two factors are not accurate measures of committee usefulness.

The need for better evaluation is shown by the following committees, which have been allowed to continue year after year.

Example 1--An agency-established committee was set up in January 1973 and renewed in January 1975. However, in 1974 this committee never met, produced no reports, incurred only \$320 in costs, and had only 0.11 agency staff-years of support. And in 1975, the committee never met, produced no reports, incurred no costs, and had no staff support.

Example 2--A Presidential committee was established in April 1972 and renewed in January 1975. In the past 4 years, it has not met, prepared any reports or recommendations, incurred any costs, or used any Federal staff support. In 1976 the agency recommended to OMB that the committee be eliminated.

Example 3--A statutory committee was established in 1972 and renewed in 1974. During the past 2 years it has not met, produced any reports or recommendations, incurred any costs, or

used agency staff support. In 1976 the committee started to meet.

Example 4--Two statutory committees were established in 1970 and renewed in 1975. During the past 2 years the committees have never met or prepared any reports. In 1974 neither incurred any costs or staff support. In 1975 one did incur \$10,000 and 0.5 staff-years of support. One committee was terminated on December 2, 1976, while the other had begun to meet in the spring of 1976.

OMB, in commenting on our report (see app. V), stated that only one of these committees could have been terminated by unilateral agency action (three required congressional action, one Presidential). It stated that despite this, in each instance, the agencies and OMB did question the committees' inactivity, explain it, and take appropriate actions. OMB added that rather than indicating a need for a different process, the examples appear to illustrate that present procedures do provide for a meaningful evaluation of committees.

We believe, however, that the examples demonstrate that, even though OMB and the agencies in their annual reports on committee activities disclosed the inactivity of these committees over several years, no action was taken to terminate them. Therefore, the examples demonstrate the need for agencies and OMB to not only report inactivity but to more closely look at committee activity and terminate the useless ones.

Committees should not be established and retained in anticipation of future use but should only be used when there is a demonstrated need. When committees are established by congressional or Presidential action and are inactive, then appropriate steps should be taken to terminate them.

Presently, evaluation is based on the principle of shared responsibility by OMB and the agencies. The agencies can and should make the basic determination of whether to continue or terminate a committee. However, OMB can best oversee and question the need for a committee and provide the basic format for all agencies to follow during the review process, because it has responsibility over budget activities. Because of this

shared responsibility, OMB and the agencies must work together to develop objective criteria for evaluating committees.

Proposed evaluation indicators

Evaluation indicators, used together, could provide a basis for a consistent and systematic evaluation process and help determine whether a committee is fulfilling its purpose. The indicators are not all-inclusive and, of course, do not present a total picture of a committee's worth. They are only a mechanism to "flag" those committees which need to be scrutinized. But their use should lead to better committee evaluation by both OMB and the agencies.

The information for the indicators could be readily obtained from the responses to OMB's nine factors. (See p. 9.) However, effective use of such indicators requires the full commitment of both OMB and the agencies. The proposed indicators are:

1. Committee meetings.
2. Budgeting and staff support.
3. Committee age.
4. Reports and recommendations.

These indicators can be easily quantified. They also lend themselves to a qualitative analysis of committee activities, especially when used with two other factors: committee purpose and committee alternatives. These will all be discussed in the following pages.

Using the four indicators, we identified committees that would warrant further investigation. (Apps. II and III indicate the results for the five agencies visited and all other Federal agencies for 1974 and 1975.) In both 1974 and 1975 the five agencies visited had a lower percentage of questionable committees than all the other agencies combined. However, no significant improvement was made from 1974 to 1975 for either the five agencies or the others.

For both years, statutory committees had a higher percentage of committees with no meetings and no reports than Presidential or agency-authorized committees. For 1974 statutory committees had a higher percentage of committees over 10 years old, but in 1975 agency-established committees had a slightly higher percentage.

The 1975 figures indicate that, of all committees, 26 percent had no meetings, 59 percent had no reports, and 36 percent were over 10 years old. This is a slight improvement over the 1974 figures; however, the figures still show that many committees need to be scrutinized further.

The following pages explain the use of the indicators and give examples of how we used them in the five agencies visited, as well as in other Federal agencies using advisory committees.

Committee meetings

The annual report data shows the number of meetings held during the previous year. We believe that, if a committee held no meetings, it may well be inactive and perhaps should be terminated. Also, a committee which holds one or two meetings, when six or seven are scheduled as necessary, could be considered fairly inactive and perhaps not very useful. In either case the committee should be investigated further, to find the reason for its inactivity and to determine if it should be abolished.

For example, an agency we visited had statutory committees with the following records:

	<u>Number of committees</u>	<u>No meetings</u>	<u>One meeting</u>	<u>More than one meeting</u>
1974	55	15	5	35
1975	61	12	8	41

An agency we did not visit had the following record with its statutory committees:

	<u>Number of committees</u>	<u>No meetings</u>	<u>One meeting</u>	<u>More than one meeting</u>
1974	60	53	3	4
1975	57	53	1	3

At another agency visited, many agency-established committees showed little activity for the past 2 years:

	<u>Number of committees</u>	<u>No meetings</u>	<u>One meeting</u>	<u>More than one meeting</u>
1974	57	10	11	36
1975	105	37	50	18

Although these figures may include newly established or abolished committees, some committees clearly deserve more scrutiny.

Budgeting and staff support

The annual report provides the annual cost and staff-years of Federal support for each committee. Some committees have no or very negligible staff and budgeting support, which could indicate a lack of agency commitment to the committee and its activities, or a shift in priorities. It may be desirable to abolish such committees and explore alternatives when public input and advice is needed.

For example, an agency we visited had the following cost and staff support figures for its agency-established committees:

Year	Number of committees	Cost			Staff support		
		\$0	\$1 to \$2,000	\$2,001 and higher	No staff-years	Less than one-half staff-year	More than one-half staff-year
1974	43	0	5	38	0	40	3
1975	50	10	1	39	10	37	3

An agency we did not visit had the following cost and staff support figures for its agency-established committees:

Year	Number of committees	Cost			Staff support		
		\$0	\$1 to \$2,000	\$2,001 and higher	No staff-years	Less than one-half staff-year	More than one-half staff-year
1974	38	18	6	14	18	7	13
1975	27	9	8	10	9	17	1

Cost figures are usually questioned only when a committee's activities are used to justify large expenditures. Negligible staff support and other costs are rarely questioned, although they could be important in indicating committee usefulness and need.

Officials of one agency believe that the existence of a committee that is not incurring any staff support and other costs is not a problem, because it does not harm or cost the Government. However, the Comptroller General disagreed in 1970 hearings, when he stated:

"One of the more significant problems is in the danger of committees being permitted to remain in existence beyond their usefulness. If the continued existence of a committee serving no useful purpose involves staff and operating expenses, then an obvious waste of funds occurs. Even if continuation is in name only, involving no staff or expenses, it is undesirable merely because of the confusion it creates both in Government and in the minds of the public * * *." (Underscoring added.)

A committee, when created, should be given sufficient staff and funds to effectively carry out its activities. However, the above examples and appendixes II and III indicate that some committees may lack such support.

Committee age

The annual report also lists committees' creation dates. Old committees could be questioned as to (1) whether their advice is still needed and (2) if it is, whether such expertise should be made a permanent part of the agency, by hiring qualified personnel. According to the overall figures for 1974 and 1975, over one-third of the committees are over 10 years old.

Two of the agencies visited had the following breakdown for 1974 and 1975 agency-established committees:

<u>Agency A</u>	<u>Number of committees</u>	<u>Over 10 years old</u>
1974	305	82
1975	282	83
<u>Agency B</u>	<u>Number of committees</u>	<u>Over 10 years old</u>
1974	57	26
1975	105	35

An agency we did not visit had an even higher percentage of agency-established committees over 10 years old.

The breakdown was as follows:

	<u>Number of committees</u>	<u>Over 10 years old</u>
1974	138	86
1975	125	74

Further analysis of older committees could show that some have become perpetuated and are continued not because of their contributions, but because of tradition.

Reports and recommendations

The annual report lists written reports submitted by the committees during the year. This is to provide quantifiable committee output. The five agencies' 1974 and 1975 annual reports show that 64 percent and 59 percent, respectively, of the committees did not produce a report.

Agency officials, however, assert that many committees perform valuable services without publishing a report. Therefore, they believe that the number of reports alone should not be used to measure committee output. We agree; measuring committee output could be better accomplished by considering the number of reports and the number of formal recommendations. Such recommendations could include formal committee resolutions, letters to the agency listing recommendations, consensus advice given in summary form, or other written formats, all of which would be "hard evidence" of committee advice.

Besides making a quantitative analysis, agencies should perform a qualitative analysis of such reports and recommendations. Such an analysis could include (1) who initiates the recommendations and (2) how the recommendations are disposed of procedurally.

Recommendations should be classified as to whether they are initiated by the agency or by the committee. If most recommendations are initiated by the agency, the agency may be doing most of the work, and the committee may be merely approving predesignated agency decisions. If most recommendations are initiated by the committee, it may indicate that the committee is productive and independent.

Procedurally, the agency should indicate who requested the committee's advice and to whom the ensuing recommendations are directed. Also, it should indicate the responsible officials involved in accepting, commenting on, and implementing the committee's recommendations.

The agency must show how the committee's advice and recommendations were used in agency decisions. The agency should indicate whether the committee recommendations were timely, how they were acted upon, and whether both the agency and the committee were satisfied with the quality of the recommendations and the responses, respectively. A prior report of ours also discussed these ideas. (See app. I.)

Other factors

Besides the indicators mentioned above, there are two other factors which, although not easily quantified, could provide essential information for a qualitative evaluation. First, the committee's purpose--when incorporated into the agency's review--should be clearly stated, along with how and when it will be accomplished. (Committee charters do contain a statement of purpose, but the language may be so vague that it is meaningless.) Second, an evaluation should include information about what alternatives other than committees are available for accomplishing the same objectives and why those alternatives are not being used.

By using the second factor, agencies could introduce a kind of cost-benefit analysis to committee activities. Committee costs can already be computed from the staff-years and expenditures shown in the annual report; benefits, though, are extremely difficult to obtain and must be determined subjectively. However, agencies could still ascertain a committee's worth by asking such critical questions as:

- Could the agency secure the same quality of advice from different sources more cheaply?
- How does the committee affect agency decisions?
- How else could the agency use the funds and staff allocated to the committee if it did not exist?
- Could these funds and staff be better used in other ways?
- To what extent does the agency seek the committee's advice?
- What type of activity is the committee performing? Is it merely rubberstamping agency decisions, or is it contributing substantially to agency programs?

OMB and the agencies have failed to systematically and objectively evaluate committees. The indicators and factors described in this section, if used systematically, should help "weed out" useless committees.

CHAPTER 3

BETTER LEADERSHIP AND

GUIDANCE POSSIBLE

The Federal Advisory Committee Act directs the Office of Management and Budget and the agencies to prescribe administrative guidelines and management controls applicable to advisory committees. The act states that committee management should be governed by uniform standards and procedures. Even though OMB has issued standards and guidelines, it has failed to provide the effective leadership and adequate guidance necessary to insure implementation. In addition, the agencies we visited have not provided adequate guidelines for their own personnel.

OMB's and the agencies' lack of guidance and enforcement has led to the following managerial failures and inconsistent committee standards and procedures:

- Because of uncertainties about which types of committees fall under the act, some agencies may charter certain committees while others may leave them unchartered and thus beyond the reach of OMB and the act.
- Incompatible cost figures--the result of inconsistent cost computation methods--make it difficult for the Congress and OMB to evaluate a committee's cost effectiveness.
- Charters, which can be an instrument for agency accountability, are written in general terms.
- A report--a quantifiable measure of committee productivity--is defined differently among and within agencies.
- No established procedures for evaluating and following up on committee recommendations have been developed, except for Presidential committees (as required by the act).

Agency officials complain about inadequate OMB guidance, while OMB officials say the agencies are ultimately responsible for committee management. We believe that both OMB and the agencies must exert more administrative leadership. OMB should insure that uniform Government-wide committee procedures are maintained. The agencies must strongly enforce these procedures through specific and

consistent guidelines and oversight. Unless these guidelines are improved and implemented properly, the inconsistencies we found among and within the five agencies will continue to exist.

ADEQUATE DEFINITION NEEDED FOR SUBGROUPS AND AD HOC GROUPS

OMB guidelines are unclear about the status of subgroups and ad hoc groups, causing inconsistent decisions among agencies on whether or not to charter a committee. Additionally, agencies have failed to adequately oversee and guide their personnel regarding the formation of subgroups and ad hoc groups.

Subgroups

Although the act includes subgroups within its committee definition, OMB's Circular A-63 does not expand on the act's definition. OMB, however, does have an informal working definition to determine if a subgroup requires a charter separate from the parent committee. Subgroups with any of the following characteristics have to be chartered separately:

- Membership different from the parent committee.
- A function different from or additional to that of the parent committee.
- The capacity for independent action.

But, since OMB has not formally communicated this definition to the five agencies we reviewed, they have developed their own criteria for subgroups.

Three agencies' committee management guidelines state that any proposed subgroup having a member who is not on the parent committee must be separately established. One agency further distinguishes between formal subgroups having the characteristics of an advisory committee and informal subgroups having some or none of the characteristics. The latter do not have to be chartered or adhere to the act's provisions.

A fourth agency emphasizes that subgroups should be separately chartered, not if their membership differs, but if they possess the following characteristics: specific membership, defined purpose, periodic meetings, and an organizational structure. The fifth agency's

guidelines merely state that the act applies to subgroups, without any further explanations or breakdowns.

A key distinction made by OMB between a subgroup that should be chartered separately and one that should not be is whether the subgroup has committee members not on the parent committee. However, one agency creates subgroups with one or more committee members and a number of hired consultants who are not considered "outside members." OMB and agency officials said the main distinction between a consultant and an outside member is their title, since they often do the same things for the same pay.

According to an OMB official, the agencies are responsible for classifying the individual as a consultant or outside member. For example, one agency separates members not on the parent committee into two categories: consultants and outside members. The agency's general counsel believes that a subgroup composed of one parent committee member assisted by consultants need not be individually chartered and cannot be regarded as a subcommittee. His rationale is that the subgroup is neither a wholly new committee nor a regular subcommittee composed wholly of parent committee members. It is merely an extension of the committee through the use of consultants, and the law does not restrict the number of consultants who may work with a committee.

As a result of the general counsel's opinion, the agency has established 37 subgroups, according to the unit official, each having from two to four consultants. Although the agency gives public notice of meetings between committee members and consultants, such extensive use of consultants could easily lead to committees' getting surreptitious advice, violating the openness and full disclosure intent, if not the letter, of the act.

One agency occasionally uses fact-finding study panels, in addition to regular subcommittees, to gather information for a chartered parent committee. These panels are usually staffed by parent committee members and consultants. The agency's general counsel has decided that these panels do not have to be chartered separately because they are only fact-finding groups and do not provide advice or recommendations. Consequently, they do not have to announce their meetings or adhere to any other provisions of the act.

We recognize the legal distinction made by the agency's general counsel but believe that a definite possibility for abuse exists. The major problem is the difficulty in distinguishing between advice and fact finding and in assuring that study panels merely provide facts. For example, one of the agency's committees had several study panels providing facts in the form of advice, thus overstepping their purpose.

Similarly, at another agency visited, one operating unit had a committee using a subgroup which was not separately chartered, because its purpose was fact finding. This subgroup comprised members not on the parent committee and held meetings without publishing notices. The rationale for not chartering the subgroup was the same used by the agency with the study panels. However, when we questioned the existence of this subgroup, the agency decided that such a fact-finding subgroup could fall under the act. The subgroup has since been eliminated and open hearings will be used instead.

An OMB official agreed that chartering fact-finding committees is a gray area because of the difficulty in separating advice from fact finding. He said that he was unaware of the agency's use of study panels but that, in any case, the Department of Justice must finally determine whether they should adhere to the act.

We believe that OMB should provide, in its guidelines, a definitive list of which subgroups should adhere to the act. This would help insure uniform interpretation and reporting throughout the Federal Government.

Ad hoc groups

OMB Circular A-63 provides no guidance on the status and chartering of ad hoc groups--defined only as committees lasting less than a year--but does require the agencies to report such groups in their annual report material. Lacking adequate OMB guidance, two of the five agencies visited did not furnish their operating units with detailed procedures on ad hoc groups. As a result, operating units varied in their chartering and reporting of ad hoc groups.

Three of the agencies we visited included in their guidelines some clarification of the status of ad hoc groups. One agency's guidelines indicate that ad hoc groups are covered by the act if they have a fixed membership and periodic meetings. The other two agencies' guidelines include ad hoc groups within their definition of an advisory committee. They do not, however, distinguish

between an ad hoc group that meets once and one that meets periodically.

Because of one agency's unclear ad hoc group guidelines and weak oversight, its operating units interpret ad hoc group chartering and reporting requirements differently. For example:

An operating unit official stated that even a one-time ad hoc meeting should be chartered to insure that public notice is given. To avoid a possible misunderstanding about the need to charter one-time meetings, this operating unit's policy is to convene a meeting of one of its standing committees. The desired specific topic is discussed at this meeting and the public is invited to participate. However, another operating unit's guidelines state that "ad hoc groups * * * called to meet once or twice to provide advice and counsel on a specific plan or program" need not be covered by the Federal Advisory Committee Act. Consequently, a number of similar meetings, which would have been publicly announced by the other operating unit, take place within this unit without the public's knowledge and OMB's oversight.

Lack of agency criteria and oversight regarding ad hoc groups has also resulted in discrepancies within another agency's operating unit. The agency's guidelines include ad hoc groups within its definition of a committee but do not specify whether one-time meetings or periodic meetings should be chartered. However, the agency CMO explained that, even if a group meets only once to provide a consensus of advice, that group should be chartered as a committee. An operating unit's CMO, on the other hand, indicated that ad hoc groups need not be chartered unless they hold regular meetings and have a regular membership. Such differences in interpretation should be resolved.

Other groups

A particularly troublesome situation exists at one operating unit, concerning committees serving programs not included in the President's budget. This unit requested OMB approval in establishing these committees; however, OMB denied approval mainly because it did not want to be culpable for establishing committees that would serve programs not in the President's budget. OMB did say that if these programs were approved by the President, such committees would be considered for chartering. This statement, however, did not resolve OMB's conflict with the unit.

Partly as a result of this conflict, the unit maintained and used 18 unchartered committees through fiscal years 1974 and 1975. These committees reviewed 46 percent of the agency's grant proposals during calendar year 1975, but were never reported in the President's annual report and never adhered to the act's provisions. Thus, the operating unit was violating the act in fiscal years 1974 and 1975. However, the unit officials said that since February 1976 OMB has concurred in the chartering of 11 new initial review groups, and, at the present time, all charters being requested by the department on behalf of the unit are getting OMB approval.

Due to its conflict with OMB, the above-mentioned unit is using groups made up of consultants to review many of its grants. Because these groups consist of consultants, the agency feels it does not have to charter them or see that they adhere to the provisions of the act. Agency officials say the groups' meetings are merely staff reviews in which the consultants give their individual opinions.

The use of such groups in the operating unit is extensive, and even one of the unit's officials questions such use, saying it produces lower quality reviews and undermines the accountability standards intended by the act. Also, these groups' use of consultants could be violating the intent, if not the letter, of the act. Therefore, they should be chartered or terminated as soon as possible.

OMB should develop stringent and uniform guidelines on both subgroups and ad hoc groups, emphasizing that such groups should not be used to circumvent the act, unwittingly or otherwise. A standard definition can insure that agency guidelines are consistent.

CLEAR AND SPECIFIC COMMITTEE CHARTERS ARE NEEDED

Our analysis of committee charters indicated that the statements about a committee's purpose are vague. Also, the charters fail to specify the amount of time needed by a committee to accomplish its objectives.

OMB requires that agencies terminate a committee when it is no longer fulfilling its purpose. The charter is the basic document describing that purpose. However, some charters do not specifically describe the committee's mission. Hence, we believe that neither OMB nor the agencies'

CMOs can determine precisely what a committee's purpose is and when a committee is no longer fulfilling that purpose.

The act requires the agencies to include in the charters the amount of time the committee needs to fulfill its purpose. Only one agency reviewed included such information in its charters. However, a closer examination of one of that agency's bureaus showed that 47 of 48 charters stated that the committees would exist for an "indefinite duration." In another bureau, 21 of 31 charters had similar statements. All other agencies used the automatic 2-year lifespan between renewals as the time needed by the committees (except ad hoc groups).

The agencies should use more exact estimates of committee lifespans. The only estimate that should be difficult is for grant and proposal review committees, because of their continuing function. However, even these committees should not be considered "immortal."

The committee charter should not be a mere formality, but a tool for agency accountability. It should also be a document that provides the Congress, OMB, and the public with essential and accurate information on committee activities. OMB should require that agencies be specific in outlining a committee's purpose, because a vague purpose is confusing and provides no information to measure a committee's usefulness. OMB should also insure that the agencies include in committee charters the estimated time a committee needs to accomplish its purpose. This would force the agencies to think of committees as temporary rather than permanent bodies.

COSTING PROCEDURES NEED IMPROVEMENT

The costs the agencies provide for the President's annual report and OMB's comprehensive review are incomplete and not comparable. The report and the review require agencies to submit the costs attributable to each committee. In the annual report forms which are used in the comprehensive review, OMB recommends several cost items that must be considered; however, nowhere does OMB give a standardized method for computing the costs. Agencies have also failed: first, they provide no standardized method for program officials to use in computing committee costs and, second, they are not insuring that CMOs carefully review and question whatever cost calculation methods the program officials end up using.

The OMB guidelines say nothing about including the agency administrative overhead costs as part of committee

costs. Nor is the present annual report form designed to capture such costs; it requests only Federal staff support and total committee costs for each committee. Not including administrative overhead costs as part of committee costs could result in cost understatements at large agencies. The following chart describes, by staff-years and grade level, the administrative overhead costs for the five agencies visited. According to the data provided us, about 58 staff-years (73.33 staff-years less 15.35 staff-years) of Federal support in time and costs were not included in the President's annual report for calendar year 1975.

Committee Management Staff-Years by Grade Level

Agency	General Schedule Grade														Total	
	16	15	14	13	12	11	10	9	8	7	6	5	4	3		2
NSF	.08					1.0									1.0	1.08
EPA				1.0	1.0							1.0				3.0
Commerce (note a)		1.0	.25	0.5	1.0	1.0		.50		.50	.50		.50			6.75
HEW (note a)		1.05	1.0	3.8	2.95	3.35	2.65	11.75	2.25	4.80	5.25	11.35	7.5	2.0		59.40
Interior (note b)	.10		1.80							.20		1.0				3.10
Total	.18	2.05	3.05	5.3	4.95	5.35	2.65	12.25	2.25	5.50	5.75	13.05	8.0	2.0	1.0	73.33

a/Includes both Commerce's Bureau of Census and HHS's Food and Drug Administration committee management costs, which are included in the General Services Administration form. The Federal staff support for these two operating units totals 15.35 staff-years.

b/Includes only department level and bureau of Land Management committee management cost.

The costs reported by the various committees within all the agencies fell into such categories as:

- Direct costs only. Includes salary, travel, and per diem allowances for committee members. Also includes travel and per diem for Federal employees.
- Direct costs plus an estimate of agency staff time devoted to committees.
- Direct costs plus calculated staff time and agency overhead.

Many costing variations existed within agencies. In one agency, costs were consistently computed to include only direct costs, not Federal staff support costs. Therefore, its cost figures were incomplete. An agency official said that the Federal staff support costs were not included because determining how much time a staff member devoted to committee activities was difficult.

Lack of clear guidelines and CMO oversight has produced different computation methods at the five agencies visited. Following are several examples:

1. Cost figures are not consistent or comparable. One committee includes direct costs but excludes 2.5 staff-years of Federal staff support costs. Another committee includes all direct costs plus an estimate of staff support costs.
2. One operating unit's committees include direct costs, staff support costs, and an overhead factor for the entire operating unit. Another operating unit's committee includes direct costs and an estimate of staff time devoted directly to committee activities.
3. One operating unit, recognizing the inadequacies of past reporting practices, has developed a standard method for all its committees which accounts for both direct and indirect costs. The operating unit's budget analysis section reviews all the cost data. Another operating unit within the same agency includes only direct costs and a staff support cost estimate.

Agencies said they had no trouble computing direct costs, such as committee members' salary and per diem, travel, and consultant fees, because they were easily accountable. However, as shown by the above examples, agencies did have trouble estimating Federal staff support costs because of the difficulty in separating committee activity staff time from staff time spent on other duties.

Agencies' inability to accurately determine staff support not only provides a misleading figure on Federal staff time spent on committee activities, but also affects the cost data. In most cases, the figures in the annual report and comprehensive review data are not the best estimates of the Federal staff support costs necessary to manage committee activities.

A STANDARD "REPORT" DEFINITION IS NEEDED

The lack of a standard definition of "report" results in inaccurate and misleading figures being included in both the annual report and comprehensive review. Although OMB requests information on the number of reports issued by a committee, it has never defined "report." The agencies have been left to develop their own definition. As a result, there are inconsistent definitions and inaccurate counts of reports among and within agencies.

As noted earlier, the number of reports issued is an indicator of a committee's productivity and usefulness. It is also a basis for comparing committees, but an inconsistent or nonexistent definition makes such comparisons difficult.

For example, one agency we visited requires that all the operating units' committees submit brief annual summaries of their activities; the agency then counts these as committee reports when compiling the annual report and comprehensive review material. However, another agency also requires these summaries but does not consider them to be committee reports. Two other agencies consider only formally published documents as reports, while another includes in its definition of report the act's required "Annual Closed Meeting Report" and formally published documents sent to the head of the agency. Such discrepancies can only confuse OMB, the Congress, and the public when they compare the output of committees from various agencies.

The discrepancies are not just among agencies, however, they also abound within agencies. Only two of the five agencies we visited provided their personnel with a standard definition of a report. But since they do not enforce the use of that definition, these two agencies have just as much internal confusion over what a report is as the agencies that have no definition.

For example, one agency's committee management guidelines define committee reports as "specific subject reports" which are "issued, made, or approved by any department advisory committee." These reports, according to the agency CMO, are the only ones that should be noted in the annual report and comprehensive review. One of the agency's operating units does follow these guidelines in computing the number of its committees' reports. However, another operating unit does not; it includes minutes of meetings as reports. Had it adhered to the guidelines, this operating unit would have issued zero--instead of 40--reports in 1975.

In another agency, whose committee management handbook does not formally define a report, varying interpretations have been made by and within its operating units. Within one operating unit, a committee's recommendations and the operating unit's feedback are considered to constitute a report. Within another operating unit, one official views a report as a "comprehensive document on a specific topic for the agency head," while another defines a report as a publication authored and produced by the committee on its own initiative.

Due to such inconsistencies, cited report figures do not provide the Congress, OMB and the public with an accurate picture of committee productivity. Such a picture is impossible until a standard definition of a report is developed. OMB and the agencies should jointly develop a definition to be used and enforced by all Federal agencies.

FOLLOWUP PROCEDURES FOR COMMITTEE
RECOMMENDATIONS NEED TO BE ESTABLISHED

Neither OMB nor the agencies we visited have established standard procedures which insure that agencies follow up on committee recommendations. Without a followup system it is difficult to evaluate a committee's usefulness or be assured that agencies consider their committees' advice when formulating policies and programs. Such a system is needed to assure the committees and the public that agencies use committees properly and effectively.

As it did with the definition of report, OMB left the responsibility for feedback or followup to the agencies, who, in turn, left it to their program officials. As a result, various methods have been used to provide feedback to committees. For purposes of this review, we have divided the feedback methods used into two types: formal and informal. Formal feedback is a written response from the agency to its committees; informal feedback is an oral response. Most committees get informal feedback. For example, one agency program official said his committee would see the results of its recommendations primarily in the way operating unit policies were implemented. Although the agency head and the operating unit director had met with committee members to discuss both formal and informal recommendations, no formal feedback system existed.

Only infrequently did we find committees receiving formal feedback. For example, at one agency's operating unit, program officials prepared a statement of committee recommendations and proposed agency actions after each committee meeting. Other agencies sometimes used the same system; other times the committee would send a letter to the agency head listing its recommendations and requesting feedback. Again, however, formal feedback was rare; we found no agencywide policy of providing written feedback and followup on committee recommendations.

We believe that an effective followup and feedback system is essential to evaluating committee usefulness and need. Agencies should respond in writing to recommendations and should indicate why they agree or disagree with them.

The response should also indicate, if possible, how and when the accepted recommendations will be implemented.

A followup system is needed to insure that agencies use committees properly and effectively. OMB and the agencies should jointly develop such a system. We have pointed out this need in several prior reports (RED-76-33, Dec. 4, 1975, and EMD-76-5, Aug. 2, 1976).

CHAPTER 4

CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

An important purpose of the Federal Advisory Committee Act was to provide a mechanism for controlling the number of advisory committees and insuring that only committees with well-defined, necessary functions were allowed to exist. However, OMB has provided only limited guidance as to what attributes of a committee warrant its continuation and what criteria to use in evaluating these attributes. As a result, neither OMB nor the agencies have systematically applied objective criteria to help evaluate a committee's usefulness. Therefore, OMB and the agencies need to improve the substance, uniformity, and effectiveness of the evaluation process.

The act directs OMB and the agencies to prescribe administrative guidelines and management controls for committees, so that committee management will be governed by uniform standards and procedures. Even though OMB has issued standards and procedures, it has failed to provide the leadership and guidance necessary to insure implementation. Also, the guidelines for the five agencies we reviewed are too vague to help officials properly administer and evaluate committee activities.

OMB and the agencies need to clarify what types of committees are covered by the act. Agencies are unsure of the status of subgroups and ad hoc groups. As a result, Federal agencies differ as to what groups they classify as committees.

Committee charters should specifically state the committees' missions and the amount of time needed to accomplish their missions. However, an imprecise time schedule for grant and proposal review committees is understandable because of their continuing function. But this does not mean that they should be considered permanent.

The methods used to determine committee costs are not consistent. As a result, the costs reported by the agencies are incomplete and not comparable. Also, OMB guidelines are silent on whether to include committees' administrative overhead as part of the costs. Excluding overhead results in a substantial cost understatement at large agencies.

The term "report" needs to be better defined. OMB's and the agencies' lack of a standard definition results in

inconsistent and misleading figures being reported in both the President's annual report and OMB's comprehensive review. Additionally, OMB and the agencies have failed to establish an effective followup and feedback system for committee recommendations and reports. Such a system is essential to evaluating committee usefulness and need.

RECOMMENDATIONS

We recommend that the Director, OMB, in addition to using the evaluation factors outlined in Circular A-63, develop objective criteria, revise and clarify OMB guidelines, and help Federal agencies formulate their own guidelines.

More specifically, OMB should:

- Develop stringent, uniform guidelines on both subgroups and ad hoc groups, emphasizing that such groups should not be used to circumvent the act, unwittingly or otherwise.
- Require that agency committee charters (1) be clear and specific in stating their purposes and objectives and (2) include a specific timespan for a committee to accomplish its purpose.
- Issue more detailed guidelines to insure that cost estimates are consistent Government-wide. Also, require the agencies to submit committee administrative overhead costs--in lump sum figures--with the agencies' annual report submissions.
- Work with the agencies in developing a standard definition of "report" to be used and enforced by all Federal agencies. Also, jointly develop a monitoring and evaluation system to follow up on committee reports and recommendations.

CHAPTER 5
AGENCY COMMENTS AND
OUR EVALUATIONS

The Office of Management and Budget, by letter dated October 11, 1976, stated it generally agrees with the purposes of our recommendations. (See app. IV.) Specifically, it agreed with the concept that objective criteria be used to evaluate the usefulness of committees. It also agreed with the need for better definitions and uniformity among agencies. However, it said that it has already begun changing its guidelines and anticipates that these changes will include definitions of ad hoc groups, subgroups, reports, applicable costs, and other problem terms to help insure more uniformity among agencies.

OMB acknowledges that committee recommendations are an important factor in evaluating a committee's activity. However, it questions whether the possible improvements in committee management, gained by following up on committee recommendations, would be outweighed by the administrative burden and costs such additional requirements impose. OMB said that it is reluctant to add to the committee management cost or to the already substantial amount of paperwork.

We agree that such a followup system would require additional resources; however, it would also provide valuable information as to the usefulness of committees.

OMB, in a letter dated January 18, 1977 (see app. V), provided additional comments on our report. It said it generally agrees with the purposes of the report's recommendations and, where appropriate, is taking actions to meet those purposes. OMB specifically agrees to the need for improved guidelines for reporting costs of committees. In this regard, it provided costing guidelines to agency committee management officers on December 17, 1976. We have reviewed these revised procedures and, if properly adhered to by the agencies, they should go far in correcting the cost reporting problems we identified. However, in its guidelines, OMB acknowledged that it was probably too late for these guidelines to be implemented in time to affect the costs reported for the 1976 annual report on committee activity.

The Department of the Interior, in its letter dated September 30, 1976 (see app. VI), agreed with our recommendations on the need to clarify the status of subgroups and ad hoc groups, to develop a consistent method of determining costs, and to define "report." The Department agreed

that these matters have Government-wide significance and need uniform standards.

The Department's main concern was over our emphasis on developing objective criteria to assure that useless committees are identified. It believed that if objective criteria were developed, they should be applied cautiously.

We agree. In chapter 2 we identified several indicators to be used as a basis for consistent, systematic, and objective evaluation. However, we stated that these indicators by themselves do not present a total picture of a committee's worth. They are not the ultimate answer; they are only a mechanism to "flag" those committees which seem suspect.

The Department also expressed concern over instituting a formal followup system for committee recommendations, because it would require additional resources and the results would be highly questionable. It stated that the real issue is not tracking committee recommendations, but rather determining whether the recommendations have been heard by those making the decisions or operating the program.

We agree that such a system would require additional resources; however, it would also provide valuable information on committees. We believe that a followup system would insure that a committee's advice is being heard. Also, page 16 of the report explains that we are concerned with more than just the mere transmission of formal advice. We are interested in who makes the recommendations, who receives them, and how they affect the agencies' programs.

The National Science Foundation, by letter dated September 30, 1976 (see app. VII), generally agreed with our findings, conclusions, and recommendations. It realized that better guidelines and definitions were needed from OMB in order to maintain uniform operations and improve committees' performance. The agency believed that adoption of our recommendations would greatly benefit the entire committee program.

NSF agreed to the need for more detailed guidelines to insure consistent cost estimates. However, it thought that staff and budgeting support should not be used as a sole criterion for measuring committee value. As we said on page 12, our indicators are not all-inclusive and cannot by themselves determine a committee's value. But since agencies must determine why costs are high or low and whether a committee is cost-effective, they can use staff and budgeting support as a factor in such a determination.

While NSF saw the need for a standard report definition, it believed that measuring the usefulness of committees by the number of reports generated overlooks the different committee functions. For instance, proposal review panels do not generate reports; they review proposals. On page 16 we said a report definition should be made flexible enough to accommodate different committee functions. For example, the review panels' output is the proposals reviewed, and the agency could summarize and explain the reviews' results and combine them into a committee report.

NSF did not agree that proposal review panels require a written followup system for their recommendations. However, it agreed that, for other committees, written feedback should be provided to advisory group members; it plans to develop such a system. NSF indicated that panel recommendations weigh heavily in the final action taken and that, usually, panel members are informed of the final action. We believe the panels should be allowed to formally comment on the final agency action. Additionally, this written feedback would allow the Congress, OMB, and the public to find out what the committees have done, and what impact they have on the agency's programs.

The Department of Commerce, by letter dated September 27, 1976 (see app. VIII), stated it generally agreed with the need for more detailed guidelines for committee management--especially guidelines which would (1) insure that cost estimates are consistent Government-wide, (2) add committee administrative overhead costs to the annual report submission, (3) define the term report as issued in the act, and (4) develop a monitoring and evaluating system to provide followup and feedback on committee reports and recommendations. The Department stated that this latter factor would require additional resources. We, of course, agree.

The Department agreed that there should be objective criteria to evaluate committees. It stated that it has prescribed such criteria. Its guidelines, however, merely restate the evaluation factors included in OMB's Circular A-63. The Department's committee evaluation consists of answering OMB's questions without systematically and thoroughly analyzing the need for and accomplishments of a committee.

The Department of Health, Education, and Welfare, by letter dated November 30, 1976 (see app. IX), stated that it will follow up on the various points noted in our report. HEW stated our report has stimulated improvements in costing procedures. Costing procedures have been drafted and are now being shared with OMB and other agencies.

HEW, however, believes that our conclusion that present evaluation procedures do not insure identification of unneeded committees is essentially unsubstantiated. Also, HEW stated that the report gives little evidence that unnecessary committees exist, and what evidence is given is speculative and based on indications developed by us. We believe that the examples on page 10, the figures provided under the description of each indicator, and appendixes II and III provide ample evidence that the present evaluation procedures need improvement. Additionally, the indicators are based on the information the agencies are supposed to use and provide to OMB during the comprehensive review. The indicators merely use the information available to quantitatively evaluate overall committee activities, something HEW has not done so far.

HEW stated that we do not mention the extensive review of committee charter proposals that is performed at various levels of review within its agencies, prior to submission to OMB. We recognize that at HEW, because of its multitude of agencies and highly structured system, each charter must go through many levels of review. However, we found no evidence that, once the originating agencies approved a committee charter, any critical review was done at higher levels.

HEW believes that it would be burdensome and unnecessary to provide extensive justification for every peer review group, when the necessity and effectiveness of the whole peer review system has been adequately documented. The thrust of this report was not to evaluate the necessity or effectiveness of the peer review system, so we will not criticize or defend it. However, we believe that every committee, including peer review groups, must submit adequate justification of its value and need. The sketchy justifications that have been provided do not allow OMB to perform an adequate comprehensive review.

HEW doubted that Circular A-63 could be amended to provide specific committee management guidelines which would apply to all Government agencies. We disagree, because (1) Circular A-63 already has management guidelines applicable Government-wide, (2) the guidelines we suggested (see p. 31) merely refine Circular A-63, (3) OMB, with the cognizance of the other four agencies reviewed, has already begun to amend Circular A-63, and (4) we believe a major intention of the act was to provide just such uniform guidelines. Further, the President's annual report to the Congress is meaningless unless all the agencies provide consistent and comparable information by following the same specific guidelines.

HEW had the following comments about the indicators:

"* * *The number of meetings a committee has had is not much use as an indicator of need, without knowing when the committee was established, purpose of the committee, and other like factors.

"* * *While the provision of negligible or no staff support might lead one to raise questions about a committee, in other cases data on staff costs would provide no useful information for assessing the need for a committee.

"* * *The life of a committee can only be measured in terms of program needs; therefore, to allot a specific number of years for the life-span of a committee would serve no useful purpose. FACA already requires the renewal or rechartering of advisory committees every two years, and calls for the filing of charters at that time with the two Congressional committees.

"* * *The distinction between who initiates a recommendation--the agency or the committee--is in our opinion, meaningless. Similarly [sic], we do believe it would be inappropriate to use the number of reports and recommendations from a committee as a guide to its usefulness. * * *"

Again, we stress that the indicators are only a guide to committee evaluation; they are not a "be all, end all."

HEW agrees with our recommendation to seek alternatives to advisory committees, but not where individual initial (peer) review groups and legislatively established national advisory councils are concerned, because the peer review system has been established and approved by the Congress with full consideration of the alternatives. But even for peer review committees, we are suggesting that HEW consider alternatives, and, if none are found, then a committee could be instituted or continued when needed.

HEW agrees that administrative costs relating to the operation of particular committees should be reported by committees, but that an agency's administrative/management costs to meet procedural and paperwork requirements should not be so reported. However, without all staff support costs, the Congress does not have a true measure of committee program costs.

HEW felt that a "report" may not be an accurate measure of effectiveness of certain committees, such as grant review

committees. Again, we indicated that a report definition should be made flexible enough to accommodate the different types of committee functions.

HEW believes that it is unlikely that our recommended followup system would meet the needs of different types of committees and, further, that it would greatly increase costs and paperwork. We believe that a followup system flexible enough to meet the peculiarities of each type of committee could be set up. We agree that additional costs and paperwork may be incurred with such a system.

CHAPTER 6

SCOPE OF REVIEW

To determine how effectively the Office of Management and Budget and the agencies were carrying out their responsibilities under the act, we evaluated OMB's and the agencies' criteria and procedures for establishing, continuing, or abolishing advisory committees.

We analyzed records and interviewed agency officials at OMB; the Department of Health, Education, and Welfare; the Department of the Interior; the Department of Commerce; the National Science Foundation; and the Environmental Protection Agency. We did our work at the agency offices in the Washington, D.C., area between February and July 1976.

Additionally, we developed statistical information on all advisory committees for calendar years 1974 and 1975.

COMPTROLLER GENERAL'S
REPORT TO THE CONGRESSBETTER FOLLOWUP SYSTEM NEEDED
ON RECOMMENDATIONS BY STUDY
COMMISSIONS IN THE FEDERAL
GOVERNMENTD I G E S T

The Federal Government often uses special study commissions to examine problems or issues of national concern and to recommend action by the executive branch and the Congress.

In spite of the extensive study efforts and expenditure of large amounts of money, benefits expected from some of these studies are not being achieved because their recommendations are not being acted upon by the responsible Federal agencies.

This condition has been largely attributable to the absence of an effective followup system under which the executive branch would promptly take a position on the merits of commission recommendations and develop and execute a plan for adopting those which merit action. Also, because study reports sometimes take positions which members of the appropriate congressional committees do not find readily acceptable, they do not always receive strong backing and interest in the Congress.

GAO recognizes that not all study commission recommendations merit implementation but believes such studies call for careful executive and legislative branch consideration.

GAO recommends that the Office of Management and Budget provide the necessary leadership in the executive branch to establish effective followup systems on study commission recommendations. (See p. 29.)

GAO also recommends that the Congress consider the following actions:

- Legislation creating future study commissions specify as clearly as possible a commission's study objectives and an action program by the

executive branch to evaluate recommendations and carry out those meriting implementation.

--The Federal Advisory Committee Act be strengthened by requiring that the executive branch periodically report to the Congress on the status of action taken. This would be similar to the requirement in the December 1974 act creating the Commission on Federal Paperwork.

--The appropriate House and Senate committees having jurisdiction in the area covered by a study commission hold hearings about the commission's findings and recommendations to provide oversight over the executive branch action program and development of necessary legislative changes.
(See p. 29.)

GAO discusses two important study reports issued during the last 5 years which did not receive adequate consideration. These reports were issued by the Public Land Law Review Commission in June 1970 and by the National Water Commission in June 1973. (See chapters 2 and 3.)

Other similar examples, cited in this report, are the report by the National Commission on Urban Problems issued December 12, 1968, and the report by the National Commission on Materials Policy issued June 27, 1973.
(See pp. 14 and 16.)

By contrast, effective procedures have been instituted to evaluate and implement the recommendations in the December 1972 report by the Commission on Government Procurement. A satisfactory followup system evolved with participation by both the legislative and the executive branch and GAO performing a monitoring role. This system could well serve as a model for taking action on similar future studies. (See p. 18.)

The Office of Management and Budget concurs with this report's purpose and goal and the need for increased efforts by all branches and levels of government to consider study commission recommendations. The Office, however, does not agree with GAO's recommendations for new legislation to require more formal followup systems. (See p. 32.)

The Department of the Interior also agrees with the general thrust of the report and recommendations but cautions that study commissions are only advisory and the merits of their recommendations should not be presumed. The Department claims it has made use of appropriate commission recommendations although such actions may not have been documented in the manner contemplated by GAO. (See p. 36.)

ADVISORY COMMITTEE PERFORMANCE
IN 1974, ACCORDING TO EVALUATION INDICATORS

	Number of committees	No meetings	One meeting	No cost	More than zero but less than \$2,000	No staff	More than zero but less than one-half staff-year	No reports	Over 10 years old
Five agencies:									
Presidential	14	5 (36)	1 (7)	5 (36)	2 (14)	6 (43)	6 (43)	8 (57)	2 (14)
Statutory	143	22 (15)	7 (5)	15 (10)	60 (42)	17 (12)	86 (60)	93 (65)	80 (56)
Agency	478	110 (23)	69 (14)	63 (13)	29 (6)	64 (13)	233 (49)	173 (36)	122 (26)
Total	635	137 (22)	77 (12)	83 (13)	91 (14)	87 (14)	325 (51)	274 (43)	204 (32)
All others:									
Presidential	14	0 (0)	4 (29)	0 (0)	2 (14)	0 (0)	1 (7)	8 (57)	3 (21)
Statutory	119	67 (56)	12 (10)	14 (12)	57 (48)	17 (14)	68 (57)	89 (75)	26 (22)
Agency	773	249 (32)	193 (25)	201 (26)	187 (24)	215 (28)	389 (50)	608 (79)	307 (40)
Total	906	316 (35)	209 (23)	215 (24)	246 (27)	232 (26)	458 (51)	705 (78)	336 (37)
All agencies:									
Presidential	28	5 (18)	5 (18)	5 (18)	4 (14)	6 (21)	7 (25)	16 (57)	5 (18)
Statutory	262	89 (34)	19 (7)	29 (11)	117 (45)	34 (13)	154 (59)	182 (69)	106 (40)
Agency	1,251	359 (29)	262 (21)	264 (21)	216 (17)	279 (22)	622 (50)	781 (62)	429 (34)
Total	1,541	453 (29)	286 (19)	298 (19)	337 (22)	319 (21)	783 (51)	979 (64)	540 (35)

Note: Figures in parentheses are percentages.

ADVISORY COMMITTEE PERFORMANCE
IN 1975, ACCORDING TO EVALUATION INDICATORS

	Number of committees	No meetings	One meeting	No cost	More than zero but less than \$2,000	No staff	More than zero but less than one-half staff-year	No reports	Over 10 years old
Five agencies:									
Presidential	14	6 (43)	2 (14)	5 (36)	0 (0)	5 (36)	2 (14)	9 (64)	1 (77)
Statutory	175	74 (42)	13 (7)	73 (42)	5 (3)	73 (42)	27 (15)	96 (55)	78 (45)
Agency	493	87 (18)	102 (21)	61 (12)	17 (4)	62 (13)	172 (35)	159 (32)	147 (30)
Total	682	167 (24)	117 (17)	139 (20)	22 (3)	140 (21)	201 (29)	264 (39)	226 (33)
All others:									
Presidential	9	1 (11)	1 (11)	1 (11)	0 (0)	1 (11)	1 (11)	3 (33)	3 (33)
Statutory	120	62 (52)	9 (8)	64 (53)	4 (3)	65 (54)	17 (14)	86 (72)	24 (20)
Agency	689	167 (24)	176 (26)	145 (21)	167 (24)	156 (23)	387 (56)	538 (79)	292 (42)
Total	818	230 (28)	186 (23)	210 (26)	171 (21)	222 (27)	405 (50)	627 (77)	319 (39)
All agencies:									
Presidential	23	7 (30)	3 (13)	6 (26)	0 (0)	6 (26)	3 (13)	12 (52)	4 (17)
Statutory	295	136 (46)	22 (7)	137 (46)	9 (3)	138 (47)	44 (15)	182 (62)	102 (35)
Agency	1,182	254 (21)	278 (24)	206 (17)	184 (16)	218 (18)	559 (47)	697 (59)	439 (37)
Total	1,500	397 (26)	303 (20)	349 (23)	193 (13)	362 (24)	606 (40)	891 (59)	545 (36)

Note: Figures in parentheses are percentages.

GAO NOTE TO APPENDIXES IV-X

Sections throughout these appendixes marked "deleted" refer to material, contained in our draft report, which has been revised or which has not been included in the final report.

Also, page references throughout these appendixes refer to our draft report and may not correspond to this final report.



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D. C. 20503

OCT 11 1976

Mr. Victor L. Lowe
Director, General Government Division
U.S. General Accounting Office
Washington, D. C. 20548

Dear Mr. Lowe:

We have reviewed the draft report "Evaluations of the Usefulness of Federal Advisory Committees' Need Improvement," concerning the administration of the Federal Advisory Committee Act (FACA).

The FACA, as you know, is one of a number of statutes enacted during the past few years on the subject of "openness in government," and one which has required complex and rapidly-changing management procedures and guidelines to carry out. This complexity, and the diversity inherent when more than sixty Executive branch departments and agencies have more than 1,200 advisory bodies of different types and with differing functions, necessitates the cooperation of all branches of government if the purposes of the Act are to be met. The draft report, by calling our attention to some present shortcomings in the management of committees, and by making useful recommendations, is a welcome example of such cooperation.

We are in general agreement with the purposes of the recommendations stated in the chapter "Conclusions and Recommendations." Specifically, we agree with the concept that objective criteria be utilized in evaluating the usefulness of advisory committees. In fact, OMB's Circular No. A-63, Advisory Committee Management, and procedures related to the annual comprehensive review and committee renewal do now require use of most of the criteria suggested by GAO. As we continue to evaluate the results of the annual comprehensive review, we will also consider ways in which these criteria, or others, might be used -- or guidelines for their use might be improved -- to provide a better basis for determining the usefulness of advisory committees.

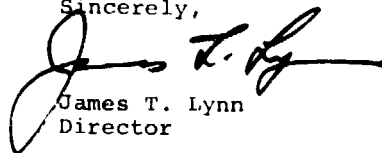
The draft report recommends quantitative and qualitative agency evaluations of recommendations made by advisory committees. Certainly, committee recommendations are an important factor in any evaluation of a committee's activity. However, as I

indicated in my testimony before the Subcommittee on Reports, Accounting, and Management of the Senate Committee on Government Operations, on March 8, 1976, and elsewhere, "I am troubled by this apparent emphasis on the gathering and reporting of quantitative information, without full consideration of whether the possible improvements in committee management sought . . . are outweighed by the administrative burden and costs such additional requirements impose." The draft report suggests that committee management administrative costs may already be substantial. Without very careful study, and a thorough cost/benefit justification, I would be very reluctant to add any requirements, applicable to all of the many kinds of advisory committees, which might add to this cost burden or to the already substantial amount of paperwork.

The need for better definitions, and uniform applications, has become apparent in a number of areas since the Act became effective in 1973, and since OMB's guidelines were issued in 1974. During this period, too, we have gained the experience and guidance (through Congressional hearings, court decisions, etc.) which will enable us to develop those definitions -- as the "informal" definition of subgroups, cited in the draft report, was developed. We have already begun work on revised and updated guidelines, and I anticipate that these will include definitions of ad hoc groups, subgroups, reports, applicable costs -- as well as a number of other problem terms -- and help ensure more uniform application.

While we agree generally with the purposes of the recommendations, we are concerned that the discussion in the draft transmitted by your letter of August 26, 1976, is too often based on incomplete information, arrives at unwarranted -- and always negative -- conclusions, and fails to recognize significant progress already made, or efforts underway, to accomplish the objectives of the Act. Our discussions with your staff were rather comprehensive and we anticipate that as a result these many difficulties will be rectified in your next draft. However, the sheer number and detail of them effectively precludes detailed comment here especially since we expect them to be resolved by your staff. We look forward to commenting more specifically to those problems which may still remain after your coming revision.

Sincerely,



James T. Lynn
Director



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

JAN 18 1977

Mr. Victor L. Lowe
Director, General Government Division
U. S. General Accounting Office
Washington, D. C. 20548

Dear Mr. Lowe:

We have reviewed the revised draft of the report "Evaluations of the Usefulness of Federal Advisory Committee Need Improvement," concerning the administration of the Federal Advisory Committee Act (FACA). While substantial changes have been made in the draft on which I commented on October 11, 1976, the current draft still presents a distorted picture of OMB's role in the committee management process, and includes oversimplifications and unwarranted judgements. For example:

- The report states that GAO has identified factors to be used in evaluating advisory committees, but that neither OMB nor the agencies have used these factors to develop objective criteria. In fact, OMB and the agencies do use factors such as those cited, and only if it is meant that the factors are not used as "objective criteria" (a term neither defined nor explained) is the statement even partially true.

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As I indicated, we are in general agreement with the purposes of the report's recommendations and where appropriate, taking actions to meet those purposes. However, I regret that the report does not present a more accurate and more balanced -- and therefore more useful -- contribution to addressing the complex problems of advisory committee management.

Our detailed comments are attached.

Sincerely,

A handwritten signature in black ink, appearing to read "James T. Lynn".

James T. Lynn
Director

Attachment

Attachment

Draft Report "Evaluations of the Usefulness of
Federal Advisory Committees Need Improvement"DIGEST

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page ii, para. 1 The sentence "OMB's Circular . . . objective criteria" is both incorrect and confusing. It is not clear here, or elsewhere in the report, what the differences are between "factors" "objective criteria," or "evaluation indicators." Clearly, a number of the factors in A-63 (number of committee meetings, costs, etc.) are the same as the evaluation indicators cited as identified by GAO. They are also used in the review of committees, as we have discussed with GAO staff, hence the sentence is apparently incorrect. However, if "objective criteria" is meant to be some sort of formula, employing these factors, which could be applied to all committees to determine their necessity, the report should so state. Moreover, we would appreciate the assistance of GAO in developing such a formula, if one is feasible, applicable to all committees -- as we requested in earlier staff discussions.

page ii, para. 3 We question the finding that OMB "has not been providing the effective management and leadership envisioned by . . ." FACA. On the one hand, the report does not describe what was envisioned by FACA. On the other, while we recognize that there are unresolved issues, the statement seems at variance with the sentiments expressed in the Senate hearings last year on amendments to the FACA.

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page iii, para. 2 The paragraph indicates that "substantial committee program costs" are not included in the Annual Report and, therefore, the Report does "not present an accurate estimate of advisory committee program costs to the Federal Government." We have gathered from staff discussions that this refers to the costs of overall committee management, not the costs of individual committees. We agree that these are substantial, and are not included in the Annual Report. However, as we have pointed out to GAO staff, the cost data in the Annual Report is that required by Section 6(c) of FACA, and the lack of other data is not, therefore, a shortcoming of the Annual Report.

page iii, para. 2 A subparagraph on page iv indicates that neither OMB nor agency guidelines give a definition of "report." While, again, we agree that there has been a lack of uniformity of application, the GSA Standard Form 248, prepared in conjunction with OMB, and used by agencies to submit the information for the Annual Report, does contain such a definition (and indicates that "report" should not include minutes of meetings).

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EVALUATION PROCEDURES DO NOT ENSURE IDENTIFICATION OF UNNEEDED COMM.

- page 5, para. 1 The first sentence ("the process . . . or continued."), while presumably a summary of the chapter, states as a fact, without qualification, what is really only a GAO opinion, i.e., that the establishment, renewal, and annual review processes do not ensure that only needed committees are established or continued. The statement should be qualified.
- page 5, para. 2 This paragraph implies that GAO identified several "evaluation indicators," not heretofore used, that would lead to a "more comprehensive and qualitative analysis of advisory committee activities." As we have indicated, most of these factors were cited in OMB Circular No. A-63 (Transmittal Memorandum No. 3, September 3, 1975), and were used by OMB and the agencies in the annual comprehensive review for calendar year 1975.
- page 6, para. 2 This paragraph restates, with somewhat less certainty, the introductory sentence of the chapter (page 5, para. 1, see above). Moreover, it is unclear whether it refers to, or there are, one or multiple processes for establishing, evaluation, reviewing the need for, or reducing the number of committees - and which, if any or all - are deficient.
- page 8, para. 1 The statement ". . . the four budget examiners . . . devoted . . . from 3 staff-days . . . to 10 staff-days . . ." is highly misleading without additional information concerning such factors as the number of committees involved

in the agencies for which the examiners are responsible, whether or not their committee reviews had involved the full cycle (establishment, renewal, annual review), etc., and should be qualified accordingly.

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page 12, para. 5 The description of the annual comprehensive review, beginning with this paragraph and continuing on pages 13 and 14, reflects a

basic failure to understand the annual comprehensive review as conducted for calendar year 1975. As we have described it in numerous conversations, the annual comprehensive review (as required by Section 7(b) of FACA) is an OMB responsibility. To meet this responsibility, OMB required (A-63, Transmittal Memorandum No. 3) each agency head to review each committee using the factors enumerated in the Circular, and make a recommendation concerning the merger, revision, continuation, or termination of those committees. While agency heads are encouraged to terminate committees, or take other appropriate actions as a result of their review, neither the FACA nor OMB requires such actions. The documents of the agencies' reviews then are submitted to OMB, combined with the data submitted in the Annual Report of the President, and this "package" is reviewed by both CMS and the appropriate program divisions (using information available from prior reviews, consultations, and "personal knowledge of the agency's needs, its role, and the priority of programs being implemented"). On the basis of this latter review, recommendations are made to the President and to either the agency head or the Congress on actions believed necessary. A final judgement of a new annual review procedure, based on observations of a part of the process, in a limited number of agencies, is, at best, premature.

page 14, para. 2

This paragraph initiates a discussion, continued on the following pages, where the terms "criteria", "objective qualitative analysis," "guidelines," "objective evaluation criteria," "evaluation indicators," and "factors," are used interchangeably to mean both the same and different things. A clear definition of each term would improve understanding. Finally, the last sentence alleges that OMB and agency failures, enumerated in the preceding sentences, allowed certain committees (unspecified) to exist which "violate" one or more evaluation indicators established by GAO without adequate justification. Without knowing what committees are involved, which evaluation indicators, and what justification was reviewed (by whom, and on what basis), the statement is unwarranted.

page 14, para. 3 The last sentence indicates that FACA is "not specific as to the criteria . . ." to be used by OMB and the agencies. Lacking either an indication of how much specificity is necessary in GAO's opinion, or GAO's definition of "criteria", we would point out that Sections 2(b), 5(b), and 9(a)(2) of the Federal Advisory Committee Act do provide guidance on the basis for establishing or continuing advisory committees.

page 16, para. 2 Four examples are cited to demonstrate the need for an evaluation system as prescribed by the report:

Example 1 - As stated, the panel was established in 1973, and did not meet in 1974 or 1975. That fact was noted in the annual review (by the agency, CMS, and OMB's program division) and explained: ". . . the time delay was partly due to reorganizations taking place in the . . . Division which required some adjustments in the technical background of panel members." On the basis of discussions with the agency concerning the uses to which the panel would be put, and assuring the agency that the panel would be thoroughly reviewed again in the next renewal period, OMB agreed with the agency recommendation to continue the panel.

Example 2 - This Presidential advisory committee did not meet or take any actions, as GAO has reported. This inactivity was noted, however, by both the responsible agency and OMB, and proposals were made to revitalize the committee to carry out its original purposes. When these were unsuccessful, the committee was terminated.

Example 3 - This committee was established by the Congress in 1972, but its charter was not filed (it could neither meet nor take action), nor members appointed, pending disestablishment of an Executive branch agency with overlapping functions, until 1975. This was noted in the annual comprehensive review by both the agency and OMB, and the committee was continued (since it is now fully constituted) to carry out the purposes for which it was established.

Example 4 - Cites two committees, both established by the Congress before enactment of the Federal Advisory Committee Act, which have been inactive. In both cases, the lack of meetings, etc., was noted by both the responsible agencies and OMB. In one case, both the agency and OMB have recommended that the committee be terminated (Congressional action is required); in the other, a review of the reasons for the lack of meetings, and the functions to be performed, led the agency to recommend that the committee be continued, and OMB agreed.

Of the five committees cited as examples, only one could have been terminated by unilateral agency action (three required Congressional action, one Presidential). Despite this, in each instance during the annual comprehensive review, the agencies and OMB did question the committees' inactivity (a factor that the report alleges is not used), and explain it and take appropriate actions. Rather than indicating a need for a different process, the examples appear to illustrate that present procedures do provide for a meaningful evaluation of committees.

page 17, para. 2

The second sentence indicates that data is available (on committee meetings, costs, etc.) but is not used by OMB or the agencies. As we have indicated, the data is used and, we believe, both "systematically and effectively" to evaluate committees. However, if the report's allegation is dependent upon the use of the data as an "objective criteria" (applicable to each of over 1,200 committees), then that term ought to be explained and defined.

pages 17-25

These pages discuss the proposed "evaluation indicators" (meetings, costs, age, etc.), primarily in agency-wide terms: For example, an agency has 57 committees, of which 10 had no meetings, 11 had one, and 36 had more than one. While such statistics have some superficial appeal, they provide little real information about committee activities (of the committees with few or no meetings during a

given year, how many were newly established at the end of the year, or how many of those were terminated during the year, etc.). More importantly, it is implicit in FACA that committees be reviewed on an individual basis, annually, and at the time of establishment or renewal -- and it is this principle upon which OMB and agency procedures are based, using all information available. In our judgement these procedures, though subject to further refinement, do provide for the systematic and consistent assessment of the need for, and usefulness of, individual advisory committees.

OMB AND THE AGENCIES ARE NOT PROVIDING EFFECTIVE LEADERSHIP AND GUIDANCE

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page 29, para. 1&3 In each of these paragraphs the report cites instances concerning the use of consultants, and each paragraph ends with speculation that such practices might be used to circumvent the letter or intent of the Act. Any number of practices might be used to circumvent the Act; without some evidence (none is provided by the report) that such is the case, this speculation is wholly unwarranted.

page 37 As we have indicated to GAO staff, we agree that there is a need for improved guidelines for the reporting of costs of advisory committees. As you may know, agency committee management officers were given guidelines for the costs of advisory committees, by OMB, on December 17, 1976.

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page 40 As noted earlier, while there may be a lack of uniformity of application, the GSA Standard Form 248, used by agencies to submit information for the Annual Report of the President, does include a definition of "report."



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

SEP 30 1976

Mr. Henry Eschwege
Director, Community and Economic
Development Division
U. S. General Accounting Office
Washington, D. C. 20548

Dear Mr. Eschwege:

We appreciate the opportunity to comment on the draft report entitled "Evaluations of the Usefulness of Federal Advisory Committees Need Improvement."

Our immediate reaction is one of concern at the suggested application of sweeping generalizations with regard to advisory committees. We question whether universal standards can be imposed on a program having such a diversity of functions.

The function of an advisory committee often extends well beyond the narrow role of rendering formal advice, into the wide realm of the desirable interaction created between Government and the private sector in the public involvement process. While this is a somewhat intangible factor, it is a most important one in determining the usefulness of an advisory committee.

Specifically, we offer the following comments with respect to certain report items:

1. Evaluation indicators.

The report places strong emphasis on the development of "objective criteria" as the method of assuring that advisory committees not serving a useful purpose are identified. It suggests that committees with no meetings should be questioned as to their usefulness, that limited budget and staff support could indicate a lack of agency commitment to the committee's activities, that extremely old committees should be suspect as to their continued usefulness and that if a committee makes no reports or recommendations, it should be considered suspect.

We have, in this Department, committees which would meet all of the suggested criteria and some which would fail to meet most or all. There would be, however, little distinction in the value and effectiveness of any of these committees.



Accordingly, if there is to be development of "objective criteria," we believe they should be applied cautiously. Such criteria should not become a mechanistic test by which the future status of committees will be determined. Significant demonstrable benefits not meeting quantifiable "objective criteria" is and should continue to be the overriding consideration for many committees.

2. Clarification of certain definitions and procedures.

The report recommends clarification of the status of sub-groups and a/hc committees, a consistent method of determining costs and the defining of what constitutes a "report."

For reporting purposes, these matters have Government-wide significance, and we concur in the need for uniform standards.

It is our understanding that these issues will be addressed in forthcoming revised guidelines from the Office of Management and Budget.

3. Followup system for reports and recommendations.

The report stresses the need for an effective system to monitor advisory committee recommendations. Again, the emphasis placed on that function indicates clearly that no cognizance is taken of the important functions performed by advisory bodies beyond the mere transmission of formal advice. Even if such a followup system were mandated as to the formal advice rendered by a committee a most ponderous clerical procedure would be required, paperwork and staff cost would be increased considerably and the results would be highly questionable.

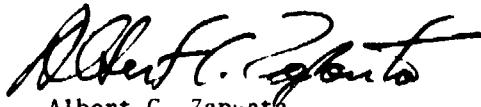
As stated by Deputy Assistant Secretary Richard K. Hite before the Senate Subcommittee on Reports, Accounting and Management on March 10, 1975:

"The nature of the Interior Department and its advisory committees is such that recommendations from the committees cannot always be tracked in "score-card" fashion. In any decision by the Department a multitude of views are presented and it is rare that a decision can be said to have adopted or rejected an advisory committee's recommendation. Furthermore, there may be a period of years which intervenes between the initial advice or recommendation and a final decision to pursue a course of action. During this period, the initial advice, more than likely, tends to lose any recognizable identity.

"The question of how many recommendations are acted upon affirmatively is not necessarily indicative of the effectiveness of an advisory committee program. The real issue is whether the advice rendered has been heard by making the decisions or operating the program."

We would be pleased to discuss in detail any of the specifics contained in the report.

Sincerely yours,



Albert C. Zapanta
Assistant Secretary for
Administration and Management

NATIONAL SCIENCE FOUNDATION

WASHINGTON, D.C. 20550



September 30, 1976

Mr. Gregory J. Ahart
Director, Human Resources Division
U.S. General Accounting Office
Washington, D.C. 20548

Dear Mr. Ahart:

This is in response to your letter of August 27 requesting comments on the GAO report entitled "Evaluation of the Usefulness of Federal Advisory Committees Need Improvement."

Our comments of the draft report consist of some general observations concerning the report's conclusions and certain specific comments concerning items pertaining to NSF.

Overall, we agree with the findings, conclusions, and recommendations of the draft report. We realize the need for better guidelines and definitions from OMB in order to maintain uniform operations and improve the performance of advisory committees. We believe if GAO's recommendations are adopted, they will greatly benefit the entire Federal advisory committee program.

One observation though is that GAO failed to indicate that any of the five agencies had a workable committee management program. I personally believe that the Foundation's program has been quite effective, considering the relatively brief period of time since the enactment of the Federal Advisory Committee Act and the small number of people who have been involved with the management of the program in NSF and OMB. The OMB Committee Management Secretariat has been a tremendous help to this agency and I believe the present staff should be given more credit for what they have accomplished in the past year than was indicated in your report.

Our major comment on this report is that, while the GAO team recognizes that there are several types of advisory committees (page 27) it does not take this factor into consideration in its criticisms and recommendation. The management of advisory committees will not be improved by refusing to recognize these differences and instituting across-the-board procedures.

Our comments on the specific sections of the report are contained in the following paragraphs:

[Deleted]

3. Page 41, ¶2 - Staff support costs

We agree that we need more detailed guidelines to insure consistency on cost estimates of all Federal advisory committees. However, with regard to criteria to be used for determining a committee's value, we would like to point out that negligible staff and budgeting support cannot be used as a sole criterion for measuring value. An effort must be made to determine why costs are low. In the case of proposal review panels, costs are low because there are no specific program staff costs associated only with the grant review panel operation. Also, many of our consultants receive no compensation for the many hours they spend reviewing proposals prior to attending the formally convened panel meeting. Nonetheless, their advice is essential. In fact, the NAS Committee Report, "Social and Behavioral Science Programs in NSF," recommended: "Panels should be created for all programs now lacking them and should be used regularly by all programs." The use of these panels has been proven cost-effective. Comparable panel expertise could not be obtained by any other means, for the amount presently expended.

Another point is that any time budget and staff support is used as a criterion, it guarantees that money and support will be provided to a committee - whether or not it is needed - just to keep it alive. We don't believe that we should judge a committee's value on the cost of its inputs.

4. Page 43, ¶2 - Definition of report

While we see and very much need a standard definition of a report, we feel that measuring the usefulness of all advisory groups by the number of reports generated overlooks the functions of the advisory group. For instance, proposal review panels do not generate reports; they review proposals.

5. Page 45 - Oral feedback

For proposal review panels, we do not believe requiring a follow-up system is germane. The grant review panel provides a recommendation on each proposal. This recommendation is taken into account and weighed heavily by at least four levels of review and is reflected in the final action taken. Usually, panel members are informed of final action.

In other cases, we agree that written feedback should be provided to the advisory group members and plan to have the programs develop a system. However, we do not believe this function belongs entirely with our Committee Management Officer or with OMB. Neither office have the staff or expertise to follow-up on committee recommendations.

We are attempting to improve our committee management operations and are considering having our advisory group members fill out an annual questionnaire to determine their "subjective" evaluation of the usefulness of the committee.

We appreciate the opportunity to comment on the GAO draft report and trust that the foregoing comments will be useful. We will be pleased to discuss this matter in more detail at a mutually agreeable time.

Sincerely yours,

Handwritten signature of Richard C. Atkinson in black ink.

Richard C. Atkinson
Acting Director



UNITED STATES DEPARTMENT OF COMMERCE
The Assistant Secretary for Administration
Washington, D.C. 20230

SEP 27 1976

Mr. Henry Eschwege, Director
Community and Economic Development
Division
U.S. General Accounting Office
Washington, D.C. 20548

Dear Mr. Eschwege:


This is in response to your letter to the Secretary, dated August 26, 1976, inviting comments on GAO's draft report entitled "Evaluations of the Usefulness of Federal Advisory Committees Need Improvement."

Generally, we are in agreement with the recommendations regarding the need for more detailed guidelines in certain aspects of advisory committee management, especially instructions which would: (1) insure that cost estimates are consistent Governmentwide; (2) add committee administrative overhead costs to the annual report submission; (3) define the term "reports" as used in the Federal Advisory Committee Act; and (4) develop a monitoring and evaluation system to provide follow up and feedback on committee reports and recommendations. This fourth factor would, of course, require additional resources, and we suggest that GAO address this point in its final report.

In our concurrent consideration of the draft and its references to this Department as cited in the listing you provided, we noted several points which warrant individual comment. These are set forth in the enclosure, arranged according to the sequence of the reference list.

Commerce is totally committed to the "openness in government" concept from which the Federal Advisory Committee Act derives. Within the past year, a new staff level division was established to emphasize this commitment and to provide policy and guidance in implementation of the referenced Act, the Freedom of Information Act, as amended, the Privacy Act of 1974, and the Federal Reports Act. Accordingly, we appreciate this opportunity to comment on the results of your survey prior to its final release.

Sincerely,


Joseph E. Kasputy
Assistant Secretary for
Administration

Enclosure



U.S. DEPARTMENT OF COMMERCE

Comments re Selected Provisions of the
GAO Report Entitled:
"Evaluations of the Usefulness of Federal
Advisory Committees Need
Improvement"

1. Pages 16 and 17 are premised on an assertion that OMB and agency officials have not developed objective criteria to help evaluate a committee's usefulness to determine whether a committee should be continued or abolished, and four examples of criteria for such an evaluation are set forth in the report's prefatory digest.

While we agree with the need for such criteria, this broad assertion fails to recognize the renewal evaluation instructions Commerce officially prescribed a/ two years ago, requiring (among other things):

"A summary of the committee's accomplishments and activity since the date of its extant charter, to include number of meetings held, reports issued, advice or recommendations rendered, and annual cost of operation." b/

[Deleted]

a/U.S. Department of Commerce Committee Management Handbook, November 1, 1974 (the "Handbook" hereinafter).

b/This requirement (Handbook, page 2-21) specifically includes three of the four criteria which GAO lists as exemplary indicators, "age of a committee" being the sole omission.

5. Page 45 of the report also disparages agency oral feedback with respect to committee recommendations, a technique which is apparently used in connection with many Federal committees, including several Commerce bodies. This topic was discussed by GAO and Commerce staff, and the essence of the Department's position is also presented in the letter transmitting this attachment.

In brief, Commerce subscribes to the ideal of a formal procedural system for tracking every recommendation of a committee, following through on each one, and formally advising the members of the ultimate disposition of each, but such a system would require significant additional allocation of resources which will not be available in the foreseeable future. Given the resources currently available, we believe that our committees are being kept reasonably well-informed on the status of their recommendations.

6. Other selected provisions of the report are recognized (and appreciated) as being complimentary of the Department's efforts. These include the requirement that any subcommittee having a member who is not on the parent committee must be separately chartered under the Act (page 31) and the Commerce position that internal administratively-required reports are not to be counted as committee reports of a productive nature (page 43).



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20201

NOV 30 1976

Mr. Gregory J. Ahart
Director, Human Resources
Division
United States General
Accounting Office
Washington, D.C. 20548

Dear Mr. Ahart:

The Secretary asked that I respond to your letter of August 26 which asked for our comments on your draft report, "Evaluations of the Usefulness of Federal Advisory Committees Need Improvement." The enclosed comments represent the tentative position of the Department and are subject to reevaluation when the final version of this report is received.

We appreciate the opportunity to meet with your staff, and to comment on this draft report before its publication.

Sincerely yours,

A handwritten signature in cursive script that reads "John D. Young".

John D. Young
Assistant Secretary, Comptroller

Enclosure

Comments of the Department of Health, Education, and Welfare on the General Accounting Office Draft Report, "Evaluations of the Usefulness of Federal Advisory Committees Need Improvements"

General

We strongly and sincerely believe in the principles of Federal Advisory Committee openness and accountability which have been established in law by the Federal Advisory Committee Act and applicable provisions of the Freedom of Information Act, Privacy Act, Government in the Sunshine Act, and various health, education and welfare statutes. It is in this spirit that the Department's comments, both the extensive oral presentations already made and the written ones following, are offered.

The Congress has assigned this Department over 300 programs to carry out for the nation in the fields of health, education, and welfare, and we must get advice, in the open and accountable manner prescribed by these laws, from an interested public in order to discharge our responsibilities well. Under the Federal Advisory Committee Act, this consensus advice from outside Government must come from duly chartered Federal Advisory Committees, and the continuing establishment, management and termination of these committees is a function of major importance in the Department. Usually the more amorphous the program given us to carry out, the more useful the advice from an advisory committee.

The Federal Advisory Committee system can provide not only advice to program leaders, but also a continuing analytical evaluation, from expertise outside the Government, of the fiscal and program impact of all manner of events and recommendations as they occur or are projected.

We will follow up on the various points noted in the draft report. In fact, the section on estimated and actual costing procedures has already stimulated additional improvements in this aspect of our advisory committee management procedures, in that we are already sharing drafts of these projected improvements with OMB and other agencies which may find them beneficial.

Comments on Specific Sections of the Report

1. Report Chapter 2: "Present Evaluation Procedures Do Not Insure Identification of Unneeded Committees"

We believe GAO's conclusion that present evaluation procedures do not insure identification of unneeded committees is essentially unsubstantiated. The report gives little evidence that unnecessary committees exist, and what evidence is given is speculative and based on indicators developed by the GAO.

2. Report pages 6 to 9: "Establishment and Renewal Evaluation Procedures Needs Improvement"

- a. This section should, but does not mention the extensive review of all charter proposals at various levels within the agencies prior to their submission to OMB.
- b. We do not believe it desirable to place the responsibility for evaluation of Federal advisory committees on the OMB. Each agency has a legal responsibility to ensure that its programs are being carried out in accordance with the intent of Congress and the policies of the Administration. Without any doubt, agency responsibility extends to advisory committee activities.

3. Report pages 10 to 16: "Comprehensive Review Has Not Been Effective"

- a. Page 10, last paragraph.

[Deleted]

(2) Criticism is made by the GAO (pages 10 and 12) of sketchy justifications for review committees. It would be a burdensome and unnecessary exercise to provide extensive justification for every peer review group, when the necessity and effectiveness of the whole peer review system has been adequately documented.

- b. It should be stressed in this section that the mandate of FACA is not simply to reduce numbers of committees, but also to keep the number to that which is essential. Annual Comprehensive Reviews, designed in large part to reduce the number of committees, sometimes also identify a need for additional committees.
- c. The GAO report implies in this section that the absence of detailed uniform advisory committee standards and procedures which result in differing approaches among agencies is a detriment. This implication should be carefully examined. Certain general norms are needed and are already in place; FACA specifies certain standards, and OMB Circular A-63 further implements the provisions of FACA. While it may be desirable to amend Circular A-63 to clarify additional aspects or direct certain management practices, it is doubtful that discrete and specific guidelines could be devised which would be applicable to all government agencies.

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5. Report pages 19 to 28: "Proposed Evaluation Indicators"

In our opinion there are problems and/or other considerations that should be noted with respect to indicators selected by GAO ". . . that can provide a good idea as to whether an advisory committee is useful, and whether it is serving its purpose":

o Committee Meetings. The number of meetings a committee has had is not much use as an indicator of need, without knowing when the committee was established, purpose of the committee, and other like factors.

o Budget and Staff Support. While the provision of negligible or no staff support might lead one to raise questions about a committee, in other cases data on staff costs would provide no useful information for assessing the need for a committee.

o Committee Age. The life of a committee can only be measured in terms of program needs; therefore, to allot a specific number of years for the life-span of a committee would serve no useful purpose. FACA already requires the renewal or rechartering of advisory committees every two years, and calls for the filing of charters at that time with the two Congressional committees.

o Reports and Recommendations. The distinction between who initiates a recommendation--the agency or the committee--is in our opinion, meaningless. Similarly, we do believe it would be inappropriate to use the number of reports and recommendations from a committee as a guide to its usefulness.

o Alternatives. On page 27 it is stated that the evaluation process should include information as to what alternatives other than committees are available. We see no reason for having to spell out alternatives for individual initial (peer) review groups and legislatively-established national advisory councils. The peer review system has been established and approved by Congress with full consideration for the alternatives. To us, it is unreasonable to set an approximate date for fulfillment of a committee's purpose in the case of committees which perform ongoing functions relating to the operation of continuing programs.

o Costing Procedures. The GAO report expresses concern about possible under-reporting of administrative overhead costs. We would agree that administrative costs relating to the operation of particular committees should be reported by committees, but an agency's administrative/management costs to meet procedural and paperwork requirements connected with implementation of FACA should not be reported as committee support costs. We have discussed this with the OMB and the GAO study team, and believe the approach taken by our projected procedures will show fully the costs of monitoring openness and accountability, but show them separately, to be of more usefulness in legislating and accounting.

6. Report pages 30 to 37: "Adequate Definitions Needed for subgroups and Ad Hoc Committees"

If the recommended action is taken by OMB concerning the development of a terminology for subgroups and ad hoc committees, certain factors need to be considered. Under some circumstances it is useful to obtain advice from competent people on an ad hoc basis. There is no need for a continuing committee, when consensus advice from outside the Government is needed urgently and time does not permit the chartering of a formal committee, nor when it is necessary to prevent a conflict of interest on the part of regularly appointed members in the review of grant applications. There would be no objection to identifying the individuals who provide advice, the function of the group, the cost and other information to the Congress and to the Public. In light of realities regarding the length of time involved to charter a committee and to clear appointment of members to chartered committees, application of FACA requirements to such groups would probably end their usefulness.

7. Report pages 42 to 44: "A Standard Report Definition is Needed"

We believe the report should distinguish the need--if any--for reports by types of committees. For instance, a "report" may not be an accurate measure of effectiveness of certain types of committees such as grant review committees. Committees which are solely advisory may correctly

place more reliance on "reports." Also the GAO report does not specify whether samples of minutes were reviewed to make this kind of assessment. Depending on the level of detail included, some minutes are comprehensive enough to be considered "reports."

8. Report pages 44 to 46; "Follow-up Procedures for Committee Recommendations"

We believe it is unlikely that the GAO-recommended system of follow-up or feedback would meet the needs of different types of advisory committees. Further, that it would result in a large increase in costs and paperwork associated with the operation of advisory committees.

Other Comments

We would like to make some very specific comments to the report regarding the following:

1. Improper use of ad hoc committees. The reasons stated on page 7 for OMB nonconcurrence do not accurately reflect our experience of having a number of committees turned down by OMB--because they would review grant applications for programs which the President's budget proposes to phase out. The inability of agencies to charter needed committees to provide peer review for grant applications--in spite of the fact that the Congress has consistently appropriated funds for these programs--is not addressed in the report. The report does not recognize the ongoing need for obtaining appropriate peer review and does not address how this problem can be solved.

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4. The Congress should consider establishing a simple repeal mechanism to abolish committees established by statute, when necessary.

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6. The inconsistency in reporting cost figures can easily be remedied by revising the criteria for computing them on the annual reporting form.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OCT 4 1976

OFFICE OF
PLANNING AND MANAGEMENT

Mr. Henry Eschwege
Director, Community and Economic
Development Division
United States General Accounting Office
Washington, D.C. 20548

Dear Mr. Eschwege:

We have received copies of the General Accounting Office draft report entitled "Evaluations of the Usefulness of Federal Advisory Committees Need Improvement," for review and comment on August 26. Although I cannot speak for the Office of Management and Budget (OMB) and the other four agencies reviewed, I feel that the Environmental Protection Agency (EPA) has and will continue to improve its efforts to comply with the Act. For example, EPA has held no closed or partially closed advisory committee meetings for the past three years. All advisory committee meetings have been open and announced in the Federal Register 15 days prior to the meeting dates, with the exception of 4 late notices during 1975 and 3 late notices during 1976 (these were late by one day). Most of the late notices were due to a backlog of work at the Federal Register and emergency publication was not utilized. The National Drinking Water Advisory Council has been publishing their meeting notices 30 days in advance of meeting dates, which exceeds the 15-day requirement of the Federal Advisory Committee Act (FACA). In accordance with the OMB definition of "Balanced membership" including appropriate attention to factors of sex, race, creed, national origin, and religion, EPA has made noteworthy progress in promoting balanced memberships for our committees. Currently, we have 50 members who are either women or minorities serving out of a total of 167 positions for which EPA has the final appointing authority. Thus, approximately one third of EPA-selected committee membership is composed of women and/or minorities. A substantial effort has been undertaken to locate technically-qualified individuals among women and minority groups in order to achieve this balance.

EPA has been diligent in keeping its number of advisory committees down to the minimum necessary, as required by the FACA. The Agency

inherited 24 advisory committees on January 1, 1971, at its inception; and we began this year, January 1, 1976, with only 20 advisory committees. During this period (1/1/71 through 1/1/76) EPA terminated 32 advisory committees and the Administrator established 25 committees in addition to the 3 established by Congress. Only four of the inherited committees are still in existence and two of these are in the process of being abolished at this time.

Due to the various ramifications of the FACA and OMB Circular A-63, the Agency Committee Management Officer works actively to discourage program officials from forming new advisory committees, suggesting that they explore alternative avenues for generating advice and diverse points of view. Suggested alternatives include greater use of "in-house" capabilities, public hearings, solicitation of comments from the public, use of contracts, experts, and consultants.

OMB has also been diligent in their efforts to reduce the number of advisory committees within the Agency. Two requests for renewal have been denied by OMB and the following eight advisory committees proposed for establishment by the Administrator were rejected by OMB:

- Mobile Source Air Pollution Control Advisory Committee (12/26/73)
- National Solid Waste/Hazardous Waste Management (12/26/73)
- Pesticide Extramural Advisory Committee (12/26/73)
- Advanced Fossil Fuels Research Advisory Committee (9/4/75)
- Electric Utilities Research Advisory Committee (9/4/75)
- Western Energy Resources Development Advisory Committee (9/4/75)
- Advisory Committee on Clean Air Act Implementation (8/31/76)
- Instrumentation and Control Systems Advisory Committee for Wastewater and Water Management (8/31/76)

We are still consciously looking for ways in which we can improve our uniformity of committee management. As stated on page 4 of the draft report, EPA's Office of Planning and Management is currently conducting a study of our advisory committee activities also. Hopefully, we will have even better managerial procedures as a result of these two studies.

We appreciate the opportunity to review and comment on this report prior to its submission to Congress.

Sincerely yours,



Alvin L. Alm
Assistant Administrator
for Planning and Management (PM-208)

PRINCIPAL OFFICIALS
RESPONSIBLE FOR ADMINISTERING ACTIVITIES
DISCUSSED IN THIS REPORT

	<u>Tenure of office</u>	
	<u>From</u>	<u>To</u>
<u>DEPARTMENT OF COMMERCE</u>		
SECRETARY OF COMMERCE:		
Juanita Kreps	Jan. 1977	Present
Ellicot L. Richardson	Feb. 1976	Jan. 1977
Rogers C.B. Morton	May 1975	Jan. 1976
Frederick B. Dent	Feb. 1973	Apr. 1975
ASSISTANT SECRETARY FOR ADMINISTRATION:		
Guy W. Chamberlin, Jr. (acting)	Jan. 1977	Present
Joseph E. Kasputys	Feb. 1976	Jan. 1977
Joseph E. Kasputys (acting)	Jan. 1976	Feb. 1976
Guy W. Chamberlin, Jr. (acting)	Oct. 1974	Jan. 1976
Henry B. Turner	Apr. 1973	Oct. 1974
<u>DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE</u>		
SECRETARY OF HEALTH, EDUCATION, AND WELFARE:		
Joseph A. Califano, Jr.	Jan. 1977	Present
David Mathews	Aug. 1975	Jan. 1977
Casper W. Weinberger	Feb. 1973	Aug. 1975
UNDERSECRETARY OF HEALTH, EDUCATION, AND WELFARE:		
Vacant	Jan. 1977	Present [†]
Marjorie Lynch	Nov. 1975	Jan. 1977
Vacant	Jan. 1975	Nov. 1975
Frank C. Carlucci	Jan. 1973	Jan. 1975
ASSISTANT TO THE SECRETARY AND DIRECTOR OF OFFICE OF SPECIAL PROJECTS:		
Vacant	Mar. 1976	Present
Douglas J. Bielan	Oct. 1976	Feb. 1977
Douglas J. Bielan (acting)	Mar. 1976	Oct. 1976
William S. Ballenger	Jan. 1974	Mar. 1976

<u>Tenure of office</u>	
<u>From</u>	<u>To</u>

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE (cont'd)ADMINISTRATOR FOR THE ALCOHOL,
DRUG ABUSE, AND MENTAL HEALTH
ADMINISTRATION:

Francis N. Waldrop (acting)	Jan. 1977	Present
James D. Isbister	Aug. 1975	Jan. 1977
James D. Isbister (acting)	Sept. 1974	Aug. 1975
Dr. Robert Dupont (acting)	Jul. 1974	Sept. 1974
Roger O. Egeberg (acting)	Oct. 1973	June 1974

COMMISSIONER FOR THE FOOD AND DRUG
ADMINISTRATION:

Sherwin Gardner (acting)	Dec. 1976	Present
Alexander M. Schmidt, M.D.	July 1972	Dec. 1976

DEPARTMENT OF THE INTERIOR

SECRETARY OF THE INTERIOR:

Cecil D. Andrus	Jan. 1977	Present
Thomas S. Kleppe	Oct. 1975	Jan. 1977
Stanley K. Hathaway	June 1975	Oct. 1975
Kent Frizzell	May 1975	June 1975
Rogers C.B. Morton	Jan. 1971	Apr. 1975

DEPUTY ASSISTANT SECRETARY FOR
MANAGEMENT:

Richard R. Hite	July 1971	Present
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DIRECTOR OF THE BUREAU OF LAND
MANAGEMENT:

Curly Clark	July 1973	Present
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DIRECTOR OF THE NATIONAL PARK
SERVICE:

Gary E. Everhardt	Jan. 1975	Present
Ronald H. Walker	Jan. 1974	Dec. 1974

ENVIRONMENTAL PROTECTION AGENCY

ADMINISTRATOR:

Douglas M. Costle	Mar. 1977	Present
John R. Quarles (acting)	Jan. 1977	Mar. 1977
Russell E. Train	Sept. 1973	Jan. 1977

ASSISTANT ADMINISTRATOR FOR
PLANNING AND MANAGEMENT:

Richard Redenius	Jan. 1977	Present
Alvin L. Alm	July 1973	Jan. 1977

<u>Tenure of office</u>	
<u>From</u>	<u>To</u>

NATIONAL SCIENCE FOUNDATION

DIRECTOR:

Richard C. Atkinson (acting)	Aug. 1976	Present
H. Guyford Stever	Feb. 1972	Aug. 1976

ASSISTANT DIRECTOR FOR ADMINIS-
TRATION:

Eldon D. Taylor	Aug. 1974	Present
Eldon D. Taylor (acting)	July 1974	Aug. 1974
Thomas Jenkins	Sept. 1972	June 1974

OFFICE OF MANAGEMENT AND BUDGET

DIRECTOR:

Bert Lance	Jan. 1977	Present
James T. Lynn	Feb. 1975	Jan. 1977
Roy L. Ash	Feb. 1973	Feb. 1975

DEPUTY ASSOCIATE DIRECTOR FOR
EVALUATION & PROGRAM IMPLEMEN-
TATION:

Toney Head, Jr. (acting)	June 1976	Present
Clifford W. Graves	Jan. 1974	June 1976

COMMITTEE MANAGEMENT SECRETARIAT:

William E. Bonsteel	Jan. 1975	Present
Chester D. Warner	Mar. 1974	Jan. 1975
William B. Hawley	Mar. 1973	Mar. 1974