

DEPARTMENTAL REGULATION		Number: 1041-001
SUBJECT: Advisory Committee Management	DATE: February 8, 1993	
	OPI: Office of Personnel	

1 PURPOSE

This regulation provides procedures for the establishment, operation, duration, and accessibility to the public of advisory committees under the jurisdiction of the Department.

2 CANCELLATION

This regulation supersedes DR 1041-1 dated November 13, 1989.

3 POLICY

a All provisions of the Federal Advisory Committee Act (5 U.S.C. App.), Title XVIII of the Food and Agriculture Act of 1977, as amended (7 U.S.C. 2281 et. seq.), regulations issued by the Committee Management Secretariat of the General Services Administration (41 CFR Part 101-6) and these regulations will apply to all advisory committees, as that term is defined in these regulations, unless otherwise provided by law. The Department will maintain control over the establishment and use of advisory committees.

b Unless otherwise provided by statute or Presidential directive, advisory committees shall be utilized solely for advisory functions. Decisions regarding actions or policies relating to matters dealt with by an advisory committee shall be made solely by an official of the Department.

4 DEFINITIONS

a Act. The Federal Advisory Committee Act, as amended.

b Advisory committee. A committee, subcommittee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or subgroup thereof, established by statute, or established or utilized by the President or any Departmental official for the purpose of obtaining advice or recommendations on issues or policies within the scope of his/her responsibilities, which are not exempt from the Federal Advisory Committee Act. Refer to Section 6 for exclusions from the Act.

c Committee Management Officer (CMO). The Assistant Secretary for Administration.

d Nonstatutory advisory committee. An advisory committee established by Departmental authority, including those authorized by an Act of Congress.

e Reestablishment of an advisory committee. The rechartering of a previously established committee after its charter has expired.

f Renewal of an advisory committee. The rechartering of a previously established committee prior to the expiration of its current charter.

g Secretariat. The Committee Management Secretariat of the General Services Administration (GSA).

h Staff member. An individual who serves in a support capacity to an advisory committee.

i Statutory advisory committee. An advisory committee established by an Act of Congress. It includes an advisory committee established by the Secretary where a statute allows no discretion as to whether the committee should be established.

j Utilized. A committee or other group, composed in whole or in part of other than full-time Government officers or employees, which has an established existence outside the Federal Government and is used as a preferred source to obtain advice or recommendations in the same manner as from an established advisory committee.

5 RESPONSIBILITIES

a The CMO will be responsible for:

- (1) Exercising control and supervision over the establishment, procedures, and accomplishments of advisory committees;
- (2) Assigning responsibility for the assembly and maintenance of the reports, records, and other papers of advisory committees; and
- (3) Carrying out, on behalf of the Department, the provisions of Section 552 of title 5, United States Code, with respect to such reports, records, and other papers.

b The Office of Personnel (OP) provides staff support for the CMO by:

- (1) Maintaining systematic information on the nature, functions, and operations of each advisory committee, including a complete set of charters and annual reports for advisory committees;
- (2) Filing advisory committee charters with the appropriate Congressional committees, the Library of Congress, and the Committee Management Secretariat;
- (3) Maintaining membership lists for all advisory committees;

(4) Complying with advisory committee management reporting requirements; and

(5) Providing advice and guidance on the establishment, renewal, utilization, management, and reporting of all advisory committees.

c The Office of Finance and Management (OFM) provides staff assistance in the preparation, implementation, and monitoring of all non-Forest Service advisory committee budgets by:

(1) Consulting with agencies regarding the presentation of proposed committee budgets. A consolidated budget will be compiled for all non-Forest Service agencies and presented to the CMO, the Office of Management and Budget, and Congress;

(2) Consulting with the CMO, once the appropriation for advisory committees has been received, and then allocating funds to the appropriate Under Secretary or Assistant Secretary for the operation of committees within respective functional areas; and

(3) Issuing instructions to agencies for the preparation of quarterly reports indicating current rates of expenditure and forecasted fund requirement projections. These reports will be consolidated, and recommendations regarding reallocation of funds will be made to the CMO.

d Agency heads are responsible for providing an orderly procedure for:

(1) Establishing or terminating advisory committees and providing guidance for the selection of members;

(2) Adhering to the law and regulations governing the use of advisory committees;

(3) Designating for any advisory committee a central location for the assembling and maintenance of the reports, records, and other papers of the advisory committee for public inspection and copying;

(4) Conducting periodic reviews of advisory committee activities;

(5) Maintaining an adequate advisory committee control system, including maintaining records of all advisory committees sponsored by the agency;

(6) Submitting Form AD-241, Committee Control Record (Appendix A), and Form AD-742, Transfer and Adjustment Voucher (Appendix B), for all advisory committees; and

(7) Appointing a designated agency official for each advisory committee.

6 EXCLUSIONS FROM PROVISIONS OF THE ACT

Excluded from coverage under these regulations are:

- (1) A committee composed wholly of full-time officers or employees of the Federal Government;
- (2) Any advisory committee specifically exempted by an Act of Congress;
- (3) Any local civic group whose primary function is to render a public service with respect to a Federal program, or any State or local committee, council, board, commission, or similar group established to advise or make recommendations to State or local officials or agencies;
- (4) Any meeting initiated by the President or one or more Federal officials for the purpose of obtaining advice or recommendations from one individual;
- (5) Any meeting initiated by a Federal official with more than one individual for the purpose of obtaining the advice of individual attendees and not for the purpose of using the group to obtain consensus advice or recommendations. Such a group would, however, be covered by these regulations if the deliberations of the group are accepted as a source of consensus advice or recommendations;
- (6) Any meeting initiated by a group with the President or one or more Federal officials for the purpose of expressing the group's view, provided the group is not used recurrently as a preferred source of advice or recommendations;
- (7) Meetings of two or more advisory committee or subcommittee members convened solely to gather information or conduct research for a chartered advisory committee, to analyze relevant issues and facts, or to draft proposed position papers for deliberation by the committee or subcommittee; and
- (8) Any meeting with a group initiated by the President or one or more Federal officials for the purpose of exchanging facts or information.

7 ESTABLISHMENT OR REESTABLISHMENT OF A NONSTATUTORY ADVISORY COMMITTEE

a Policy on establishment or reestablishment. The following policy shall govern the establishment or reestablishment of nonstatutory advisory committees. No such committee shall be established or reestablished unless:

- (1) It has been determined as a matter of formal record, by the Secretary or appropriate Under or Assistant Secretary, to be in the public interest;

- (2) It has been established or reestablished in accord with these regulations;
- (3) Prior consultation with the Secretariat has been accomplished;
- (4) Notice of the intent to establish or reestablish the committee has been published in the Federal Register at least 15 days before the committee's charter is filed, unless the Secretariat authorizes a shorter period between publication and charter filing;
- (5) The purpose of the committee has been clearly defined;
- (6) The proposed membership of the committee represents a balance in terms of the points of view represented and the functions to be performed; and
- (7) The proposed budget of the committee reflects the reasonably anticipated costs of performing the functions of the committee, and the funds to support the committee's proposed activities are available within the Congressional limitation, as indicated by OFM appropriations.

b Procedure for establishment or reestablishment.

- (1) An agency desiring to establish or reestablish a committee or utilize an outside committee shall first consult with and obtain the approval of the appropriate Under or Assistant Secretary. If that official approves, the agency shall prepare the following documents:
 - (a) A letter for the signature of the CMO to the Director of the Secretariat containing the following information:
 - (i) An explanation of why the committee is essential to the conduct of agency business and in the public interest;
 - (ii) An explanation of why the committee's functions cannot be performed by the agency, another existing advisory committee, or other means such as a public hearing;
 - (iii) A description of the agency's plan to attain balanced membership;
 - (iv) A request for concurrence of the Secretariat in the Department's decision; and
 - (v) Two copies of the draft charter must be forwarded with the letter.
 - (b) A Departmental Regulation containing the following information which will serve as the charter for the committee (see Appendix C for an example):

- (i) Committee name;
 - (ii) Committee's objectives and the scope of its activity;
 - (iii) Period of time necessary for the committee to carry out its purposes;
 - (iv) Official of the Department to whom the committee reports;
 - (v) Agency responsible for providing necessary support for the committee;
 - (vi) Description of the duties for which the committee is responsible and, if such duties are not solely advisory, the authority for such functions;
 - (vii) Estimated annual operating costs in dollars and staff years;
 - (viii) Estimated frequency of committee meetings;
 - (ix) Termination date of the committee; and
 - (x) The following statement: "Equal opportunity practices, in line with USDA policies, will be followed in all membership appointments to the committee. To ensure that the recommendations of the committee have taken into account the needs of the diverse groups served by the Department, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities."
- (c) A notice for publication in the Federal Register of the Department's intent concerning the committee (see Appendix D for an example). The notice shall contain the name and purpose of the committee, and a statement that the committee is necessary and in the public interest. If desired, an agency may solicit comments in the notice by including the name and address of any agency official to whom the public may submit comments. Notices for national committees shall be for the signature of the CMO. Notices for regional, State, and local committees may be signed by an agency official.
- (2) Using the appropriate clearance forms, the letter to GSA, charter, and Federal Register notice shall be cleared within the agency and then forwarded, as a package, through the Office of the General Counsel (OGC) to OP. OP is responsible for obtaining all other Departmental clearances. AD-114 (pink jacket) shall be used for the letter (Appendix E); AD-116 (blue jacket) shall be used for both the Departmental Regulation and the Federal Register notice (Appendix F).

(3) OP will notify the agency of the action taken by the Secretariat and will forward the Federal Register notice to the CMO for signature. The committee's charter will be forwarded for signature at the end of the 15-day notice period

(4) If an agency has not established or reestablished a committee within a year of the concurrence of the Secretariat, the concurrence shall be terminated unless the CMO grants an extension. In no case shall the approval extend beyond two years from the date of the concurrence.

c Procedures for amending a committee charter.

(1) When minor amendments to the charter are needed, the agency providing support to the committee will prepare a revised charter and forward it, through OGC, to OP. OP is responsible for obtaining clearances and filing the revised charter.

(2) When major amendments are necessary, the agency will, in addition to the revised charter, prepare a letter to the Committee Management Secretariat explaining the purpose of the changes and why they are necessary. This letter will be prepared for the signature of the CMO. The Secretariat will have 15 days to review the amendment, after which the revised charter will be forwarded for signature and filed with the appropriate committees of Congress.

8 RENEWAL OF A NONSTATUTORY COMMITTEE

Procedure for renewal. Procedures in Sections 7a and 7b apply to the renewal of nonstatutory committees. The Federal Register notice will not be filed until after the charter has been filed, and will note that the committee has been renewed. The renewal process begins no more than 90 and no less than 40 days before a committee's scheduled termination date.

9 TERMINATION OF A NONSTATUTORY ADVISORY COMMITTEE

a A committee shall be terminated for the following reasons:

(1) The charter has expired and the committee has not been renewed or reestablished as provided in these regulations;

(2) The committee has expended funds in excess of its estimated annual operating costs by more than 10 percent or \$500, whichever is greater, without prior approval of the CMO;

(3) The committee has not filed all reports required under provisions of the Act or the Food and Agriculture Act of 1977, as amended;

(4) The committee has not met for two consecutive years;

(5) The functions of the committee could or should be performed by Federal employees; and

(6) The committee does not serve or has ceased to serve an essential function.

10 ESTABLISHMENT, REESTABLISHMENT, AND RENEWAL OF A STATUTORY ADVISORY COMMITTEE

a The filing of a charter is the only action required to establish, reestablish, or renew a statutory advisory committee. The charter shall contain the same information as required for a nonstatutory committee in Section 7b(1)(b), and shall be forwarded to OP, through OGC. OP is responsible for obtaining Departmental clearances, signature, and filing.

b For a statutory advisory committee whose duration is set by law for more than two years, a new charter must be filed every two years after the date of enactment of the law establishing the committee.

c A statutory advisory committee whose duration is not otherwise provided for by law shall terminate two years after the date of enactment of the law establishing the committee. To reestablish such a committee, use the procedures for nonstatutory committees listed in Section 7.

11 MEMBERSHIP

a General procedures. The following procedures apply to all advisory committees:

(1) The membership of a committee shall be fairly balanced in terms of the points of view represented and the functions to be performed. For purposes of obtaining balance, agencies shall consider for membership a cross-section of interested persons and groups with demonstrated professional or personal qualifications or experience to contribute to the functions and tasks to be performed.

(2) No member, other than an officer or employee of the Department, shall serve on more than one committee at any one time without the prior approval of the CMO. The Office of the Secretary will notify the agency when a nominee is already serving on another advisory committee. Requests for multiple memberships shall be submitted through OP.

(3) Not more than one officer or employee of any corporation or other non-Federal entity, including its subsidiaries and affiliates, shall serve on the same advisory committee at any one time without the prior approval of the CMO. Requests shall be submitted through OP.

(4) No member, other than an officer or employee of the Department, may serve on an advisory committee for more than six consecutive years without the prior approval of the CMO. Requests shall be submitted through OP.

(5) Appointments of members shall be for no longer than two years or for the unexpired term of the member being replaced, as appropriate.

(6) Committee appointments expire when the committee charter expires except in those instances where length of membership term is directed by law. The appointing authority, however, may terminate an appointment at an earlier time. In this connection, agencies should monitor the attendance and participation of committee members and consider replacing any member who has missed a substantial number of scheduled committee meetings.

(7) There shall be no discrimination on the basis of race, color, national origin, religion, disability, age, or sex in the selection of members. If the agency publishes a notice in the Federal Register soliciting nominees for committee membership, the notice shall include the following statement: "To ensure that recommendations of the (committee/council/board) take into account the needs of the diverse groups served by the Department, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities."

(8) In the event a committee is renewed or reestablished, new appointments to the committee shall be necessary. New appointments shall provide for rotation to the extent feasible and practicable. Reappointments may be made to assure effectiveness and continuity of operations consistent with the above restraints.

(9) It shall be the responsibility of the agency to insure that no person selected as a member of a committee is engaged in employment or has a financial interest which is deemed likely to affect the integrity of his/her service on the committee.

b Compensation and expense reimbursement.

(1) Unless specifically required by law or approved by the CMO, agencies shall not compensate committee members for their service on a committee.

(a) If compensation is mandated by statute, but the statute does not specify a rate of compensation, the agency shall recommend to the CMO the rate of pay for members. The recommendation shall be forwarded through OP. If approved, OP will notify the agency.

(b) If compensation is not mandated by statute and the agency desires to pay members, the request shall be forwarded to the CMO through OP. The request shall include justification for such payment and the proposed rate of pay. If approved, OP will notify the agency.

(c) The rate of pay in either (a) or (b) above shall not exceed the daily equivalent of the maximum rate of pay for GS-15.

(2) An agency may fix the pay of each committee staff member at a rate of the General Schedule, General Merit Schedule, or Senior Executive Service in which the staff member's position is appropriately placed (see Chapter 51 of Title 5 of the U.S. Code).

(3) An agency may not fix the pay of a staff member at a rate higher than the daily equivalent of the maximum rate for GS-15, unless it has been determined by the CMO that the position would be appropriately placed at a higher grade under one of the above classification systems. Once such a determination has been made, the agency shall annually forward for review by the CMO documentation supporting the higher pay rate.

(4) In establishing rates of compensation, the agency head shall comply with applicable statutes, regulations, and Executive Orders.

(5) A staff member who is a Federal employee shall serve with the knowledge of the designated Federal official and approval of the employee's direct supervisor. If a non-Federal employee, the staff member shall be appointed in accordance with applicable agency procedures, following consultation with the committee.

c Consultants. An agency shall fix the pay of a consultant to an advisory committee after giving consideration to the qualifications required of the consultant and the significance, scope, and technical complexity of the work. The rate of compensation may not exceed the daily equivalent of the maximum rate for GS-15.

d Travel expenses. Committee members and staff members, while engaged in the performance of their duties away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703 for persons employed intermittently in Government service. Such payments for an alternate member of a committee shall be allowed only when the alternate member is attending a meeting in that capacity.

e Special services. While performing committee duties, a committee member who is blind or deaf, or who qualifies as a disabled individual, may be provided services by a personal assistant for disabled employees if the member:

(1) Qualifies as a disabled individual as defined by Section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 794); and

(2) Does not otherwise qualify for assistance under 5 U.S.C. 3102 as an employee of an agency.

12 CLEARANCE OF COMMITTEE MEMBERS

a Policy. A background clearance is required for all proposed committee members to be appointed by the Secretary, except those who are Federal employees.

b Procedure.

(1) Four copies of Form AD-755, Advisory Committee Membership Background Information (Appendix G), shall be submitted to the Office of the Secretary for each proposed committee member. Clearance procedures will not be instituted if the biographical data is insufficient to permit a background review. In particular, any source of income in excess of \$10,000 during the preceding year (other than from the individual's primary employment), must be reported as a major source of income.

(2) The above procedures shall be used for both existing and prospective members when an advisory committee's charter is being renewed or reestablished, whether or not biographical information had been submitted on the individual in the past.

13 APPOINTMENT OF MEMBERS

a Authority. National and/or statutory committee members shall be appointed by the Secretary. Regional, State and local committee members shall be appointed by the agency official responsible for the committee unless determined otherwise by the CMO.

b Invitation to serve on a national committee. Letters of invitation shall be prepared by the agency for the signature of the Secretary, and shall include:

- (1) Purpose, objectives, and expected accomplishments of the committee;
- (2) Name of the chairperson;
- (3) Frequency of meetings, if known;
- (4) Location of meetings, if known;
- (5) Travel and per diem allowances, if applicable; and
- (6) Expiration date of appointment.

The agency shall provide appropriate follow-up where a letter of invitation has been issued and no response is received within 21 days of the date the invitation was mailed.

c Certificates of appointment.

(1) For national committees, Form AD-580, Certificate of Appointment, signed by the Secretary, shall be presented to each member (see Appendix H).

(2) The certificates may be requisitioned from the Consolidated Forms and Publications Distribution Center. The agency shall arrange for presentation of the certificates either by mail at the time of appointment, or at the next meeting of the committee.

14 MEETINGS

a General. All committee meetings shall be subject to the following provisions.

(1) No meeting shall be held except at the call of, or with the advance approval of, the designated Departmental official, and with an agenda approved by that official.

(2) Committees shall meet under the chairpersonship of, or in the presence of, a designated Departmental official who shall have the authority and be required to adjourn any meeting whenever he/she considers adjournment to be in the public interest. No committee shall conduct a meeting in the absence of the Departmental official designated in the charter to chair or attend the meeting.

(3) The Department shall maintain an open-door policy with respect to meetings. Meetings will be open to the public except when a determination is made by the Secretary, in writing, that any or all portions of a meeting should be closed in accordance with 5 U.S.C. 552b(c).

(4) If an agency seeks to have all or part of a meeting closed on the basis of an exemption contained in 5 U.S.C. 552b(c), the agency shall prepare a determination for the Secretary's signature. The determination shall state that it is essential to close a portion(s) of the meeting and the specific reasons for this action. The determination shall be accompanied by an explanation of the reasons why the meeting should be closed. The determination and accompanying explanation shall be forwarded to the CMO, through OGC and OP, at least 45 days before the scheduled meeting.

(5) The closing of a meeting or any portion of a meeting may be reviewed by the CMO after the meeting is held. If it is determined that a meeting or any portion thereof was closed inappropriately, corrective action may be taken.

(6) Notice of all meetings, both open and closed, shall be published in the Federal Register at least 15, but no more than 45 calendar days prior to the meeting. Shorter notice may be authorized by the Secretariat for good cause or in emergency situations. The reasons for such emergency exceptions shall be made part of the meeting notice.

- (7) The agency shall be responsible for preparation of the notice and submitting it to the Federal Register through OGC. The agency shall start processing a meeting notice at least 45 days before the scheduled meeting date to allow for clearance within the Department and handling time at the Federal Register. The notice shall contain:
- (a) The name of the advisory committee;
 - (b) The time, date, place, and purpose of the meeting, including a summary of the agenda or the name of the person from whom it may be obtained;
 - (c) The extent to which the public will be permitted to attend or participate in the meeting;
 - (d) A statement that the meeting is open or, if the meeting is to be closed, an explanation of why it is closed; and
 - (e) The name and address of the person to whom written comments may be made.
- (8) A press release announcing a national committee meeting shall be prepared by the agency and forwarded to the Office of Public Affairs at least 15 days prior to the meeting. That Office will make the release available to the media. Releases announcing regional, State, and local committee meetings will be furnished by the agency to the local media.
- (9) With regard to an open or partially open meeting, the agency shall be responsible for the following:
- (a) The meeting shall be held at a reasonable time and at a place that is reasonably accessible to the public;
 - (b) The size of the meeting room shall be large enough to accommodate the committee members, the staff, and members of the public who could reasonably be expected to attend;
 - (c) Any member of the public shall be permitted to file a written statement with the committee before or within a reasonable time following the meeting; and
 - (d) Interested persons may be permitted by the committee chairperson to speak at the meeting in accordance with procedures established by the committee.
- (10) Detailed minutes shall be kept of all meetings. The chairperson or designated Department official shall certify the accuracy of the minutes, which shall include at least the following:
- (a) The time, date, and place of the meeting;

- (b) A list of committee members, committee staff, and Department employees present;
 - (c) An accurate description of each matter discussed and the resolution, if any, made by the committee of such matter;
 - (d) Copies of all reports or other documents received, issued, or approved by the committee;
 - (e) A description of the extent to which the meeting was open to the public; and
 - (f) A description of public participation, including a list of members of the public who presented oral or written statements, and an estimate of the number who attended the meeting.
- (11) The records, reports, transcripts, working papers, etc., of all open committee meetings shall be available for public inspection and copying. If a portion of a meeting is closed, the minutes of the open portion shall be available to the public. If meetings are entirely or partially closed, the agency shall prepare at least annually a summary report of its activities and such related matters as would be informative to the public. No later than December 31, the agency shall prepare a Federal Register notice of availability of the report, including instructions which allow the public access to the report.
- (12) Committee records shall be maintained for the life of the committee and then disposed of in accordance with the agency's records disposal schedule.
- (13) If transcripts are made of a meeting, they shall be available within a reasonable period of time following the meeting.
- (14) Advice or recommendations of the committee shall be given only with respect to matters covered in the record of the committee's proceedings.
- (15) If, in lieu of a meeting, recommendations of committee members are solicited by mail or telephone, the agency shall publish a notice in the Federal Register, no later than the date the recommendations are sought. The notice shall fully describe the matter to be considered. The notice shall also include:
- (a) Instructions to the public on how to file their views on the matter with the agency;
 - (b) A statement that the request and any responses received will be available for public inspection and copying; and
 - (c) The location where these records will be maintained.

(16) A report for each committee where members' recommendations are solicited in this manner will be prepared at least annually by the agency. No later than December 31, the agency shall prepare a Federal Register notice of availability of this report, including instructions which allow the public access to the report.

15 DISCLOSURE OF OFFICIAL INFORMATION TO PUBLIC MEMBERS

Certain types of information classified under security regulations, or specifically restricted by law or Presidential directive, may not be disclosed to members of advisory committees. However, material otherwise restricted as "FOR OFFICIAL USE ONLY" may, in some circumstances, be made available when essential to the transaction of committee business. When making material available to committee members, it must be clearly understood that all material presented for review at an open meeting is available for public inspection and copying. Therefore, good judgment must be exercised to assure that presentation of information is essential and that risk of consequences adverse to the public interest has been carefully weighed.

16 REPORTING AND RECORDS

a External reporting requirements.

(1) The Department shall submit a report on each advisory committee to the Secretariat in the manner and format required by the Secretariat, for preparation of the annual report required by the Act. Instructions and forms for preparing the report shall be issued by OP.

(2) For each nonstatutory advisory committee, the Department shall submit an annual report to the appropriate committees of Congress and the Library of Congress as required by Title XVIII of the Food and Agriculture Act of 1977, as amended. Data for this report shall be prepared in accordance with guidelines furnished by OP.

b Reports issued by committees.

(1) All reports and recommendations issued by a committee shall be in written form. The agency shall maintain copies of such reports and/or recommendations, and a written record of any responses made by the Department to the committee's recommendations.

(2) When a report or recommendation is issued to the Secretary by a committee, the agency shall forward eight copies to the Library of Congress, Exchange and Gift Division, Federal Advisory Committee Desk, Washington, D.C. 20540. Excluded from this requirement are minutes of meetings, materials exempt under 5 U.S.C. 552b(c), reports prepared for submission to the Secretariat, and the report prepared in compliance with Title XVIII of the Food and Agriculture Act of 1977, as amended. Background papers prepared for the committee's use may also be provided to the Library of Congress, if deemed appropriate.

- c Committee control system.
 - 1) Each agency sponsoring a committee shall provide support services for that committee. The Secretary shall designate the agency that will provide support services for committees established or authorized by law.
 - (2) The agency head shall designate an official to be responsible for maintaining central control records of all committees which the agency sponsors or for which it provides support services. The information shall be current at all times and agencies shall be prepared to furnish such information upon request.
- d Submission of Form AD-241, Committee Control Record.
 - (1) Each agency, through its committee management official, must submit one copy of Form AD-241 (Appendix A) to OP within 15 days of the initial appointment of a new committee. Changes in members or related data must be reported on Form AD-241 within 15 days of the change.
 - (2) OP shall maintain this information in a data base for use in preparing the membership portion of the annual report referred to in Section 15a above.
- e Other records. In addition to Form AD-241, agencies shall maintain copies of the following:
 - (1) Committee charter;
 - (2) Minutes of committee proceedings;
 - (3) Press releases and committee reports;
 - (4) Secretarial determinations under 5 U.S.C. 552b(c) that committee activities will be closed to the public; and
 - (5) Any other working papers properly a part of committee or subcommittee records.
- f Financial recordkeeping and reporting.
 - (1) Funds for non-Forest Service committees are included in the Departmental Administration budget and are allocated by the CMO to the appropriate Under or Assistant Secretary. That official is responsible for distributing funds to the agencies within his/her jurisdiction that sponsor committees.
 - (2) Committee expenses shall not exceed the estimate in the charter by the greater of \$500 or 10 percent, without prior approval of

the CMO. Agencies shall request approval by sending a written justification to the CMO through OP.

(3) Each agency, through the responsible official, shall maintain up-to-date records that disclose the disposition of funds made available to its advisory committees. The records shall be available for inspection and audit by the Department and/or the General Accounting Office.

(4) Agencies shall report amounts expended to OFM in accordance with instructions from that Office.

Signed by:

LARRY SLAGLE