

March 22, 2000

MEMORANDUM TO: Karen D. Cyr
General Counsel

FROM: Annette L. Vietti-Cook, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - COMSECY-00-0018 - COMMENTS ON GSA PROPOSED FACA REGULATIONS

The Commission has approved sending your comments to the General Services Administration on their proposed rule, which revisits current regulations implementing the Federal Advisory Committee Act, subject to the following comments. You should delete the comment on Section 102-3.150 concerning authorization to pay "additional expenses" to committee members.

The comments in the "Seeking feedback" section should be revised as follows:

"The proposed rule would require agencies to continually seek feedback from advisory committee members and the public regarding the effectiveness of the committee's activities. At regular intervals, agencies should communicate to the committee how its advice has affected their programs and decisionmaking. There is nothing in the proposed rule about how these requirements are to be implemented. We presume that this provision would not require additional efforts by advisory committees that already actively seek and receive such feedback. However, as to other advisory committees, this provision ~~They~~ could also result in agencies' devoting substantial resources to implementation of FACA. We note that there is no statutory requirement mandating this provision and recommend reconsideration of the need for this provision."

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
EDO
CIO
CFO
OCA
OIG
PDR
DCS