



U.S. Geological Survey Manual

205.17 – Federal Advisory Committee Management

Date:

OPR: Office of Enterprise Information

Instruction: Supersedes Survey Manual (SM) Chapter 205.17, Federal Advisory Committee Management, dated June 14, 2001.

1. **Purpose.** This chapter provides policy and procedural information regarding the establishment, use, revision, and operating criteria for Geological Survey Federal Advisory Committees established by the Department of the Interior (DOI). This chapter should be used in conjunction with the DOI Departmental Manual (DM), Part 308.

2. **Scope.** This policy applies to all U.S. Geological Survey (USGS) employees.

3. **Authorities.**

- A. Federal Advisory Committee Act (FACA), Public Law 92-463.
- B. Office of Management and Budget (OMB) Circular Number A-63, Rev., dated March 27, 1974.
- C. Public Law 87-849 on a person serving as a member of an advisory committee, and who is by his membership an officer or employee of the United States.
- D. Public Law 92-463 Section 9(a) provides that no committee shall be established unless authorized by statute or by the President, or as a matter of formal record, by the head of the agency involved after consultation with the General Services Administration (GSA).
- E. Advisory committee members are subject to the provisions of Executive Order 11222, Standards of Ethical Conduct for Government Officers and Employees.
- F. Federal Personnel Manual, Chapter 735, Appendix C.
- G. DM Part 308, chapters 1 through 8.

4. **Definitions.**

- A. *Charter* is crafted by the agency given authority to host a committee. The charter should follow the format provided by the DOI Office of Executive Secretariat. The charter includes the guidance for the committee including the purpose of the committee, the number of members, the nature of the public meetings to be held, and reports that must be completed. The Executive Office may make special requests of a committee that is not part of the charter, but the charter will contain all the above elements.
- B. *Designated Federal Officer (DFO)* is the Federal official assigned management responsibility for an advisory committee, or his designee for the committee.

- C. *Establishment Date* is the date the committee charter is filed with the Library of Congress.
- D. *FACA Database* is a tool used to review the actions of committees every year. The database contains areas to record meeting expenses, membership vacancies, meeting minutes and decisions, and reports on subject matter as requested. The database is a formal information submission tool that has restricted access.
- E. *Federal Advisory Committee (FAC)* is a committee, board, commission, council, conference, panel, task force, or any subcommittee or other subgroup established by statute or reorganizational plan; or established or utilized by the President or by one or more agencies, in the interest of obtaining advice or recommendations for the Federal Government, except committees composed wholly of full-time officers or employees of the Federal Government. Advisory Committees may include Federal employees and subject matter experts from industry and education; State, local, and tribal employees; and non-governmental organizations.

5. Policy.

- A. Upon approval of a new Department-established committee and upon renewal of such a committee, the committee charter shall be filed with GSA and the standing committees of the Senate and the House of Representatives having legislative jurisdiction over the Department.
- B. Each Federal Advisory Committee established by statute or reorganization plan shall file a new charter upon its establishment and upon the expiration of each successive 2-year period following the date of enactment of the statute establishing the committee.
- C. Committee meetings may have restricted public attendance when privacy, financial, national security, or other sensitive topics are reviewed. The USGS Director (or designee) is required to maintain appropriate records to regarding the disposition of any funds used for advisory committee operations.
- D. Compensation, travel expenses, per diem, or expenses in lieu of per diem may be fixed by the charter, statute, or Executive Order authorizing the advisory committee.
- E. Federal Government employees serving as members of advisory committees will not receive any additional compensation for such service over and above their regular compensation as employees.
- F. Pursuant to Section 10 (a)(2) of the Federal Advisory Committee Act, the USGS officials assigned responsibility for an advisory committee by the Director are authorized to publish notices in the Federal Register announcing meetings and vacancies in accordance with the guidance in SMC 431.8 Federal Register Documents. Notice of FAC public meetings must be published in the Federal Register at least 15 days prior to the meeting.
- G. To provide a base for reports that may be required from time to time by the Office of Secretary or outside agencies, appropriate records will be maintained by the committee management officers. Records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents created or prepared for or by an advisory committee shall be available for public inspection and copying.

6. Responsibilities.

- A. *USGS Director* is delegated the authority to make written determinations that meetings of advisory committees for which USGS is responsible may be closed or restricted.

- B. *Associate Directors, Regional Directors, Office Chiefs, and Center Directors* are responsible for determining that the advisory function cannot be performed by existing organizations or individuals within the Federal service, or by an advisory committee already in existence, or by enlarging the mission of an existing advisory committee.
- C. *Designated Federal Officer (DFO)* is responsible for assuring that the charter is appropriately filed. A copy of any charter which is filed with the Congressional committees will also be furnished to the Department Committee Management Officer, Immediate Office of the Secretary. The date of the letter transmitting the charter will be considered the filing date of the charter and the establishment date of the committee. The DFO reviews expenses for meetings and assists in preparing the budget for the next year.
- D. *Department Committee Management Officer in the Office of Executive Secretariat and Regulatory Affairs* is responsible for developing, overseeing, and coordinating the Department's Committee Management Program, including the review and finalization of all enabling committee charters and all Secretarial appointments of committee members.
- E. *Group Federal Officer (GFO)* is responsible for serving as the USGS liaison to Office of Executive Secretariat and Regulatory Affairs and is responsible for ensuring compliance with FACA requirements.
- F. *Committee Chair* is responsible for serving as the head of the committee. In consultation with the DFO, the Chair executes charter responsibilities, gives assignments to subcommittees or the committee, and prepares and approves reports to the Executive Office that are created by the committee.
- G. *FAC Members* are responsible for and required to attend meetings and participate in preparing reports on subject matter questions brought before the committee. Members may be Federal employees, but most are local government experts, members of national or regional associations, academics with special knowledge, industry leaders, and interested public figures.
- H. *General Services Administration (GSA)* has oversight responsibility for all committees. GSA reviews committee membership and meeting expenses and assists with determining if the committee serves a purpose. When a committee is determined no longer necessary GSA works to decommission the committee and nullify the committee charter.
- I. *GFO* is responsible for assisting the committee DFO with review and submission of committee reports and submitting Federal Register notices for publication.

7. General Procedure on Reporting.

- A. The USGS Director has delegated responsibility to the Committee Chairman and DFO to complete required reports and submit them in a timely manner. The DFO collects minutes from meetings, pays expenses for members, and delivers subject matter reports to the Executive Office. The DFO and GFO work together to prepare and submit Federal Register meeting notices as needed and to prepare membership reports on a quarterly basis.
- B. Under OMB Circular No. A-63, periodic review of the activities of advisory committees and determination of the necessity for their continuation is required. This review will be made annually by the Department Committee Management Officer. The Annual Report is generated from the data maintained in the GSA FACA database.

- C. DOI conducts quarterly reviews of committee records, reports, and expenses via the FACA database elements. Membership records are reviewed for expiration dates and renewal actions.
- D. A notice announcing each advisory committee meeting should be published in the Federal Register at least 15 days before the date of the meeting.

8. **Expiration Date.** This policy must be informally reviewed biennially, or more frequently as needed to maintain current information.



James G. Anderson
Acting Associate Director for Administration

12/21/18
Date