



Report to the Permanent Subcommittee
on Investigations, Committee on
Homeland Security and Governmental
Affairs, U.S. Senate

September 2020

FEDERAL ADVISORY COMMITTEES

Actions Needed to Enhance Decision- Making Transparency and Cost Data Accuracy

GAO Highlights

Highlights of [GAO-20-575](#), a report to the Permanent Subcommittee on Investigations, Committee on Homeland Security and Governmental Affairs, U.S. Senate

Why GAO Did This Study

FACA requires federal agencies to ensure that federal advisory committees make decisions that are independent and transparent. In fiscal year 2019, nearly 960 committees under FACA played a key role in informing public policy and government regulations.

GAO was asked to review the transparency and independence of FACA committees and data collected in GSA's FACA database. This report examines (1) selected agencies' and committees' adherence to transparency requirements; (2) their practices to help ensure that agency officials do not exert inappropriate influence on committee decision-making; and (3) the extent to which GSA's FACA database contained accurate, complete, and useful cost information for these committees.

GAO selected a non-generalizable sample of 11 FACA committees serving three agencies, based in part on costs incurred and numbers of recommendations made. GAO analyzed documents and interviewed agency officials and committee members. GAO also reviewed FACA database cost data for the 11 committees.

What GAO Recommends

Congress should consider requiring online posting of FACA committees' documents. GAO is also making nine recommendations to agencies to improve FACA committee transparency and data accuracy. Agencies agreed with six recommendations, and GSA described steps to address recommendations to it.

View [GAO-20-575](#). For more information, contact Michelle Sager at (202) 512-6806 or SagerM@gao.gov.

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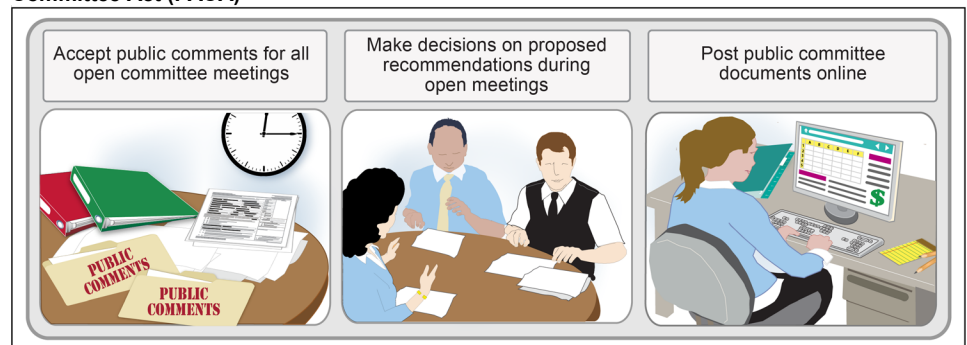
Actions Needed to Enhance Decision-Making Transparency and Cost Data Accuracy

What GAO Found

GAO reviewed 11 selected committees covered under the Federal Advisory Committee Act (FACA) that serve the Departments of Commerce, Health and Human Services, and the Treasury. GAO found that these committees met many, but not all, selected transparency requirements established by FACA, General Services Administration (GSA) FACA regulations, and the Office of Management and Budget (OMB). FACA committees GAO reviewed published timely notices for 70 of 76 meetings and solicited public comments for all open meetings held by the committees. However, four of the 11 committees did not follow one or more selected requirements to renew charters, decide on proposed recommendations during open meetings, or compile minutes.

Five FACA committees GAO reviewed did not always follow requirements in OMB Circular A-130 for federal agencies to make public documents accessible online. GSA encourages agencies to post committee documents online consistent with OMB requirements. However, according to GSA's Office of the General Counsel, GSA's authority under FACA is not broad enough to require agencies to fulfill the OMB requirements. Eight of the nine selected FACA committees in our original sample that make recommendations to agencies attempt to track the agencies' responses to and implementation status of recommendations. However, many committees do not make this information fully available to the public online. Improved public reporting could enhance congressional and public visibility into the status of agencies' responses to committee recommendations.

Selected Requirements for Advisory Committees Covered under the Federal Advisory Committee Act (FACA)



Source: GAO analysis of FACA, GSA regulations, and OMB requirements. | [GAO-20-575](#)

The selected agencies and FACA committees reported that they implemented a range of practices to help ensure agency officials do not exert inappropriate influence on committees' decisions. These practices include limiting committee members' interactions with agency officials outside committee meetings.

GAO also found that about 29 percent of the 11 selected committees' cost data elements in GSA's FACA database for fiscal years 2017 and 2018 were inconsistent with corresponding cost data from selected agency and committee records and systems. In the absence of reliable cost data, Congress is unable to fully rely on these data to inform decisions about funding FACA committees.

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Abbreviations

ACR	Annual Comprehensive Review
Bureau	U.S. Census Bureau
Commerce	Department of Commerce
CSAC	Census Scientific Advisory Committee
CSR SEP	Center for Scientific Review Special Emphasis Panel
ETAAC	Electronic Tax Administration Advisory Committee
FACA	Federal Advisory Committee Act
FOIA	Freedom of Information Act
GSA	General Services Administration
HHS	Department of Health and Human Services
HSRP	Hydrographic Services Review Panel
IMPAC II	Information for Management, Planning, Analysis, and Coordination II
IRS	Internal Revenue Service
IRSAC	Internal Revenue Service Advisory Council
MAFAC	Marine Fisheries Advisory Committee
NCI IRG	National Cancer Institute Initial Review Group
NIH	National Institutes of Health
NIH IC	National Institutes of Health Institute or Center
NOAA	National Oceanic and Atmospheric Administration
NOAA SAB	National Oceanic and Atmospheric Administration Science Advisory Board
OMB	Office of Management and Budget
PAC	Pediatric Advisory Committee
TAP	Taxpayer Advocacy Panel
Treasury	Department of the Treasury

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September 10, 2020

The Honorable Rob Portman
Chairman
The Honorable Tom Carper
Ranking Member
Permanent Subcommittee on Investigations
Committee on Homeland Security and Governmental Affairs
United States Senate

Advisory committees play an important role in informing public policy and government regulations by advising the President and federal agencies on national issues. These committees perform peer reviews of scientific research, develop recommendations on specific policy decisions, identify long-range issues facing the nation, and evaluate grant applications. The committees' advice—on issues ranging from stem cell research and space exploration to tax administration and drug approvals—can enhance the quality and credibility of federal decision-making. For example, the National Vaccine Advisory Committee and the Advisory Committee on Immunization Practices are addressing efforts to develop and prioritize Coronavirus Disease 2019 vaccines.

The Federal Advisory Committee Act (FACA) requires federal agencies to ensure that federal advisory committees make decisions that are independent and transparent to the public.¹ In fiscal year 2019, the General Services Administration's (GSA) FACA database reported that nearly 960 FACA committees operated at a total cost of about \$373 million.

You asked us to review the transparency and independence of FACA committees. You also asked us to review the reliability and usefulness of data collected in the FACA database. This report (1) assesses the extent to which selected agencies and FACA committees adhered to transparency requirements; (2) describes practices selected agencies and FACA committees followed to help ensure that agency officials are

¹Pub. L. No. 92-463, 86 Stat. 770 (1972), codified, as amended, at 5 U.S.C. app. 2. For the purposes of this report, the term "agencies" refers to both federal agencies and departments. In addition to the advisory committees covered under FACA (FACA committees), there are an unknown number of other advisory committees not subject to FACA among the miscellaneous bodies that agencies routinely use to obtain input and recommendations from diverse perspectives on a wide range of issues. In this report, we focus on FACA advisory committees.

not exerting inappropriate influence on committee decision-making; and (3) assesses the extent to which GSA’s FACA database contained accurate, complete, and useful cost information for selected FACA committees.

We selected a non-generalizable sample of three agencies—the Departments of Commerce, Health and Human Services, and the Treasury—for our review, in part because each had 10 or more FACA committees and incurred more than \$1 million in committee costs in fiscal year 2017. Table 1 lists a non-generalizable sample of 11 FACA committees serving the three agencies we selected for our review. We selected the committees in part because each committee (1) was active as of the end of fiscal year 2017; (2) incurred costs of \$200,000 or more in fiscal year 2017; and (3) made 200 or more recommendations to agencies during its existence. We excluded FACA committees serving HHS that included members appointed by the Comptroller General of the United States.²

Table 1: Agencies and Federal Advisory Committee Act Committees Selected for Review

Department of Commerce	
U.S. Census Bureau	Census Scientific Advisory Committee
National Oceanic and Atmospheric Administration	- Hydrographic Services Review Panel - Marine Fisheries Advisory Committee - National Oceanic and Atmospheric Administration Science Advisory Board
Department of Health and Human Services	
Food and Drug Administration	Pediatric Advisory Committee
National Institutes of Health (NIH)	- Center for Scientific Review Special Emphasis Panel^a - National Cancer Institute Initial Review Group^b
Office of the Assistant Secretary for Health	National Vaccine Advisory Committee
Department of the Treasury	
Internal Revenue Service (IRS)	- Electronic Tax Administration Advisory Committee - Internal Revenue Service Advisory Council - Taxpayer Advocacy Panel^c

Source: GAO analysis of selected agency and selected FACA committee information. | GAO-20-575

^aWe reviewed Center for Scientific Review Special Emphasis Panel peer review groups that took place multiple times from October 1, 2017, to September 30, 2019. These groups reviewed and scored grant applications on behalf of the full committee.

²The Comptroller General—who heads the Government Accountability Office—is mandated by law to make appointments to certain health care-related commissions, advisory boards, and governing boards.

^bWe reviewed National Cancer Institute Initial Review Group meetings where selected members reviewed and scored grant applications on behalf of the full committee.

^cWe reviewed work performed by the Taxpayer Advocacy Panel's Joint Committee. This committee makes recommendations to IRS.

For all objectives, we reviewed transparency, independence, and information reporting requirements for FACA committees. We also selected a purposeful, non-generalizable sample of 76 FACA committee meetings that took place during fiscal years 2018 and 2019.³ We analyzed documentation from the meetings we sampled. We attended several selected committee meetings that took place during our review. We also interviewed officials from GSA and the three agencies in our scope.

For our first objective, we compared documentation of the 11 FACA committees we reviewed to selected transparency requirements established by FACA, GSA regulations, the Office of Management and Budget (OMB), *Standards for Internal Control in the Federal Government*, and agencies under which the committees serve. The selected requirements relate to transparency, independence, and information reporting, and include renewing committee charters and posting meeting notices in a timely manner. These requirements also include opening meetings to the public except in certain cases, making decisions on advice and recommendations during open meetings, completing meeting minutes and making them available for public inspection, and providing information online.

³We focused our work on agencies with significant experience in monitoring FACA committees and keeping track of committee costs. To select these agencies, we identified agencies listed in GSA's fiscal year 2017 FACA committee dataset that had 10 or more FACA committees and incurred more than \$1 million in committee costs in fiscal year 2017. For nine of the 11 FACA selected committees we reviewed, we selected the first and last meetings each selected FACA committee conducted from October 1, 2017, to September 30, 2019. We also selected a third meeting of each selected committee that took place in fiscal year 2019 prior to March 31, 2019, to ensure we captured a greater variety of meetings that took place in fiscal year 2019. Two other FACA committees we reviewed—the Center for Scientific Review Special Emphasis Panel (CSR SEP) and the National Cancer Institute Initial Review Group (NCI IRG)—reviewed and scored grant applications in peer review groups. The peer review groups' assessment and scoring of grant applications serve as advice and recommendations to NIH. For CSR SEP, we selected 39 peer review group meetings that occurred from October 1, 2017, to September 30, 2019. For NCI IRG, we selected 12 meetings during the same period.

We shared these requirements with the selected agencies to confirm their applicability. We also determined whether nine selected FACA committees in our review that give advice and make recommendations—and another 11 FACA committees we sampled from the three agencies we reviewed—tracked and publicly reported on agencies’ efforts to address advice and recommendations committees generated in fiscal years 2015-2019.⁴

For our second objective, we reviewed steps selected FACA committees took to identify topics for review and make decisions on advice and recommendations that address these topics. We analyzed steps taken by the peer review groups we reviewed that assess and score grant applications on behalf of FACA committees. We reviewed documents from selected agencies and FACA committees—such as committees’ standard operating procedures and bylaws—to identify practices the agencies and committees implemented to help ensure that agency officials do not exert inappropriate influence on committee decision-making. We also reviewed documents and recordings from meetings of selected FACA committees to determine whether agency officials inappropriately influenced committee deliberations and decisions by impairing the committee’s abilities to make independent judgments on advice and recommendations. In addition, we interviewed agency officials about the committees’ activities.

We also conducted six focus groups with random but non-generalizable samples of members from the 11 FACA committees we reviewed. We used the focus groups in part to inquire whether members had observed agency officials inappropriately influencing (1) committees’ decisions on advice and recommendations to agencies; and (2) peer review groups’ assessment and scoring of grant applications, which serve as advice and recommendations to NIH.⁵

⁴Two of the 11 committees we originally sampled (CSR SEP and NCI IRG) were excluded from this analysis because they reviewed and scored grant applications. We selected the additional 11 FACA committees to capture a greater variety of examples of how FACA committees in the three selected agencies (Commerce, HHS, and Treasury) tracked and reported agencies’ progress in implementing committees’ advice and recommendations. See appendix I for information on the additional committees we selected.

⁵In this context, “inappropriate influence” is any attempt by agency officials to impede the FACA committee’s ability to make independent judgments on advice and recommendations.

For our third objective, we reviewed processes selected FACA committees reported using to compile and record cost data for the \$87.5 million the committees reported spending in the FACA database in fiscal years 2017 and 2018. We assessed the reliability of FACA committee cost data elements in GSA's FACA database for fiscal years 2017 and 2018 from the 11 FACA committees we selected for our review. We compared the cost data elements to corresponding cost data in agency and FACA committee records and systems. We identified limitations in the cost data selected FACA committees entered in the FACA database, as discussed later in the report. We also assessed whether GSA followed practices we and OMB identified for disclosing known data quality issues and data limitations.⁶

We conducted this performance audit from February 2019 to September 2020 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. See appendix I for more detailed information on our objectives, scope, and methodology.

Background

Congress can establish advisory committees as well as authorize or direct the President or an agency to establish them. In addition, the President can establish committees using a presidential directive or an agency can establish committees using its general authority under title 5 of the United States Code.⁷ Committees must meet FACA requirements and GSA FACA regulations implementing the statute, unless exempt by statute.

FACA's 1972 enactment responded to concerns regarding the proliferation of advisory committees without adequate oversight. Among other things, FACA and GSA regulations intend to provide a forum to the public to observe and give input, and ensure that committee members can make independent decisions on advice and recommendations to

⁶GAO, *Open Data: Treasury Could Better Align USAspending.gov with Key Practices and Search Requirements*, [GAO-19-72](#) (Washington, D.C.: Dec. 13, 2018), and Office of Management and Budget, "Policies for Federal Agency Public Websites and Digital Services," M-17-06 (Washington, D.C.: Nov. 8, 2016).

⁷Agencies may also use general agency-authorizing statutes outside of those contained in title 5, U.S. Code. 5 U.S.C. app. 2, § 3; 41 C.F.R. § 102-3.50.

send to agencies.⁸ Table 2 lists selected statutory, regulatory, and OMB requirements for agencies and FACA committees to follow to help ensure transparency and independence of committee decision-making, and meet cost-reporting requirements.

Table 2: Selected Requirements for Federal Advisory Committees Covered under the Federal Advisory Committee Act (FACA), General Service Administration (GSA) Regulations, and Office of Management and Budget (OMB) Circular

Selected Transparency Requirements	
Transparency is important to the operation of FACA committees because it is a strong safeguard of the public interest. Requirements such as accurate minutes and the ability of the public to inspect committee documents, among others, act as a safeguard to prevent the unauthorized use of advisory committees to further the narrow interests of any special interest group.	
Requirement	Citation(s)
FACA committees must have charters that, among other things, describe the committee’s objectives and the scope of its activity, and the duties for which the committee is responsible. In general, FACA requires an advisory committee to automatically terminate 2 years after it is established unless a committee established by statute provides a different duration, or if the President or an agency renews the committee. A committee charter must be renewed when the President or an agency renews a committee. A committee established by statute and not subject to the 2-year termination requirement must also renew its charter every 2 years following establishment. ^a	5 U.S.C. App. 2 § 9(c) and 14(b); 41 C.F.R. § 102-3.70, 102-3.75, and Appendix A to Subpart B.
FACA committee meetings must be open to the public except where it is determined a meeting (or a portion of a meeting) may be closed pursuant to the Government in the Sunshine Act. ^b Notice of meetings must appear in the <i>Federal Register</i> typically 15 days before a meeting. FACA committees can only deliberate and decide on advice and recommendations to agencies during open meetings, subject to the exceptions listed above. Under GSA regulations, preparatory and administrative activities of a committee are excluded from openness requirements.	5 U.S.C. App. 2 § 10(a); 41 C.F.R. § 102-3.150, 102-3.155, 102-3.160, and Appendix A to Subpart D.
The public must be able to attend open FACA committee meetings and provide written comments to committees. Members of the public may also address a FACA committee if agency guidelines permit.	5 U.S.C. App. 2 § 10(a); 41 C.F.R. § 102-3.105 and 102-3.140.
FACA committee chairs must certify that meeting minutes are accurate. FACA committees must also keep records that will disclose the disposition of funds and the nature and extent of committee activities. Timely access to advisory committee records—such as reports, transcripts, minutes, appendices, working papers, drafts, studies, agendas, or other documents—is an important element of FACA’s public access requirements. FACA provides for the contemporaneous availability of FACA committee records that, when taken in conjunction with the ability to attend committee meetings, provide a meaningful opportunity to comprehend fully the work undertaken by the FACA committee.	5 U.S.C. App. 2 § 10(b) and (c), § 12(a); 41 C.F.R. § 102-3.165 and 102-3.170.
FACA committees must make documents made available to committees—or prepared for or by committees—available for public inspection and copying at a single location.	5 U.S.C. App. 2 § 10(b); 41 C.F.R. § 102-3.170 and Appendix A to Subpart D.

⁸GSA regulations implementing FACA are found at 41 C.F.R. sub. C, ch. 102, subch. A, pt. 102-3.

Agencies are required to publish information online in an accessible, complete, and timely manner when making information available to the public. OMB Circular A-130, at 14.

Selected Independence Requirements

Independence from entities that created FACA committees—such as agencies—is important to ensure the effectiveness of FACA committees.

Requirement	Citation(s)
Guidelines established under FACA require agencies to assure that the advice and recommendations of the committee will not be inappropriately influenced by the appointing authority or by any special interest, but will instead be the result of the advisory committee's independent judgment.	5 U.S.C. App. 2 § 5(b) and (c).
Agency heads must develop procedures to assure that the advice or recommendations of FACA committees will not be inappropriately influenced by the appointing authority or by any special interest, but will instead be the result of the advisory committee's independent judgment.	41 C.F.R. § 102-3.105.

Selected Information Reporting Requirements

In passing FACA, Congress declared that Congress and the public should be kept informed with respect to the number, purpose, membership, activities, and cost of advisory committees.

Requirement	Citation(s)
Agencies must establish uniform administrative guidelines and management controls consistent with GSA directives and maintain systematic information on the nature, functions, and operations of each FACA committee.	5 U.S.C. App. 2 § 8(a).
GSA carries out its responsibilities under FACA, in part, by designing and maintaining a government-wide shared internet-based system to facilitate the collection and use of information required by FACA.	41 C.F.R. § 102-3.100.
FACA requires GSA to conduct an annual review of the activities and responsibilities of each FACA committee. Under this review, GSA determines whether each FACA committee is carrying out its purpose; whether the responsibilities assigned to a given committee should be revised; whether a committee should be merged with other committees; or whether certain committees should be terminated.	5 U.S.C. App. 2 § 7(b); 41 C.F.R. § 102-3.175.
To conduct a review of each FACA committee, GSA requires agencies to report information every fiscal year on each advisory committee for which a charter has been filed in accordance with 41 C.F.R. § 102-3.70, and which is in existence during any part of a fiscal year. Agency officials must file this information electronically with GSA on a fiscal year basis, using a government-wide shared internet-based system that GSA maintains.	

Source: GAO analysis of FACA, Pub. L. No. 92-463, 86 Stat. 770 (1972), codified, as amended, at 5 U.S.C. app. 2, GSA regulations implementing FACA found at 41 C.F.R. subpt. C, ch. 102, subch. A, pt. 102-3, and requirements identified in OMB, Managing Information as a Strategic Resource, Circular A-130 (Washington, D.C.: July 2016). | GAO-20-575

Note: The requirements listed in this table are not a complete listing of requirements under FACA and GSA regulations, which cover additional topics such as balanced membership and ethics requirements.

^aSpecifically, a committee established by statute and not subject to the 2-year termination requirement must also renew its charter every 2 years upon the expiration of each successive 2-year period following the date of enactment of the law establishing the committee.

^bGovernment in the Sunshine Act, Pub. L. No. 94-409, 90 Stat. 1241 (1976), as amended, is codified in part at 5 U.S.C. § 552b. Exemptions to the open meeting requirement are listed in subsection (c) of section 552b.

GSA maintains a FACA database that federal agencies use to manage FACA committees and report on their activities. The database contains

data on committee members, numbers of recommendations made by committees, and costs incurred to administer committees. GSA specifies 11 cost data elements each FACA committee must report in the FACA database. These 11 cost data elements cover all committee costs, such as payments to committee members and staff, and travel reimbursements. GSA conducts Annual Comprehensive Reviews to, among other things, help ensure that the FACA committee data entered into the FACA database are accurate and complete.

Several Agencies and
FACA Committees
We Reviewed Met
Most Transparency
Requirements, but
Some Committees
Did Not Meet
Requirements to
Renew Charters,
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All but One Selected
FACA Committees That
Had Charter Renewal
Requirements Met Them

FACA requires a committee charter to describe a committee's objectives, scope of activity, required duties, and estimated annual operating costs.⁹ According to GSA regulations, the charter provides a basis for evaluating a FACA committee's progress and effectiveness.¹⁰

Generally, FACA requires a committee to renew its charter every 2 years. A charter renewal is required when a President or agency head renews a FACA committee prior to the committee's termination.¹¹ FACA also requires a committee established by statute, which is not subject to the 2-year duration limit, to renew its charter every 2 years following the date

⁹5 U.S.C. app. 2, § 9(c); 41 C.F.R. § 102-3.75(a).

¹⁰41 C.F.R. § 102-3.75(a).

¹¹5 U.S.C. app. 2, § 14(b)(1). Generally, a committee automatically terminates after 2 years unless it is renewed. 5 U.S.C. app. 2, § 14(a).

when the committee was established.¹² A committee may not take action until its charter has been renewed as required.¹³

We reviewed the most recent charters issued by the 11 selected FACA committees. As of April 1, 2020, eight of the 11 FACA committees had renewed their committee charters within the past 2 years. The renewed charters were also published in GSA's FACA database or on committee websites. Two committees—the Center for Scientific Review Special Emphasis Panel and National Cancer Institute Initial Review Group—are exempt from the charter renewal requirements. The National Institutes of Health established the committees under its statutory authority to create peer groups, which exempted them from FACA's 2-year duration limit.¹⁴ Since these committees do not need to be renewed, there is no associated requirement to renew their charters.¹⁵

A third committee we reviewed—the Pediatric Advisory Committee (PAC)—has not renewed or amended its charter since 2012. According to Department of Health and Human Services (HHS) officials, Congress exempted PAC from FACA's charter renewal requirement. The statutory language HHS relied upon is contained in section 284m-1 of title 42 of the United States Code, which established PAC. Subsection (d) states:

“Notwithstanding section 14 of [FACA], the advisory committee shall continue to operate to carry out the advisory committee's responsibilities under [select provisions of law].”¹⁶

According to HHS's Office of the General Counsel, the language in section 284m-1 allows PAC to continue to operate notwithstanding the

¹²Specifically, upon the expiration of each successive 2-year period following the date of enactment of the law establishing such advisory committee. 5 U.S.C. app. 2, § 14(b)(2).

¹³5 U.S.C. app. 2, § 14(b)(3).

¹⁴42 U.S.C. § 282(b) (CSR SEP) and 42 U.S.C. § 284(c) (NCI IRG).

¹⁵5 U.S.C. § 14(b)(1). Additionally, since these committees were established by NIH, rather than by statute, the charter renewal requirement for committees established by statute does not apply. 5 U.S.C. § 14(b)(2).

¹⁶42 U.S.C. § 284m-1.

nonrenewal of its charter.¹⁷ We agree with HHS that the statutory language allows PAC to continue to operate regardless of whether it renews its charter. However, we do not agree that this language excuses PAC from the underlying obligation to renew its charter.

Use of the word “notwithstanding” under subsection (d) is intended to exempt PAC from requirements under section 14 of FACA that conflict with PAC’s “continued operation.”¹⁸

As previously noted, relevant provisions of section 14 provide for (1) the termination of a committee after the expiration of a 2-year period (unless the committee is renewed),¹⁹ (2) the charter renewal of a committee established by Congress after the expiration of each successive 2-year period following its establishment,²⁰ and (3) the prohibition on a committee taking action until its charter is renewed as required.²¹

Since the language under subsection (d) requires PAC to continue to operate, PAC is exempted from the requirement to terminate after 2 years. However, subsection (d) cannot be interpreted to exempt PAC from the requirement to renew its charter as this requirement—by itself—does not conflict with PAC’s ability to continue to operate. Therefore, we conclude PAC is not exempt from the requirement to renew its charter. Renewing its charter will enable PAC to fulfill its statutory obligation under FACA. Renewing the charter will also ensure that it reflects the committee’s objectives as established under current law.

¹⁷We contacted HHS to obtain the agency’s views. Letter from Assistant General Counsel, GAO, to General Counsel, HHS (June 3, 2020). We received HHS’s response on June 16, 2020. Letter from Deputy Associate General Counsel for Program Review, HHS, to Assistant General Counsel, GAO (June 16, 2020).

¹⁸See *N.L.R.B. v. SW General, Inc.*, 137 S. Ct. 929, 939-940 (2017) (the word “notwithstanding” shows which provision prevails in the event of a clash).

¹⁹5 U.S.C. app. 2, § 14(a).

²⁰5 U.S.C. app. 2, § 14(b)(2).

²¹5 U.S.C. app. 2, § 14(b)(3).

Selected FACA Committees Published Timely Public Notices for Most Meetings

Our analysis of selected FACA committees' *Federal Register* notices found that the committees published timely notices for 70 of 76 meetings held by committees in our review. Agencies cited several reasons why they did not timely post committee notices. These reasons included delays that arose from the December 2018 partial government shutdown and flaws in agency systems used to submit and publish meeting notices. GSA regulations require FACA committees to announce a meeting to the public by publishing a notice in the *Federal Register* at least 15 calendar days before the meeting occurs.²² Advance notice of these meetings allows the public to be aware of the topics the committees discussed, attend open meetings, and observe committee deliberations on advice and recommendations to agencies.

We examined *Federal Register* notices and committee websites for 25 open meetings held by selected FACA committees in our review. We found that the selected FACA committees solicited verbal or written comments from the public prior to or during all of the 25 open meetings in accordance with FACA.²³

While Most Selected FACA Committees Decided on Advice and Recommendations at Open Meetings, Two Internal Revenue Service Committees Decided during Closed Meetings

Selected FACA committees deliberated and decided on advice and recommendations to provide to agencies during 21 of the 25 open meetings we reviewed. However, during two annual public meetings held by each of two Internal Revenue Service (IRS) FACA committees we reviewed—the Electronic Tax Administration Advisory Committee (ETAAC) and Internal Revenue Service Advisory Council (IRSAC)—the committees did not make decisions on advice and recommendations to provide to IRS. Rather, ETAAC and IRSAC committee members summarized recommendations already finalized by the committees and published in the committees' annual reports to IRS.²⁴ According to IRS

²²In exceptional circumstances, an agency or an independent presidential advisory committee may give less than 15 calendar days' notice for a meeting, provided they cite the reasons in the *Federal Register* notice publicizing the meeting. 41 C.F.R. § 102-3.150.

²³FACA requires FACA committees to permit interested persons to attend, appear before, or file statements with the committees in accordance with GSA rules and regulations. 5 U.S.C. app. 2, § 10(a)(3).

²⁴Internal Revenue Service, Electronic Tax Administration Advisory Committee Annual Report to Congress (Washington, D.C.: June 2019); Internal Revenue Service Advisory Council 2018 Public Report (Washington, D.C.: November 2018); Electronic Tax Administration Advisory Committee Annual Report to Congress (Washington, D.C.: June 2018); and Internal Revenue Service Advisory Council 2017 Public Report (Washington, D.C.: November 2017).

officials, ETAAC and IRSAC only made decisions on the contents of the committees' reports during closed working sessions held several times during the year. These actions do not comply with GSA regulations, which require committees, with some exceptions, to open meetings to the public.²⁵

According to IRS officials, ETAAC and IRSAC did not open their working sessions to the public because the committees performed preparatory work not subject to FACA's open meeting requirements. However, GSA regulations do not classify the committees' decision-making on recommendations as "preparatory activities."²⁶ The committees' actions were also inconsistent with guidance from ETAAC and IRSAC orientation books, which prohibit the committees from giving substantive advice or making recommendations to IRS during working sessions closed to the public.

IRS officials said they ask clarifying questions on proposed recommendations during the closed working sessions, but do not comment on the recommendations themselves. However, ETAAC and IRSAC still finalized recommendations during the working sessions and published the recommendations in annual reports before deliberating on them during public meetings. With visibility and participation in ETAAC's and IRSAC's deliberations on proposed recommendations, Congress and the public will have additional certainty that the committees made independent decisions on proposed recommendations without undue influence from IRS officials.

Three Selected FACA Committees Did Not Complete Meeting Minutes

Eight of the 11 FACA committees we reviewed completed and made available minutes of selected meetings. However, the three other FACA committees we reviewed—the Census Scientific Advisory Committee (CSAC) under the Department of Commerce (Commerce), and ETAAC and IRSAC under the Department of the Treasury (Treasury) and IRS—

²⁵41 C.F.R. § 102-3.140. Committee meetings may be closed when appropriate, in accordance with the exemptions contained in the Government in the Sunshine Act, 5 U.S.C. § 552b(c); 41 C.F.R. § 102-3.155. Under GSA regulations, only preparatory and administrative activities of a committee are excluded from openness requirements. 41 C.F.R. § 102-3.160, and Appendix A to Subpart D.

²⁶GSA regulations define "preparatory work" as meetings of two or more FACA committee or subcommittee members convened solely to gather information, conduct research, analyze relevant issues and facts in preparation for a FACA committee meeting, or draft position papers for the committee's deliberation. 41 C.F.R. § 102-3.160.

did not complete or make available minutes for the meetings we reviewed.

FACA requires committees to keep detailed minutes of each meeting. The minutes must contain a complete and accurate description of matters discussed and conclusions reached, including those related to advice and recommendations proposed by the committees.²⁷ FACA also requires agencies or FACA committees to make meeting minutes available for public inspection and copying from the agencies or committees.²⁸

IRS officials said that ETAAC and IRSAC used transcripts in lieu of minutes because they should already include information required in minutes. U.S. Census Bureau (Bureau) officials added that CSAC used video recordings rather than minutes because they included more accurate and complete information than minutes. However, these actions neither align with statutory requirements nor follow Commerce and Treasury policies and directives requiring FACA committees to keep meeting minutes.

Without keeping these minutes and making them publicly available, FACA committee deliberations may also be less transparent to the public. This is because the public may be unable to clearly understand FACA committee decisions in a timely manner without these minutes. Instead, the public may need to review transcripts that can be longer than 100 pages, or listen to recordings lasting several hours each. In August 2020, the Bureau stated that it would post minutes from public meetings on its websites in a timely manner. Moving forward, completing and making available these minutes will help enable the Bureau to meet FACA requirements and enhance CSAC's transparency.

²⁷Meeting minutes must also contain a record of the persons present at the meeting, and copies of all reports received, issued, or approved by the FACA committee. Chairpersons of FACA committees must also certify the accuracy of all minutes. 5 U.S.C. app. 2, § 10(c).

²⁸5 U.S.C. app. 2, § 10(b).

FACA, GSA, and Some Selected Agencies Did Not Require FACA Committees to Make Meeting Documentation Available Online

FACA requires agencies or committees to make advisory committee documents—such as agendas, reports, and minutes—available for public inspection and copying from an agency or committee.²⁹ Availability of the documents is subject to the Freedom of Information Act (FOIA), which exempts disclosure of information such as confidential commercial information or information that could reasonably be expected to constitute an unwarranted invasion of personal privacy.³⁰ Timely access to FACA committee records is also an important element of FACA’s public access requirements.³¹

According to GSA regulations, FACA provides for the contemporaneous availability of FACA committee records to the public that, when taken in conjunction with the public’s ability to attend committee meetings, provide a meaningful opportunity to comprehend the work undertaken by FACA committees fully.³² For example, *Federal Register* notices published 15 or more days before a FACA committee meeting must include, among other things, a summary of the agenda or topics to be discussed.³³

In accordance with OMB Circular A-130, when federal agencies provide information to the public they are required to do so by publishing the information online in a publicly accessible, complete, and timely manner, among other things.³⁴ According to the circular, federal information should be made accessible to foster public participation in government. We found that the nine selected FACA committees that conducted open meetings made agendas and supporting documents publicly available. However, three of the committees did not make this information available online.

We also found that two selected FACA committees that completed meeting minutes did not make them available online. As noted in the following section, neither FACA, GSA regulations, nor selected agencies’

²⁹*Ibid.*

³⁰5 U.S.C. §552b.

³¹41 C.F.R. § 102-3.170.

³²*Id.*

³³41 C.F.R. § 102-3.150.

³⁴Office of Management and Budget, Managing Information as a Strategic Resource, Circular A-130 (Washington, D.C.: July 2016). The circular establishes general policy for, among other things, the management of federal information.

Three IRS FACA Committees Did Not Make Full Meeting Agendas and Supporting Documents for Selected Meetings Available on Committee Websites

policies and directives require committees to make the documentation available online.

Nine of the 11 FACA committees we reviewed made available full meeting agendas and supporting documents such as presentation slides and lists of proposed recommendations.³⁵ Six of these nine committees also posted full meeting agendas and supporting documents on their respective websites. Meeting agendas and supporting documents allow FACA committee members and meeting observers to identify the issues committees will address during meetings. These materials also allow members and observers to review recommendations proposed for the committees' review and approval.

However, the three FACA committees we reviewed that serve Treasury and IRS—ETAAC, IRSAC, and the Taxpayer Advocacy Panel (TAP) Joint Committee—did not make web links to meeting agendas available on their respective committee websites. In addition, the TAP Joint Committee did not make available online supporting documents used during its meetings. These documents include material used during its meetings, such as proposed recommendations to IRS. These actions are inconsistent with the OMB Circular A-130 requirement that agencies provide information to the public online in a publicly accessible, complete, and timely manner.³⁶ These actions are also inconsistent with GSA training, which recommends that FACA committees prepare agendas in advance of meetings and post them on committee websites.³⁷ In addition, GSA regulations recommend that agencies explore use of the internet to post advisory committee information.³⁸ GSA officials also said that they recommended committee officials make documents available online.

³⁵The two other FACA committees we reviewed—the Center for Scientific Review Special Emphasis Panel and National Cancer Institute Initial Review Group—conducted closed meetings because grant applications and discussions of them could disclose confidential trade secrets or patentable material. The meetings might also disclose the personal information of individuals associated with grant applications.

³⁶Office of Management and Budget, Managing Information as a Strategic Resource, Circular A-130 (Washington, D.C.: July 2016).

³⁷The GSA training—FACA 201—is intended for agency staff who manage or operate FACA committees. The training provides substantive information on the prescribed laws, rules, and regulations governing the various processes and procedures involved in operating FACA committees.

³⁸41 C.F.R. § 102-3.95(d).

IRS officials said it is not possible to post some documents—such as agendas—online in advance of TAP Joint Committee meetings. They said the TAP Joint Committee was still considering agenda topics and therefore could not finalize its agendas before it is required to post a *Federal Register* notice, which is typically 15 days before its meetings. However, the TAP Joint Committee and other FACA committees must include, among other things, a summary of the agenda or topics to be discussed in *Federal Register* notices.³⁹ IRS officials said TAP is considering a process to make draft agendas and supporting documentation available online before its Joint Committee meetings. IRS officials also said they made agendas publicly available for ETAAC and IRSAC meetings in GSA's FACA database website.

However, as of May 2020, the FACA database did not have agendas publicly accessible for the selected ETAAC meetings we reviewed. Further, the ETAAC and IRSAC websites do not include web links to the FACA database where users can retrieve agendas for the meetings we reviewed. IRS officials said that, moving forward, the IRS Office of Public Liaison (which oversees ETAAC and IRSAC) is willing to post ETAAC and IRSAC meeting agendas on the committee websites. In June 2020, IRS posted a link to its 2020 ETAAC meeting on ETAAC's website.

Treasury's directive governing management of FACA committees mandates compliance with FACA requirements, including making committee documents available for public inspection and copying at a single location. However, Treasury's directive does not require FACA committees under its purview to post these documents online at a readily accessible location, such as the committees' websites. In June 2020, Treasury's Acting Director of Records and Information Management said that Treasury has not updated its directives or policies to require FACA committees to post meeting information online.

If Treasury requires all FACA committees under its purview to make meeting agendas and supporting documents readily accessible on committee websites, the committees' work will become more accessible and transparent to the public. Implementing such requirements will help Treasury provide the public with more visibility into the topics, advice, and recommendations brought forth before the committees for consideration.

³⁹41 C.F.R. § 102-3.150.

Two FACA Committees Did Not Make Meeting Minutes Available Online

As mentioned previously, eight of the 11 FACA committees we reviewed kept minutes of selected meetings in accordance with FACA. Of these eight committees, six made meeting minutes available on committee websites. However, our review of websites for two other FACA committees in our review—the Center for Scientific Review Special Emphasis Panel (CSR SEP) and National Cancer Institute Initial Review Group (NCI IRG)—found that they did not post minutes of selected meetings online. Rather, we obtained the minutes from National Institutes of Health (NIH) officials. The lack of online availability of the minutes does not align with OMB requirements for agencies to provide information to the public online in an accessible, complete, and timely manner.⁴⁰

NIH officials said that NIH's National Advisory Councils and Program Advisory Committees routinely make meeting minutes available online, but NIH peer review groups do not. Officials also said that NIH does not require committees to post meeting minutes online. NIH is not consistently following OMB Circular A-130 requirements for online postings.⁴¹

According to NIH officials, they receive very few requests for CSR SEP and NCI IRG peer review group minutes. They also expressed concerns that providing the minutes online before a second level of peer review occurs may generate additional requests for information. According to NIH officials, these requests may compromise applicants' privacy and research interests. However, NIH could decide to postpone its online posting of peer review group minutes, as appropriate. Further, HHS regulations already exempt disclosure of documents containing confidential commercial or personal information.⁴²

Consequently, any information NIH would make available online would not be information they may properly withhold under FOIA. Rather, online postings of peer review group minutes would allow NIH to meet OMB requirements to make information available online. Such postings would also allow Congress and the public to more readily access information from the minutes on the types of applications assessed during grant

⁴⁰Office of Management and Budget, Managing Information as a Strategic Resource, Circular A-130 (Washington, D.C.: July 2016).

⁴¹*Id.*

⁴²42 C.F.R. § 52h(6).

FACA Does Not Require Advisory Committees to Post Documents Online

review meetings as well as the total amount of funding requested by applicants.

FACA requires agencies to make documents available for public inspection and copying at a single location in the FACA committee's office or at the agency to which the FACA committee reports until the committee ceases to exist.⁴³ However, FACA does not require agencies or committees to post documents online. FACA was enacted in 1972—before the creation and widespread use of the World Wide Web—and reflects the means by which advisory committee records were made available to the public at the time of enactment.⁴⁴ GSA's 2001 regulations encourage agencies to "explore the use of the Internet to post advisory committee information and seek broader input from the public."⁴⁵ In addition, GSA training recommends that committees post documents online that FACA requires to be made available for public inspection—such as meeting agendas, materials, and minutes—on committee websites.⁴⁶ GSA's recommendations align with OMB requirements for agencies to publish information online.⁴⁷ However, according to GSA's Office of General Counsel, GSA's authority under FACA is not broad enough to require agencies to post committee documents online. Specifically, GSA officials said they do not believe that GSA has the statutory authority to require FACA committees to comply with requirements established by other agencies such as OMB.⁴⁸

A lack of online access to FACA committee documents may hinder the ability of Congress and the public to obtain timely information on advice and recommendations that committees provide to agencies. If Congress requires agencies and FACA committees to post online those documents

⁴³5 U.S.C. app. 2, § (10)(b).

⁴⁴Pub. L. No. 92-463, 86 Stat. 770 (1972), codified, as amended, at 5 U.S.C. app. 2.

⁴⁵41 C.F.R. § 102-3.95.

⁴⁶The GSA training—FACA 201—is intended for agency staff that manage or operate FACA committees. The training provides substantive information on the prescribed laws, rules, and regulations governing the various processes and procedures involved in operating FACA committees.

⁴⁷Office of Management and Budget, Managing Information as a Strategic Resource, Circular A-130 (Washington, D.C.: July 2016).

⁴⁸We believe that GSA's interpretation that it lacks the requisite authority to require agencies to post committee information online is reasonable.

that committees must already make available for public inspection and copying, then the documents will be more readily accessible to Congress and the public. In addition, GSA would gain the authority to require agencies to post committee documents online. Confidential commercial and other sensitive information would still be protected from unwarranted disclosure under FOIA.

Many FACA Committees We Reviewed Make Recommendations to Agencies, but Not All Agencies' Responses Are Fully Transparent

We reviewed FACA committee websites and documentation from a total of 20 FACA committees. This includes nine FACA committees in our initial sample that gave advice and made recommendations to agencies, as well as an additional 11 committees we sampled from the three agencies we reviewed.⁴⁹ We added the additional committees to capture a greater variety of examples of how FACA committees in the three selected agencies—Commerce, HHS, and Treasury—tracked and reported agencies' progress in implementing committees' advice and recommendations.⁵⁰

All 20 FACA committees whose websites and documentation we reviewed made recommendations to agencies through reports, letters to agency officials, and discussions with agency officials. Subsequently, some agencies responded to recommendations in writing or verbally during committee meetings. Agencies we reviewed reported taking hundreds of actions each year in response to the committees' recommendations. The actions include reorganizing priorities, reallocating resources, and issuing new regulations.

While all 20 FACA committees reported that they receive written or verbal feedback on recommendations from agencies, public information on agency responses to recommendations—such as whether agencies agreed or disagreed with the recommendations—was fully available for two of the 20 committees, and partially available for another 10 committees. Furthermore, public information on agency implementation of

⁴⁹See appendix I on how we identified the additional 11 FACA committees sampled from the three agencies we reviewed.

⁵⁰Two FACA committees we originally sampled—the Center for Scientific Review Special Emphasis Panel and National Cancer Institute Initial Review Group—use peer review groups to review and score applications for grants and cooperative agreements and for research and development contract proposals pursuant to the peer review requirements set forth in 42 C.F.R. § 52h. For ease of reference, these applications and proposals are collectively referred to as “grant applications” in this report.

recommendations was fully available for two of the 20 committees, and partially available for another 10 committees.⁵¹

Leading practices for data transparency state that public access to reliable and complete federal performance data can foster transparency, improve oversight, and enhance public participation. These practices include providing free and unrestricted data.⁵² OMB Circular A-130 adds that agencies should provide information to the public by publishing the information online in a manner that is publicly accessible, complete, and timely.⁵³

Standards for Internal Control in the Federal Government also notes that agencies should communicate quality information externally so that external parties can help the entity achieve its objectives. External parties include federal agencies, Congress, and the public.⁵⁴

Agency officials said that agency responses to FACA committee recommendations are often not publicly available for a variety of reasons. GSA officials said they do not require FACA committees to publish this information because FACA does not require agencies to respond to or implement committee recommendations. Agency and committee officials reported that agencies do not always formally respond to every recommendation, and requiring agencies to do so could make them less receptive to future recommendations. They noted that agency officials sometimes provide informal responses verbally during subsequent meetings, or do not address them at all since they are not required to do so under FACA.

Agency and committee officials also said that agencies might have justifiable reasons for not commenting publicly on committee recommendations. For example, recommendations could include

⁵¹See appendix I on how we determined whether the 20 FACA committees made agency responses to committee recommendations—and information on the status of implementing the recommendations—fully or partially available on their respective websites.

⁵²[GAO-19-72](#).

⁵³Office of Management and Budget, *Managing Information as a Strategic Resource*, Circular A-130 (Washington, D.C.: July 2016).

⁵⁴GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: Sept. 10, 2014).

sensitive or personally identifiable information exempt from disclosure by FOIA.⁵⁵ One committee official noted that the agency that the committee advises might not formally respond to a recommendation for 1 year or more.

In addition, information on the implementation status of FACA committee recommendations is often not publicly available. Agency and committee officials said it is difficult to track implementation of some broad or nonspecific recommendations. For example, FACA committees may issue recommendations to organizations beyond the agency that the FACA committee serves. According to committee officials, determining the implementation status of some of these recommendations can be difficult because it may take several years for all organizations to which a recommendation is targeted to fully implement the recommendation. In addition, committee officials said that agencies are not necessarily required to report how they implemented specific recommendations.

However, we found that eight of the nine FACA committees in our original sample that make recommendations attempt to track the agency responses to and the implementation status of recommendations. These committees also use GSA's FACA database to report on overall recommendation implementation rates and agency feedback on committee recommendations. In addition, GSA officials also said that they have encouraged agencies to provide feedback to committees on their recommendations but have not encouraged committees to publish such information online beyond recommendation implementation rates. While most committees reported that they attempt to track agencies' responses to and implementation of specific recommendations, they do not always make this information fully available to the public online. Consequently, Congress and the public are not fully aware of agencies' responses to or implementation of committee recommendations.

If GSA encouraged committees to publish information online about agencies' responses to and implementation of specific recommendations, committees could improve public reporting on recommendations. These steps, in turn, could enhance congressional and public visibility into the status of agencies' responses to committee recommendations. Without

⁵⁵ 5 U.S.C. §552. Personally identifiable information is any information that can be used to distinguish or trace an individual's identity, such as name, date and place of birth, or Social Security number, and other types of personal information that can be linked to an individual, such as medical, educational, financial, and employment information.

Selected Agencies and FACA Committees Reported Implementing a Range of Practices to Help Ensure Agency Officials Do Not Inappropriately Influence Committee Decisions

this information, it can be difficult to determine if agencies are taking or plan to take actions on committee recommendations.

While not generalizable, our observations of selected FACA committee meetings and review of meeting documents did not identify instances where agency officials tried to inappropriately influence the FACA committees’ decisions on advice and recommendations. In addition, none of the FACA committee members participating in our six focus groups identified efforts by agency officials to inappropriately influence committee decisions during or outside committee meetings.

The FACA committees we reviewed reported they give advice and make recommendations to agencies. Figure 1 provides an overview of the process nine of the FACA committees reported they generally use to identify topics to address and generate advice and recommendations to agencies.

Figure 1: Selected Federal Advisory Committee Act (FACA) Committees’ Reported Decision-Making Process



Source: GAO analysis of selected agency and selected FACA committee information. | GAO-20-575

Note: This process is not applicable to NIH peer review groups that review and score grant applications using a separate advisory process. See appendix II for a visual depiction of that process.

The other two FACA committees we examined—CSR SEP and NCI IRG—use peer review groups to review and score grant applications assigned to them by NIH.⁵⁶ See appendix II for an overview of the peer review groups’ advisory process.

Selected agencies and FACA committees said they implemented a range of practices to help ensure that agency officials did not exert inappropriate influence on committee decision-making and impair the committees’ ability to make independent advice and recommendations. Our review of agency and committee documents and responses from agency officials identified the following practices:

- **Involving committee members or chairs in agenda setting.** Eight FACA committees we reviewed reported that they identify topics for consideration and develop agendas using input from both committee members or chairs and agency officials. We previously found that balancing agencies’ needs and committee independence could make the FACA committees’ products more useful.⁵⁷
- **Soliciting public nominations for FACA committee members.** Nine FACA committees we reviewed reported that they requested member nominations from the public using *Federal Register* notices or committee websites. Most of these committees requested member nominations through other means such as email lists or social media. We previously noted that this practice provides agencies with greater assurance that they have identified a range of relevant experts and stakeholders capable of creating impartial and balanced committees.⁵⁸
- **Requiring committee members—and not agency officials—to select committee chairs.** Two FACA committees we reviewed reported that their members appoint committee chairs and vice chairs. One committee—the Hydrographic Services Review Panel (HSRP)—

⁵⁶Peer review groups serving NIH are comprised of scientists, researchers, and medical experts that review and score applications submitted by their peers.

⁵⁷GAO, *Federal Advisory Groups: DOT and DOE Can Take Steps to Better Assess Duplication Risk and Enhance Usefulness*, [GAO-12-472](#) (Washington, D.C.: Mar. 29, 2012).

⁵⁸GAO, *Federal Advisory Committees: Additional Guidance Could Help Agencies Better Ensure Independence and Balance*, [GAO-04-238](#) (Washington, D.C.: Apr. 16, 2004).

is required by law to select chairs and vice chairs.⁵⁹ This practice eliminates chairs' and vice chairs' dependence on agency officials to attain or retain their leadership positions.⁶⁰

- **Limiting individual FACA committee members' interactions with agency officials outside full committee meetings.** Six selected FACA committees reported establishing policies and procedures to govern individual committee members' communications with agency officials. For instance, the Bureau requires members of the Census Scientific Advisory Council (CSAC) to coordinate through committee staff to collect facts from or speak with Bureau officials. The Bureau also prohibits individual committee members from providing advice and recommendations directly to Bureau staff.
- **Enforcing requirements restricting subgroups' direct interaction with agency officials.** GSA regulations restrict subgroups from directly transmitting advice and recommendations to agencies.⁶¹ None of the 11 FACA committees reported using subgroups to offer advice or make recommendations directly to agency officials. Subgroups serving nine selected FACA committees report advice and recommendations to full committees. These committees, in turn, can review and approve advice and recommendations during open meetings. In addition, NIH officials said they implemented procedures to ensure that only peer reviewers serving two other FACA committees—CSR SEP and NCI IRG—evaluate and score grant applications during meetings. For example, they restricted NIH officials' attendance at the meetings and required officials to obtain permission before sharing information with peer reviewers.
- **Restricting agencies' involvement in drafting and reviewing committee documents.** Six FACA committees we reviewed said that they limit agency officials' abilities to draft or review committee documents that include advice and recommendations. National Oceanic and Atmospheric Administration (NOAA) officials said they

⁵⁹33 U.S.C § 892c.

⁶⁰National Oceanic and Atmospheric Administration (NOAA) officials said that agency leaders appoint the chair and vice chair for the Marine Fisheries Advisory Committee. However, NOAA officials also said that agency staff of the Marine Fisheries Advisory Committee seek committee member interest or nominations to serve as chair, vice chair, or subcommittee chair.

⁶¹If a subcommittee makes recommendations directly to an agency, or if the parent FACA committee will adopt the subcommittee's recommendations without further deliberations, then the subcommittee's meetings must be conducted in accordance with meeting openness requirements. 41 C.F.R. § 102-3.145 and Appendix A to Subpart D.

may only provide input on recommendations made in interim or draft reports of selected FACA committees we reviewed—HSRP, Marine Fisheries Advisory Committee (MAFAC), and the NOAA Science Advisory Board (SAB)—during public meetings so their input is fully transparent.

In some instances, agency officials can provide technical comments and copy-editing services for reports and other documents. In addition, two other FACA committees prohibit agency officials from changing individual reviews and scores of grant applications. NIH only allows Scientific Review Officers overseeing peer review groups, such as CSR SEP and NCI IRG, prepare statements summarizing recommendations for each application.

See appendix III for information on selected FACA committees that reported they implemented each practice previously listed.

FACA Database Often Contained Incorrect Cost Data for Selected Committees, and Does Not Disclose Cost Data Limitations

For Most Selected FACA Committees, the FACA Database Contained Cost Data That Were Not Fully Consistent with Agency and Committee Records

We found about 29 percent of cost data entered by the 11 selected FACA committees into the FACA database for fiscal years 2017 and 2018 were inconsistent with selected agency and committee records and systems. Table 3 shows that committee cost data entered by one of the 11 selected FACA committees—the Taxpayer Advocacy Panel—were 100 percent consistent with data from agency and committee records and systems. In contrast, cost data for two other selected FACA committees—CSR SEP and MAFAC—were fully consistent with agency and committee records or systems for 50 percent or less of the 22 cost data elements for fiscal years 2017 and 2018.

Table 3: Number and Percent of Consistent Cost Data Elements in Federal Advisory Committee Act (FACA) Database for Selected FACA Committees, Fiscal Years 2017-18

FACA Committee	Fully consistent ^a	Inconsistent—less than 10% ^b	Inconsistent—10% or more ^c	Unable to verify ^d
Department of Commerce				
Census Scientific Advisory Committee	16/22 (73%)	1/22 (5%)	3/22 (14%)	2/22 (9%)
Hydrographic Services Review Panel	14/22 (64%)	8/22 (36%)	0/22 (0%)	0/22 (0%)
Marine Fisheries Advisory Committee	7/22 (32%)	9/22 (41%)	6/22 (27%)	0/22 (0%)
National Oceanic and Atmospheric Administration Science Advisory Board	17/22 (77%)	1/22 (5%)	4/22 (18%)	0/22 (0%)
Department of Health and Human Services				
Center for Scientific Review Special Emphasis Panel	11/22 (50%)	7/22 (32%)	4/22 (18%)	0/22 (0%)
National Cancer Institute Initial Review Group	19/22 (86%)	3/22 (14%)	0/22 (0%)	0/22 (0%)
National Vaccine Advisory Committee	12/22 (55%)	3/22 (14%)	7/22 (32%)	0/22 (0%)
Pediatric Advisory Committee	20/22 (91%)	2/22 (9%)	0/22 (0%)	0/22 (0%)
Department of the Treasury/Internal Revenue Service				
Electronic Tax Administration Advisory Committee	15/22 (68%)	4/22 (18%)	3/22 (14%)	0/22 (0%)
Internal Revenue Service Advisory Council	17/22 (77%)	1/22 (5%)	4/22 (18%)	0/22 (0%)
Taxpayer Advocacy Panel	22/22 (100%)	0/22 (0%)	0/22 (0%)	0/22 (0%)
Total	170/242 (70%)	39/242 (16%)	31/242 (13%)	2/242 (1%)

Source: GAO analysis of selected agency and selected FACA committee information. | GAO-20-575

Note: Percentages may not always add to 100 percent due to rounding.

^aFor the purposes of our review, we considered cost data elements entered in the FACA database that were within \$1 of corresponding data from agency and committee records and systems as “fully consistent.”

^bIncludes cost data elements in the FACA database that deviated less than 10 percent from corresponding cost data from agency and committee records and systems.

^cIncludes cost data elements in the FACA database that deviated 10 percent or more from corresponding cost data from agency and committee records and systems.

^dThe results in this category are from selected FACA committees that were unable to produce cost documentation that would allow for a review of its consistency with cost data in the FACA database.

As table 4 shows, total costs entered by the 11 FACA committees in the FACA database for fiscal years 2017 and 2018 were about 2 percent, or \$1.7 million, less than the costs reported in agency and committee records and systems. CSR SEP represents about 89 percent of the difference between total costs reported to the FACA database and total costs from agency and committee records and systems. Five of the 11

committees under-reported total costs to the FACA committee, while five other committees over-reported their total costs.⁶²

Table 4: Amount and Percent of Difference in Total Costs Selected Federal Advisory Committee Act (FACA) Committees Reported in the FACA Database Compared to Agency and Committee Records and Systems, Fiscal Years 2017-18

FACA Committee	Total costs reported in the FACA database ^a	Total costs reported in agency and committee records and systems	Difference between amount of total costs reported in the FACA database and total costs in records and systems
Department of Commerce			
Census Scientific Advisory Committee ^b	\$226,576	\$240,405	\$13,829 (6%)
Hydrographic Services Review Panel	\$1,089,102	\$1,087,262	\$1,840 (0%)
Marine Fisheries Advisory Committee	\$1,755,852	\$1,799,526	\$43,674 (2%)
National Oceanic and Atmospheric Administration Science Advisory Board	\$946,126	\$914,458	\$31,668 (3%)
Department of Health and Human Services			
Center for Scientific Review Special Emphasis Panel	\$68,524,099	\$70,048,547	\$1,524,448 (2%)
National Cancer Institute Initial Review Group	\$4,081,917	\$4,079,069	\$2,848 (0%)
National Vaccine Advisory Committee	\$835,088	\$948,396	\$113,308 (14%)
Pediatric Advisory Committee	\$3,996,637	\$3,996,037	\$600 (0%)
Department of the Treasury/Internal Revenue Service			
Electronic Tax Administration Advisory Committee	\$621,639	\$619,017	\$2,622 (0%)
Internal Revenue Service Advisory Council	\$741,513	\$804,952	\$63,439 (9%)
Taxpayer Advocacy Panel	\$4,702,403	\$4,702,402	\$1 (0%)
Total	\$87,520,952	\$89,240,071	\$1,719,119 (2%)

Source: GAO analysis of selected agency and selected FACA committee information. | GAO-20-575

^aFor the purposes of our review, we considered cost data elements entered in the FACA database that were within \$1 of corresponding data from agency and committee records and systems as “fully consistent.”

^bExcludes cost data for fiscal year 2018 as the committee was unable to produce cost documentation that would allow for a review of its consistency with cost data in the FACA database.

The consistency of cost data entered by the 11 selected FACA committees in the FACA database also varied by cost data element and dollar value. Only one of the 11 cost data elements—“Payments to Federal Members”—was fully consistent with selected agency and

⁶²Table 4 shows that the Taxpayer Advocacy Panel (TAP) reported total costs to the FACA database that were only \$1 above total costs reported by agency and committee reports and systems. We did not count TAP among those FACA committees that over-reported costs.

committee records. In addition, the dollar value of the difference between costs reported in the FACA database and costs from agency and committee records and systems varied. Specifically, about 17 percent of cost data were inconsistent within \$10,000 of selected agency and committee records and systems, compared with about 6 percent of cost data that were inconsistent between \$10,000 and \$50,000, and about 6 percent of cost data that were inconsistent by more than \$50,000. See appendix IV for tables on consistency of specific cost data elements compared to selected agency and committee records and systems.

Standards for Internal Control in the Federal Government states that management should process relevant data from reliable sources into quality information within the agency's information system.⁶³ The standards also state that management should design appropriate controls, such as the accurate and timely recording of transactions, and implement these controls through policies. FACA also requires that agencies keep records of their spending on FACA committees.⁶⁴

FACA committees we reviewed reported various reasons why the cost data they entered in the FACA database did not match the agency and committee records and systems we reviewed:

- Four committees—CSR SEP, HSRP, NCI IRG, and the National Vaccine Advisory Committee—reported submitting estimated or incomplete cost data to meet GSA and agency deadlines.
- Two committees—NOAA SAB and the Pediatric Advisory Committee (PAC)—reported that some cost data did not match due to manual errors in recording or calculating costs.
- Two committees—the Electronic Tax Administration Advisory Committee (ETAAC) and the Internal Revenue Service Advisory Council (IRSAC)—could not explain the inconsistencies between agency and committee records and the FACA database.
- One committee—CSAC—experienced staff turnover and was unable to locate documentation for several cost data elements such as “Payments to Federal Staff” and “Other Costs.”
- One committee—MAFAC—reported that it overlooked certain committee costs and failed to include them in cost data it entered into

⁶³ [GAO-14-704G](#).

⁶⁴ U.S.C. app. § 12(a).

the FACA database. Further, NOAA stated that it found an error in fiscal year 2017 MAFAC cost data in the FACA database. However, GSA's system would not allow it to revise the data.

We previously noted that GSA conducts Annual Comprehensive Reviews (ACR) to, among other things, help ensure that the FACA committee data entered into the FACA database are accurate and complete. GSA officials said they conduct high-level data quality checks on aggregated committee cost data during the ACR process. For example, GSA officials said that they determine whether committees reported large differences in costs from year to year. In addition, GSA officials said they provide guidance and repeatedly interact with agencies throughout the ACR process as the agencies collect and enter cost data into the FACA database.

However, GSA has not required FACA committees to develop and implement written policies or procedures to (1) identify, calculate, and fully document costs; and (2) ensure that the cost data they enter in the FACA database align with data from agency and committee records and systems. FACA committees in our review reported a variety of processes they use to manage committee cost data for entry into the FACA database. However, we found that four FACA committees had no written policies or procedures on how they identify, calculate, and fully document costs. In addition, we found that five FACA committees did not have written procedures to ensure that cost data they entered in the FACA database are accurate and complete.

According to GSA officials, while GSA stresses the importance of providing accurate and complete data, agency staff are ultimately responsible for ensuring that cost data entered in the FACA database are complete, up to date, and accurate. However, FACA states that the GSA Administrator shall prescribe administrative guidelines and management controls applicable to advisory committees, and, to the maximum extent feasible, provide advice, assistance, and guidance to advisory committees to improve their performance.⁶⁵

Requiring agencies to establish and implement written policies or procedures can help ensure that agency staff identify, calculate, fully document, and report accurate and complete FACA committee costs. This requirement would also give GSA greater assurance that the data

⁶⁵ U.S.C. app. § 7(c).

reported in the FACA database are consistent with agencies' actual costs. In the absence of reliable cost data, Congress is unable to fully rely on these data to inform decisions about funding for FACA committees.

GSA Does Not Require FACA Committees to Identify When They Last Updated Cost Data in the FACA Database

The FACA database does not include fields where FACA committees are required to report cost data limitations. For example, while FACA committees can enter cost data into the FACA database throughout the current fiscal year, the database does not include a specific field to enter the date when a FACA committee last updated its cost data. As a result, FACA database users cannot determine how much of the current fiscal year is captured in the cost data. In addition, we identified several instances of committees submitting estimated or incomplete cost data to meet GSA deadlines. FACA database users may then unknowingly use cost data that may be estimated or incomplete.

Key practices for data transparency state that known data quality issues and limitations should be disclosed.⁶⁶ OMB guidance states that agencies must be transparent and take reasonable steps where practicable to inform users about the quality of disseminated content, such as clearly identifying the inherent limitations in the information so users are fully aware of its quality and integrity.⁶⁷

GSA said it allows FACA committees to self-report limitations on cost or any other data under the "Recommendations/Justifications" section of FACA database committee websites. GSA told us it plans to add two text fields in the "Committee Cost" section of individual committee web pages in the FACA database to allow agencies to self-report cost data limitations. However, GSA does not require committees to report the date when they last updated cost data or other limitations in the FACA database. By providing a specific field on FACA database committee websites to report when the committee last updated cost data, GSA can help Congress, researchers, agency officials, and members of the public who use the FACA database become more aware of data limitations and avoid misinterpretations of available cost data.

Conclusions

FACA committees play an important role in advising the President and federal agencies on national issues. When agencies and committees follow FACA transparency requirements, they can help ensure that

⁶⁶[GAO-19-72](#).

⁶⁷Office of Management and Budget, "Policies for Federal Agency Public Websites and Digital Services," M-17-06 (Washington, D.C.: Nov. 8, 2016).

Congress and the public are able to participate in committee meetings and observe decisions committees make. Agencies and committees can also implement practices to help ensure that FACA committees make independent judgments on advice and recommendations without inappropriate influence from agency officials.

Selected FACA committees in our review generally published timely meeting notices and provided opportunities for the public to provide comments prior to or during open meetings. However, several FACA committees we reviewed could enhance the transparency of their decision-making and improve their compliance with FACA requirements. Actions needed by some selected agencies to enhance transparency and improve compliance include renewing committee charters, making key decisions during open meetings, and completing meeting minutes as required under FACA and GSA regulations.

Several FACA committees could also improve the consistency of providing information online. Specifically, meeting documentation and information on whether and how agencies addressed committees' recommendations could be more consistently and readily available to the public. In addition, Congress can help make FACA committees' activities more transparent by requiring agencies and committees to post online documents that committees must already make publicly available. Without Congress and FACA committees taking these steps, the public and Congress have limited visibility into FACA committee activities.

Congress and the public also have limited visibility into FACA costs when these data are not always easy to obtain, accurate, complete, and useful. FACA committees we reviewed frequently submitted cost data to GSA's FACA database that were inconsistent with agency and committee records. By requiring FACA committees to develop policies or procedures to help ensure they submit accurate and complete cost data to the FACA database, and to specify the date when they last updated the data, GSA could help enhance the usefulness of the data in its database.

Matter for Congressional Consideration

We are making the following matter for congressional consideration:

Congress should consider amending FACA to require agencies and advisory committees to make available online documents FACA already requires to be made available for public inspection and copying. (Matter for Consideration 1)

Recommendations for Executive Action

We are making a total of nine recommendations, including one to the Food and Drug Administration (FDA), two to IRS, one to the Bureau, one to Treasury, one to NIH, and three to GSA.

- The Commissioner of the FDA should ensure that PAC renews its charter. (Recommendation 1)
- The Commissioner of Internal Revenue should require ETAAC and IRSAC to make decisions on proposed recommendations to IRS during open meetings. (Recommendation 2)
- The Commissioner of Internal Revenue should require ETAAC and IRSAC to compile meeting minutes and make them publicly available. (Recommendation 3)
- The Director of the Census Bureau should require CSAC to compile meeting minutes and make them publicly available. (Recommendation 4)
- The Secretary of the Treasury should require FACA committees under Treasury's purview to provide access to meeting agendas and supporting documents on the committees' websites. (Recommendation 5)
- The Director of NIH should establish and implement a policy requiring all FACA committees under NIH's jurisdiction to post meeting minutes online. (Recommendation 6)
- The Administrator of GSA should encourage FACA committees to make information on agencies' responses to and implementation of specific recommendations publicly available online, unless exempted from public disclosure under the Freedom of Information Act. (Recommendation 7)
- The Administrator of GSA should require agencies to develop and implement written policies or procedures to identify, calculate, and fully document FACA committee costs, and ensure agency staff enter accurate and complete cost data into the FACA database. (Recommendation 8)
- The Administrator of GSA should direct the Committee Management Secretariat to require FACA committees to specify the exact date when they last updated cost data in the FACA database. This could be completed in a field in the database under the "Committee Cost" section or in another relevant data field. (Recommendation 9)

Agency Comments and Our Evaluation

We provided a draft of this report to the Secretaries of Commerce, HHS, and Treasury; the Administrator of GSA; and the Commissioner of Internal Revenue. Agency comments are summarized below by order of the recommendations.

In written comments provided by HHS, FDA agreed with our recommendation that it should ensure that PAC renews its charter (recommendation 1). HHS's comments are reprinted in appendix V.

In an email, IRS's Director of Enterprise Audit Management stated that IRS agreed with our recommendations to require ETAAC and IRSAC to make decisions on proposed recommendations to IRS during open meetings (recommendation 2) and compile meeting minutes and make them publicly available (recommendation 3).

In an email from a representative of the Census Bureau's Policy Coordination office, the Bureau stated that it agreed with our recommendations to require CSAC to compile meeting minutes and make them publicly available (recommendation 4). The Bureau stated that it will post minutes from public meetings on its websites in a timely manner.

In an email, Treasury's Acting Director of Records and Information Management stated that Treasury agreed with our recommendation to require FACA committees under its purview to provide access to meeting agendas and supporting documents on the committees' websites (recommendation 5).

The Treasury official stated that Treasury addressed the recommendation by encouraging its Designated Federal Officers to provide access to meeting agendas and supporting documents on committee websites. Treasury also plans to review and update a directive on establishing and managing federal advisory committees. As part of this effort, Treasury will consider requiring its FACA committees to provide access to meeting agendas and supporting documents on the committees' websites.

In written comments provided by HHS, NIH agreed with our recommendation that it should establish and implement a policy requiring all FACA committees under NIH's jurisdiction to post meeting minutes online (recommendation 6). HHS's comments are reprinted in appendix V.

GSA provided written comments that are summarized below and reprinted in appendix VI. GSA did not state whether it agreed or disagreed with our three recommendations.

GSA stated it agreed with our findings supporting recommendation 7. The recommendation stated that GSA should encourage FACA committees to make information on agencies' responses to and implementation of specific recommendations publicly available online, unless exempted from public disclosure under FOIA. GSA stated it would encourage agencies to make their responses to FACA committee recommendations publicly available online.

However, GSA did not specify whether it would encourage FACA committees to post information on the implementation of the recommendations online, as we recommended. In our original sample, most of the FACA committees that made recommendations attempted to track agencies' responses to and the implementation status of the recommendations. However, agencies did not always make this information fully available to the public online. Fully implementing our recommendation will enhance congressional and public visibility into agency efforts to implement committee recommendations.

GSA did not state whether it agreed with our findings supporting recommendation 8. The recommendation stated that it should require agencies to develop and implement written policies or procedures to identify, calculate, and fully document FACA committee costs, and ensure agency staff enter accurate and complete cost data into the FACA database.

However, GSA stated that it agreed with the importance of accurate cost reporting for federal advisory committees to Congress and the public. GSA stated it would direct agencies, per Section 7(c) of FACA, to ensure their reported costs reflect their records required by Section 12 of FACA. In addition, GSA stated that it would recommend that agencies revise their administrative procedures to ensure accurate cost reporting.

Requiring agencies to revise procedures, as needed, to identify, calculate, fully document, and report FACA committee costs would provide greater assurance that the data reported in the FACA database are consistent with agencies' actual costs. Without reliable cost data, Congress will continue to be unable to fully rely on these data to inform decisions about funding FACA committees.

GSA stated it agreed with our findings supporting our recommendation that GSA direct its Committee Management Secretariat to require FACA committees to specify the exact date when they last updated cost data in the FACA database (recommendation 9). GSA also stated it will provide a field in the FACA database for agency users to specify the exact date they last updated cost data. Taking this step will provide information to Congress, researchers, and other FACA database users that could increase awareness of cost data limitations and avoid misinterpretations of the data.

NIH and NOAA also provided technical comments, which we incorporated as appropriate.

We are sending copies of this report to the appropriate congressional committees; the Secretaries of Commerce, HHS, and Treasury; the Administrator of GSA; the Commissioner of Internal Revenue; and other interested parties. In addition, the report will be available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-6806 or SagerM@gao.gov. Contact points for our offices of Congressional Relations and Public Affairs are on the last page of this report. GAO staff who made key contributions to this report are listed in appendix VII.

A handwritten signature in black ink, appearing to read "Michelle Sager". The signature is fluid and cursive, with the first name "Michelle" and the last name "Sager" clearly distinguishable.

Michelle Sager
Director, Strategic Issues

Appendix I: Objectives, Scope, and Methodology

Our objectives were to (1) assess the extent to which selected agencies and Federal Advisory Committee Act (FACA) committees adhered to transparency requirements; (2) describe practices selected agencies and FACA committees followed to help ensure that agency officials are not exerting inappropriate influence on committee decision-making; and (3) assess the extent to which the General Service Administration's (GSA) FACA database contained accurate, complete, and useful cost information for selected FACA committees.

For all three objectives, we selected three agencies—the Departments of Commerce (Commerce), Health and Human Services (HHS), and the Treasury (Treasury)—for our review. We focused our work on agencies with significant experience in monitoring FACA committees and keeping track of committee costs. To select these agencies, we identified agencies listed in GSA's fiscal year 2017 FACA committee dataset that had 10 or more FACA committees and incurred more than \$1 million in committee costs in fiscal year 2017.¹ We excluded agencies where, as of March 2019, we were reviewing agencies' administration of FACA committees. Commerce, HHS, and Treasury met the criteria listed above.

Table 5 lists a non-generalizable sample of 11 FACA committees serving Commerce, HHS, and Treasury that we selected for our review. We selected the committees based on the following criteria:

- **Active FACA committees.** To ensure we reviewed active FACA committees, we identified FACA committees in GSA's fiscal year 2017 FACA committee dataset that were not terminated on or before the end of fiscal year 2017.
- **Costs incurred and number of recommendations made by FACA committees.** We focused our audit work on FACA committees with significant experience in tracking committee costs and generating recommendations to agencies. We identified FACA committees in GSA's fiscal year 2017 FACA committee dataset that (1) incurred costs of \$200,000 or more in fiscal year 2017, and (2) made 200 or more recommendations to agencies during the committees' lifetimes. We used the thresholds of costs incurred and recommendations made as natural cut-off points for selecting FACA committees.
- **Subcommittees.** We selected FACA committees with and without subcommittees to determine whether the presence of subcommittees

¹Fiscal year 2017 is the last fiscal year where we could obtain a complete set of FACA committee data.

affected the transparency, independence, and cost reporting of FACA committees.

- **Committees with Comptroller General appointees.** We excluded FACA committees serving HHS that included members appointed by the Comptroller General of the United States.²

Table 5: Agencies and Federal Advisory Committee Act Committees Selected for Review

Department of Commerce	
U.S. Census Bureau	• Census Scientific Advisory Committee
National Oceanic and Atmospheric Administration	• Hydrographic Services Review Panel • Marine Fisheries Advisory Committee • National Oceanic and Atmospheric Administration Science Advisory Board
Department of Health and Human Services	
Food and Drug Administration	• Pediatric Advisory Committee
National Institutes of Health (NIH)	• Center for Scientific Review Special Emphasis Panel^a • National Cancer Institute Initial Review Group^b
Office of the Assistant Secretary for Health	• National Vaccine Advisory Committee
Department of the Treasury	
Internal Revenue Service (IRS)	• Electronic Tax Administration Advisory Committee • Internal Revenue Service Advisory Council • Taxpayer Advocacy Panel^c

Source: GAO analysis of selected agency and selected FACA committee information. | GAO-20-575

^aWe reviewed Center for Scientific Review Special Emphasis Panel peer review groups that took place multiple times from October 1, 2017, to September 30, 2019. These groups reviewed and scored grant applications on behalf of the full committee.

^bWe reviewed National Cancer Institute Initial Review Group meetings where selected members reviewed and scored grant applications on behalf of the full committee.

^cWe reviewed work performed by the Taxpayer Advocacy Panel’s Joint Committee. This committee makes recommendations to IRS.

For all objectives, we reviewed selected transparency, independence, and information reporting requirements we identified from selected statutory, regulatory, and Office of Management and Budget (OMB) requirements. We also selected a purposeful, non-generalizable sample of 76 FACA committee meetings that took place during fiscal years 2018 and 2019. For nine of the 11 selected FACA committees we reviewed, we selected the first and last meetings each selected FACA committee

²The Comptroller General—who heads the Government Accountability Office—is mandated by law to make appointments to certain health care-related commissions, advisory boards, and governing boards.

conducted from October 1, 2017, to September 30, 2019. We also selected a third meeting of each selected committee that took place in fiscal year 2019 prior to March 31, 2019, to ensure we captured a greater variety of meetings that took place in fiscal year 2019.

Two other FACA committees we reviewed—the Center for Scientific Review Special Emphasis Panel (CSR SEP) and the National Cancer Institute Initial Review Group (NCI IRG)—reviewed and scored grant applications in peer review groups. For CSR SEP, we selected 39 peer review group meetings that occurred from October 1, 2017, to September 30, 2019. For NCI IRG, we selected 12 meetings during the same period.

We analyzed documentation from the meetings we sampled and attended several meetings of selected committees that took place during our review. We also interviewed officials from GSA and the three agencies in our scope.

For our first objective, we compared documentation of the 11 FACA committees we reviewed to selected transparency requirements established by FACA, GSA regulations, OMB, *Standards for Internal Control in the Federal Government*, and their respective agencies.³ These requirements include renewing committee charters and posting meeting notices in a timely manner. These requirements also include opening meetings to the public except in certain cases, making decisions on advice and recommendations during open meetings, completing meeting minutes and making them available for public inspection, and providing information online. We shared these requirements with the selected agencies to confirm their applicability.

We also determined whether the nine selected FACA committees in our review that give advice and make recommendations—and another 11 FACA committees we sampled from the three agencies we reviewed—tracked and publicly reported on agencies' efforts to address advice and

³GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: September 2014).

recommendations committees generated in fiscal years 2015-2019.⁴ To identify agency efforts and publicly available information on the efforts, we reviewed GSA's FACA database and selected FACA committee websites and reports, and interviewed agency officials. Then we determined whether FACA committees made agency responses to recommendations—such as whether agencies agreed or disagreed with the recommendations—and efforts to implement the recommendations fully or partially available on committee websites.

We determined that a FACA committee made information on agency responses to and implementation of committee recommendations

- fully available to the public if the committee posted the information for all or almost all recommendations made during fiscal years 2015-2019; and
- partially available to the public if the committee posted the information on its website for some of the recommendations made during the same period.

For our second objective, we reviewed steps selected FACA committees took to identify topics for review and make decisions on advice and recommendations that address these topics. We also analyzed steps taken by the peer review groups serving selected FACA committees we reviewed—the Center for Scientific Review Special Emphasis Panel and National Cancer Institute Initial Review Group—that assess and score grant applications on behalf of FACA committees.

⁴Two of the 11 committees we originally sampled (Center for Scientific Review Special Emphasis Panel and National Cancer Institute Initial Review Group) were excluded from this analysis because they reviewed and scored grant applications. We selected the additional 11 FACA committees to determine if our findings on agencies' efforts to capture a greater variety of examples of how FACA committees in the three selected agencies (Commerce, HHS, and Treasury) tracked and reported agencies' progress in implementing committees' advice and recommendations. We selected the additional 11 committees because they fully or partially met the criteria used to select the 11 committees we originally sampled. We selected four additional FACA committees from Commerce: (1) Advisory Committee on Earthquake Hazards Reduction; (2) Census Bureau National Advisory Committee on Racial, Ethnic, and Other Populations; (3) Commerce Spectrum Management Advisory Committee; and (4) United States Travel and Tourism Advisory Board. We selected five additional FACA committees from HHS: (1) Advisory Committee on Immunization Practices; (2) Advisory Panel on Hospital Outpatient Payment; (3) National Advisory Council on Migrant Health; (4) National Science Advisory Board for Biosecurity; and (5) Secretary's Advisory Committee on Human Research Protection. We also selected two additional committees from Treasury: (1) Art Advisory Panel of the Commissioner of Internal Revenue, and (2) Treasury Borrowing Advisory Committee of the Securities Industry and Financial Markets Association.

We reviewed documents from selected agencies and FACA committees—such as committees’ standard operating procedures and bylaws—to identify practices the agencies and committees implemented to help ensure that agency officials do not exert inappropriate influence on committee decision-making. We also reviewed documents and recordings from meetings of selected FACA committees to determine whether agency officials inappropriately influenced committee deliberations and decisions by impairing the committee’s abilities to make independent judgments on advice and recommendations. In addition, we interviewed agency officials about the committees’ activities.

We also conducted six focus groups with random but non-generalizable samples of 27 members from the 11 FACA committees we reviewed. Three of the focus groups included a total of 15 members sampled from nine FACA committees that gave advice and made recommendations to agencies. The other three focus groups included a total of 12 members of peer review groups responsible for reviewing and scoring grant applications for two FACA committees we reviewed that serve the National Institutes of Health (NIH), a component of HHS.⁵ We used committee membership lists to generate random samples from each FACA committee to provide variation of committee membership in each focus group.

We used the focus groups to inquire whether members had observed agency officials inappropriately influencing (1) committees’ decisions on advice and recommendations to agencies; and (2) peer review groups’ assessment and scoring of grant applications, which serve as advice and recommendations to NIH.⁶ We also used the focus groups to inquire how FACA committees identified topics and subject matters to address, and whether information the committees obtained to inform decisions on advice, recommendations, and grant applications was sufficient. The

⁵Peer review groups serving NIH are comprised of researchers and other scientific experts who are supposed to evaluate applications submitted to NIH for scientific and technical merit. For one of the selected FACA committees—Center for Scientific Review Special Emphasis Panel—we sampled chairs of peer review groups that met multiple times from October 1, 2017, to September 30, 2019. These chairs could draw from experiences participating in multiple meetings, while other peer review group members might only serve on the group for one meeting. For a second FACA committee—the National Cancer Institute Initial Review Group—we sampled members that review and score applications on behalf of the full committee.

⁶In this context, “inappropriate influence” is any attempt by agency officials to impede the FACA committee’s ability to make independent judgments on advice and recommendations.

findings from the focus groups are not generalizable to other members of FACA committees we reviewed, or other FACA committees government-wide.

For our third objective, we reviewed processes selected FACA committees reported using to compile and record cost data for the \$87.5 million the committees reported spending in the FACA database in fiscal years 2017 and 2018. We assessed the reliability of FACA committee cost data elements in GSA's FACA database for fiscal years 2017 and 2018 from the 11 FACA committees we selected for our review. We compared the cost data elements to corresponding cost data in agency and FACA committee records and systems. We noted previously and in appendix IV information on the extent to which the data were consistent by committee and cost data element. We identified limitations in the cost data selected FACA committees entered in the FACA database, which were discussed previously. We also assessed whether GSA followed practices we and OMB identified for disclosing known data quality issues and data limitations.⁷

We conducted this performance audit from February 2019 to September 2020 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

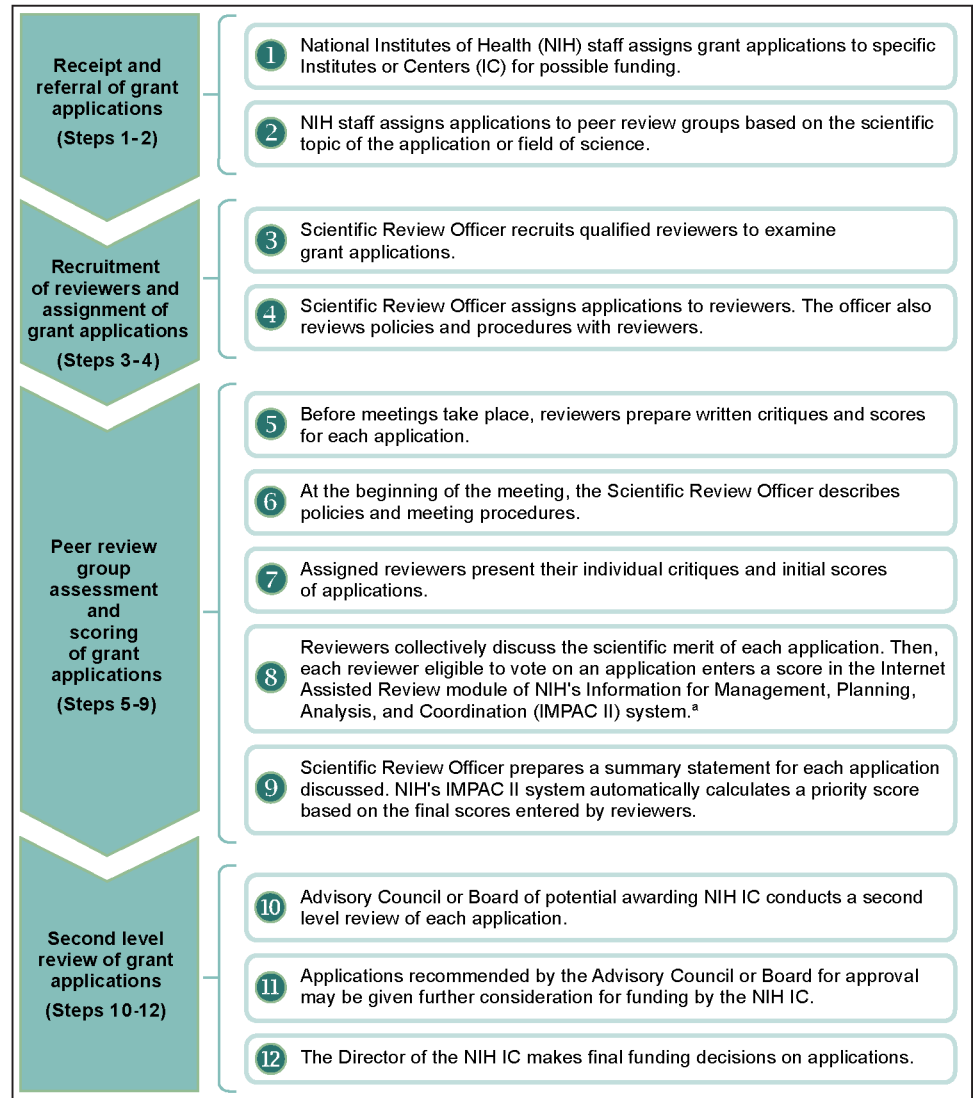
⁷GAO, *Open Data: Treasury Could Better Align USAspending.gov with Key Practices and Search Requirements*, [GAO-19-72](#) (Washington, D.C.: Dec. 13, 2018), and Office of Management and Budget, "Policies for Federal Agency Public Websites and Digital Services," M-17-06 (Washington, D.C.: Nov. 8, 2016).

Appendix II: National Institutes of Health Peer Review Group Advisory Processes

Two of the 11 Federal Advisory Committee Act committees we examined—the Center for Scientific Review Special Emphasis Panel and National Cancer Institute Initial Review Group—are comprised of peer review group members who assess and score grant applications assigned by the National Institutes of Health (NIH), a component of the Department of Health and Human Services.¹ Figure 2 provides an overview of the processes NIH requires peer review groups serving the two FACA committees to use to assess and score applications.

¹Peer review groups serving NIH are comprised of qualified reviewers selected based on scientific and technical qualifications, among other considerations.

Figure 2: National Institutes of Health Peer Review Group Advisory Processes for Assessing and Scoring Grant Applications



Source: GAO analysis of NIH information. | GAO-20-575

Note: This figure depicts advisory processes NIH requires peer review group members under the Center for Scientific Review Special Emphasis Panel and National Cancer Institute Initial Review Group to use to assess and score grant applications.

^aReviewers cannot participate in the discussion, evaluation, or scoring of any application with which they have a conflict of interest.

Appendix III: Practices Selected Agencies and Advisory Committees Reported Using to Avoid Inappropriate Agency Influence

We previously described a range of practices that selected agencies and Federal Advisory Committee Act (FACA) committees reported using to ensure that agency officials did not exert inappropriate influence on committee decisions. Table 6 identifies the selected FACA committees—and the agencies they serve—that reported implementing each practice.

Table 6: Practices Selected Agencies and Federal Advisory Committee Act (FACA) Committees Reported Implementing to Prevent Inappropriate Agency Influence on Committee Decisions

FACA Committee	Involving committee members or chairs in agenda setting	Soliciting public nominations for FACA committee members	Requiring committee members to select committee chairs	Limiting individual FACA committee members' interactions with agency officials outside full committee meetings	Enforcing requirements restricting subgroups' direct interaction with agency officials	Restricting agencies' involvement in drafting and reviewing committee documents
Department of Commerce						
Census Scientific Advisory Committee	✓	✓		✓	✓	
Hydrographic Services Review Panel	✓	✓	✓		✓	✓
Marine Fisheries Advisory Committee	✓	✓			✓	✓
National Oceanic and Atmospheric Administration Science Advisory Board	✓	✓		✓	✓	✓
Department of Health and Human Services						
Center for Scientific Review Special Emphasis Panel				✓	✓	✓
National Cancer Institute Initial Review Group				✓	✓	✓
National Vaccine Advisory Committee	✓	✓			✓	
Pediatric Advisory Committee		✓		✓	✓	
Department of the Treasury/Internal Revenue Service						
Electronic Tax Administration Advisory Committee	✓	✓			✓	✓

**Appendix III: Practices Selected Agencies and
Advisory Committees Reported Using to Avoid
Inappropriate Agency Influence**

FACA Committee	Involving committee members or chairs in agenda setting	Soliciting public nominations for FACA committee members	Requiring committee members to select committee chairs	Limiting individual FACA committee members' interactions with agency officials outside full committee meetings	Enforcing requirements restricting subgroups' direct interaction with agency officials	Restricting agencies' involvement in drafting and reviewing committee documents
Internal Revenue Service Advisory Council	✓	✓			✓	✓
Taxpayer Advocacy Panel	✓	✓	✓	✓	✓	✓
Total number of selected FACA committees implementing practice	8	9	2	6	11	8

Legend:

✓ = FACA committee reported it implemented the selected practice.

Source: GAO analysis of selected agency and selected FACA committee information. | GAO-20-575

Appendix IV: Consistency of Selected Committee Federal Advisory Committee Act Database Cost Data

The consistency of cost data entered by the 11 selected Federal Advisory Committee Act (FACA) committees in the FACA database varied by cost data element. Table 7 shows that cost data reported for one of the 11 cost data elements—"Payments to Federal Members"—were fully consistent with selected agency and committee records and systems. Table 7 also shows that cost data reported for three other cost data elements—"Travel Reimbursements for Non-Federal Members," "Other Costs," and "Total Costs"—were 50 percent or more inconsistent with corresponding data from committee records during the same period.

Table 7: Number and Percent of Consistent Federal Advisory Committee Act (FACA) Committee Cost Data Elements for Selected Committees in FACA Database, Fiscal Years 2017-18				
Cost Data Element in Federal Advisory Committee Act (FACA) Database	Fully consistent ^a	Inconsistent—less than 10% ^b	Inconsistent—10% or more ^c	Unable to verify ^d
Payments to Non-Federal Members	18/22 (82%)	1/22 (5%)	3/22 (14%)	0/22 (0%)
Payments to Federal Members	22/22 (100%)	0/22 (0%)	0/22 (0%)	0/22 (0%)
Payments to Federal Staff	15/22 (68%)	4/22 (18%)	2/22 (9%)	1/22 (5%)
Payments to Consultants	19/22 (86%)	2/22 (9%)	1/22 (5%)	0/22 (0%)
Travel Reimbursements for Non-Federal Members	11/22 (50%)	6/22 (27%)	5/22 (23%)	0/22 (0%)
Travel Reimbursements for Federal Members	20/22 (91%)	2/22 (9%)	0/22 (0%)	0/22 (0%)
Travel Reimbursements for Federal Staff	17/22 (77%)	4/22 (18%)	1/22 (5%)	0/22 (0%)
Travel Reimbursements for Consultants	15/22 (68%)	2/22 (9%)	5/22 (23%)	0/22 (0%)
Other Costs	10/22 (45%)	5/22 (23%)	7/22 (32%)	0/22 (0%)
Total Costs	6/22 (27%)	11/22 (50%)	4/22 (18%)	1/22 (5%)
Federal Staff Support (FTE)	17/22 (77%)	2/22 (9%)	3/22 (14%)	0/22 (0%)
Total	170/242 (70%)	39/242 (16%)	31/242 (13%)	2/242 (1%)

Source: GAO analysis of selected agency and selected FACA committee information. | GAO-20-575

Notes: Includes cost data information for the following 11 selected FACA committees: Census Scientific Advisory Committee, Center for Scientific Review Special Emphasis Panel, Electronic Tax Administration Advisory Committee, Hydrographic Services Review Panel, Internal Revenue Service Advisory Council, Marine Fisheries Advisory Committee, National Cancer Institute Initial Review Group, National Oceanic and Atmospheric Administration Science Advisory Board, National Vaccine Advisory Committee, Pediatric Advisory Committee, and Taxpayer Advocacy Panel.

Percentages may not always add to 100 percent due to rounding.

^aFor the purposes of our review, we considered cost data elements entered in the FACA database that were within \$1 of corresponding data from agency and committee records and systems as "fully consistent."

^bIncludes cost data elements in the FACA database that deviated less than 10 percent from corresponding cost data from agency and committee records and systems.

**Appendix IV: Consistency of Selected
Committee Federal Advisory Committee Act
Database Cost Data**

^cIncludes cost data elements in the FACA database that deviated 10 percent or more from corresponding cost data from agency and committee records and systems.

^dThe results in this category are from selected FACA committees that were unable to produce cost documentation that would allow for a review of its consistency with cost data elements in the FACA database.

The consistency of cost data entered by the 11 selected FACA committees in the FACA database also varied by dollar value. Table 8 summarizes the inconsistency of cost data elements entered by the 11 selected FACA committees into the FACA database by dollar value. We found that about 17 percent of cost data elements were inconsistent within \$10,000 of selected agency and committee records and systems. We also found that about 6 percent of cost data elements were inconsistent within \$10,000 to \$50,000 of selected agency and committee records and systems. In addition, about 6 percent of cost data elements were inconsistent by more than \$50,000.

Table 8: Number and Percent of Consistent Federal Advisory Committee Act (FACA) Committee Cost Data Elements for Selected Committees in FACA Database (by Dollar Value), Fiscal Years 2017-18

Cost Data Element in Federal Advisory Committee Act (FACA) Database	Fully consistent ^a	Inconsistent by less than \$10,000	Inconsistent between \$10,000-\$50,000	Inconsistent by more than \$50,000	Inconsistent (total) ^b	Unable to verify ^c
Payments to Non-Federal Members	18/22 (82%)	1/22 (5%)	1/22 (5%)	2/22 (9%)	4/22 (18%)	0/22 (0%)
Payments to Federal Members	22/22 (100%)	0/22 (0%)	0/22 (0%)	0/22 (0%)	0/22 (0%)	0/22 (0%)
Payments to Federal Staff	15/22 (68%)	4/22 (18%)	0/22 (0%)	2/22 (9%)	6/22 (27%)	1/22 (5%)
Payments to Consultants	19/22 (86%)	1/22 (5%)	1/22 (5%)	1/22 (5%)	3/22 (14%)	0/22 (0%)
Travel Reimbursements for Non-Federal Members	11/22 (50%)	7/22 (32%)	2/22 (9%)	2/22 (9%)	11/22 (50%)	0/22 (0%)
Travel Reimbursements for Federal Members	20/22 (91%)	2/22 (9%)	0/22 (0%)	0/22 (0%)	2/22 (9%)	0/22 (0%)
Travel Reimbursements for Federal Staff	17/22 (77%)	4/22 (18%)	1/22 (5%)	0/22 (0%)	5/22 (23%)	0/22 (0%)
Travel Reimbursements for Consultants	15/22 (68%)	6/22 (27%)	1/22 (5%)	0/22 (0%)	7/22 (32%)	0/22 (0%)
Other Costs	10/22 (45%)	7/22 (32%)	3/22 (14%)	2/22 (9%)	12/22 (55%)	0/22 (0%)
Total Costs	6/22 (27%)	6/22 (27%)	4/22 (18%)	5/22 (23%)	15/22 (68%)	1/22 (5%)
Total	153/220 (70%)	38/220 (17%)	13/220 (6%)	14/220 (6%)	65/220 (30%)	2/220 (1%)

Source: GAO analysis of selected agency and selected FACA committee information. | GAO-20-575

Notes: This table does not include the cost data element "Federal Staff Support (FTE)" as the element is not calculated by dollar value.

Includes cost data information for the following 11 selected FACA committees: Census Scientific Advisory Committee, Center for Scientific Review Special Emphasis Panel, Electronic Tax

**Appendix IV: Consistency of Selected
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Administration Advisory Committee, Hydrographic Services Review Panel, Internal Revenue Service Advisory Council, Marine Fisheries Advisory Committee, National Cancer Institute Initial Review Group, National Oceanic and Atmospheric Administration Science Advisory Board, National Vaccine Advisory Committee, Pediatric Advisory Committee, and Taxpayer Advocacy Panel.

Percentages may not always add to 100 percent due to rounding.

^aFor the purposes of our review, we considered cost data elements entered in the FACA database that were within \$1 of corresponding data from agency and committee records and systems as “fully consistent.”

^bTotal percent of inconsistent cost data elements might not match the sum of percentages of inconsistency of cost data elements by dollar value.

^cThe results in this category are from selected FACA committees that were unable to produce cost documentation that would allow for a review of its consistency with cost data elements in the FACA database.

As table 9 shows, total costs entered by the 11 FACA committees in the FACA database for fiscal years 2017 and 2018 also varied by cost data element. Three cost data elements—“Payments to Non-Federal Members,” “Travel Reimbursements for Non-Federal Members,” and “Other Costs”—represent about 84 percent of the difference between total costs reported to the FACA database and costs in agency and committee records and systems.

Table 9: Amount and Percent of Difference in Cost Data Elements Selected Federal Advisory Committee Act (FACA) Committees Reported in the FACA Database Compared to Agency and Committee Records and Systems, Fiscal Years 2017-18

Cost Data Element	Total costs reported in the FACA database	Total costs reported in agency and committee records and systems	Difference between amount of total costs reported in the FACA database and total costs in agency and committee records and systems
Payments to Non-Federal Members	\$8,393,443	\$8,855,782	\$462,339 (5%)
Payments to Federal Members	\$75,000	\$75,000	\$0 (0%)
Payments to Federal Staff	\$56,258,346	\$56,473,038	\$214,692 (0%)
Payments to Consultants	\$956,466	\$1,039,362	\$82,896 (8%)
Travel Reimbursements for Non-Federal Members	\$10,777,352	\$11,540,444	\$763,091 (7%)
Travel Reimbursements for Federal Members	\$60,515	\$61,550	\$1,035 (2%)
Travel Reimbursements for Federal Staff	\$330,703	\$316,254	\$14,449 (5%)
Travel Reimbursements for Consultants	\$676,428	\$663,309	\$13,119 (2%)
Other Costs	\$9,992,698	\$10,215,332	\$222,634 (2%)
Total Costs	\$87,520,952	\$89,240,071	\$1,719,119 (2%)
Federal Staff Support (FTE)	368	366	2 (0%)

Source: GAO analysis of selected agency and selected FACA committee information. | GAO-20-575

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Committee Federal Advisory Committee Act
Database Cost Data**

Notes: Total reported costs and differences between amounts of total reported costs are rounded to the nearest dollar. This table does not include the fiscal year 2018 reported or actual cost data for the Census Scientific Advisory Committee. The committee was unable to produce cost documentation that would allow for a review of its consistency with cost data elements in the FACA database.

Appendix V: Comments from the Department of Health and Human Services



DEPARTMENT OF HEALTH & HUMAN SERVICES

OFFICE OF THE SECRETARY

Assistant Secretary for Legislation
Washington, DC 20201

August 27, 2020

Michelle Sager
Director, Strategic Issues
U.S. Government Accountability Office
441 G Street NW
Washington, DC 20548

Dear Ms. Sager:

Attached are comments on the U.S. Government Accountability Office's (GAO) report entitled, *"Federal Advisory Committees: Actions Needed to Enhance Decision-Making Transparency and Cost Data Accuracy"* (GAO-20-575).

The Department appreciates the opportunity to review this report prior to publication.

Sincerely,

Sarah C. Arbes -S
Digitally signed by
Sarah C. Arbes -S
Date: 2020.08.27
13:22:14 -04'00'

Sarah Arbes
Assistant Secretary for Legislation

Attachment

**GENERAL COMMENTS FROM THE DEPARTMENT OF HEALTH & HUMAN
SERVICES ON THE GOVERNMENT ACCOUNTABILITY OFFICE'S DRAFT
REPORT ENTITLED – FEDERAL ADVISORY COMMITTEES: ACTIONS NEEDED
TO ENHANCE DECISION-MAKING TRANSPARENCY AND COST DATA
ACCURACY (GAO-20-575)**

Health and Human Services appreciates the review conducted by the Government Accountability Office (GAO) and the opportunity to provide clarifications on this draft report. HHS respectfully submits the following general comments.

GAO Recommendation 1:

The Commissioner of the FDA should ensure that the pediatric advisory committee renews its charter.

FDA Response:

FDA concurs. FDA will revise and renew the PAC charter.

Matter for Congressional Consideration:

Congress should consider amending the Federal Advisory Committee Act (FACA) to require agencies and advisory committees to make available online documents FACA already requires to be made available for public inspection and copying.

GAO Recommendation 6:

The Director of NIH should establish and implement a policy requiring all FACA committees under NIH's jurisdiction to post meeting minutes online.

NIH Response:

NIH concurs with Recommendation 6 and we look forward to working with Congress to ensure NIH's policies implement any FACA legislation appropriately.

Appendix VI: Comments from the General Services Administration

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The Administrator

August 25, 2020

The Honorable Gene L. Dodaro
Comptroller General of the United States
U.S. Government Accountability Office
Washington, DC 20548

Dear Mr. Dodaro:

The U.S. General Services Administration (GSA) appreciates the opportunity to review and comment on the U.S. Government Accountability Office (GAO) draft report entitled *FEDERAL ADVISORY COMMITTEES: Actions Needed to Enhance Decision-Making Transparency and Cost Data Accuracy* (GAO-20-575).

GAO recommended that the Administrator of GSA should:

- Encourage FACA committees to make information on agencies' responses to and implementation of specific recommendations publicly available online, unless exempted from public disclosure under the Freedom of Information Act (FOIA). (*Report recommendation 7*)
- Require agencies to develop and implement written policies or procedures to identify, calculate and fully document FACA committee costs, and ensure agency staff enter accurate and complete cost data into the FACA database. (*Report recommendation 8*)
- Direct the Committee Management Secretariat to require FACA committees to specify the exact date when they last updated cost data in the database, either in a field in the database under the "Committee Cost" section or in another relevant data field. (*Report recommendation 9*).

GSA agrees with the findings for recommendations 7 and 9. For recommendation 7, GSA will take appropriate action to encourage agencies to make their responses to Federal advisory committee recommendations publicly available online, unless exempted from public disclosure under FOIA. For recommendation 9, GSA will provide a field in the FACA database for agency users to specify the exact date they last updated cost data.

For recommendation 8, GSA agrees on the importance of accurate cost reporting for Federal advisory committees to Congress and the public. Federal advisory committee costs are reported by executive branch agencies and departments through the FACA database. GSA will direct agencies, per Section 7(c) of the Act, to ensure their reported costs reflect their records required by Section 12 of the Act and recommend they revise their agency administrative procedures to ensure accurate cost reporting.

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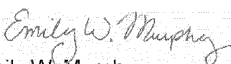
**Appendix VI: Comments from the General
Services Administration**

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If you have any questions or concerns, please contact me at (202) 969-7277 or Jeffrey A. Post, Associate Administrator, Office of Congressional and Intergovernmental Affairs, at (202) 501-0563.

Sincerely,


Emily W. Murphy
Administrator

cc: Ms. Michelle Sager, Director, Strategic Issues, GAO

Appendix VII: GAO Contact and Staff Acknowledgments

GAO Contact

Michelle Sager, (202) 512-6806 or SagerM@gao.gov

Staff Acknowledgments

In addition to the contact named above, Sonya Phillips (Assistant Director), Mark Ryan (Analyst-in-Charge), Karin Fangman, Amalia Konstas, Triana McNeil, Robert Robinson, Cynthia Saunders, Wade Tanner, and Richard Zarrella made key contributions to this report. Martin De Alteriis and Steven Flint also provided support.

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