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regardless of the size of the parcels involved. See *Franklin J. Rindt*, B-199900, February 10, 1981, and *Harold J. Geary*, B-188717, January 5, 1978. Where the separate parcels are conveyed to an individual purchaser, however, we have treated the separate transactions as giving rise to a presumption that the parcel not containing the residence is excess, thus warranting consideration of the factors discussed in 54 Comp. Gen. 597.

In *William C. Sloan*, B-190607, February 9, 1978, we considered the claim of an employee who had divided his land into two parcels. Within a period of 3 days, he sold the two-acre parcel on which the residence was situated and the adjacent five-acre parcel to the same purchaser. In that case, we upheld the agency's finding, based on the factors set forth in 54 Comp. Gen. 597, that the five-acre parcel was not related to the residence site. In part, the agency's finding was based on the fact that one acre was generally regarded as an adequate building site in the area and the fact that the five-acre parcel could be developed separately from the parcel containing the residence.

Consistent with the above decisions, the fact that Mr. Linderman divided his residence and the one-acre lot into two parcels for the purpose of sale raises a presumption that he conveyed land in excess of that which reasonably relates to the residence site. However, the information obtained by the Department of Agriculture regarding land use in the vicinity of Mr. Linderman's residence reasonably rebuts any inference that any part of the land sold did not reasonably relate to the residence site. In fact the separate conveyances were part of a single transaction in which the entire one-acre parcel was transferred to a single purchaser for use as a residence.

Since the two realtor's fees paid by Mr. Linderman do not exceed the fee he would have paid to transfer the one acre as a single parcel, he may be reimbursed the \$300 amount claimed.

[B-202455]

**Department of Energy—Advisory Committees—Establishment—
Energy Policy Task Force—Federal Advisory Committee Act
Compliance**

The Energy Policy Task Force (EPTF), a Department of Energy (DOE) advisory committee, was not legally established on the date of its first meeting because the Secretary of Energy had not completed consultation with General Services Administration (GSA), published determination notice, or filed its charter with the Library of Congress or congressional committees with "legislative jurisdiction" at that time as required by the Federal Advisory Committee Act (FACA). But it is thought DOE officials made good faith attempt to follow approval and filing procedures. 5 U.S.C. App. 1, sec. 9 (1976); OMB Circular No. A-63, Revised (1974).

**Department of Energy—Advisory Committees—Establishment—
Energy Policy Task Force—Federal Advisory Committee Act
Compliance—Approval and Coordination Functions**

FACA legislative history shows requirement for agency head approval of advisory committee, after consultation with Office of Management and Budget (OMB), was developed to limit growing number of advisory committees. Since coordination and approval functions, although late, were duly performed by both GSA and OMB, with final decision made to authorize creation of EPTF, responsible officials had made determination this advisory committee was necessary, so basic concerns motivating Congress to establish these requirements had been addressed.

**Department of Energy—Advisory Committees—Establishment—
Energy Policy Task Force—Federal Advisory Committee Act
Compliance—Notice Requirements**

FACA requirement for public notice of creation and objectives of advisory committee was met only minimally because first Federal Register notice, printed 8 days before first meeting of EPTF, gave only broad description of EPTF purpose without referring to its major function, i.e., preparation of the National Energy Plan draft. Congress and public had no access to EPTF charter or membership list prior to meeting.

**Department of Energy—Advisory Committees—Establishment—
Energy Policy Task Force—Federal Advisory Committee Act
Compliance—Charter Statement Requirements**

EPTF charter does not describe in sufficient detail its objectives and scope of activity or its duties as required by sections 9(c) (B) and (F) of FACA since no mention is made of the National Energy Policy Plan, even though development of a proposed plan is EPTF's sole function. Further, if EPTF's Plan drafting role gives it more than solely advisory functions, its charter should so state, citing authority given for those functions. Unless provided by statute or Presidential directive, advisory committees may be utilized solely for advisory functions under 5 U.S.C. App. I, sec. 9(b), but under 15 U.S.C. 776(a), DOE may be able to use advisory committee to perform some operational tasks.

**Department of Energy—Advisory Committees—Establishment—
Energy Policy Task Force—Federal Advisory Committee Act
Compliance—Membership Balance Requirements**

All interests need not be represented or represented equally to meet FACA and Federal Energy Administration Act balance of membership requirements. Required standard must be judged on case-by-case determination depending on statute or charter creating committee. EPTF does not achieve FACA minimum balance of interest or represent all interests required by Federal Energy Administration Act. Deficiency may be overcome by changing EPTF membership to achieve better balance of energy, environmental and consumer interests. 15 U.S.C. 776(a) (Supp. III, 1979); 5 U.S.C. App. I, secs. 5 (b), (c) (1976).

**Department of Energy—Advisory Committees—Expenditures—
Propriety—Energy Policy Task Force**

Review of EPTF expenditure information supplied by DOE indicates all funds utilized to date were for travel expenses of task force members or incurred in connection with recording of meeting transcripts and were charged to Office of Secretary's Budget for travel, salary and related expenses. Since each agency is held responsible by section 5 of FACA for providing support services for each advisory committee established by or reporting to it, the use of these funds for this purpose seems legitimate.

**To The Honorable Richard L. Ottinger, House of Representatives,
April 20, 1981:**

This refers to your letter of March 4, 1981, requesting an opinion on the legality of the establishment and operation of the Energy Policy Task Force (EPTF), an advisory committee of the Department of Energy (DOE). You expressed concern that not all requirements of section 17 of the Federal Energy Administration Act of 1974, the Federal Advisory Committee Act and DOE regulations had been followed in relation to the EPTF Charter filing requirements and the composition of its membership.

Due to the urgency of your request, there was insufficient time to obtain an official response from DOE. The information contained herein was developed through interviews with Office of Management and Budget (OMB), DOE, and General Services Administration (GSA) officials concerned with the formation of the EPTF, memoranda and other materials supplied by DOE, including the DOE Secretary's letter to you dated March 20, 1981.

Establishment of EPTF

Section 17 of the Federal Energy Act of 1974, Pub. L. No. 93-275, approved May 7, 1974, 88 Stat. 96, 110, 15 U.S.C. § 776 (1976), set forth procedures for the Administrator of the Federal Energy Administration, the predecessor of the Department of Energy, to establish advisory committees. Subsection (d), 15 U.S.C. § 776(d), provides that unless inconsistent with this section, the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. I (1976), will also apply to DOE's advisory committees. For the reasons discussed below, we conclude that some of FACA's provisions governing the establishment of advisory committees were not complied with.

Section 9(a) of the FACA prohibits establishment of an advisory committee unless there has been a formal determination by the head of the involved agency, after consultation with the Director of the OMB, that the proposed committee is "in the public interest in connection with the performance of duties imposed on that agency by law." A "timely" Federal Register notice of that determination is also required. 5 U.S.C. Appendix I, § 9(a) (1976). (Executive Order No. 12024, December 1, 1977, 42 Fed. Reg. 61445, under authority of Reorganization Plan No. 1 of 1977 (42 Fed. Reg. 56101, October 21, 1977), transferred advisory committee act oversight functions from OMB to GSA.)

The required determination and request for concurrence was sent in a letter from the Secretary of DOE to the Acting Administrator of GSA on February 9, 1981, after reviews by the DOE Offices of

General Counsel and Committee Management found that it contained the necessary findings. Enclosed with the letter was a copy of the proposed EPTF Charter and a proposed Notice of Determination to Establish the Task Force.

The FACA, as modified by Executive Order 12024, requires GSA approval of an agency determination of need for an advisory committee. In this connection, section 6(a) of OMB Circular A-63, Revised (1974), requires that the GSA Committee Management Secretariat be " * * * satisfied that establishment of the advisory committee would be in accord with the Act * * *," before the agency head can publicly certify that the " * * * committee is in the public interest." This certification is then required by the Circular to be published in the Federal Register with a description of the nature and purpose of the proposed committee at least 15 days prior to the filing of the Committee's Charter. A shorter period between the notice and filing is permitted " * * * for good cause * * *." DOE requested a waiver of the 15 day period for EPTF.

Following review of the proposal for creation of the EPTF, GSA requested the Energy and Science Division of OMB to conduct a "substantive review" of it. Our interviews with GSA and OMB officials indicate that OMB reviews of advisory committee proposals have been routinely sought even though responsibility has been transferred to GSA. GSA's review of the EPTF was made following the recent release of OMB Bulletin 81-8, ordering a 5 percent reduction in expenditures for consultants and advisory committees. Additional caution by GSA in concurring in establishment of the EPTF may have been prompted by that bulletin. According to an OMB official, work on revising the Federal Budget prevented OMB from completing consideration of the EPTF proposal until after the February 19 meeting of the Task Force.

The GSA Committee Management Secretariat advised the DOE Deputy Advisory Committee Management Officer by telephone on February 27, 1981, that GSA concurrence had been granted "as of February 19," with termination for the EPTF set at June 30, 1981, instead of the two-year period requested. Waiver of the 15-day waiting period between publication of the Notice of Intent to Establish and the Charter filing was granted. However, the record indicates that both officials concluded that February 19 could not be used as the effective date of the Charter or in the establishment notice "since the Committee is not officially established until the Charter is filed." It was not until March 5 that the determination notice was published. 46 Fed. Reg. 15310. The EPTF charter was filed with the congressional oversight committees and the Library of Congress on the following day.

Technically then, the EPTF was not legally established on the date of its first meeting. Although the Secretary of DOE had made the necessary determination, consultation with GSA had not been completed, and no determination notice had been published. 5 U.S.C. App. I, § 9(a)(2). Additionally, at the time of the February 19 meeting, the Charter had not been filed "with the standing committees of the Senate and of the House of Representatives having legislative jurisdiction" of DOE as required by section 9(c)(2) of the FACA. We understand that the DOE Office of General Counsel informed the Secretary that although the first EPTF meeting could be considered to violate the FACA, he felt that there had been substantial compliance with the law and that any postponement of the meeting could prevent the Department from making the deadline for submission of a National Energy Policy Plan, with respect to which the EPTF was to advise DOE.

Facing what they believe to be a choice between responding to an urgent need to develop a comprehensive energy plan for the new Administration within the time period promised, which would be two months after the deadline imposed by the DOE Organization Act, DOE officials concluded that the FACA violations constituted "harmless error" and opted to proceed with the EPTF meeting according to the schedule announced in the Federal Register on February 11, 46 Fed. Reg. 11858.

Although the FACA and OMB Circular A-63 were not complied with, we think that DOE officials acted in good faith in attempting to follow the approval and filing procedures for establishing an advisory committee and, in fact, addressed most of the concerns that motivated the Congress to establish these requirements. The delay in concurrence by OMB had not been anticipated. Our study of the legislative history of the FACA showed that the requirement for approval by the agency head, after consultation with OMB, was developed to limit the growing number of advisory committees. Since the coordination and approval functions, although late, were duly performed by both GSA and OMB, with a final decision made to authorize the creation of EPTF, the responsible officials had made the determination that this additional advisory committee was necessary.

There were, however, some more significant FACA provisions which were also not complied with. The requirement that the public be given notice of the creation and objectives of the advisory committee was met only minimally. The first notice appeared in the Federal Register just eight days before EPTF's first meeting. It provided only a broad description of the purpose for the Task Force without

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reference to the National Energy Policy Plan. The tentative agenda for the meeting, however, clearly stated that the meeting would be open for the public and written and oral statements would be accepted.

The public did not have access to the advisory committee's charter or membership lists before the meeting, nor was Congress adequately informed so that it could perform its oversight functions before the February 19 meeting. However, as letters from the National Wildlife Federation and other groups demonstrate, at least some of the public was able to challenge the selection of members for the EPTF by the time of the first meeting.

EPTF Charter and the National Energy Plan

Section 9(c) of FACA requires that before an advisory committee meets, a charter describing, among other things, the committee's objectives and scope of activity must be filed. EPTF's charter does not appear to reflect its duties adequately since no mention is made of the National Energy Policy Plan, even though the imminence of the Plan's due date was cited by DOE in justification for proceeding with the February 19 meeting, and, as discussed below, the sole function of the EPTF seems to be to develop a proposed plan.

Section 801 of the Department of Energy Organization Act, Pub. L. No. 95-91, approved August 4, 1977, 91 Stat. 565, 610, 42 U.S.C. § 7321 (Supp. III 1979), requires the President to prepare and submit a National Energy Policy Plan to Congress "not later than April 1, 1979, and biennially thereafter" which is to "consider and establish energy production, utilization, and conservation objectives * * * necessary to satisfy projected energy needs of the United States * * *"

EPTF's Charter describes the committee's objectives, scope, activities and duties as follows:

The DOE Energy Policy Task Force provides the Secretary of Energy with advice and recommendations on the broad range of policy and programmatic issues in energy. The functions of the Task Force will be fourfold. First, the task Force, individually and collectively, will identify and select critical national energy problems and issues. Second, the Task Force will suggest changes in energy policies and programs to address those issues and problems. Third, the Task Force will assess both the relative importance of particular energy policy or program initiatives and the feasibility of forming the national consensus necessary to their implementation. Fourth, the Task Force will examine for reasonableness both mature policy proposals and the analyses and assumptions on which they are based.

No mention is made of the Plan required by section 801.

It is thus not clear from the Charter precisely what role EPTF will play in the drafting of the National Energy Policy Plan. Nonetheless, when DOE asked GSA to waive the 15 day advance notice period, its rationale was its need to seek "advice immediately from a group of experts concerned with energy production, utilization and conserva-

tion" for use in drafting the National Energy Policy Plan. Further, we were informally advised that when GSA and OMB approved the Task Force, they limited its life to June 30 in the belief that its functions relative to preparation of DOE's contribution to the Plan would then be complete.

The DOE Organization Act requires that in developing the Plan, the President must consult with "consumers, small business, and a wide range of other interests, including those of individual citizens who have no financial interests in the energy industry." Apparently pursuant to this requirement, the EPTF was to hold a series of public meetings in a number of cities beginning in early March (later postponed to April).

We have also been advised the EPTF will actually prepare a draft of the National Energy Policy Plan for the Secretary's approval. It certainly appears that the evident haste in establishing the EPTF was connected with attempts to begin the Plan drafting process which was already behind the statutory deadline. (By letters of February 4, 1981, the Secretary of DOE informed the Congress that the April 1 statutory deadline would not be met but promised to have the Plan ready by about June 1, 1981.)

Accordingly, we believe that EPTF's charter does not describe in sufficient detail its objectives and scope of activity or its duties as required by section 9(c)(B) and (F) of FACA. Further, if EPTF's actual role in drafting the Plan gives it more than solely advisory functions, its charter should have so stated, citing the authority given for those functions. Section 9(c)(F). Unless provided by statute or presidential directive, advisory committees may be utilized solely for advisory functions, 5 U.S.C. App. I § 9(b). While it appears that under 15 U.S.C. § 776(a) DOE may be able to use an advisory committee to perform some operational tasks, EPTF's charter explicitly states that it has only advisory functions.

Balance in EPTF Membership

One of the primary concerns of Congress in enacting FACA generally and the more specific provisions of section 17 of the Federal Energy Act of 1974, 15 U.S.C. § 776, *supra.*, was to assure that advisory committee membership would not be dominated by any particular interest. The Congress wished to limit, as far as possible, advisory committee bias in the reports such committees furnish to the President or to the sponsoring agency.

As noted above, we do not have a clear idea of the extent of EPTF's involvement in preparing a draft National Energy Policy Plan for the Secretary's (and then the President's) approval. Since that Plan

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is intended to address the interests of all citizens, it seems to us that the more involvement EPTF has in preparing a draft of the Plan, the more care is needed in selecting the committee's membership. Before turning our attention to the apparent imbalance in EPTF's membership, we will discuss the two statutory provisions requiring balance.

The provisions of 5 U.S.C. App. I §§ 5 (b) and (c) require " * * * the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee * * * " and that "the advice and recommendations of the advisory committee will not be inappropriately influenced by the appointing authority or by any special interest * * * ."

The House Government Operations Committee's report on H.R. 4383, 92d Cong., which later was enacted as the FACA, stressed this point:

Particularly important among the guidelines are [1] the requirement contained in § 4(b) (2) that "the membership of an advisory committee be fairly balanced in terms of the points of view represented and functions to be performed" and [2] the requirement contained in § 4(b) (3) that in creating an advisory committee the creating authority should include "appropriate provisions to assure that the advice and recommendations of the advisory committee will not be inappropriately influenced by the appointing authority or by any special interest." H.R. Rep. No. 92-1017, 92d Cong. 2d Sess. 6 (1972).

Advisory committees were seen as wielding great influence and the Congress found that without the "balance" requirements and provisions to guarantee public access to meetings and committee records, they could become havens for special interests. The House report stated:

One of the great dangers in the unregulated use of advisory committees is that special interest groups may use their membership on such bodies to promote their private concerns. Testimony received at hearings before the Legal and Monetary Affairs Subcommittee pointed out the danger of allowing special interest groups to exercise undue influence upon the Government through the dominance of advisory committees which deal with matters in which they have vested interests. *id.*

The Congress showed particular concern over the possibility of biased advisory committees in the FEA and its successor, the DOE. Instead of merely specifying that FACA should apply to the FEA, which is basically what H.R. 11793, 93d Cong., the House version of the FEA Act of 1974 had done, the Conference Committee accepted the Senate's more specific restrictions. H.R. Rept. No. 93-999, 93d Cong., 2d Sess. 30 (1974). Section 17 of the FEA Act of 1974, 15 U.S.C. § 776, *supra*, which now governs establishment of DOE advisory committees, directs that each advisory committee be reasonably representative of the various affected interests. Section 17(a) provides:

Whenever the Administrator shall establish or utilize any board, task force, commission, committee, or similiary group, not composed entirely of full-time

Government employees, to advise with respect to, or to formulate or carry out, any agreement or plan of action affecting any industry or segment thereof, the Administrator shall endeavor to insure that each such group is reasonably representative of the various points of view and functions of the industry and users affected, including those of residential, commercial, and industrial consumers, and shall include, where appropriate, representation from both State and local government, and from representatives of State regulatory utility commissions, selected after consultation with the respective national associations.

DOE's process for selection of members for the EPTF was marred at the outset by the pressures created by the short time allotted for its creation. It was not until February 4, only 15 days before the EPTF's first meeting, that the first tentative list of proposed members was compiled, and no prospective members were contacted before February 9. As a result, we were informally advised, only cursory attention could be given to the qualifications and characteristics of all the Committee members by reviewing officials. For example, officials in DOE's Office of General Counsel informed us that they had to accept the representations made on submitted lists as to the characteristics of the proposed members. The responsible GSA official said that he could only make a spot check on the membership and that it is the responsibility of the sponsoring agency to assure balance requirements are met.

While DOE representatives said that the list of candidates was compiled from suggestions made from staff throughout DOE, some of the persons named as contributing to the selection process said that they were only consulted after the list of candidates had essentially been compiled. The Director of the Office of Consumer Affairs, DOE, said she did not see the list until February 13. At that time, she informed the Secretary's Office that in her opinion, the proposed Task Force was illegal because it did not contain any minority members. She submitted a list of minority people with past advisory committee experience. Although none of her suggested members were appointed, a black woman was subsequently added to the EPTF. While we cannot say how much weight others' views were given in the selection process, all of the accepted nominations appear to have been made from within the Secretary's Office or by the Committee Chairman.

Twenty-two persons had been appointed to the EPTF at the time of its first meeting on February 19, 1981. While the DOE press release announcing formation of the Task Force, released on that date, described its members as including "a broad representation from the oil and gas industry, consumer interests, environment and conservation, civic, academic, and public service," the background of its membership appears to be of a considerably narrower composition. Half of its members are chief executives or senior executives of major energy

corporations, four are academicians, and three are from state governments, including a State Governor.

We conclude that there is an absence of effective representation from several of the interests specified in the FEA Act. Not only is there an absence of representation from residential and consumer users and of local government, some "functions" of industry, such as gas transmission lines, oil jobbers and service station dealers are also missing. At a minimum, the interests specifically named in 15 U.S.C. § 776(a) should be represented on DOE's advisory committee.

Further, if EPTF will have a major impact in formulating the National Energy Policy Plan, several groups not represented among current EPTF appointees suggest themselves:

(1) consumer advocates (the members identified as consumer representatives do not seem to be recognized spokespersons on consumer energy issues. Some appear to be members of research organizations, rather than of consumer advocate groups, or representatives of individual consumers.)

(2) environmentalists (the only representation in this area is again by members of research oriented groups which do not cover the broad spectrum of environmental energy interests such as synthetic fuels, coal, and nuclear energy. Furthermore, the person designated as an environmentalist at the Task Force meeting denied that he fit this description, DOE, EPTF Meeting Transcript 13 (February 19, 1981)).

- (3) labor
- (4) local governments
- (5) customer owned utility companies
- (6) low-income consumers
- (7) elderly persons
- (8) oil jobbers
- (9) natural gas transmission lines
- (10) independent, small refiners
- (11) rural interests
- (12) independent marketers
- (13) service station dealers.

We might point out that the statutory balance requirements do not require that all interests be represented equally or that all interests be represented in any given committee. The determination of whether the standard of balance is met must be made on a case-by-case basis and depends largely on the statute or charter creating the committee. However, we think that the EPTF as presently constituted does not achieve even a minimum balance of interests, as contemplated by the FACA, nor does it even have representation from all the interests specified by

the FEA Act. This deficiency might be overcome by changing the Task Force's membership. For example, the Secretary of Energy might immediately appoint additional members to the EPTF to provide for representation by interests now missing from the advisory committee.

Many of the problems encountered in the establishment of the EPTF might have been avoided if recommendations of past GAO reports concerning advisory committees had been followed. For example, in our February 2, 1979 report, "Use, Cost, Purpose, and Makeup of Department of Energy Advisory Committees," EMD 79-17, B-127685, we concluded:

* * * DOE should formalize all its written guidelines to help insure that the criteria are consistently applied. Such criteria and overall guidelines are needed to insure that committee membership is balanced and at the optimum level necessary to meet the objectives of the committee. EMD 79-17, B-127685 at 2.

In that same report, we criticized existing DOE advisory committee charters as follows:

The Federal Advisory Committee Act requires that each advisory committee's charter contain the scope and responsibilities of the committee and the time period necessary for it to carry out its purpose. * * * We found that although DOE's advisory committee charters contain general information on the committees' activities, responsibilities, and length of existence, 12 of the 20 charters do not contain specifics on these matters. These specifics are needed so that each committee has a clear understanding of its scope and objectives, which in turn helps to prevent the potential for overlap and duplication among the committees.

In our previous report, "Better Evaluations Needed to Weed Out Useless Federal Advisory Committees" (GGD-76-104, April 7, 1977), we recommended that OMB require Federal agency committee charters to be clear and specific in stating their purposes and include specific timespans for committees to accomplish their purposes. * * * (R)esponsibility for these matters has been transferred to GSA. GSA officials told us that they have emphasized the need for committee charters to be clear and specific in their discussions with Federal agencies. However, * * * DOE is still producing charters which are vague and general, reinforcing our belief that formal guidance is needed. * * * Therefore, we reiterate the recommendation contained in our April 7, 1977, report. * * * *Id.* at 3.

Furthermore in our recent report, "Conduct of DOE's Gasohol Study Group: Issues and Observations," EMD 80-128, B-200545, September 30, 1980, we found:

* * * that the process used to select Gasohol Study Group members was highly personalized and non-systematic. Members were selected primarily on the referral of others without detailed knowledge of their backgrounds or financial interests. * * * EMD 80-125, B-200545 at iii.

In that report we concluded:

GAO believes problems with the study group member selection process are at the heart of the allegations raised concerning possible conflicts of interest and inadequate qualifications on the part of Gasohol Study Group members. * * * *Id.* at v.

We continue to believe the Secretary should take more care in the selection of advisory committee members and should adopt uniform guidelines to aid in the selection process.

Funding of EPTF

As agreed by your staff, in response to your request for us to audit the expenses of EPTF, we have reviewed expenditure information supplied by DOE and determined that \$1272.25 in direct expenses were incurred in connection with the EPTF Task Force meeting of February 19, 1981. These are the only direct expenses attributable to EPTF to this date. Of this amount, \$519.85 was spent as reimbursement for travel expenses of three task force members. Most of the members did not request reimbursement. The other \$752.40 in expenses were incurred in connection with recording of the meeting transcript. These items were charged to the Office of Secretary's budget for travel, salary and related expenses (budget account no. 89X0232). Since each agency is held responsible by section 5 of FACA for providing support services for each advisory committee established by or reporting to it, the use of these funds for this purpose seems legitimate.

With your permission, we will release this letter to the Secretary of Energy and recommend actions be taken to reconstitute the EPTF so that a more satisfactory balance of energy interests may be represented in its membership. We hope this information will be useful to your subcommittee.

[B-202781]

Contracts—Buy American Act—Foreign Products—End Product v. Components—Small Business Set-Asides

Furnishing of foreign product by small business does not automatically negate its status as small business concern; firm may qualify as small even though item is not completely of domestic origin if it makes significant contribution to manufacturer or production of contract end item.

Contracts—Awards—Small Business Concerns—Size—Foreign-Made Component Use

Challenge to status of small business furnishing either item with foreign components or foreign end product must be resolved by Small Business Administration, rather than General Accounting Office, so protest on basis that firm does not qualify for set-aside will be dismissed.

Buy American Act—Small Business Concerns—Buy American Act v. Small Business Requirements

Buy American Act requirement that preference be given to domestic end items is separate and distinct from that for furnishing domestic end items in small business set-aside.

Matter of: Michigan Instruments Corp., April 20, 1981:

Michigan Instruments Corp. protests the award of four items under invitation for bids No. M1-48-81, issued February 4, 1981, by the Vet-

THE WHITE HOUSE

WASHINGTON

August 16, 1982

MEMORANDUM FOR EDWIN L. HARPER

FROM: RICHARD A. HAUSER *RHB*

SUBJECT: President's Economic Policy
Advisory Board Meeting

We have reviewed the attached documents. Once the three corrections noted below are made, and the notice forwarded to the Federal Register, you will be in procedural compliance with the Federal Advisory Committee Act. Without knowing the specific agenda items and the details of the information to be discussed, we cannot assess the substantive validity of the exemptions relied upon to close the meeting. I would remind you, however, that when the President relies in part upon 5 U.S.C. § 552b(c)(1), he certifies that the discussion in public of a portion of the materials would disclose matters that are specifically authorized under criteria established by an Executive order to be kept secret in the interests of national defense or foreign policy. If such information is not to be the subject of at least a portion of the meeting, this exemption should not be claimed.

The corrections are as follows:

(1) The second paragraph of the Federal Register notice should be corrected to read: "All agenda items concern matters listed in Section 552b(c) of Title 5, United States Code, specifically sub-paragraphs (1), (4), (8) and (9) thereof, and will be closed to the public."

(2) The first sentence, third paragraph, of the President's determination to close the September 8 meeting should be corrected to reflect that the meeting may be closed pursuant to 5 U.S.C. §§ 552b(c)(1), (4), (8) and (9), instead of pursuant to § 522b(c), Sections 1, 4, 8 and 9.

(3) The second sentence, second paragraph, of the same Presidential determination should read that the President is reporting that he has determined that the deliberations, if disclosed, would likely frustrate the purpose of the Board, which he established. This change will render the sentence consistent with the balance of the text.

Attachments

ADVISORY
COMMITTEES

THE WHITE HOUSE
WASHINGTON

Date March 1, 1983

Suspense Date _____

MEMORANDUM FOR: COUNSEL'S STAFF ATTORNEYS

FROM: D. EDWARD WILSON, JR.

ACTION

- _____ Approved
- _____ Please handle/review
- X For your information
- _____ For your recommendation
- _____ For the files
- _____ Please see me/call me
- _____ Please prepare response for
_____ signature
- _____ As we discussed
- _____ Return to me for filing

COMMENT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATIONAL ANTI-HUNGER COALITION,
ET AL.,

Plaintiffs,

v.

EXECUTIVE COMMITTEE OF THE
PRESIDENT'S PRIVATE SECTOR
SURVEY ON COST CONTROL, ET AL.,

Defendants.

Civil Action No. 82-3592

FILED

FEB 2 1982

JAMES F. DINEEN, Clerk

MEMORANDUM

This case comes before the Court on cross-motions and requires the Court to interpret the application of the Federal Advisory Committee Act, 5 U.S.C. App. I, as it impinges on an advisory committee survey now being conducted for the President at his request.

On February 18, 1982, President Reagan announced his intention to establish a "Private Sector Survey on Cost Control in the Federal Government." Its purpose was to call on the expertise of "leaders from the business, labor, and academic communities" to obtain detailed management and cost control advice with a view towards reducing runaway costs in the federal sector.^{1/}

By Executive Order No. 12369, 47 Fed. Reg. 28899 (July 2, 1982), the President established the Executive Committee of the Private Sector Survey. The Executive Committee was

^{1/} July 15, 1982, White House Press Release at 2, attached to plaintiffs' motion for a preliminary injunction, filed December 22, 1982.

to be composed of no more than 150 citizens appointed by the President from the private sector.^{2/} It was to conduct in-depth reviews of Executive branch operations and to advise the President, the Secretary of Commerce and the heads of other federal agencies.

The Executive Order also provided that "[t]he Committee is to be funded, staffed and equipped . . . by the private sector without cost to the Federal Government." Id. To implement this objective, the Foundation for the President's Private Sector Survey on Cost Control was established. The Foundation, a non-profit corporation of the District of Columbia, made an agreement with the Secretary of Commerce on July 7, 1982, under which it was to provide assistance to the Committee including facilities and staff support. The Foundation's Management Office has organized thirty-six "task forces," each co-chaired by two or more members of the Committee, to do the "preliminary work of the survey, including fact-gathering, statistical evaluations, and the formulation of preliminary reports."^{3/} Twenty-two of the task forces are assigned to study particular agencies, and the remaining fourteen are studying cross-agency functions. Apart from the chairmen, none of the task force members are

^{2/} The President increased the size of the Committee to not more than 170 members by Executive Order 12398, 48 Fed. Reg. 377 (January 5, 1983).

^{3/} Affidavit of Kenneth Millian at 6, 7, filed with defendants' motion to dismiss, January 20, 1983.

members of the Committee, nor do the task forces have any authority to make recommendations to agencies or to the President.

Plaintiffs are individual recipients of federal food assistance benefits and the National Anti-Hunger Coalition, a group whose primary objective is "alleviation of hunger and malnutrition in this country through the participation of poor persons in policy decisions which affect their lives." Plaintiffs' memorandum filed December 22, 1982, at 6. Because of their concern that the Survey's submissions to the Committee may affect benefits available under federal food assistance programs, plaintiffs first sought access under the Federal Advisory Committee Act (FACA), 5 U.S.C. App. I, § 10, to all documents being generated by three task forces reviewing federal feeding programs. That access was denied and this suit followed.

Plaintiffs allege that the Survey is in violation of the FACA because the membership of the Executive Committee is not "balanced," as required by that Act, and because the task forces are "subcommittees" covered by the Act and consequently must give plaintiffs access to their documents and permit plaintiffs to participate in task force meetings and activities being conducted to develop initial proposals for the Survey. Plaintiffs seek a preliminary injunction granting full relief and defendants in turn have filed a motion to dismiss alleging that plaintiffs lack standing under the FACA and asserting that in any case neither the

Executive Committee nor the task forces are operating in violation of that Act. Depositions have been taken and affidavits and documents filed. The parties have agreed the motions should be treated as cross-motions for summary judgment and after full argument and briefs the matter is ripe for determination.

I. The Federal Advisory Committee Act

The FACA defines an "advisory committee" as follows:

The term "advisory committee" means any committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof (hereafter in this paragraph referred to as "committee"), which is--

- (A) established by statute or reorganization plan, or
- (B) established or utilized by the President, or
- (C) established or utilized by one or more agencies,

in the interest of obtaining advice or recommendations for the President or one or more agencies or officers of the Federal Government,

.

5 U.S.C. App. I, § 3(2).

All advisory committees meeting this definition are subject to numerous requirements. Committee meetings must be open to the public, notice of meetings must be published in the Federal Register, and all records, reports, and other documents generated by the committee must be open to public inspection. 5 U.S.C. App. I, § 10. There is also a requirement that membership of the committee be "balanced in terms of the points of view represented." 5 U.S.C. App. I, § 5(b)(2).

II. Standing

Defendants at oral argument acknowledged that, under several recent cases in this Circuit, plaintiffs have standing to challenge violations of § 10 of the FACA, which outlines required advisory committee procedures such as open meetings, access to documents and records, and so forth. The requirement of "balanced" membership, however, occurs in § 5 of the Act. Because no court has actually granted standing under that section, defendants still argue that no judicial review is available as to that section. In Physician's Education Network, Inc. v. HEW, 653 F.2d 621, 622-23 (D.C. Cir. 1981), this Circuit dealt with a plaintiff alleging unbalanced membership under § 5 of the FACA. In dicta, the court noted that a plaintiff denied actual representation on an advisory committee would have standing under the FACA. The Court's discussion of standing made no distinction between requirements under § 5 and requirements under § 10 of the Act. Nor is any distinction readily apparent to this Court. Under the circumstances of this case plaintiffs will be granted standing to challenge committee membership as well as to question the committee's compliance with the procedural requirements of the Act.^{4/}

4/ Plaintiffs have also alleged a cause of action against defendants under the Administrative Procedure Act (APA), 5 U.S.C. § 706, apparently to support their view that judicial review of defendant's actions is available. Plaintiffs' memorandum in opposition to defendants' motion to dismiss, filed February 4, 1983, at 12. In particular, (footnote continued on p. 6)

III. The Executive Committee

As defendants concede, the Executive Committee is subject to the Act's requirements. Defendants allege, and plaintiffs do not dispute, that the Executive Committee has complied and will comply with the procedural requirements found in § 10 of the Act. The Executive Committee has already held an open, public meeting on February 4, 1983, in full accordance with FACA requirements. A subcommittee consisting of 30 committee members, also subject to FACA requirements, was created at that meeting to conduct a series of further public meetings commencing in March of 1983 at which the subcommittee will consider findings and recommendations drafted by task forces and cleared through the Management Office of the Foundation. Those findings and recommendations will be available to the public for written comments at least two weeks before they are considered at a meeting of the subcommittee. After reviewing the task forces' material and the public comments thereon the subcommittee will formulate recommendations to be sent to the President. The full Executive Committee will be reconvened, again in accord with the FACA, to formulate a

(footnote continued from the preceding page)
plaintiffs allege that defendant Department of Commerce has acted arbitrarily and capriciously because the Committee and task forces do not have a "balanced" membership as required by the FACA and Commerce's implementing guidelines. Because the Court finds that plaintiffs have standing it is not necessary to address the issues of whether plaintiffs have a cause of action under the APA and whether the events complained of constitute "agency action" reviewable under its provisions.

summary recommendation which will also be sent to the President. There is no dispute that plaintiffs will be able to participate in the Executive Committee's and subcommittee's formulation of recommendations.

In addition to these procedural requirements, however, § 5 of the FACA also requires that "the membership of the advisory committee . . . be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee." 5 U.S.C. App. I, § 5(b)(2). Plaintiffs contend that the Executive Committee is not, in fact, "balanced." They note that virtually all of the Committee members are executives of major corporations; one is from the labor community, and two are academics. They urge a lack of balance because there are no public interest advocates and no beneficiaries of federal food assistance programs such as the individual plaintiffs among the Committee's membership.

Nowhere in the FACA is the meaning of the term "balanced" explained. Interpreted most broadly, it would take far more than a mere 150 individuals to ensure that every point of view concerned with the financial administration of federal programs be represented. Congress implicitly recognized the unworkability of such a requirement when it described "balanced" in terms of "the functions to be performed by the advisory committee."

In this case, the function to be performed by the Private Sector Survey is narrow and explicit. The

President's express intent in establishing the survey was to apply to federal programs the expertise of leaders in the private sector with "special abilities to give detailed advice on cost-effective management of large organizations." White House Press Release, supra, at 1. In order to accomplish this objective, the President of necessity gathered the Committee members not from the public at large, but from the private sector. He selected those who have experience in the fiscal management of large private organizations. Surely Congress did not intend to prohibit the President from seeking specialized advice and while one may speculate that different choices might have been made to accomplish the President's objective the simple gathering of a discrete group of experts in a particular narrow field is not in itself enough to render such an advisory committee unbalanced in the sense of the FACA.^{5/}

5/ Plaintiffs have alleged that the Committee has departed from its narrow mandate and in fact is researching and considering substantive changes in federal programs. The sole support for this contention is the affidavit of Robert Greenstein, the director of a private consulting organization, who claims that some members of a task force met with him to discuss entitlement programs and "clearly indicated in the conversation that [they] were looking at basic policy changes involving benefit levels in programs such as food stamps, as well as management and administrative issues." Affidavit of Robert Greenstein at 2, attached to plaintiffs' motion for a preliminary injunction, filed December 22, 1982. The remarks and opinions of a task force member, speaking with a private consultant, are not enough to indicate that the task forces are in fact developing recommendations for substantive program changes. Deposition testimony taken by plaintiffs suggests that task force members in fact regard their role as one of administrative and management experts only. See Deposition of John Bode, filed February 10, 1983, transcript at 45 (Bode Tr.); Deposition of Mary Jarratt, filed February 10, (footnote continued on p. 9)

The "imbalances" to which plaintiffs point are, in fact, simply irrelevant to the ability of the Executive Committee to perform its limited function fairly and impartially. To require the Committee to contain members of public interest groups or members of the public receiving federal benefits would operate not to "balance" viewpoints but to change the cost-control function of the "private sector" survey. Plaintiffs have failed to demonstrate any imbalance in the Executive Committee within the meaning of the FACA. Thus it is unnecessary to confront plaintiffs' far-reaching suggestion that Congress contemplated that the courts should be placed in the role of reviewing the President's choice of advisors.^{6/}

IV. The Task Forces

Plaintiffs further allege that the task forces utilized by the Foundation, as described earlier, are "advisory committees" under the FACA and therefore also subject to the

(footnote continued from preceding page)
1983, transcript at 5 (Jarratt tr.); and Deposition of Richard W. Strauss, filed February 10, 1983, transcript at 46 (Strauss tr.). More importantly, the task forces completely lack any authority to recommend substantive policy changes and there is no indication that either the President or any agency would solicit or accept the views of a task force member on any substantive issues.

6/ It is also unnecessary to reach defendant's argument that, because the requirement of balanced membership is described in the FACA as a "guideline" which "shall be followed by the President" to the extent it is "applicable," 5 U.S.C. App. I, § 5(c), it in fact imposes no requirement of compliance on the President and is merely hortatory.

same procedural requirements as the subcommittee and the Committee itself. The Court, however, agrees with defendants that the task forces are not subject to FACA requirements. They do not directly advise the President or any federal agency, but rather provide information and recommendations for consideration to the Committee. Consequently, they are not directly "established or utilized" by the President or any agency "in the interest of obtaining advice or recommendations." 5 U.S.C. App. I, § 3(2).

There is no question that the task forces are intimately involved in the gathering of information about federal programs and the formulation of possible recommendations for consideration of the Committee. That is not enough, however, to render them subject to the FACA. The Act itself applies only to committees "established or utilized by" the President or an agency "in the interest of obtaining advice or recommendations for the President or one or more agencies." 5 U.S.C. App. I, § 3(2) (emphasis added). The Act does not cover groups performing staff functions such as those performed by the so-called task forces.

The task forces at issue do not provide advice directly to the President or any agency, but rather are utilized by and provide advice to only the Executive Committee, which then provides advice to the President or agency. The

distinction is not just a semantic one.^{7/} Before the Committee can produce final recommendations, it must gather information, explore options with agencies to get comments and reactions, and evaluate alternatives. Plaintiffs admit that, under their proposed interpretation of the Act, the procedural requirements of the FACA would apply to these preliminary actions. But surely Congress did not contemplate that interested parties like the plaintiffs should have access to every paper through which recommendations are evolved, have a hearing at every step of the information-gathering and preliminary decision-making process, and interject themselves into the necessary underlying staff work so essential to the formulation of ultimate policy recommendations. The language of the statute itself distinguishes between advisory committee members and advisory committee staff. Compare 5 U.S.C. App. I, § 5(b)(2) with § 5(b)(5). Staff would be expected to perform exactly the sort of functions performed by the task forces at issue -- gathering information, developing work plans, performing studies, drafting reports and even

7/ See Lombard v. Handler, 397 F. Supp. 792 (D.D.C. 1975), aff'd without opinion, 546 F.2d 1043 (D.C. Cir. 1976), cert. denied, 431 U.S. 932 (1977) (the Environmental Protection Agency entered a contractual relation with the National Academy of Sciences under which the Academy conducted certain studies. The academy in turn relied on its Committee on Motor Vehicle Emissions (CMVE). The CMVE was held not to be a committee subject to FACA in part because "it appears that the E.P.A. is "utilizing" the Academy itself, and not the C.M.V.E." Id. at 800).

discussing preliminary findings with agency employees.

There is no reliable evidence that the task forces at issue have gone beyond such functions and have actually started advising agencies on policy recommendations. If the task forces were in fact providing advice directly to agencies, they might indeed be functioning as advisory committees within the meaning of the Act. However, not only do the task forces lack authority to do this but plaintiffs have wholly failed to demonstrate by deposition or otherwise that such is the case. Defendants, challenging plaintiffs' assertion, point to depositions taken during the course of plaintiffs' discovery which suggest that the task force members in fact were not advising agencies and were completely aware they lacked authority to do so. The depositions also suggest that the agency employees meeting with the task force members did not regard their discussions as advisory and had no intention of taking any action based on those discussions. Bode tr. at 26, 28, 53-57, 50; Jarratt tr. at 28, 34-36; Strauss, tr. at 53-58. In sum, plaintiffs have completely failed to introduce any evidence suggesting that the task forces are in fact operating in an advisory capacity rather than simply providing information and draft proposals to the Executive Committee.

V. Conclusion

It is clear that Congress in passing the FACA wished to create some controls and standards governing the advisory committee process, to control the proliferation and expense

of such committees and to ensure that Congress and the public retain access to information regarding their number, membership and activities. 5 U.S.C. App. I, § 2. However, the statute that resulted is another example of unimpressive legislative drafting. It is obscure, imprecise, and open to interpretations so broad that in the present context at least it would threaten to impinge unduly upon prerogatives preserved by the separation of powers doctrine. Not surprisingly, litigants seize on such uncertainties and may try to press statutory claims beyond constitutional boundaries. The courts do not welcome their role in such disputes. Many with considerable merit on their side criticize the involvement of federal courts in matters of this kind although the fault lies primarily with congressional drafting. If more expertise were applied to such enactments to ensure that Congress states with more precision what it intends, the rules of the game would be more sharply drawn and court involvement could be less.

The present controversy is a good example of this phenomenon. The Act leaves a myriad of questions unanswered, especially concerning the extent to which Congress intended to interfere with the President's formulation of policy. A President constantly seeks, as he should, informed advice. His choice of advisors should be largely his personal concern under our tripartite form of government.

The Court's task in the absence of clear indications in the statute or its legislative history to the contrary must be to achieve a common-sense interpretation. Congressional concerns must be accommodated in a manner that produces a constitutional result, in this instance to leave the President with substantial freedom to formulate policy recommendations free from excessive intrusion. If the Act were interpreted as plaintiffs suggest the effort of the President to seek fiscal advice from the private sector would come to a total halt and the attempt to formulate efficient fiscal management of the government would bog down in a plethora of hearings, demands for document access and increasing time-consuming litigation. In the context of this case, the language of the statute reviewed in light of those concerns demands that this Court grant summary judgment for defendants and deny plaintiffs relief.

The Court holds that the Executive Committee is balanced within the meaning of the Act and the task forces are not subject to the Act's procedural requirements because the task forces are not utilized by the President or the agencies for advice or recommendations. Defendants' motion to dismiss is granted and the complaint is dismissed.



UNITED STATES DISTRICT JUDGE

February 24, 1983.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATIONAL ANTI-HUNGER COALITION,
ET AL.,

Plaintiffs,

v.

EXECUTIVE COMMITTEE OF THE
PRESIDENT'S PRIVATE SECTOR
SURVEY ON COST CONTROL, ET AL.,

Defendants.

Civil Action No. 82-3592.

FILED

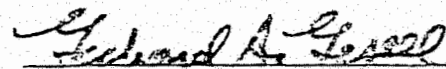
FEB 24 1983

JAMES F. DWYER, Clerk

ORDER

For the reasons stated in the Court's Memorandum
filed herewith, it is

ORDERED that plaintiffs' motion for a preliminary
injunction is denied, defendants' motion to dismiss is
granted and the complaint is hereby dismissed.



UNITED STATES DISTRICT JUDGE

February 24, 1983.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Sesell, J.
FEB 16 1983

NATIONAL ANTI-HUNGER COALITION,
et al.,

Plaintiffs,

v.

EXECUTIVE COMMITTEE OF THE
PRESIDENT'S PRIVATE SECTOR
SURVEY ON COST CONTROL, et al.,

Defendants.

Civil Action No. 82-3592

PLAINTIFFS' MOTION FOR
IN CAMERA SUBMISSION

Plaintiffs hereby move the Court to require defendants to submit for in camera inspection the most recent drafts of the reports being prepared by the three defendant Task Forces. Plaintiffs have requested that defendants voluntarily make these reports available to the Court for in camera inspection, but defendants have declined to do so.

These reports will aid the Court in achieving a final resolution of this case in two ways. First, the reports will clarify whether the recommendations being considered by the Task Forces relate to policy changes in domestic feeding programs for low-income persons as plaintiffs contend, or involve only issues of managerial officials, as defendants suggest. The answer to this question is germane to plaintiffs' balanced representation claim. Second, the reports will assist the

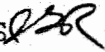
*Daniel
Sesell, J.
2/24*

THE WHITE HOUSE

WASHINGTON

February 10, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Representative Levitas Request for List
of Presidential Advisory Committees,
Task Forces, Etc.

On February 2, 1984, a member of Congressman Levitas's staff called Executive Clerk Ron Geisler and asked for a list of all commissions, councils, boards, task forces, etc. established by President Reagan. Ron told the irritated caller that such a list was not readily available. The caller then asked for at least a list of commissions established by executive order. Ron told her that we would get back to her, and referred the inquiry to the Legislative Affairs Office. Dave Wright of Legislative Affairs asked me this morning if we had any objection to releasing to Levitas the attached list, which Ron provided. The list, which may be incomplete, is kept by the Clerk's Office on an ongoing basis. It includes both advisory committees and governmental task forces, whether established by executive order, statute, Presidential statement, or memorandum.

Legislative Affairs does not know why Levitas wants the list. A comparison of this President's propensity to create committees with that of President Carter would not be fruitful from Levitas's point of view. Excluding committees established by statute, Carter created 83 commissions, task forces, etc., in his first three years, compared to 72 for President Reagan. Levitas may have other interests, such as compliance with the Advisory Committee Act.

I think we should release the list to Levitas, along with Ron's note explaining how it was compiled. The vast majority of the committees or task forces were publicly announced when formed; those few interagency task forces or working groups that were not are not confidential in any sense. Levitas has told Wright that he would like an answer today.

THE WHITE HOUSE
WASHINGTON
February 2, 1984

LYNN:

Jill Peterson, 225-4272, called for Rep. Levitas today requesting a list of all commissions, councils, boards, task forces, etc. that have been established by President Reagan. She also wants a list of the ones that have been established at the direction of the President. He wants this information as soon as possible.

I politely informed her that no such list existed, and to compile one would take an extensive search of the files at the White House. Quite frankly, she was a little hot under the collar by the time she was referred to me. She had talked to several offices at the White House and assumed she was getting the run-around because no one could readily produce this information.

After realizing her total request could not be ^{immediately} fulfilled, she requested a list of the organizations established by Executive Order. I told her that we would certainly look into the matter and get back to her as soon as possible.

I also informed her that the information she was seeking could be obtained from the Weekly Compilation of Presidential Documents, if the Congressional research service at the Library of Congress cared to research the matter.

Please inform me on this matter when a decision is made.


Ron Geisler

THE WHITE HOUSE

WASHINGTON

The attached is merely a reference information list used by the Executive Clerk's Office which contains organizations that:

- (1) are directly established by the President by Executive Order, Presidential Memorandum, Remarks, Statements, or Press Releases;
- (2) are established with the approval or at the direction of the President; and/or
- (3) are established when the President signs a bill into law and that particular law requires the President to appoint a single individual to a position or several individuals to a Commission, Committee, etc.

The list does not contain such things as Study Groups, Task Forces, Conferences, etc., that are established by the Heads of Departments or Agencies or other government officials. Also, it does not contain all the organizations that are created when the President signs a bill into law, except as indicated in subparagraph (3) above, when a Presidential appointment is involved.

Ronald Geisler
Executive Clerk

ORGANIZATIONS ESTABLISHED SINCE JANUARY 20, 1981

(REAGAN ADMINISTRATION)

<u>TITLE</u>	<u>AUTHORITY</u>
PRESIDENTIAL TASK FORCE ON REGULATORY RELIEF	Statement by Vice President on 1/22/81. Announced by President on same day.
PRESIDENT'S TASK FORCE ON THE U.S. AUTO INDUSTRY	Speakes' Briefing, 3/3/81, "was appointed a month ago."
UNITED STATES BUSINESS COMMITTEE ON JAMAICA	Press Release, 2/24/81
FIVE CABINET COUNCILS	Press Release, 2/26/81
PRESIDENT'S ECONOMIC POLICY ADVISORY BOARD	Executive Order 12296, 3/2/81 (Announced by Press Release, 2/10/81)
PRESIDENT'S TASK FORCE ON AIRCRAFT CREW COMPLEMENT	Presidential letters, 3/5/81
INTERAGENCY TASK FORCE FOR FEDERAL ASSISTANCE TO ATLANTA	Brady Briefing, 3/5/81
TASK FORCE ON IMMIGRATION AND REFUGEE POLICY	Presidential Memorandum, 3/6/81
COMMUNITY DEVELOPMENT SUPPORT PROGRAM TASK FORCE	President's remarks, 3/9/81
PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY	Executive Order 12301, 3/26/81
PRESIDENTIAL ADVISORY COMMITTEE ON FEDERALISM	Executive Order 12303, 4/8/81
COORDINATING TASK FORCE ON FEDERALISM	Press Release, 4/8/81
INTERDEPARTMENTAL TASK FORCE ON PUERTO RICO	Notice to the Press by Meese, 4/10/81
PRESIDENTIAL TASK FORCE ON THE ARTS AND THE HUMANITIES	Executive Order 12308, 6/5/81
PRESIDENT'S COMMISSION ON HOUSING	Executive Order 12310, 6/16/81
MILITARY MANPOWER TASK FORCE	Press Release, 7/8/81
BUDGET REVIEW BOARD	Presidential Memorandum, 7/13/81
MARITIME ADMINISTRATION (Department of Transportation)	Public Law 97-31, 8/6/81
U.S.-PRC (People's Republic of China) Joint Commission on Commerce and Trade	Meese Memo "FOR THE PRESIDENT" Selected Heads of Depts/Agcys,
AFRICAN DEVELOPMENT BANK (Department of State)	Public Law 97-35, 8/13/81
PRESIDENTIAL COMMISSION ON BROADCASTING TO CUBA	Executive Order 12323, 9/22/81
PRESIDENT'S TASK FORCE ON PRIVATE SECTOR INITIATIVES	Executive Order 12329, 10/14/81 (originally announced by the

ORGANIZATIONS ESTABLISHED SINCE JANUARY 20, 1981 (Cont'd)

<u>TITLE</u>	<u>AUTHORITY</u>
PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD	Executive Order 12331, 10/20/81
NATIONAL PRODUCTIVITY ADVISORY COMMITTEE	Executive Order 12332, 11/10/81
INTERAGENCY COMMITTEE ON THE ARTS AND THE HUMANITIES	Presidential Memorandum, 12/2/81
PRESIDENT'S INTELLIGENCE OVERSIGHT BOARD	Executive Order 12334, 12/4/81
NATIONAL COMMISSION ON SOCIAL SECURITY REFORM	Executive Order 12335, 12/16/81 (Originally announced by the President as a "Task Force" in National address on 9/24/81)
PRESIDENTIAL TASK FORCE ON THE DISMANTLING OF THE DEPARTMENT OF ENERGY	Presidential Statement, 12/17/81
EMERGENCY MOBILIZATION PREPAREDNESS BOARD	Presidential Memorandum, 12/17/81
TASK FORCE ON LEGAL EQUITY FOR WOMEN	Executive Order 12336, 12/21/81
NATIONAL VOLUNTARY SERVICE ADVISORY COUNCIL (ACTION Agency)	Charter, effective 1/11/82
WHITE HOUSE POLICY TEAM AND STEERING GROUP - DISMANTLING THE DEPARTMENT OF ENERGY	Press Release, 1/12/82
SOUTH FLORIDA TASK FORCE (Crime and drug smuggling)	Presidential Statement, 1/28/82
CABINET COUNCIL ON LEGAL POLICY	Press Release, 1/29/82
AGRICULTURAL TASK FORCE TO PERU (Agency for International Development)	White House Briefing by Peter McPherson, Administrator of the Agency for International Development, 2/5/82
PRIVATE SECTOR SURVEY ON COST CONTROL IN THE FEDERAL GOVERNMENT	Press Release, 2/18/82
PROPERTY REVIEW BOARD	Executive Order 12348, 2/25/82
CABINET-LEVEL TASK FORCE TO PROVIDE MODEST SHORT-TERM RELIEF FOR THE HOUSING INDUSTRY	Press Release Fact Sheet, 3/29/82
CABINET-LEVEL WORKING GROUP TO CONSIDER LONG-TERM STRUCTURAL REFORM OF THE HOUSING INDUSTRY	Press Release Fact Sheet, 3/29/82
PRESIDENTIAL COMMISSION ON DRUNK DRIVING	Executive Order 12358, 4/14/82
PRESIDENT'S TASK FORCE ON VICTIMS OF CRIME	Executive Order 12360, 4/23/82 (Originally announced by the President in Louisiana on 9/28/81)

ORGANIZATIONS ESTABLISHED SINCE JANUARY 20, 1981 (Cont'd)

<u>TITLE</u>	<u>AUTHORITY</u>
PRESIDENT'S COMMITTEE ON THE ARTS AND THE HUMANITIES	Executive Order 12367, 6/15/82
INTERAGENCY TASK FORCE ON DRUG ABUSE PREVENTION	Carlton Turner briefing, 6/24/82
EXECUTIVE COMMITTEE OF THE PRESIDENT'S PRIVATE SECTOR SURVEY ON COST CONTROL IN THE FEDERAL GOVERNMENT	Executive Order 12369, 6/30/82
SENIOR INTERAGENCY GROUP ON INTERNATIONAL ECONOMIC POLICY	Presidential Memorandum, 7/23/82
INTERNATIONAL PACIFIC HALIBUT COMMISSION (United States and Canada)	Public Law 97-176, 8/15/82 (reconstitutes an earlier commission with the same name)
WHITE HOUSE COORDINATING COUNCIL ON WOMEN	Press Release 8/27/82
PRESIDENT'S NATIONAL SECURITY TELECOMMUNICATIONS ADVISORY COMMITTEE	Executive Order 12382, 9/13/82
CABINET COUNCIL ON MANAGEMENT AND ADMINISTRATION	Press Release, 9/22/82
"REFORM 88" TASK FORCE - PRESIDENT'S MANAGEMENT IMPROVEMENT INITIATIVES	Press Release, 9/22/82
12 TASK FORCES - FEDERAL INITIATIVES AGAINST DRUG TRAFFICKING AND ORGANIZED CRIME (Department of Justice)	Announced by President, 10/14/82
WHITE HOUSE CONFERENCE ON PRODUCTIVITY	Public Law 97-367, 10/25/82
TASK FORCE ON FOOD AND AGRICULTURAL DEVELOPMENT (Agency for International Development)	Speakes' briefing; 10/26/82
PRESIDENTIAL AGRICULTURAL TASK FORCE TO VENEZUELA	Press Release, 10/29/82
PRESIDENTIAL AGRICULTURAL TASK FORCE TO LIBERIA	Press Release, 11/6/82
INTERNATIONAL PRIVATE ENTERPRISE TASK FORCE	Executive Order 12395, 11/20/82
PRESIDENT'S COUNCIL FOR INTERNATIONAL YOUTH EXCHANGE	Presidential Memorandum to the United States Information Agency requesting establishment (orig: announced by Press Release, 5/2
NORTH ATLANTIC SALMON CONSERVATION ORGANIZATION, COUNCIL OF THE NORTH AMERICAN COMMISSION OF THE WEST GREENLAND COMMISSION OF THE NORTH EAST ATLANTIC COMMISSION OF THE	Public Law 97-389, 12/29/82
PRESIDENT'S COMMISSION ON STRATEGIC FORCES	Executive Order 12400, 1/3/83

ORGANIZATIONS ESTABLISHED SINCE JANUARY 20, 1981 (Cont'd)

<u>TITLE</u>	<u>AUTHORITY</u>
INTERAGENCY TASK FORCE ON THE TIMES BEACH DIOXIN PROBLEM	Speakes' briefing, 1/7/83
CULTURAL PROPERTY ADVISORY COMMITTEE	Public Law 97-446, 1/12/83
PRESIDENTIAL COMMISSION ON INDIAN RESERVATION ECONOMIES	Executive Order 12401, 1/14/83
PRESIDENTIAL COMMISSION FOR THE GERMAN-AMERICAN TRICENTENNIAL	Public Law 97-472, 1/14/83
WHITE HOUSE COORDINATING COMMITTEE ON PRIVATE SECTOR INITIATIVES	Press Release, 1/24/83
WORKING GROUP ON HANDICAPPED POLICY (Cabinet Council on Human Resources)	Press Release, 4/5/83
FEDERAL HOSPITAL INSURANCE TRUST FUND, BOARD OF TRUSTEES OF THE	Public Law 98-21, 4/20/83
FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND AND THE FEDERAL DISABILITY INSURANCE TRUST FUND, BOARD OF TRUSTEES OF THE	Public Law 98-21, 4/20/83
FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND, BOARD OF TRUSTEES OF THE	Public Law 98-21, 4/20/83
PRESIDENTIAL COMMISSION ON THE CONDUCT OF UNITED STATES - JAPAN RELATIONS	Executive Order 12421, 5/12/83
PRESIDENT'S ADVISORY COMMITTEE ON WOMEN'S BUSINESS OWNERSHIP	Executive Order 12426, 6/22/83
ADVISORY COUNCIL ON PRIVATE SECTOR INITIATIVES	Executive Order 12427, 6/27/83 (Originally announced by the President in his 1/25/83 State the Union address)
WORKING GROUP ON ENFORCEMENT OF THE TEXTILE IMPORT PROGRAM	Meese memorandum, 6/28/83 (No press release)
PRESIDENT'S COMMISSION ON INDUSTRIAL COMPETITIVENESS	Executive Order 12428, 6/28/83 (Originally announced by the President, 1/26/83)
NATIONAL BIPARTISAN COMMISSION ON CENTRAL AMERICA	Executive Order 12433, 7/19/83 (Originally announced by the President, 7/13/83)
PRESIDENT'S COMMISSION ON ORGANIZED CRIME	Executive Order 12435, 7/28/83 (Originally announced by the President, 10/14/82)
PRESIDENT'S TASK FORCE ON FOOD ASSISTANCE	Presidential Memorandum to Meese 8/2/83 established by E.O.

ORGANIZATIONS ESTABLISHED SINCE JANUARY 20, 1981 (Cont'd)

TITLE

AUTHORITY

WORKING GROUP ON HAZARDOUS WASTE (Cabinet Council on
Natural Resources and Environment)

Speakes' Briefing, 8/11/83 (#80)

COMMISSION ON THE BICENTENNIAL OF THE UNITED STATES
CONSTITUTION

Public Law 98-100; 9/29/83

DIRECTOR OF OPERATIONAL TEST AND EVALUATION,
DEPARTMENT OF DEFENSE

Public Law 98-94, 9/24/83
(effective 11/1/83)

DEPARTMENT OF DEFENSE RETIREMENT BOARD OF ACTUARIES

Public Law 98-94, 9/24/83
(effective 10/1/83)

ADVISORY BOARD FOR RADIO BROADCASTING TO CUBA
(Executive Office of the President)

Public Law 98-111, 10/4/83

MANAGEMENT GROUP (U.S. & Japan) (under leadership of
the Vice President)

Presidential Remarks, 11/14/83

JOINT POLITICAL-MILITARY GROUP (U.S. & Israel)

Presidential Remarks, 11/29/83

INTERAGENCY GROUP STUDY OF GRENADA

Press Briefing by Jay Morris,
Dep. Dir. of AID, 12/6/83

NATIONAL COMMITTEES ORGANIZING THE PROGRAM FOR THE
FESTIVAL OF INDIA IN THE UNITED STATES IN 1985

Press Release, 12/5/83

NATIONAL SCHOOL SAFETY CENTER (Department of Justice)

President's Radio Address, 1/7/84

THE WHITE HOUSE

WASHINGTON

February 10, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JD JOHN G. ROBERTS *JSR*

SUBJECT:

Representative Levitas Request for List
of Presidential Advisory Committees,
Task Forces, Etc.

On February 2, 1984, a member of Congressman Levitas's staff called Executive Clerk Ron Geisler and asked for a list of all commissions, councils, boards, task forces, etc. established by President Reagan. Ron told the irritated caller that such a list was not readily available. The caller then asked for at least a list of commissions established by executive order. Ron told her that we would get back to her, and referred the inquiry to the Legislative Affairs Office. Dave Wright of Legislative Affairs asked me this morning if we had any objection to releasing to Levitas the attached list, which Ron provided. The list, which may be incomplete, is kept by the Clerk's Office on an ongoing basis. It includes both advisory committees and governmental task forces, whether established by executive order, statute, Presidential statement, or memorandum.

Legislative Affairs does not know why Levitas wants the list. A comparison of this President's propensity to create committees with that of President Carter would not be fruitful from Levitas's point of view. Excluding committees established by statute, Carter created 83 commissions, task forces, etc., in his first three years, compared to 72 for President Reagan. Levitas may have other interests, such as compliance with the Advisory Committee Act.

I think we should release the list to Levitas, along with Ron's note explaining how it was compiled. The vast majority of the committees or task forces were publicly announced when formed; those few interagency task forces or working groups that were not are not confidential in any sense. Levitas has told Wright that he would like an answer today.

No objection,
gung - Cabinet Council
2/10, 6:00 P.M. -
TEL. O.W. NO
OBJECTION JSR



THE WHITE HOUSE
WASHINGTON

February 10, 1984

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10 JOHN G. ROBERTS *JGR*

SUBJECT:

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No objection,
giving - Cabinet Committee
2/10, 6:00 P.M. -
DLG P.W. NO
OBJECTION JGR

THE WHITE HOUSE
WASHINGTON

February 10, 1984

MEMORANDUM FOR JOHN ROBERTS

FROM: DAVID L. WRIGHT

List attached per our conversation.

THE WHITE HOUSE
WASHINGTON

February 2, 1984

LYNN:

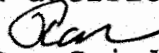
Jill Peterson, 225-4272, called for Rep. Levitas today requesting a list of all commissions, councils, boards, task forces, etc. that have been established by President Reagan. She also wants a list of the ones that have been established at the direction of the President. He wants this information as soon as possible.

I politely informed her that no such list existed, and to compile one would take an extensive search of the files at the White House. Quite frankly, she was a little hot under the collar by the time she was referred to me. She had talked to several offices at the White House and assumed she was getting the run-around because no one could readily produce this information.

After realizing her total request could not be ^{immediately} fulfilled, she requested a list of the organizations established by Executive Order. I told her that we would certainly look into the matter and get back to her as soon as possible.

I also informed her that the information she was seeking could be obtained from the Weekly Compilation of Presidential Documents, if the Congressional research service at the Library of Congress cared to research the matter.

Please inform me on this matter when a decision is made.


Ron Geisler

THE WHITE HOUSE

WASHINGTON

The attached is merely a reference information list used by the Executive Clerk's Office which contains organizations that:

- (1) are directly established by the President by Executive Order, Presidential Memorandum, Remarks, Statements, or Press Releases;
- (2) are established with the approval or at the direction of the President; and/or
- (3) are established when the President signs a bill into law and that particular law requires the President to appoint a single individual to a position or several individuals to a Commission, Committee, etc.

The list does not contain such things as Study Groups, Task Forces, Conferences, etc., that are established by the Heads of Departments or Agencies or other government officials. Also, it does not contain all the organizations that are created when the President signs a bill into law, except as indicated in subparagraph (3) above, when a Presidential appointment is involved.

Ronald Geisler
Executive Clerk

ORGANIZATIONS ESTABLISHED SINCE JANUARY 20, 1981

(REAGAN ADMINISTRATION)

<u>TITLE</u>	<u>AUTHORITY</u>
PRESIDENTIAL TASK FORCE ON REGULATORY RELIEF	Statement by Vice President on 1/22/81. Announced by President on same day.
PRESIDENT'S TASK FORCE ON THE U.S. AUTO INDUSTRY	Speakes' Briefing, 3/3/81, "was appointed a month ago."
UNITED STATES BUSINESS COMMITTEE ON JAMAICA	Press Release, 2/24/81
FIVE CABINET COUNCILS	Press Release, 2/26/81
PRESIDENT'S ECONOMIC POLICY ADVISORY BOARD	Executive Order 12296, 3/2/81 (Announced by Press Release, 2/10/81)
PRESIDENT'S TASK FORCE ON AIRCRAFT CREW COMPLEMENT	Presidential letters, 3/5/81
INTERAGENCY TASK FORCE FOR FEDERAL ASSISTANCE TO ATLANTA	Brady Briefing, 3/5/81
TASK FORCE ON IMMIGRATION AND REFUGEE POLICY	Presidential Memorandum, 3/6/81
COMMUNITY DEVELOPMENT SUPPORT PROGRAM TASK FORCE	President's remarks, 3/9/81
PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY	Executive Order 12301, 3/26/81
PRESIDENTIAL ADVISORY COMMITTEE ON FEDERALISM	Executive Order 12303, 4/8/81
COORDINATING TASK FORCE ON FEDERALISM	Press Release, 4/8/81
INTERDEPARTMENTAL TASK FORCE ON PUERTO RICO	Notice to the Press by Meese, 4/10/81
PRESIDENTIAL TASK FORCE ON THE ARTS AND THE HUMANITIES	Executive Order 12308, 6/5/81
PRESIDENT'S COMMISSION ON HOUSING	Executive Order 12310, 6/16/81
MILITARY MANPOWER TASK FORCE	Press Release, 7/8/81
BUDGET REVIEW BOARD	Presidential Memorandum, 7/13/81
MARITIME ADMINISTRATION (Department of Transportation)	Public Law 97-31, 8/6/81
U.S.-PRC (People's Republic of China) Joint Commission on Commerce and Trade	Meese Memo "FOR THE PRESIDENT" to Selected Heads of Depts/Agcys, 8/13/81
AFRICAN DEVELOPMENT BANK (Department of State)	Public Law 97-35, 8/13/81
PRESIDENTIAL COMMISSION ON BROADCASTING TO CUBA	Executive Order 12323, 9/22/81
PRESIDENT'S TASK FORCE ON PRIVATE SECTOR INITIATIVES	Executive Order 12329, 10/14/81 (originally announced by the President on 10/5/81)

ORGANIZATIONS ESTABLISHED SINCE JANUARY 20, 1981 (Cont'd)

<u>TITLE</u>	<u>AUTHORITY</u>
PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD	Executive Order 12331, 10/20/81
NATIONAL PRODUCTIVITY ADVISORY COMMITTEE	Executive Order 12332, 11/10/81
INTERAGENCY COMMITTEE ON THE ARTS AND THE HUMANITIES	Presidential Memorandum, 12/2/81
PRESIDENT'S INTELLIGENCE OVERSIGHT BOARD	Executive Order 12334, 12/4/81
NATIONAL COMMISSION ON SOCIAL SECURITY REFORM	Executive Order 12335, 12/16/81 (Originally announced by the President as a "Task Force" in a National address on 9/24/81)
PRESIDENTIAL TASK FORCE ON THE DISMANTLING OF THE DEPARTMENT OF ENERGY	Presidential Statement, 12/17/81
EMERGENCY MOBILIZATION PREPAREDNESS BOARD	Presidential Memorandum, 12/17/81
TASK FORCE ON LEGAL EQUITY FOR WOMEN	Executive Order 12336, 12/21/81
NATIONAL VOLUNTARY SERVICE ADVISORY COUNCIL (ACTION Agency)	Charter, effective 1/11/82
WHITE HOUSE POLICY TEAM AND STEERING GROUP - DISMANTLING THE DEPARTMENT OF ENERGY	Press Release, 1/12/82
SOUTH FLORIDA TASK FORCE (Crime and drug smuggling)	Presidential Statement, 1/28/82
CABINET COUNCIL ON LEGAL POLICY	Press Release, 1/29/82
AGRICULTURAL TASK FORCE TO PERU (Agency for International Development)	White House Briefing by Peter McPherson, Administrator of the Agency for International Development, 2/5/82
PRIVATE SECTOR SURVEY ON COST CONTROL IN THE FEDERAL GOVERNMENT	Press Release, 2/18/82
PROPERTY REVIEW BOARD	Executive Order 12348, 2/25/82
CABINET-LEVEL TASK FORCE TO PROVIDE MODEST SHORT-TERM RELIEF FOR THE HOUSING INDUSTRY	Press Release Fact Sheet, 3/29/82
CABINET-LEVEL WORKING GROUP TO CONSIDER LONG-TERM STRUCTURAL REFORM OF THE HOUSING INDUSTRY	Press Release Fact Sheet, 3/29/82
PRESIDENTIAL COMMISSION ON DRUNK DRIVING	Executive Order 12358, 4/14/82
PRESIDENT'S TASK FORCE ON VICTIMS OF CRIME	Executive Order 12360, 4/23/82 (Originally announced by the President in Louisiana on 9/28/81)

ORGANIZATIONS ESTABLISHED SINCE JANUARY 20, 1981 (Cont'd)

<u>TITLE</u>	<u>AUTHORITY</u>
PRESIDENT'S COMMITTEE ON THE ARTS AND THE HUMANITIES	Executive Order 12367, 6/15/82
INTERAGENCY TASK FORCE ON DRUG ABUSE PREVENTION	Carlton Turner briefing, 6/24/82
EXECUTIVE COMMITTEE OF THE PRESIDENT'S PRIVATE SECTOR SURVEY ON COST CONTROL IN THE FEDERAL GOVERNMENT	Executive Order 12369, 6/30/82
SENIOR INTERAGENCY GROUP ON INTERNATIONAL ECONOMIC POLICY	Presidential Memorandum, 7/23/82
INTERNATIONAL PACIFIC HALIBUT COMMISSION (United States and Canada)	Public Law 97-176, 8/15/82 (reconstitutes an earlier commission with the same name)
WHITE HOUSE COORDINATING COUNCIL ON WOMEN	Press Release 8/27/82
PRESIDENT'S NATIONAL SECURITY TELECOMMUNICATIONS ADVISORY COMMITTEE	Executive Order 12382, 9/13/82
CABINET COUNCIL ON MANAGEMENT AND ADMINISTRATION	Press Release, 9/22/82
"REFORM 88" TASK FORCE - PRESIDENT'S MANAGEMENT IMPROVEMENT INITIATIVES	Press Release, 9/22/82
12 TASK FORCES - FEDERAL INITIATIVES AGAINST DRUG TRAFFICKING AND ORGANIZED CRIME (Department of Justice)	Announced by President, 10/14/82
WHITE HOUSE CONFERENCE ON PRODUCTIVITY	Public Law 97-367, 10/25/82
TASK FORCE ON FOOD AND AGRICULTURAL DEVELOPMENT (Agency for International Development)	Speakes' briefing; 10/26/82
PRESIDENTIAL AGRICULTURAL TASK FORCE TO VENEZUELA	Press Release, 10/29/82
PRESIDENTIAL AGRICULTURAL TASK FORCE TO LIBERIA	Press Release, 11/6/82
INTERNATIONAL PRIVATE ENTERPRISE TASK FORCE	Executive Order 12395, 11/20/82
PRESIDENT'S COUNCIL FOR INTERNATIONAL YOUTH EXCHANGE	Presidential Memorandum to the United States Information Agency requesting establishment (origin announced by Press Release, 5/24/82)
NORTH ATLANTIC SALMON CONSERVATION ORGANIZATION, COUNCIL OF THE NORTH AMERICAN COMMISSION OF THE WEST GREENLAND COMMISSION OF THE NORTH EAST ATLANTIC COMMISSION OF THE	Public Law 97-389, 12/29/82
PRESIDENT'S COMMISSION ON STRATEGIC FORCES	Executive Order 12400, 1/3/83

ORGANIZATIONS ESTABLISHED SINCE JANUARY 20, 1981 (Cont'd)

<u>TITLE</u>	<u>AUTHORITY</u>
INTERAGENCY TASK FORCE ON THE TIMES BEACH DIOXIN PROBLEM	Speakes' briefing, 1/7/83
CULTURAL PROPERTY ADVISORY COMMITTEE	Public Law 97-446, 1/12/83
PRESIDENTIAL COMMISSION ON INDIAN RESERVATION ECONOMIES	Executive Order 12401, 1/14/83
PRESIDENTIAL COMMISSION FOR THE GERMAN-AMERICAN TRICENTENNIAL	Public Law 97-472, 1/14/83
WHITE HOUSE COORDINATING COMMITTEE ON PRIVATE SECTOR INITIATIVES	Press Release, 1/24/83
WORKING GROUP ON HANDICAPPED POLICY (Cabinet Council on Human Resources)	Press Release, 4/5/83
FEDERAL HOSPITAL INSURANCE TRUST FUND, BOARD OF TRUSTEES OF THE	Public Law 98-21, 4/20/83
FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND AND THE FEDERAL DISABILITY INSURANCE TRUST FUND, BOARD OF TRUSTEES OF THE	Public Law 98-21, 4/20/83
FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND, BOARD OF TRUSTEES OF THE	Public Law 98-21, 4/20/83
PRESIDENTIAL COMMISSION ON THE CONDUCT OF UNITED STATES - JAPAN RELATIONS	Executive Order 12421, 5/12/83
PRESIDENT'S ADVISORY COMMITTEE ON WOMEN'S BUSINESS OWNERSHIP	Executive Order 12426, 6/22/83
ADVISORY COUNCIL ON PRIVATE SECTOR INITIATIVES	Executive Order 12427, 6/27/83 (Originally announced by the President in his 1/25/83 State of the Union address)
WORKING GROUP ON ENFORCEMENT OF THE TEXTILE IMPORT PROGRAM	Meese memorandum, 6/28/83 (No press release)
PRESIDENT'S COMMISSION ON INDUSTRIAL COMPETITIVENESS	Executive Order 12428, 6/28/83 (Originally announced by the President, 1/26/83)
NATIONAL BIPARTISAN COMMISSION ON CENTRAL AMERICA	Executive Order 12433, 7/19/83 (Originally announced by the President, 7/13/83)
PRESIDENT'S COMMISSION ON ORGANIZED CRIME	Executive Order 12435, 7/28/83 (Originally announced by the President, 10/14/82)
PRESIDENT'S TASK FORCE ON FOOD ASSISTANCE	Presidential Memorandum to Meese, 8/2/83; established by E.O. 124

ORGANIZATIONS ESTABLISHED SINCE JANUARY 20, 1981 (Cont'd)

<u>TITLE</u>	<u>AUTHORITY</u>
WORKING GROUP ON HAZARDOUS WASTE (Cabinet Council on Natural Resources and Environment)	Speakes' Briefing, 8/11/83 (#803)
COMMISSION ON THE BICENTENNIAL OF THE UNITED STATES CONSTITUTION	Public Law 98-100; 9/29/83
DIRECTOR OF OPERATIONAL TEST AND EVALUATION, DEPARTMENT OF DEFENSE	Public Law 98-94, 9/24/83 (effective 11/1/83)
DEPARTMENT OF DEFENSE RETIREMENT BOARD OF ACTUARIES	Public Law 98-94, 9/24/83 (effective 10/1/83)
ADVISORY BOARD FOR RADIO BROADCASTING TO CUBA (Executive Office of the President)	Public Law 98-111, 10/4/83
MANAGEMENT GROUP (U.S. & Japan) (under leadership of the Vice President)	Presidential Remarks, 11/14/83
JOINT POLITICAL-MILITARY GROUP (U.S. & Israel)	Presidential Remarks, 11/29/83
INTERAGENCY GROUP STUDY OF GRENADA	Press Briefing by Jay Morris, Dep. Dir. of AID, 12/6/83
NATIONAL COMMITTEES ORGANIZING THE PROGRAM FOR THE FESTIVAL OF INDIA IN THE UNITED STATES IN 1985	Press Release, 12/5/83
NATIONAL SCHOOL SAFETY CENTER (Department of Justice)	President's Radio Address, 1/7/84