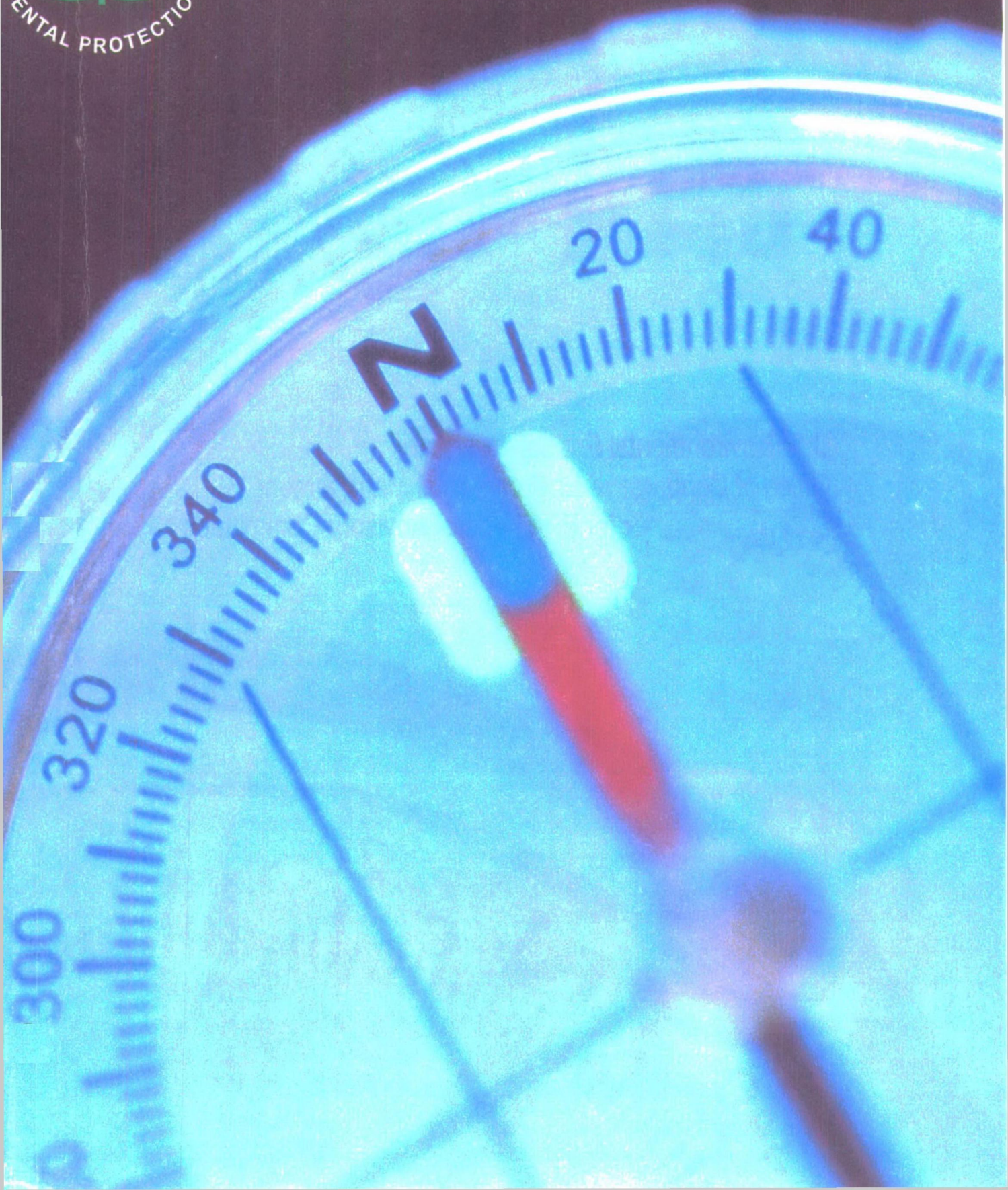




Membership Package Submission Instruction Guide

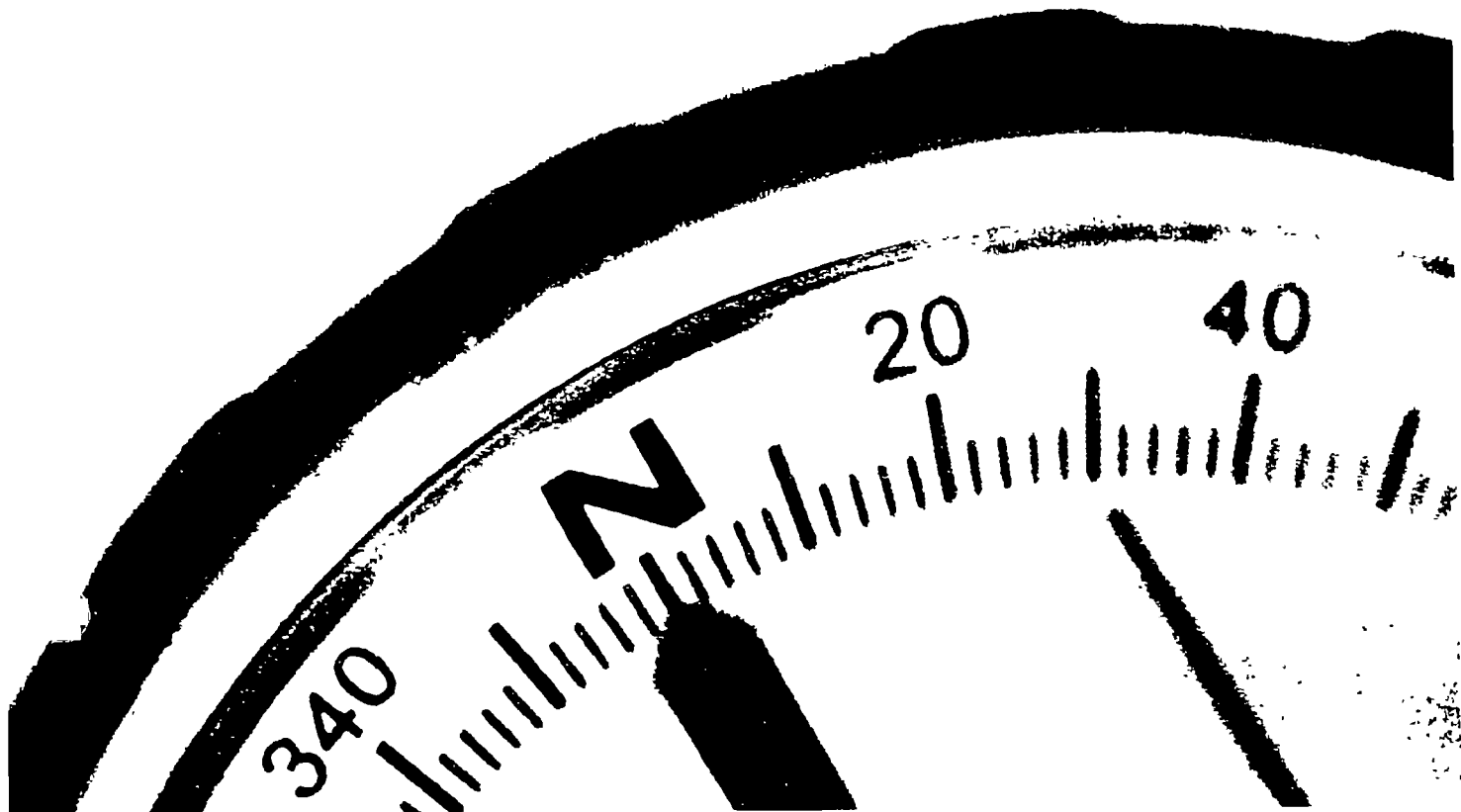


Membership Package Submission Instruction Guide



U.S. Environmental Protection Agency
Office of Cooperative Environmental Management
Program Manager for EPA Federal Advisory Committees

October 2003



Acknowledgements

As the national program manager, OCEM strives to ensure operational effectiveness and excellence for EPA's advisory committees. EPA's DFOs are vital to OCEM's mission and to the successful selection and appointment of advisory committee members. In October 2002, OCEM formed a Task Force to standardize the membership process with input from the DFO community, program offices, and offices under the Office of the Administrator. OCEM is excited to share this process and extends its sincere appreciation to the DFO community, and EPA staff who worked diligently to develop a consistent process. Partners and task force members included: Joanne Berman, Vanessa Bowie, Myrta Christian, Deborah Dalton, Vicki Ellis, Wanda Ford, Mark Joyce, Marva King, Steven Knott, Marilyn Kuray, Barbara McLeod, Carolyn Osborne, Bettyjo Overton, Ginger Potter, Paul Rasmussen, Toni Rousey, Tim Sherer, Kelly Sinclair, Jane Smith, and Gladys Stroman.

October 2003

U.S. Environmental Protection Agency. Office of Cooperative Environmental Management. (MC-1601E) 1200 Pennsylvania Avenue, N.W., Washington D.C. 20460. Khanna Johnston and Toni Rousey were the project managers for this effort.

Membership Package Submission Instruction Guide

Overview

The Office of Cooperative Environmental Management (OCEM) is pleased to provide Agency guidance for Designated Federal Officers (DFOs) and program staff assisting in the committee membership process. This guide highlights the process for submitting membership packages and establishes consistent criteria to be used by all EPA committees. By discussing how to prepare the official submission folder necessary to appoint members to EPA's advisory committees, providing detailed descriptions of the contents that should be included, and explaining the concurrence and approval process, this Guide establishes the Agency's new Membership Package Process.

Introduction

As the national program manager, OCEM strives to ensure operational effectiveness and excellence for EPA's advisory committees. However, it can sometimes prove challenging to reappoint existing members, invite new nominees on board, and ensure recognition for commendable service is expressed in a timely fashion. Several DFOs voiced a need for a standardized process. The Office of the Administrator's review staff agreed, indicating consistent key criteria would be helpful for processing packages in a timely fashion, thereby, reducing stress for the DFO and the reviewers.

EPA's DFOs are vital to the successful selection and appointment of committee members. In October 2002, OCEM formed a Task Force to standardize the process with input from the DFO community, program offices, and offices under the Office of the Administrator. OCEM is excited to share this process and extends its appreciation to the Membership Task Force for their hard work and dedication.

There are two types of advisory committee members: Representative and Special Government Employees. General Services Administration (GSA) Regulation allows an Agency to accept "gratuitous services of an advisory committee member, staff, or consultant who agrees in advance to serve without compensation." The majority of EPA's advisory committees are representative committees, meaning members represent the views of a group or an entity, and are not compensated.

Sometimes, individuals are invited for their personal or individual expertise, and are recruited as such for temporary service to the government. They are appointed as Special Government Employees or SGEs. SGEs are considered temporary EPA employees, and may serve 130 days out of 365 consecutive days. SGEs may or may

not be compensated. SGE's are subject to conflict-of-interest laws, unless they are specifically exempted by the statute creating the advisory committee. SGEs comply with the Agency's standard of conduct regulations, financial disclosure requirements, ethics laws, and conflict of interest regulations. Program office personnel team leaders or designees provide advice and assistance regarding forms required from an SGE upon acceptance to a federal advisory committee. This means that for SGEs the membership process is slightly different than that for a representative committee. This guidance will cover requirements for both.

Navigation

This guidance formalizes a process to establish consistency among all of EPA's advisory committees. The Instruction Guide is divided into two sections, containing examples specific to Representative Committees and Special Government Employee (SGE) Committees.

Examples are designed to serve as tools to assist DFOs with preparing and assembling membership packages. Examples include:

- Action Memos,
- Invitational Letters,
- Reappointment Letters,
- Thank you Letters,
- Guidance on format, content, and enclosures.

DFOs are essential to the effectiveness of their committee. By evaluating committee objectives, needs, size, and requirements, DFOs strive to maintain balanced membership. To simplify these steps, this guidance divides the membership package process into 5 steps:

- Step 1. Identifying and soliciting candidates;
- Step 2. Ensuring a balanced representation;
- Step 3. Selecting candidates;
- Step 4. Obtaining White House Liaison and OGC Approval;
- Step 5. Preparing and Submitting the Membership Package.

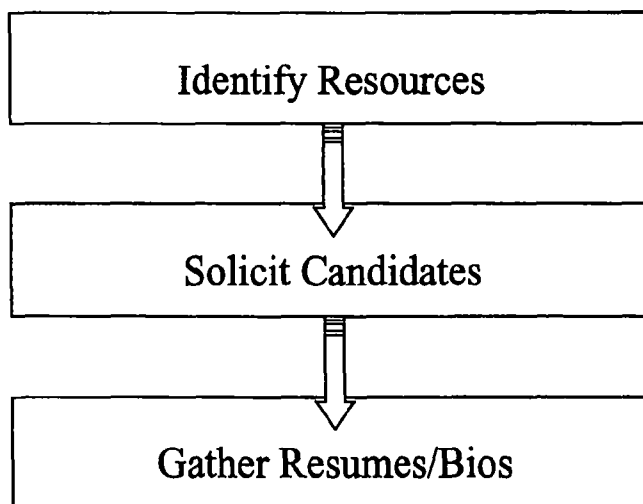
While the Task Force has worked diligently to incorporate comments, edits, and the criteria suggested, this is a fluid document which may change based on the needs of the current Administration, evaluative efforts, and your comments.

On behalf of the Office of the Administrator, OCEM extends its sincere appreciation to the DFO community and EPA staff who worked diligently to develop a consistent process, provide comment, input, and suggestions. If you have any questions, concerns, require additional assistance, or have suggestions to improve this document, do not hesitate to contact the Office of Cooperative Environmental Management's Committee, Policy, and Oversight Staff. We look forward to speaking with you on this new membership package process.

Tim Sherer, Associate Director	202.233.0077
Vicki Ellis, Committee Management Officer	202.233.0065
Toni Rousey, Membership Package Co-Lead	202.233.0075
Khanna Johnston, Membership Package Co-Lead	202.233.0082

Step 1. Identifying and Soliciting Candidates

The Federal Advisory Committee Act (FACA) requires advisory committee membership be balanced in terms of the points of view represented and the functions performed by the committee. Advisory groups utilize professional associations, industry and business representatives, non-governmental organizations, interest groups, academia, state, local, Tribal, and federal government officials, health professionals, and others to provide advice that is relevant, objective, and independent. Selecting knowledgeable individuals who represent key interests ensures advice provided to EPA represents diverse stakeholder perspectives. It is important to fill vacancies as quickly as possible in order to maintain balance, membership, momentum and continued success.



FACA requires Agencies ensure balanced membership and fair representation. To maintain balance EPA policy ensures members be appointed for no more than 6 years. In addition, DFOs are encouraged to solicit new membership as terms expire in order to preserve a fresh perspective and ensure impartiality with respect to points of view represented. It is a good idea to contact the Office of General Counsel (OGC) or OCEM early on in the process with any questions.

Armed with an understanding of the objectives, issues, concerns, disputes, and relationships impacting issues within their committee, DFOs are able to draft a list of skills needed by the committee. There are several best practices instituted by EPA's DFOs. Many DFOs are well-connected and able to list potential candidates which fulfill the expertise, perspective, interests, and representation needed on their committee. Many DFOs identify potential candidates by consulting with

Resources for Soliciting Candidates

- Program Office
- White House Liaison
- EPA Employees
- Federal Agencies
- Professional Associations
- FR Notice
- Current/Former Advisory Committee Members
- Stakeholders
- Bulletin Boards/E-mail Forums
- Colleges/Universities

EPA staff (i.e., your program office, the White House Liaison, other DFOs, etc.), other federal agencies, professional associations, current and former advisory committee members, stakeholders, or the general public, etc. Some professional associations have bulletin boards, listservs, or e-mail forums where solicitations can be posted. In addition, DFOs may wish to solicit resumes through a *Federal Register* notice to broaden the pool of qualified candidates.

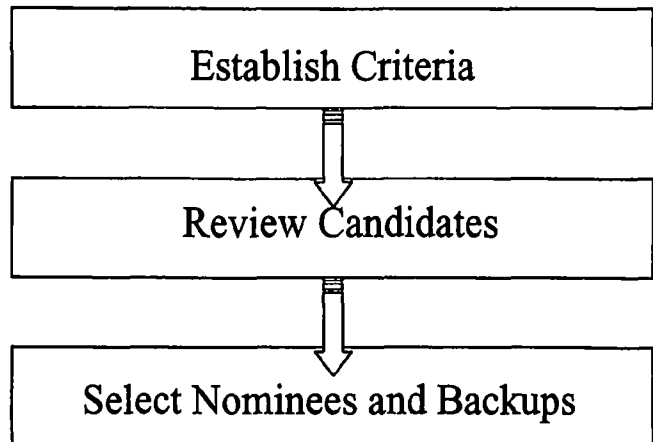
Solicitation for nominees, gathering of resumes/bios, and discussions to obtain recommendations should begin four to six months prior to when the new member needs to be in place.

Step 2. Ensuring Balanced Representation

After the solicitation process, the DFO has a number of resumes to consider. Several criteria can be used to evaluate potential nominees:

- Expertise the candidate brings to the table;
- Legislative requirements as noted in the committee's charter;
- Geographic, ethnic, social, economic, or scientific points of view needed to achieve balance;
- Specific perspectives required, (i.e., consumers, technical experts, the public, academia, business, or other sectors to meet the needs of the committee);
- Diversity, environmental justice, regional considerations, and consideration of the points of view on issues before the committee;
- Relevance of local, state, or Tribal governmental perspectives;
- Candidate communication skills/style and other attributes or experiences;
- Number of individuals needed;
- Variety of perspectives or points of view needed to achieve balance.

There are many best practices to review candidates initiated by EPA's DFOs. DFOs establish criteria to evaluate nominees. Some DFOs use two levels of evaluation. They weed out applicants that are not suitable or do not meet the needs of the committee, and use a panel to evaluate the remaining candidates based on their individual skills and expertise. DFOs state interviews are especially useful. A list of interview questions and additional guidance are available in EPA's Federal Advisory Committee Handbook, which may be obtained through OCEM. A handful of committees use contractors to help sort through applications. As a best practice, DFOs are advised to have at least one or two alternates or back ups ready in each category or affiliation they are seeking to fill. This is a good idea and allows for backups, in case, any potential nominees have conflicts, are unable to accept, or do not meet balance requirements which will be discussed in Step 3.

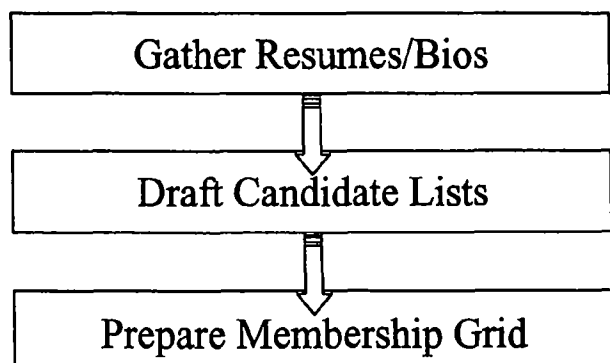


Step 3. Selecting Candidates

Based on the nominee's ability to meet criteria established by the DFO, committee, charter, interviews, and the DFO's evaluation, the DFO selects candidates for nomination. The DFO identifies the best qualified candidates to nominate. For clarity, these names can be thought of as the DFO's wish list. The DFO should also draft a list of backups--one or two candidates per category or affiliation. The DFO gathers resumes for both the wish list and the list of backup nominees. This allows the DFO to pull another qualified candidate in case the nominee refuses the invitation or does not meet balance requirements.

Using this draft list of candidates, DFOs should organize the nominees into a grid or table showing:

- current members, former members, and proposed (new) members,
- affiliation (e.g., federal agencies, states, Tribes, local governments, private sector, academia, non-governmental organizations, etc.),



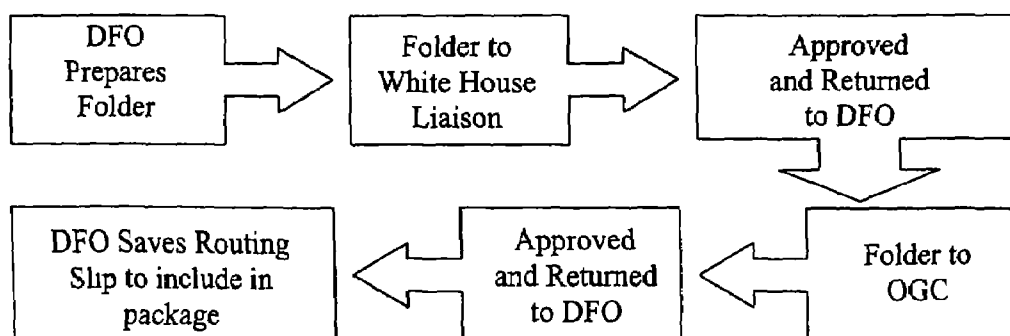
- the attributes or interests represented, such as the nominee's area of expertise or their geographic perspective.

The membership grid helps OGC identify gaps and ensure balance. The grid identifies proposed, current, and terminating members. This may be done by using asterisks, highlighting, bolding, italicizing, etc., to show membership status and affiliation.

Step 4. Obtaining White House and OGC Approval

DFOs should work with the Agency's White House Liaison and the Office of General Counsel's FACA Attorney to nominate prospective committee members. The White House Liaison works with the DFO to consider the composition of the committee, the interests represented, and the knowledge and experience of candidate members as stated in their resumes or full bios. OGC assists the DFO by reviewing the functions to be performed by the advisory committee and ensuring balance, committee makeup, and points of view are taken into consideration.

DFOs are encouraged to solicit new members as terms expire. EPA policy ensures members be appointed for no more than 6 years. Soliciting new members helps assure a fresh perspective and impartiality. If the DFO finds it necessary to deviate from current EPA policy, and would like to reappoint a current member past 6 years, it is important to coordinate with the Committee Management Officer. The DFO will provide a justification explaining the benefit to the Agency and why extending the member's term is necessary. The justification should be included in the folder and the Action Memo (discussed in Step 5) in order to obtain Deputy Administrator approval.



After gathering resumes, drafting the list of proposed nominees and backup names, preparing a membership grid and routing slip, DFOs should prepare a folder for review of committee composition and balance. An example of a routing slip is available under the Enclosures Tab. Name and contact information is available under the Additional Resources Tab. DFOs may wish to include a fact sheet on their committee and any explanations that may be helpful to the White House Liaison and OGC in their review of membership composition and balance.

- The folder containing the draft list, membership grid, resumes, and routing slip should be forwarded to the White House Liaison's office.
- Allow ten calendar days for review. The White House Liaison will sign off on the routing slip and return the package to the DFO.
- The folder should then be forwarded to the Office of General Counsel.
- Allow ten calendar days for review. The Office of General Counsel will sign the same routing slip indicating initial approval.
- If further discussions are warranted, a meeting will be requested with the DFO.

Obtaining initial approval occurs early in the process, before preparing the official membership package submission folder. This original routing slip will accompany your membership folder to provide verification to the Administrator's Office that the White House Liaison and OGC have approved the proposed nominees.

As a best practice, DFOs may wish to discuss their nominations with their supervisors before submitting the folder to the White House Liaison's Office and OGC. This keeps management in the loop. However, at this point, it is not necessary to obtain management's sign off unless the DFOs office protocol requires it. If changes are made to the nominations after the White House Liaison and OGC have reviewed and signed off on the folder, a follow up meeting or conference call should be scheduled to reevaluate balance and membership. Both the Liaison and OGC will sign off on the original routing slip again. Do not hesitate to contact OCEM, OGC, or the White House Liaison early on in the process if you have any questions. Contact information for key players is available under the Additional Resources Tab at the back of this guide.

Step 5. Preparing and Submitting the Membership Package

The membership package is submitted in an official membership package submission folder—a double pocket green folder with additional documents in a matching green expandable folder. In order to submit nominees to the Office of the Administrator, the DFO prepares the necessary documents for approval. The package allows the Office of the Administrator's staff an opportunity to review candidate qualifications and expertise brought to the table. DFOs may obtain official green membership package submission folders from OCEM. Exhibit 1 provides a representation of the contents of the membership package.

Left Side of Double Pocket Folder (refer to Exhibit 1)

On the left side of the official submission folder, include a one-pager which lists names and addresses of multiple identical letters (invitational, reappointment, and

thank you letters) included in the package. This allows the Office of the Executive Correspondence (OEX) to proof names, addresses, and personal information. This also alerts OEX as to how many letters require signature. Behind this page, the DFO should insert a diskette with saved electronic files of the Action Memorandum and the letters included in the package. It is best to use Word Perfect, Times New Roman, 12pt font to create a form document (or template letter) that allows for a mail merge with an address list (or data source). For assistance with mail merge contact OEX or program administrative staff. Using mail merge saves time as it allows OEX to make corrections rather than return the package to the DFO.

Right Side of Double Pocket Folder (refer to Exhibit 1)

Standard contents are provided on the right side of the official membership package submission folder and include (in order):

Action Memorandum, prepared by the program office to the Office of the Administrator to formally request the approval of candidates for membership to the committee. The Action Memo is attached to the right side of the double pocket folder and will be the first document facing the reader. Action memos should be consistent and contain, at a minimum, the following elements:

- A brief sentence listing former members and a simple explanation detailing why these members are coming off the committee (e.g., term has expired, member had conflicts, other engagements, etc.).
- A brief paragraph describing your solicitation process/selection criteria and a listing of new members with an explanation of why you are nominating these individuals (e.g., expertise in field, 25 years of experience, recommended by Chemical Manufacturing Association because of..., etc.).
- Membership Grid, showing current members, former members, and new nominees, affiliations, and terms. This grid may be the same one you prepared for OGC to demonstrate balance.
- A brief biographical summary or paragraph for each nominee.
- A sentence acknowledging diversity has been considered and balance requirements have been met.

EXHIBIT 1

QUICK GUIDE TO ASSEMBLING YOUR OFFICIAL MEMBERSHIP PACKAGE SUBMISSION FOLDER

This is a representation of the documents contained in the GREEN Double Pocket Folder.

OFFICIAL FOLDER--LEFT SIDE INCLUDE ONE-PAGER AND DISK:	OFFICIAL FOLDER--RIGHT SIDE CONTENT SHOULD INCLUDE:
<p>THE LEFT SIDE LISTS ALL LETTERS : The One-Pager lists all letters in the folder. It serves as a quick guide to let the reviewer know how many letters need to be signed, double check names, addresses, and spelling. STANDARD INFORMATION TO BE INCLUDED:</p> <p>The attached package has (2) identical invitation letters to the following:</p> <p>Mr. J.C. Goodman J.C. Penny Company, Inc. 11122 Penny Road New York, NY 22112</p> <p>Dr. James Johns Johns and Johnson Law Firm 99 Good Hope Drive Glen Burnie, MD 88123</p> <p>The attached package has (2) identical reappointment letters to the following:</p> <p>Mrs. Susan Workman 222 Second Street Berkeley, CA 97799</p> <p>Mr. Donald St. Johns 1212 Local Street Lawrence, KS 66604</p> <p>The attached package has (1) Thank you Letter to the following:</p> <p>Dr. Patrick Trainer P.O. Box 444 Albany, NY 33300</p> <p>(If possible, create a "mail merge" for multiple letters. Include mail merge on disk. This allows OEX to make corrections rather than return the package to the DFO and saves time.)</p> <p>NOTE: PLEASE DO NOT FORGET TO INCLUDE DISKETTE WITH SAVED ACTION MEMO AND TEMPLATE LETTERS. PLACE DISK IN POUCH.</p>	<p>THE RIGHT SIDE INCLUDES: Documents arranged in the following order allows for continuity and enables reviewers to find things quickly, making concurrence easier and faster. STANDARD DOCUMENTS ARE TO BE INCLUDED IN THE FOLLOWING ORDER:</p> <p>Please attach:</p> <ol style="list-style-type: none"> 1. Action Memo (Request for approval of potential candidates) 2. Membership Grid (Chart showing current and former members, new nominees, and affiliations) 3. Brief Bios or Resume Summary (Short background of new members) 4. External Correspondence <ul style="list-style-type: none"> • Invitational Letters (New Members) • Reappointment Letters (Members to serve another term) • Thank you Letters (Members leaving the committee) 5. Yellow Concurrence Sheet 6. Federal Advisory Committee Act or Pamphlet 7. Membership Acceptance Form (w/pre-addressed envelope) 8. Office of Government Ethics Confidential Form (if appropriate) 9. Personnel Forms (if appropriate) <p>NOTE: IF ANY OF THESE DOCUMENTS ARE NOT INCLUDED IN THE OFFICIAL MEMBERSHIP PACKAGE SUBMISSION FOLDER, THE DFO SHOULD INCLUDE AN EXPLANATION</p>

Invitational Letters, prepared for each new member being appointed to the committee. Invitational letters are prepared for each appointed member and are signed by either the Administrator or the Deputy Administrator. Invitational letters should immediately follow your Action Memo. The letters follow a standard template, and include:

- A brief sentence stating the purpose of the letter, name of the committee, and the scope of the committee in the opening paragraph.
- Membership term START and END dates listed in the opening paragraph.
- Reference to enclosed “Federal Advisory Committee Act” or pamphlet.
- Reference to enclosed membership acceptance form.

Note: A copy of the FACA law or FACA pamphlet and a membership acceptance form should accompany appropriate correspondence documents. Copies of the FACA law or pamphlet may be obtained from OCEM. For examples please refer to the Enclosures Tab. For Special Government Employees (SGEs): a copy of the FACA law or pamphlet, a membership acceptance form, Office of Government Ethics Confidentiality Form (OGE 450) or EPA Form 3110-48, and any other required personnel forms should be included immediately following the letters. *If any of these attachments are not included in the package, an explanation should be provided. This will save time, alerting the reviewer allowing the reviewer to call the DFO directly without returning the package.*

Reappointment Letters, prepared for those committee members who are invited to continue to serve on the committee for another term. Reappointment letters should immediately follow your invitational letters. The letters are signed by either the Administrator or the Deputy Administrator and follow a standard template, which must at a minimum, include:

- A brief sentence stating the purpose of the letter in the opening paragraph.
- Membership term START and END dates in the opening paragraph.
- Reference to enclosed “Federal Advisory Committee Act” or pamphlet.
- Reference to enclosed membership confirmation form.

Note: A copy of the FACA law or FACA pamphlet and a membership acceptance form should accompany appropriate correspondence documents. Copies of the FACA law or pamphlet may be obtained from OCEM. For examples please refer to the Enclosures Tab. For Special Government Employees (SGEs) include: a copy of the FACA law or pamphlet, a membership acceptance form, Office of Government Ethics Confidentiality Form (OGE 450) or EPA Form 3110-48, and any other required personnel forms. *If any of these attachments are not included in the package, an explanation should be provided alerting the reviewer. This will save time, allowing the reviewer to call the DFO directly without returning the package.*

Thank You Letters, prepared for current committee members who have completed their terms. These letters are signed by the Administrator or the Deputy Administrator and should, at a minimum, include a statement indicating the purpose of the letter and an expression of appreciation for their service on the committee. Thank you letters should immediately follow your reappointment letters.

Concurrence Sheets/Routing Slip, the yellow concurrence sheet or file copy to accompany the appropriate correspondence document and initial routing slip with the appropriate signatures from your program office, OGC, OCEM, and the Office of the Administrator should be included.

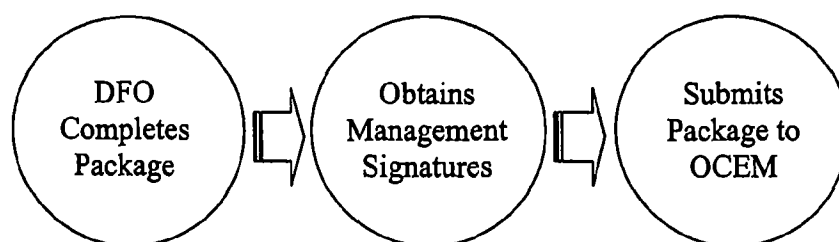
Examples of all these documents are included in the tabs of this guide. Helpful hints designed to help the DFO meet EPA formatting guidelines are included in the Additional Resources Tab. DFOs may wish to contact OCEM to obtain additional examples. If any of the elements listed above are not included in the official submission package, DFOs should provide an explanation to inform the reviewer. Providing an explanation saves time, allowing the reviewer to call the DFO directly, if necessary, without returning the package and stopping the concurrence process.

Additional Documents Folder

In the green expandable folder, the DFO may provide any additional supporting documents, such as fact sheets, previous year reports or annual reports, the committee Charter, resumes, or committee bylaws. The DFO has the flexibility to decide what important and additional information to include in this section. DFOs should mark the checklist on the front of the folder before submitting their package to OCEM. **A checklist designed to assist the DFO with completing the membership package is located in the Additional Resources Tab at the back of this guide.**

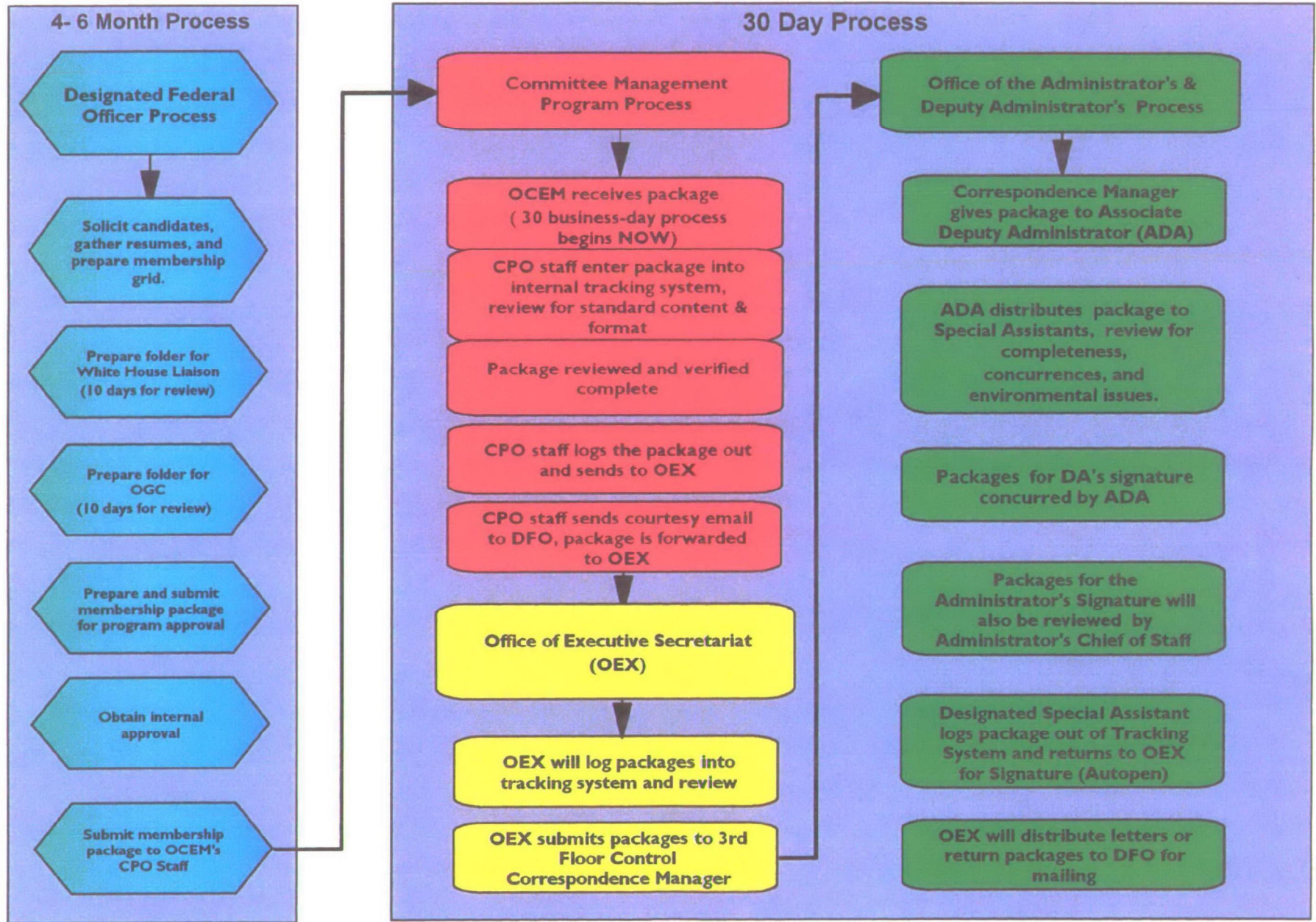
Timeline

The DFO completes the membership package and obtains approval from their program correspondence control manager and internal management. Once a complete official submission folder is submitted to OCEM's Committee Policy and Oversight (CPO) Staff, the package is entered into an internal tracking system and the 30-business day approval process begins.

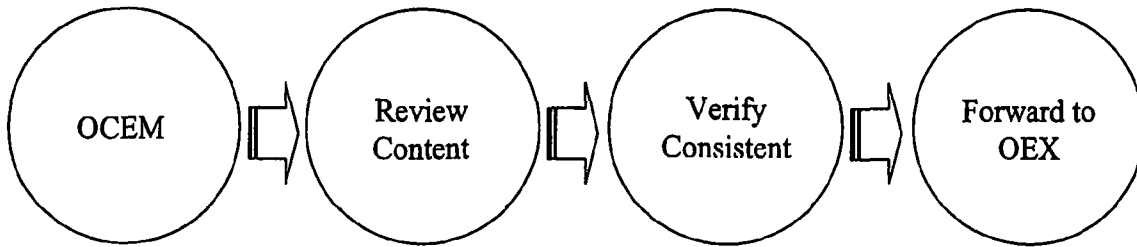


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Membership Package Timeline

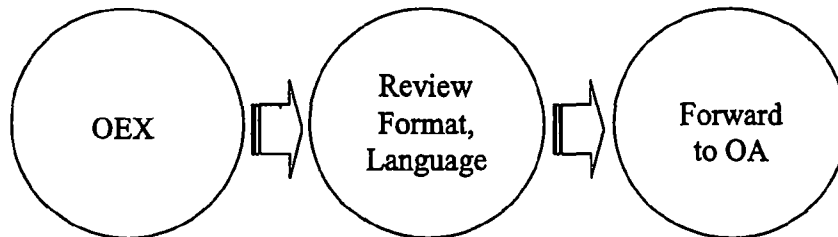


OCEM Process



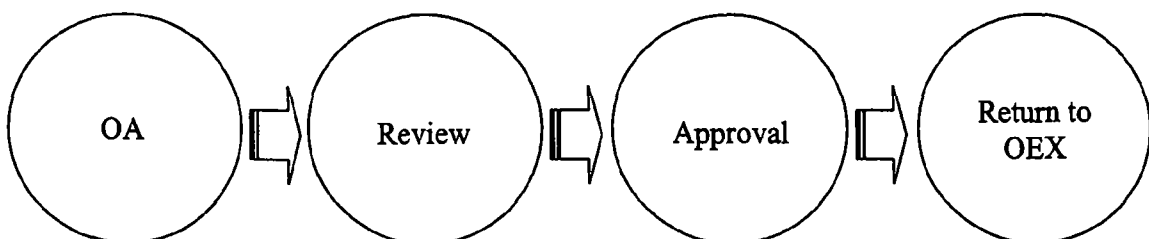
- Within five days of receiving the membership package, OCEM staff will:
- Enter the package into an internal tracking system;
 - Review content and format;
 - Verify the package is complete;
 - Prepare necessary documents to forward the package;
 - Log the package out of the tracking system and send it to OEX; and
 - Send a courtesy e-mail to inform the DFO and Office of the Administrator (OA) that package has been forwarded to OEX.

OEX Process



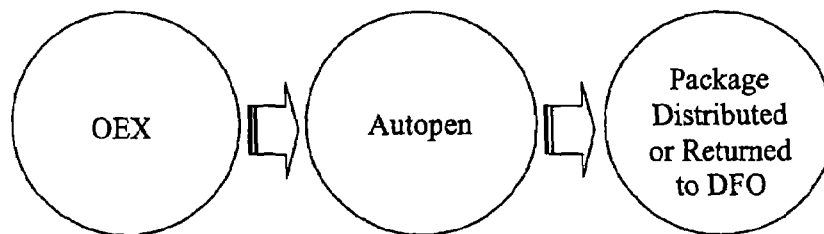
- Within four days of receiving the membership package, OEX will:
- Log the package in the Agency's official tracking system;
 - Review the package for format and language;
 - If complete, submit the package to the Office of the Administrator and Deputy Administrator; and
 - Update the tracking system.

Office of Administrator's & Deputy Administrator's Process



Within 14 days, the Office of the Administrator and Deputy Administrator will: review, concur and obtain the signatures of the Administrator or Deputy Administrator:

- The Correspondence Manager receives the package and provides it to the Associate Deputy Administrator (ADA).
- The ADA distributes the package to Special Assistants for review of completeness, concurrences, and environmental issues.
- Packages authorized for the Deputy Administrator's signature are concurred by the Associate Deputy Administrator and returned to the Special Assistant. Packages authorized for the Administrator's signature are reviewed and also concurred by the Administrator's Chief of Staff and returned to the Special Assistant.
- The Special Assistant logs the package out of the Tracking System and returns it to OEX for signature (autopen).
- If addressed envelopes and copies of all attachments are included, OEX distributes the packages. If copies and envelopes are not included, OEX returns the package to the DFO for mailing. (See Enclosures Tab for additional information.)



Examples

The Instruction Guide is divided into two sections, containing examples specific to Representative Committees and Special Government Employee (SGE) Committees. The following examples are designed to serve as tools. Examples behind the appropriately marked tabs include:

- Action Memos,
- Invitational Letters,
- Reappointment Letters,
- Thank you Letters,
- Enclosures; and
- Additional Resources

Contact Us!

OCEM's Committee, Policy and Oversight Staff's mission is to better serve EPA's DFOs, to be a resource and expert in the Agency's advisory process, and to help our program offices become a catalyst for public participation. If you have any questions, suggestions for improvement, or feedback, please do not hesitate to contact OCEM's CPO Staff. We look forward to hearing from you!

Tim Sherer, Associate Director	202.233.0077
Vicki Ellis, Committee Management Officer	202.233.0065
Toni Rousey, Membership Package Lead Co-Lead	202.233.0075
Khanna Johnston, Membership Package Co-Lead	202.233.0082

U.S. EPA Headquarters Library
Mail code 3201
1200 Pennsylvania Avenue NW
Washington DC 20460

ACTION MEMO

Representative

Example

Sample Action Memo

for Representative Membership Packages

The Action Memo will be the first document facing the reader, attached to the right side of your Green Pocket Folder.

Two examples of Action Memos that have been used by Representative Committees in their Membership Packages and approved by the Third Floor are included. These examples are intended to assist you with your Representative Membership Packages.

- Example #1—Appointment to Good Neighbor Environmental Board
- Example #2—Appointment to Clean Air Act Advisory Committee

Action Memos should be consistent and contain the following:

- A brief sentence listing former members and a simple explanation detailing why these members are coming off the committee (i.e., term has expired, member had conflicts and other engagements, etc.).
- A brief paragraph describing your solicitation process/selection criteria, a listing of new members, and an explanation of why you are nominating these individuals (i.e., expertise in field, recommended by NGO, etc.).
- Summary or brief biographies of nominees included in the body of the memo with brief biographical sketches for all members attached.
- Membership Grid, showing current members, former members, and new nominees, affiliations, and terms. The Grid may be the same one you prepared for the White House Liaison and OGC to review Balance and committee composition. Proposed nominees, current and former members should be identified in some way so there is some type of visual distinction between the nominees and current members (i.e., bold, highlight, asterisks, etc.)
- Sentence acknowledging diversity has been considered and Balance requirements have been met.

For your convenience, these criteria are highlighted in the attached examples.

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(Example #1: Action Memo for a Representative Membership Package)

Note: Use your Program Letterhead

OFFICE OF
THE ADMINISTRATOR

January 23, 2003

MEMORANDUM

SUBJECT: Appointment/Reappointment of Members to the Good Neighbor Environmental Board

FROM: Daiva Balkus, Director
Office of Cooperative Environmental Management

THRU: Tom Gibson
Chief of Staff

TO: The Administrator

The Good Neighbor Environmental Board (GNEB) currently has seven non-federal membership slots under consideration. Four members have completed two terms; one member has completed one term; and two additional slots are under consideration.

Under the Board's By-Laws, each non-federal member is appointed by the Administrator of EPA for a two-year term. The term of each member may be renewed at the end of the period. Historically, members have served no more than two terms, unless there were special circumstances. (Federal members, by contrast, are appointed by the heads of their agencies and serve until a new representative is appointed.)

Summary of Recommendations

As mentioned above, four of the seven non-federal membership slots available are occupied by individuals who already have served two terms and whose terms are due to expire. It is recommended that the terms of three of these members be allowed to expire at the end of their second terms, which will be the end of this month. These members include Irasema Coronado of the University of Texas, El Paso; Judith Espinosa of the University of New Mexico; and Susan Kunz, a tribal and health consultant based in Tucson, Arizona.

Their three slots would be filled by the following individuals: Amanda Aguirre of the Binational Health Commission, based in Yuma, Arizona; Dora Alcalá, Mayor of Del Rio, Texas; and Professor Paul Ganster of San Diego State University.

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For the fourth slot, in a departure from custom (but not law), it is recommended that two-term member Diana Borja of the Texas Commission for Environmental Quality (TCEQ) be appointed to serve a third term. Ms. Borja has been nominated for a third term by TCEQ Commissioner Ralph Marquez (Attachment A).

Of the three remaining membership slots under discussion, one is occupied by Jerry Paz, Vice-President of Molzen-Corbin & Associates, an engineering firm in Las Cruces, New Mexico. It is recommended that Mr. Paz be appointed to serve a second term.

For the sixth, currently vacant, it is recommended that Douglas Smith, Director of Corporate Environment, Safety, and Health for Sony Electronics, based in San Diego, be appointed. And for the final slot, it is recommended that the nomination of Kenneth Ramirez of Bracewell and Patterson in Austin, Texas, be accepted.

Please see attached membership grid (Attachment B) for more information, as well as more details below.

Criteria

We have applied the following criteria to our deliberations on the merits of each individual we recommend be appointed or re-appointed:

- Have professional knowledge of, and experience with, the particular issues that the Board examines (i.e., environmental infrastructure along the U.S.-Mexico border, bearing in mind the unique cultural features that characterize the region).
- Bring senior level-experience that will fill a need of the Board either through filling an existing gap or bringing a new and relevant dimension to its deliberations.
- Represent a sector or group that is involved in the issues that the Board discusses.
- Possess a demonstrated ability to work in a consensus-building process with a wide range of representatives from diverse constituencies.
- For any existing members being considered for reappointment, have demonstrated active and constructive involvement in the work of the Board.

The seven nominees listed below are being recommended after careful deliberation on which skill sets and experience are needed at this particular point in time to maintain the Board's diversity and balance. All of them are extremely well-qualified and would enhance, or continue to enhance, the advisory capabilities of the Board. The list represents consensus-based recommendations from EPA officials in OCEM, OGC, OIA, Region VI (including the El Paso border office) and Region IX (including the San Diego border office). Our program has shared the committee composition with Kelly Sinclair, White House Liaison. In addition, we have held discussions with Marilyn Kuray, Office of General Counsel, with respect to the proposed nominations to ensure that the committee is balanced in the points of view represented.

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Details on Seven Proposed Candidates

- 1) Amanda Aguirre Board member of the U.S.-Mexico Border Health Foundation as well as the U.S.-Mexico Border Health Association. Has been involved in public health for more than 20 years, with emphasis on education and U.S.-Mexico border issues. Also is a member of the Yuma County Chamber of Commerce. Lives in Yuma, Arizona. Would bring seasoned border-region environmental health expertise to the Board's deliberations. Recommend her appointment as a new member.
- 2) Dora Alcala Mayor of Del Rio, Texas, a small town along the border. Recipient of the Yellow Rose of Texas Award from Governor George W. Bush in 1998. Also former recipient of the National Council of Hispanic Woman of the Year Award. Her expertise as a local government official would complement that of another Board member who is Mayor of a small border town at the other end of the border in California. Recommend her appointment as a new member.
- 3) Paul Ganster Director for Regional Studies of the Californias and Professor of History at San Diego University. Author of more than 50 articles, book chapters, and edited works on policy questions of the U.S.-Mexico border region. Member of the Southwest Center for Environmental Research and Policy (SCERP), a consortium of universities along both sides of the border. Would bring broad academic sector experience to the Board's membership. Recommend his appointment as a new member.
- 4) Diana Borja Director of Border Affairs for the Texas Commission on Environmental Quality (TCEQ). Responsibilities include work with each of the four Mexican states bordering Texas and with New Mexico. Serves alongside her counterparts from the state environmental agencies of New Mexico, Arizona, and California. Ms. Borja has been nominated for a third term by TCEQ Commissioner Ralph Valdez (Attachment A). Recommend her re-appointment for a third term.
- 5) Jerry Paz Vice-President of Molzen-Corbin & Associates, an engineering firm in Las Cruces, New Mexico. Inducted as Civil Engineering Ingeniero Eminente in 1996. Would continue to bring valuable engineering infrastructure expertise to the Board as well as hands-on project experience in bringing water and wastewater services to colonias, unincorporated communities along the border. Recommend his appointment to serve a second term.
- 6) Douglas Smith Director of Corporate Environment, Safety, and Health for Sony Electronics. Lives in San Diego, California. Experience includes design, construction, and installation of wastewater treatment systems as well as current position directing the corporate environmental affairs for Sony's

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North American operations. Would bring valuable corporate expertise to the Board, including knowledge of environmental challenges within the maquiladora sector, a term used to describe special types of assembly plants along the border. Recommend that he be appointed as a new member.

- 7) Kenneth Ramirez Partner with Bracewell & Patterson, Austin, Texas, with special focus on water law. Formerly Deputy Director of the Texas Natural Resources Conservation Commission (TNRCC), now TCEQ. Also formerly served as Management Attorney with the EPA Region 9 Office. We recommend that he be appointed as a new member.

Supplemental Information

Attachment C contains brief biographical statements describing the other non-federal members of the Board. They are included in order for you to assess how the recommended candidates described above would fit into the existing membership body. (Note that as mentioned above, the Board also includes representatives from federal agencies listed in attachment D.)

Next Meeting

The next meeting of the Board will take place in Washington, D.C. on February 18-19, 2003. If possible, it would be appreciated if appointments could be determined and announced in time for new members to be invited to this session, which will include a Strategic Planning component.

Thank you for your consideration of this matter.

Approve _____ Date _____

Disapprove _____ Date _____

cc: Judith Ayers
Laura Yoshii

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ATTACHMENT A NOT INCLUDED

Note to the Reader:

Attachment A includes correspondence from the Texas Commission for Environmental Quality nominating Ms. Diana Borja to be reappointed to the Board. Under this Board's bylaws, members are appointed for a two-year term. Historically, on this committee, members serve no more than two terms unless there are special circumstances. Because Ms. Borja is being nominated for a third term, the DFO has provided a justification explaining the benefit of reappointing Ms. Borja. Attachment A is not included due to inclusion of personal information and content.

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ATTACHMENT B

GOOD NEIGHBOR ENVIRONMENTAL BOARD NON-FEDERAL MEMBERSHIP GRID

(Note: Proposed members are highlighted and indicated in italics; continuing members are in bold, and members coming off (terms have expired) are shown in ALL CAPS.)

	California	Arizona	New Mexico	Texas	Tribal
Private Sector	<i>Doug Smith</i> Sony, San Diego	Ed Ranger 5/00 - 7/04 LexRadat, Inc. Phoenix	<i>Jerry Pae</i> 10/01 - 10/03 Malpai Conserv. Group (Proposed re-appointment)	<i>Kenneth Ramirez</i> Bracewell & Patterson, Austin William Fry 10/01 - 10/03 H-E-B Grocery, San Antonio	
Academic Sector	<i>Paul Ganster</i> San Diego State University SCERP		JUDITH ESPINOSA 8/98 - 11/03 University of New Mexico	IRASEMA CORONADO , 9/98 - 1/03 University of Texas	
State Government	Nancy Sutley 5/00 - 7/04 CAL EPA, Sacramento	Placido' dos Santos 9/98 - 7/03 (Chair) ADEQ, Tucson	Gedi Cibas 10/01 - 10-03 NM Dpt. of Env., Santa Fe	<i>Diane Borge</i> 10/01 - 10/03 CAL EPA, Santa Barbara (Proposed re-appointment)	
Local Government	Diane Rose 10/01 - 10/03 Mayor, Imperial Beach			<i>Diane Borge</i> 10/01 - 10/03 CAL EPA, Santa Barbara (Proposed re-appointment)	
Non-Governmental Organization/ Health Sector		<i>Armando Chavez</i> U.S. Border Borderlands Conservancy Larry Allen 10/01 - 10/03 Malpai Borderlands Conserv. Grp., Oro Valley	Valecia Gavin 7/02 - 7/04 Community Activist, Fairacres	Karen Chapman 5/00 - 7/04 Environmental Defense, Austin	SUSAN KUNZ , 7/98 - 12/02 Tribal Health Consultant, Tucson
Tribal Sector					Dale Phillips 10/01 - 10/03 Cocopah Tribe Somerton

U.S. EPA Headquarters Library
Mail code 32
1200 Pennsylvania
Washington, DC 20460

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ATTACHMENT C

Brief Biographical Sketches of Non-Federal Good Neighbor Environmental Board Members

Larry Allen	Board Member, Malpai Borderlands Group. The Malpai Borderlands Group is a border-region conservation group whose membership is comprised of representatives from the ranching and grazing sectors. His participation enables the Board to benefit from the views of someone who has extensive experience with conflict resolution among grazing permittees, timber industry, environmentalists, federal and state agencies.
Gedi Cibas	Border Affairs Coordinator for the State of New Mexico. Dr. Cibas brings the New Mexico state-level environmental agency's perspective to the Board's deliberations. His special area of interest includes the application of market instruments to environmental infrastructure border-region issues.
Karen Chapman	Staff member of the Austin, Texas chapter of Environmental Defense, a national environmental group that focuses on sustainable development, natural resource conservation, environmental policy and public involvement. She is the former Director of the Sabal Palm Grove Sanctuary, where she concentrated on cross-border environmental education and exchange, local water supply issues, water quality monitoring, and community outreach.
Placido dos Santos	Current Chair of the Board. Border Environmental Manager, Arizona Department of Environmental Quality. Supervises and coordinates the Department's border activities among state agencies and with border communities. Former positions in the Arizona Water Resources Department and as a geologist in the U.S. and in Chile.
William Fry	Vice President of Quality Assurance and Environmental Affairs at H-E-B Grocery of San Antonio, Texas. In addition to his senior-level private sector experience, he serves on the Air Improvement Resources Committee of the Alamo Area Council of Governments.
Valecia Gavin	Member of the non-profit group called the Border Environmental Health Coalition. Coalition has carried out projects including assistance to 200 households with inadequate drinking water facilities and building community capacity to identify and address local environmental justice concerns. Ms. Gavin also is a member of the Dona Ana County (New Mexico) Planning and Zoning Commission.

Dale Phillips	Vice Chair, Cocopah Tribe. The Cocopah Tribe is a border-region tribe whose population lives on both sides of the border. Mr. Phillips continues to bring a much-valued tribal perspective to the Board's discussion, especially in the area of valuation of natural resources.
Ed Ranger	President, LexRadar, Inc. Also Counsel to Baker & McKenzie. Member of the Arizona and Mexican Bar Associations. Works with the Border Trade Alliance, the U.S.-Mexico Chamber of Commerce, and the U.S. Chamber of Commerce. Concentrates in the areas of environmental, health and safety compliance, and international commerce.
Diane Rose	Mayor, City of Imperial Beach. As Mayor of a border community, Ms. Rose has first-hand experience of partnering with EPA, IBWC, and the City of Tijuana to curb renegade sewage flows from Tijuana into her community. She is the only local government representative on the Board.
Nancy Sutley	Deputy Secretary for Policy and Intergovernmental Relations and Special Advisor to the Secretary of the California Environmental Protection Agency. California's U.S.-Mexico border program falls within her portfolio of responsibilities. Formerly held senior positions within the U.S. EPA.

ATTACHMENT D
FEDERAL MEMBERS

M.J. Fiocco	Office of Intermodalism U.S. Department of Transportation Washington, DC
John Klein	Assistant Regional Hydrologist U. S. Geological Survey, Department of Interior Tucson, AZ
Dennis Linskey	Office of Mexico Affairs U.S. Department of State Washington, D.C.
Carlos M. Ramirez	U.S. Commissioner International Boundary and Water Commission El Paso, TX
Shannon H. Sorzano	Deputy Asst. Sec. for International Affairs U.S. Department of Housing and Urban Development Washington, D.C.
Rosendo Treviño III	State Conservationist Natural Resources Conservation Service U.S. Department of Agriculture Albuquerque, NM
Richard Walling	Director Office of the Americas and the Middle East Office of Global Health Affairs U.S. Department of Health and Human Services Rockville, MD
Laura Yoshii	Deputy Regional Administrator US EPA, Region 9 San Francisco, CA

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(Example #2: Action Memo for a Representative Membership Package)
Note: Use your Program Letterhead

OFFICE OF
AIR AND RADIATION

February 4, 2003

MEMORANDUM

SUBJECT: Nominations for the Clean Air Act Advisory Committee

FROM: Jeffrey R. Holmstead
Assistant Administrator

TO: Linda J. Fisher
Deputy Administrator

The Clean Air Act Advisory Committee (CAAAC) was established in November 1990, to provide high level policy advice to EPA on issues associated with the implementation of the Clean Air Act of 1990. The Committee has functioned very effectively for the past twelve years and has been renewed for another two-year period extending to November 2004. A copy of the CAAAC's renewed charter is attached. This office feels that the reappointment of many of the Committee's current membership and the nomination of several new members will continue to provide the substantial assistance needed in our on-going deliberations on various policy issues related to the Clean Air Act.

Attached for your review and approval is a list of the current members of the CAAAC who have agreed to continue their service to the Committee and proposed new members who would replace retiring or outgoing members. It is our understanding that the members on this list are willing to accept reappointment or a new appointment to the rechartered Committee. As we have done over the life of this Committee, we feel that this proposed membership strikes a reasonable balance between various key sectors of the economy (state and local government, environmental and public organizations, academic institutions, unions, utilities, industry, trade associations and private individuals who are experts in the field) and between various geographic sections of the country. We should also note that we have retained CAAAC members who represent the areas of small business, children's health and environmental justice.

Our membership recommendations are made with a concern for minority group, gender and Native American concerns. In this regard, we are recommending the appointment of Dr. Patricia Mariella, Executive Director of the Department of Environmental Quality for the Gila River Indian Community in Sacaton, Arizona, to represent Indian tribes. Dr. Mariella contacted

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us expressing her interest in CAAAC and willingness to serve. Our program office has found self-nominations are one of the best methods to retain engaged and dedicated members. In addition, we propose reappointing Professor William Auerle from Northern Arizona University, who is a recognized authority on tribal air quality issues.

There have been eight former members who have left the CAAAC due to retirement, job changes or relative inactivity in the Committee's work due to other commitments. These former members are: the Honorable Tony Earl, former Governor of Wisconsin and retired partner in Quarles and Brady LLP; Steve Gerritsen, Executive Director, Pacific Rim Enterprise Center; Jeffrey Keeler, Director, Environmental Strategies, Enron Corporation; Jane Nishida, Secretary, Maryland Department of the Environment; Mr. G. Alex Johnson, environmental consultant; Robert Perciasepe, Senior Vice President, Audubon Society; Mike Kenny, Executive Officer, California Air Resources Board; and George Davidson, Jr., Chairman and CEO, Consolidated Natural Gas Company.

In addition, there are seven members who we want to thank for their service in order to make new appointments. Senator Brian Frosh, Maryland State Senate; William Shapiro, Director, Regulatory Compliance and Environmental Affairs, Volvo Cars of North America; Dr. Edward Wolynic, Vice President, Engelhard Corporation; Dr. Peter Jonker, Global Energy Systems, LLC; Donald Schregardus, Deputy Assistant Secretary of the Navy; Michel Gelobter, Executive Director, Redefining Progress; and Dean Pusch, Director, Environmental Assurance, Anheuser-Busch Companies. These former members' good advice and support will be missed.

The attached membership list identifies the proposed new members with an asterisk. We have replaced outgoing members with senior environmental officials and managers in the same basic categories of "stateholders" in order to help insure the current membership balance within the sectors of the economy and among regions of the country. We have attached professional resumes of these proposed new appointments.

All the members being nominated for reappointment have made very important contributions to the work of the CAAAC which we feel is critical in maintaining the high level of advice and assistance that we have received from the committee over the years. We considered diversity and the needs of the Committee in making our selections. We reviewed the proposed nomination package with the General Counsel's Office, the White House Liaison, and Caroline Pettit. In addition, we held discussions with Marilyn Kury to ensure the proposed nominations result in a committee that remains balanced in the points of view represented. We feel fortunate to have such a high caliber list of individuals willing to continue their service to this Committee.

We have made arrangements for our first meeting of the rechartered Committee for March 20 and 21, 2003, at the Mayflower Hotel in Washington, D.C. and consequently will need to send these confirmation letters as soon as possible. We would be pleased to provide you with any additional information or brief you on this request if you so desire. Questions can be directed to the CAAAC Designated Federal Officer, Paul Rasmussen, in my office at 564-1306. We have attached letters of membership confirmation and letters of appreciation for outgoing members for

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your signature.

Thank you for your attention and assistance in this matter.

Attachments*:

CAAAC Charter

Proposed Membership List

Resumes of Proposed New Members

Letters of Confirmation (**Invitation Letters**) with Attachments

Letters of Appreciation (**Thank you Letters**) for Outgoing Members

***Note to the Reader**

In an effort to save space and minimize this document, the Attachments listed above are not included. Please see Example #1, Attachment B for a sample membership grid/list. Example #1, Attachment C is a sample of Brief Biographical Sketches. Full resumes and charters may be included in the Additional Information Folder, but are not required components of the membership package.

(DFOs should include full resumes of nominees and “backup or alternate nominees” in the folder you forward to OGC and the White House Liaison for initial approval. However, you do not have to include full resumes in the Official Membership Package Submission Folder. Having resumes for your back up names available is recommended, in case, any nominees do not make the final list of candidates.)

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INVITATIONAL
Representative Example

Sample Invitational Letter

for Representative Membership Packages

Invitational Letters immediately follow your Action Memo and should be attached to the right side of your Green Pocket Folder.

Two examples of Invitational Letters that have been used by Representative Committees in their Membership Packages and approved by the Third Floor are included. These examples are designed to assist you with your Representative Membership Packages.

- Example #1—Invitation for two-year term on the Environmental Financial Advisory Board
- Example #2—Invitation for a two-year term on the National Advisory Council for Environmental Policy and Technology

Invitational Letters should be consistent and contain the following:

- An introductory sentence in the opening paragraph briefly listing purpose of letter and name of committee.
- Membership term START and END DATES in the opening paragraph.
- Brief explanation of what the committee does.
- Reference to enclosed “Federal Advisory Committee Act” or pamphlet.
- Reference to enclosed membership confirmation form.

For your convenience, these criteria are highlighted in the attached examples.

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(Example #1: Invitational Letter for a Representative Membership Package)

Note: Use Administrator Letterhead for Administrator's Signature, Office of the Administrator for Deputy Administrator's Signature.

OFFICE OF
THE ADMINISTRATOR

July 14, 2003

Mr. John Meyers
Executive Director
Natural Heritage Institute
Berkeley, California 94704

Dear Mr. Meyers:

I am pleased to invite you to serve a two-year term as a member of the U.S. Environmental Protection Agency's Environmental Financial Advisory Board. Your term would begin on July 29, 2003, and end July 29, 2005.

As you know, funding environmental programs presents a major challenge at all levels of government and in the private sector. The Board works to increase investment in environmental protection by facilitating the leverage of greater amounts of public and private resources. Its membership includes senior officials from all levels of government; the finance, banking, and legal sectors; business and industry; and national organizations, including public interest groups.

Enclosed is a copy of the "Federal Advisory Committee Act," which regulates and governs the operations of such committees. Although we are not able to offer you compensation for your services, you will be entitled to receive travel and per diem allowances, if needed.

Please return the enclosed confirmation form to Board Coordinator Vanessa Bowie in the pre-addressed envelope provided. For further information, you can contact Ms. Bowie at (202) 564-5186.

Along with Acting Administrator Horinko, I hope that you will accept this appointment and that the EPA will benefit from your expertise and perspectives.

Sincerely yours,

Stephen L. Johnson
Acting Deputy Administrator

Enclosures

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(Example #2: Invitational Letter for a Representative Membership Package)

Note: Use Administrator Letterhead for Administrator's Signature, Office of the Administrator for Deputy Administrator's Signature.

THE ADMINISTRATOR

August 1, 2003

Dr. John Clark
Florida State University
Department of Economics
500 East 9th Street
Panama City, Florida 32401-6400

Dear Dr. Clark:

I am pleased to invite you to serve a two-year term as a member of the U.S. Environmental Protection Agency's National Advisory Council for Environmental Policy and Technology (NACEPT). Should you accept this appointment, your two-year term will begin on August 28, 2003, ending on August 28, 2005.

NACEPT members represent a wide range of interests and provide advice to EPA on a variety of programs and policies. The Council oversees the work of several standing subcommittees that work on a number of high-priority Agency issues. I have asked NACEPT to continue its strategic and visionary role in examining emerging trends and issues for EPA's consideration, and I expect additional projects to be developed in conjunction with the Agency's program offices.

Enclosed is a copy of the "Federal Advisory Committee Act," which regulates and governs the operations of such committees. Although we are not able to offer you honoraria or compensation for your services, you will be entitled to receive travel and per diem allowances, if needed, according to applicable federal travel regulations.

To accept this invitation, please return the enclosed confirmation form using the enclosed, pre-addressed envelope. For further information, please contact Sonia Altieri by telephone at (202) 233-0061, or by e-mail at altieri.sonia@epa.gov.

I hope you will accept this appointment and that EPA will benefit from your expertise and perspectives.

Sincerely yours,

Marianne Lamont Horinko
Acting Administrator

Enclosures

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REAPPOINTMENT

Representative

Example

Sample Reappointment Letter

for Representative Membership Packages

Reappointment Letters should immediately follow your Invitational Letters and be attached to the right side of your Green Pocket Folder.

Two examples of Reappointment Letters that have been used by Representative Committees in their Membership Packages and approved by the Third Floor are included. These examples are designed to assist you with your Representative Membership Packages.

- Example #1—Invitation for two-year reappointment to the National Advisory Council for Environmental Policy and Technology
- Example #2—Invitation for two-year reappointment to the Good Neighbor Environmental Board

Reappointment Letters should be consistent and contain the following:

- An introductory sentence briefly listing purpose of letter and name of committee in the opening paragraph.
- Membership term START and END DATES in the opening paragraph.
- Reference to enclosed “Federal Advisory Committee Act” or pamphlet.
- Reference to enclosed membership confirmation form.

For your convenience, these criteria are highlighted in the attached examples.

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(Example #1: Reappointment Letter for a Representative Membership Package)

Note: Use Administrator Letterhead for Administrator's Signature, Office of the Administrator for Deputy Administrator's Signature.

THE ADMINISTRATOR

August 10, 2003

Mr. Chuck Jones
Commissioner
Navarre County
501 Ohio Street
Gulf Breeze, Florida 32044

Dear Mr. Jones:

Thank you for your personal commitment and for the valuable advice that you have provided as a member of the U.S. Environmental Protection Agency's National Advisory Council for Environmental Policy and Technology. I am pleased to invite you to continue to serve on the Council for an additional term of two years beginning October 31, 2003, and ending on October 31, 2005.

As you know, I was very impressed by NACEPT's most recent report, *The Environmental Future: Emerging Trends and Opportunities for the U.S. EPA*. Over the next year, I hope the Council will continue to play a strategic and visionary role working with EPA to examine these emerging trends and issues. I also expect NACEPT to become engaged in other projects currently being developed by several of the Agency's program offices.

Although we are unable to provide honoraria or compensation for your services, you are entitled to receive travel and per diem allowances, if needed, according to applicable federal travel regulations.

Enclosed are copies of the "Federal Advisory Committee Act" and a confirmation form for your convenience. To accept this invitation, please return the confirmation form using the enclosed, pre-addressed envelope. For further information, please contact Sonia Altieri by telephone at (202) 233-0061, or by e-mail at altieri.sonia@epa.gov.

I hope you will accept this appointment and that EPA will continue to benefit from your expertise and perspectives.

Sincerely yours,

Marianne Lamont Horinko
Acting Administrator

Enclosures

U.S. EPA Headquarters Library
Mail code 3201
1200 Pennsylvania Avenue
Washington DC 20460

(Example #2: Reappointment Letter for a Representative Membership Package)

Note: Use Administrator Letterhead for Administrator's Signature, Office of the Administrator for Deputy Administrator's Signature.

OFFICE OF
THE ADMINISTRATOR

July 31, 2003

Ms. Nancy Sutley
California Environmental Protection Agency
1001-I Street, 25th Floor
Sacramento, California 95814

Dear Ms. Sutley:

I am pleased to invite you to serve another two-year term on the Grand National Environmental Board. Should you accept this appointment, your term will begin on August 10, 2003 and end August 30, 2005. Please return the enclosed invitation response form using the pre-addressed envelope.

Your service on the GNEB to date has been extremely valuable in helping to craft policies and programs that strengthen the environmental infrastructure along the United States-Mexico border.

I am also enclosing a copy of the Federal Advisory Committee Act, which as you know, governs the operation of EPA's advisory committees and public access to committee documents. I hope that you will accept this reappointment so that the GNEB will continue to benefit from your experience and expertise.

Sincerely yours,

Stephen L. Johnson
Acting Deputy Administrator

Enclosures

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THANK YOU

Representative

Example

Sample Thank you Letter

for Representative Membership Packages

Thank you Letters should immediately follow your Reappointment Letters and be attached to the right side of your Green Pocket Folder.

Two examples of Thank you Letters that have been used by Representative Committees in their Membership Packages and approved by the Third Floor are included. These examples are designed to assist you with your Representative Membership Packages.

- Example #1–Thank you letter from the Environmental Financial Advisory Board
- Example #2–Thank you letter from the Office of Cooperative Environmental Management for serving on the National Advisory Council for Environmental Policy and Technology

Thank you Letters should be consistent and contain the following:

- A brief sentence stating the purpose of the letter.
- Acknowledgement thanking members for their service.

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(Example #1: Thank you Letter for a Representative Membership Package)

Note: Use Administrator Letterhead for Administrator's Signature, Office of the Administrator for Deputy Administrator's Signature.

OFFICE OF
THE ADMINISTRATOR

September 1, 2003

Mr. Michael Finne
Managing Associate
J.P. Morgan Securities
New York, New York 10077

Dear Mr. Finne:

Thank you for your service with the Environmental Protection Agency's Environmental Financial Advisory Board.

The Agency greatly appreciates your contributions to its success during your appointment. You can indeed take great pride in the acclaim that the Board's accomplishments have generated throughout EPA and in both the public and private sectors. The body of work produced by the Board has helped make a significant contribution toward our goal of leveraging greater public and private resources to help meet the environmental protection needs of our diverse nation.

Acting Administrator Horinko joins me in offering sincere thanks for the time and energy you have dedicated to the Board's work. We wish you success in all your future endeavors.

Sincerely yours,

Stephen L. Johnson
Acting Deputy Administrator

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(Example #2: Thank you Letter for a Representative Membership Package)

Note: Use Administrator Letterhead for Administrator's Signature, Office of the Administrator for Deputy Administrator's Signature.

THE ADMINISTRATOR

July 31, 2003

Mr. David Marsha
Chairman
Marsh Plating Corporation
103 North Grove Street
Ypsilanti, Minnesota 48897

Dear Mr. Marsha:

I am writing to express my sincere thanks for your participation on the National Advisory Council for Environmental Policy and Technology.

As a Council member, you helped EPA reach beyond traditional boundaries to build new relationships with representatives of non-federal interests concerned about the environment. During your tenure, NACEPT encouraged environmental innovation, analyzed EPA's key human resource needs, and peered into our environmental future. Your active participation, and the Council's expert advice, has helped EPA remain a world leader in environmental protection and management.

Again, thank you for the time, talent, and energy you have devoted to NACEPT's work. Best wishes for success in all your future endeavors.

Sincerely yours,

Marianne Lamont Horinko
Acting Administrator

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Sample Enclosures

Concurrence Sheets/Routing Slip, the yellow concurrence sheet or file copy to accompany the appropriate correspondence document and initial routing slip with the appropriate signatures from your program office, OGC, OCEM, and the Office of the Administrator should be included. The original routing slip accompanies your membership package to provide verification that you have reviewed balance requirements.

Acceptance Forms should be included as enclosures to your Invitational Letters/Reappointment Letters, with a pre-addressed envelope.

Federal Advisory Committee Act (FACA) or the FACA pamphlet should be included as an enclosure to your Invitational Letters/Reappointment Letters.

Examples of these documents are provided behind this tab of this guide. If any of these elements are not included in the package, DFOs should provide an explanation to inform the reviewer. Providing an explanation saves time, allowing the reviewer to call the DFO directly, if necessary, without returning the package and stopping the concurrence process. DFOs may wish to contact OCEM to obtain additional examples. In order to mail out the signed letters, OEX will need addressed envelopes and copies of all the enclosures. Including envelopes and all attachments in the Submission Folder, alerts OEX to mail out the signed letters. Many DFOs prefer to mail out the invitation, reappointment, and thank you letters on their own, if this is the case, DO NOT include envelopes, and only include ONE COMPLETE SET of attachments. This alerts OEX that the package should be returned to the DFO for mailing.

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Sample Concurrence Slip

Concurrence (Yellow File Copy) slips should be attached behind Official Correspondence Documents in your membership package according to your program office's guidelines.

Attached is an example of Form 1320-1A, or the form generally used for concurrence copies. Provided is an example from the Office of Cooperative Environmental Management to provide you with a reference of what a slip may look like. This may not be the format your program office follows.

The concurrence slip accompanies your membership folder to provide verification that management has signed off on the correspondence documents.

Concurrence slips also document changes made to the original version for your files. If you have multiple letters going to different addressees but with the same body/text, check with your program office, many offices allow one yellow file copy with a list of names and addressees attached to document multiple recipients. This is fine and conserves paper.

The Office of the Administrator will be looking at your signature line and the concurrence line to verify your program management has signed off on the outgoing letters.

Please check with your program office for the appropriate format for the Signature Line. Generally it should include:

Originator's initials/typist's initials/office symbol/office mail-code/date/and telephone number of originator.

There are 7 boxes/signature slots on Form 1320-1A. Please check with your individual program office, and follow office protocol. The boxes are designed for the person concurring to fill in their Office Symbol/Last Name/Date. Usually, the concurrence line follows your internal office hierarchy, beginning in Box #1 with:

1.) Originator/ 2.) Immediate Supervisor/ 3.) Division Director/ 4.) Office Director/ 5.) Correspondence Control Person/ 6.) AA/ and 7.) OCEM.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Mr. Dennis J. Aigner, Ph.D.
Dean
Donald Bren School of Environmental Science and Management
University of California
2410 Bren Hall
Santa Barbara, California 93106

Dear Dr. Aigner:

I am pleased to invite you to serve a two-year term on the National Advisory Committee (NAC) to the U.S. Representative to the Commission for Environmental Cooperation, beginning April 21, 2003, through March 21, 2005.

The NAC is composed of representatives from environmental, business, professional, and academic organizations. It was chartered in 1994, and has played a significant role in implementation of the Environmental Supplemental Agreement to the North American Free Trade Agreement. As a member of the committee, you will be asked to consider and offer policy recommendations on a wide range of issues related to trade and the environment in North America.

Oscar Carrillo, the Committee's Designated Federal Officer, will provide background materials to you under separate cover and will contact you to discuss your availability for the next committee meeting. To accept this invitation, please return the enclosed confirmation form. For further information, please contact Mr. Oscar Carrillo, at 202 233-0076.

It is my pleasure to welcome you to the Committee and I look forward to receiving your advice and counsel.

Sincerely yours,

Marianne Lamont Horinko
Acting Administrator

SAMPLE COPY

KJ/nb/OA-OCem/1601E(202)233-0090/3-17-03

CONCURRENCES							
SYM	OCem	OCem	OCem	OCem	OCem		OCem
SUB NAME	jdunetra	camillo	jafer	c. plajekson	D. Balkas		Tim Sherer
	2/17/03	3-18-03	3-23-03	3-24	3-25-03		4/1/03
1320-1A (1/90)							

Printed on Recycled Paper

OFFICIAL FILE COPY

Sample Routing Slip

Routing slips are attached to the FRONT (OUTSIDE) of your double pocket official membership package submission folder. The White House Liaison and Office of General Counsel will sign your routing slip when you share your draft list to review Balance. This initial sign off should take place before you begin preparing your membership package folder. The White House Liaison will be interested in the membership grid and resumes. The Office of General Counsel Attorney will be looking at your membership grid, which includes both current and former members, nominees, and affiliations to ensure that the make up of the committee is balanced.

The original routing slip will accompany your membership folder to provide verification to the Third Floor that you have met balance and/or diversity requirements.

Attached are two examples of a routing slip. The first of which is used by OCEM to provide you with a reference of what your program office's routing slip may look like. The second is Optional Form 41, a standard form used by many program offices. The format does not matter.

Reviewers will be looking for signatures obtained from:

White House Liaison	AR3315	MC-1101A	564.4693
Office of General Counsel	AR7502A	MC-2322A	564.3449
Your Program Correspondence Control Manager			
Your Program Management Officials			
Office of Cooperative			
Environmental Management	MB800	MC1601E	233.0077

(Please note Key Contacts—current as of September 12, 2003, are listed for your convenience in the Additional Resources Tab found at the back of this guide.)

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ROUTING AND TRANSMITTAL SLIP**Date:****To: (Name, office symbol, room number,
building, Agency/Post)****Initials****Date**

1.

2.

3.

4.

5.

6.

Action		File		Note and Return	
<input type="checkbox"/>	Approval	<input type="checkbox"/>	For Clearance	<input type="checkbox"/>	Per Conversation
<input type="checkbox"/>	As Requested	<input type="checkbox"/>	For Correction	<input type="checkbox"/>	Prepare Reply
<input type="checkbox"/>	Circulate	<input type="checkbox"/>	For Your Information	<input type="checkbox"/>	See Me
<input type="checkbox"/>	Comment	<input type="checkbox"/>	Investigate	<input checked="" type="checkbox"/>	Signature
<input type="checkbox"/>	Coordination	<input type="checkbox"/>	Justify	<input type="checkbox"/>	

REMARKS**Thank you****Return to:****Room No.-----Bldg****Phone No.**

ROUTING AND TRANSMITTAL SLIP

Date

TO: (Name, office symbol, room number, building, Agency/Post)		Initials	Date
1.			
2.			
3.			
4.			
5.			
Action	File	Note and Return	
Approval	For Clearance	Per Conversation	
As Requested	For Correction	Prepare Reply	
Circulate	For Your Information	See Me	
Comment	Investigate	Signature	
Coordination	Justify		

REMARKS

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
	Phone No.

5041-103

U S GPO 1996-404-763/40015

OPTIONAL FORM 41 (Rev 1-94)
Prescribed by GSA

Sample Acceptance Form

Membership Acceptance Forms should be included as enclosures to your Invitational Letters/Reappointment Letters with a pre-addressed envelope.

Attached is an example of a Membership Acceptance Form that is used by the Office of Environmental Justice's, National Environmental Justice Advisory Committee.

Some committees choose to use a letter format where the nominee submits a letter back to the Agency accepting the nomination. Whichever format you wish to use is fine. The important thing is to obtain a signature indicating acceptance to the membership term in order to document your official committee files.

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*(Example: Enclosure Acceptance Form for a Representative Membership Package
Enclosure to accompany Invitational Letter/Reappointment Letter)*

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

Membership Acceptance Form

TO: Marva King
U.S. Environmental Protection Agency
Mailcode: 2201A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

In response to the invitation for membership on the National Environmental Justice Advisory Council (NEJAC) and/or one of the Subcommittees, I am pleased to accept this position for the term, January 15, 2003–January 15, 2005.

Sincerely,

Name

Date

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Sample Federal Advisory Committee Act

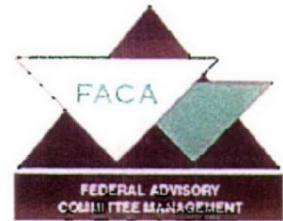
The Federal Advisory Committee Act (FACA) or pamphlet should be included as an enclosure to your Invitational Letters/Reappointment Letters.

Attached is the Federal Advisory Committee Act (FACA). You are welcome to highlight areas you want to draw attention to.

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Federal Advisory Committee Act

The Federal Advisory Committee Act became law in 1972 and is the legal foundation defining how federal advisory committees operate. The law has special emphasis on open meetings, chartering, public involvement, and reporting.



§ 1. Short title

this Act may be cited as the "Federal Advisory Committee Act."

§ 2. Findings and purpose

(a) The Congress finds that there are numerous committees, boards, commissions, councils, and similar groups which have been established to advise officers and agencies in the executive branch of the Federal Government and that they are frequently a useful and beneficial means of furnishing expert advice, ideas, and diverse opinions to the Federal Government.

(b) The Congress further finds and declares that--

- (1) the need for many existing advisory committees has not been adequately reviewed;
- (2) new advisory committees should be established only when they are determined to be essential and their number should be kept to the minimum necessary;
- (3) advisory committees should be terminated when they are no longer carrying out the purposes for which they were established;
- (4) standards and uniform procedures should govern the establishment, operation, administration, and duration of advisory committees;
- (5) the Congress and the public should be kept informed with respect to the number, purpose, membership, activities, and cost of advisory committees; and
- (6) the function of advisory committees should be advisory only, and that all matters under their consideration should be determined, in accordance with law, by the official, agency, or officer involved.

§ 3. Definitions

For the purpose of this Act--

- (1) The term "Administrator" means the Administrator of General Services.
- (2) 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 officer the Federal Government, except that such term excludes (i) the Advisory Commission on Intergovernmental Relations, (ii) the Commission on Government Procurement, and (iii) any committee which is composed wholly of full-time officers or employees of the Federal Government.

(3) The term "agency" has the same meaning as in section 551(1) of Title 5.

(4) The term "Presidential advisory committee" means an advisory committee which advises the President.

§ 4. Applicability; restrictions

(a) The provisions of this Act or of any rule, order, or regulation promulgated under this Act shall apply to each advisory committee except to the extent that any Act of Congress establishing any such advisory committee specifically provides otherwise.

(b) Nothing in this Act shall be construed to apply to any advisory committee established or utilized by--

(1) the Central Intelligence Agency; or

(2) the Federal Reserve System.

(c) Nothing in this Act shall be construed to apply to any local civic group whose primary function is that of rendering a public service with respect to a Federal program, or any State or local committee, council, board, commission, or similar group established to advise or make recommendations to State or local officials or agencies.

§ 5. Responsibilities of Congressional committees; review; guidelines

(a) In the exercise of its legislative review function, each standing committee of the Senate and the House of Representatives shall make a continuing review of the activities of each advisory committee under its jurisdiction to determine whether such advisory committee should be abolished or merged with any other advisory committee, whether the responsibilities of such advisory committee should be revised, and whether such advisory committee performs a necessary function not already being performed. Each such standing

committee shall take appropriate action to obtain the enactment of legislation necessary to carry out the purpose of this subsection.

(b) In considering legislation establishing, or authorizing the establishment of any advisory committee, each standing committee of the Senate and of the House of Representatives shall determine, and report such determination to the Senate or to the House of Representatives, as the case may be, whether the functions of the proposed advisory committee are being or could be performed by one or more agencies or by an advisory committee already in existence, or by enlarging the mandate of an existing advisory committee. Any such legislation shall--

- (1) contain a clearly defined purpose for the advisory committee;
 - (2) 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;
 - (3) contain 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, but will instead be the result of the advisory committee's independent judgment;
 - (4) contain provisions dealing with authorization of appropriations, the date for submission of reports (if any), the duration of the advisory committee, and the publication of reports and other materials, to the extent that the standing committee determines the provisions of section 10 of this Act to be inadequate; and
 - (5) contain provisions which will assure that the advisory committee will have adequate staff (either supplied by an agency or employed by it), will be provided adequate quarters, and will have funds available to meet its other necessary expenses.
- (c) To the extent they are applicable, the guidelines set out in subsection (b) of this section shall be followed by the President, agency heads, or other Federal officials in creating an advisory committee.

§ 6. Responsibilities of the President; report to Congress; annual report to Congress; exclusion

(a) The President may delegate responsibility for evaluating and taking action, where appropriate, with respect to all public recommendations made to him by Presidential advisory committees.

(b) Within one year after a Presidential advisory committee has submitted a public report to the President, the President or his delegate shall make a report to the Congress stating either his proposals for action or his reasons for inaction, with respect to the recommendations contained in the public report.

(c) The President shall, not later than December 31 of each year, make an annual report to the Congress on the activities, status, and changes in the composition of advisory committees in existence during the preceding fiscal year. The report shall contain the name of every advisory committee, the date of and authority for its creation, its termination date or the date it is to make a report, its functions, a reference to the reports it has submitted, a statement of whether it is an ad hoc or continuing body, the dates of its meetings, the names and occupations of its current members, and the total estimated annual cost to the United States to fund, service, supply, and maintain such committee. Such report shall include a list of those advisory committees abolished by the President, and in the case of advisory committees established by statute, a list of those advisory committees which the President recommends be abolished together with his reasons therefore. The President shall exclude from this report any information which, in his judgment, should be withheld for reasons of national security, and he shall include in such report a statement that such information is excluded.

§ 7. Responsibilities of the Administrator of General Services; Committee Management Secretariat, establishment; review; recommendations to President and Congress; agency cooperation; performance guidelines; uniform pay guidelines; travel expenses; expense recommendations

(a) The Administrator shall establish and maintain within the General Services Administration a Committee Management Secretariat, which shall be responsible for all matters relating to advisory committees.

(b) The Administrator shall, immediately after October 6, 1972, institute a comprehensive review of the activities and responsibilities of each advisory committee to determine--

(1) whether such committee is carrying out its purpose;

(2) whether, consistent with the provisions of applicable statutes, the responsibilities assigned to it should be revised;

(3) whether it should be merged with other advisory committees; or

(4) whether it should be abolished.

The Administrator may from time to time request such information as he deems necessary to carry out his functions under this subsection. Upon the completion of the

Administrator's review he shall make recommendations to the President and to either the agency head or the Congress with respect to action he believes should be taken. Thereafter, the Administrator shall carry out a similar review annually. Agency heads shall cooperate with the Administrator in making the reviews required by this subsection.

(c) The 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. In carrying out his functions under this subsection, the Administrator shall consider the recommendations of each agency head with respect to means of improving the performance of advisory committees whose duties are related to such agency.

(d) (1) The Administrator after study and consultation with the Director of the Office of Personnel Management, shall establish guidelines with respect to uniform fair rates of pay for comparable services of members, staffs, and consultants of advisory committees in a manner which gives appropriate recognition to the responsibilities and qualifications required and other relevant factors. Such regulations shall provide that--

(A) no member of any advisory committee or of the staff of any advisory committee shall receive compensation at a rate in excess of the rate specified for GS-18 of the General Schedule under section 5332 of title 5, United States Code;

(B) such members, while engaged in the performance of their duties away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service; and

(C) such members--

(i) who are blind or deaf or who otherwise qualify as handicapped individuals (within the meaning of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 794)), and

(ii) who do not otherwise qualify for assistance under section 3102 of Title 5, by reason of being an employee of an agency (within the meaning of section 3102(a)(1) of such Title 5), may be provided services pursuant to section 3102 of such Title 5 while in performance of their advisory committee duties.

(2) Nothing in this subsection shall prevent--

(A) an individual who (without regard to his service with an advisory committee) is a full-time employee of the United States, or

(B) an individual who immediately before his service with an advisory committee was such an employee, from receiving compensation at the rate at which he otherwise would be compensated (or was compensated) as a full-time employee of the United States.

(e) The Administrator shall include in budget recommendations a summary of the amounts he deems necessary for the expenses of advisory committees, including the expenses for publication of reports where appropriate.

§ 8. Responsibilities of agency heads; Advisory Committee Management Officer, designation

(a) Each agency head shall establish uniform administrative guidelines and management controls for advisory committees established by that agency, which shall be consistent with directives of the Administrator under section 7 and section 10. Each agency shall maintain systematic information on the nature, functions, and operations of each advisory committee within its jurisdiction.

(b) The head of each agency which has an advisory committee shall designate an Advisory Committee Management Officer who shall--

(1) exercise control and supervision over the establishment, procedures, and accomplishments of advisory committees established by that agency;

(2) assemble and maintain the reports, records, and other papers of any such committee during its existence; and

(3) carry out, on behalf of that agency, the provisions of section 552 of title 5, United States Code, with respect to such reports, records, and other papers.

§ 9. Establishment and purpose of advisory committees; publication in Federal Register; charter: filing, contents, copy

(a) No advisory committee shall be established unless such establishment is--

(1) specifically authorized by statute or by the President; or

(2) determined as a matter of formal record, by the head of the agency involved after consultation with the Administrator with timely notice published in the Federal Register, to be in the public interest in connection with the performance of duties imposed on that agency by law.

(b) Unless otherwise specifically provided by statute or Presidential directive, advisory committees shall be utilized solely for advisory functions. Determinations of action to be taken and policy to be expressed with respect to matters upon which an advisory committee reports or makes recommendations shall be made solely by the President or an officer of the Federal Government.

(c) No advisory committee shall meet or take any action until an advisory committee charter has been filed with (1) the Administrator, in the case of Presidential advisory committees, or (2) with the head of the agency to whom any advisory committee reports and with the standing committees of the Senate and of the House of Representatives having legislative jurisdiction of such agency. Such charter shall contain the following information:

- (A) the committee's official designation;
- (B) the committee's objectives and the scope of its activity;
- (C) the period of time necessary for the committee to carry out its purposes;
- (D) the agency or official to whom the committee reports;
- (E) the agency responsible for providing the necessary support for the committee;
- (F) a description of the duties for which the committee is responsible, and, if such duties are not solely advisory, a specification of the authority for such functions;
- (G) the estimated annual operating costs in dollars and man-years for such committee;
- (H) the estimated number and frequency of committee meetings;
- (I) the committee's termination date, if less than two years from the date of the committee's establishment; and
- (J) the date the charter is filed.

A copy of any such charter shall also be furnished to the Library of Congress.

§ 10. Advisory committee procedures; meetings; notice, publication in Federal Register; regulations; minutes; certification; annual report; Federal officer or employee, attendance

(a) (1) Each advisory committee meeting shall be open to the public.

(2) Except when the President determines otherwise for reasons of national security, timely notice of each such meeting shall be published in the Federal Register, and the Administrator shall prescribe regulations to provide for other types of public notice to insure that all interested persons are notified of such meeting prior thereto.

(3) Interested persons shall be permitted to attend, appear before, or file statements with any advisory committee, subject to such reasonable rules or regulations as the Administrator may prescribe.

(b) Subject to section 552 of title 5, United States Code, the records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents which were made available to or prepared for or by each advisory committee shall be available for public inspection and copying at a single location in the offices of the advisory committee or the agency to which the advisory committee reports until the advisory committee ceases to exist.

(c) Detailed minutes of each meeting of each advisory committee shall be kept and shall contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the advisory committee. The accuracy of all minutes shall be certified to by the chairman of the advisory committee.

(d) Subsections (a)(1) and (a)(3) of this section shall not apply to any portion of an advisory committee meeting where the President, or the head of the agency to which the advisory committee reports, determines that such portion of such meeting may be closed to the public in accordance with subsection (c) of section 552b of title 5, United States Code. Any such determination shall be in writing and shall contain the reasons for such determination. If such a determination is made, the advisory committee shall issue a report at least annually setting forth a summary of its activities and such related matters as would be informative to the public consistent with the policy of section 552(b) of title 5, United States Code.

(e) There shall be designated an officer or employee of the Federal Government to chair or attend each meeting of each advisory committee. The officer or employee so designated is authorized, whenever he determines it to be in the public interest, to adjourn any such meeting. No advisory committee shall conduct any meeting in the absence of that officer or employee.

(f) Advisory committees shall not hold any meetings except at the call of, or with the advance approval of, a designated officer or employee of the Federal Government, and in the case of advisory committees (other than Presidential advisory committees), with an agenda approved by such officer or employee.

§ 11. Availability of transcripts; "agency proceeding"

(a) Except where prohibited by contractual agreements entered into prior to the effective date of this Act, agencies and advisory committees shall make available to any person, at actual cost of duplication, copies of transcripts of agency proceedings or advisory committee meetings.

(b) As used in this section "agency proceeding" means any proceeding as defined in section 551(12) of title 5, United States Code.

§ 12. Fiscal and administrative provisions; record keeping; audit; agency support services

(a) Each agency shall keep records as will fully disclose the disposition of any funds which may be at the disposal of its advisory committees and the nature and extent of their activities. The General Services Administration, or such other agency as the President may designate, shall maintain financial records with respect to Presidential advisory committees. The Comptroller General of the United States, or any of his authorized representatives, shall have access, for the purpose of audit and examination, to any such records.

(b) Each agency shall be responsible for providing support services for each advisory committee established by or reporting to it unless the establishing authority provides otherwise. Where any such advisory committee reports to more than one agency, only one agency shall be responsible for support services at any one time. In the case of Presidential advisory committees, such services may be provided by the General Services Administration.

§ 13. Responsibilities of Library of Congress; reports and background papers; depository

Subject to section 552 of title 5, United States Code, the Administrator shall provide for the filing with the Library of Congress of at least eight copies of each report made by every advisory committee and, where appropriate, background papers prepared by consultants. The Librarian of Congress shall establish a depository for such reports and papers where they shall be available to public inspection and use.

§ 14. Termination of advisory committees; renewal; continuation

(a) (1) Each advisory committee which is in existence on the effective date of this Act shall terminate not later than the expiration of the two-year period following such effective date unless--

(A) in the case of an advisory committee established by the President or an officer of the Federal Government, such advisory committee is renewed by the President or that officer by appropriate action prior to the expiration of such two-year period; or

(B) in the case of an advisory committee established by an Act of Congress, its duration is otherwise provided for by law.

(2) Each advisory committee established after such effective date shall terminate not later than the expiration of the two-year period beginning on the date of its establishment unless--

(A) in the case of an advisory committee established by the President or an officer of the Federal Government such advisory committee is renewed by the President or such officer by appropriate action prior to the end of such period; or

(B) in the case of an advisory committee established by an Act of Congress, its duration is otherwise provided for by law.

(b) (1) Upon the renewal of any advisory committee, such advisory committee shall file a charter in accordance with section 9(c).

(2) Any advisory committee established by an Act of Congress shall file a charter in accordance with such section upon the expiration of each successive two-year period following the date of enactment of the Act establishing such advisory committee.

(3) No advisory committee required under this subsection to file a charter shall take any action (other than preparation and filing of such charter) prior to the date on which such charter is filed.

(c) Any advisory committee which is renewed by the President or any officer of the Federal Government may be continued only for successive two-year periods by appropriate action taken by the President or such officer prior to the date on which such advisory committee would otherwise terminate.

§ 15. Effective date

Except as provided in section 7(b), this Act shall become effective upon the expiration of ninety days following October 6, 1972.

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ACTION MEMO

SGE Example

Sample Action Memo

for SGE Membership Packages

The Action Memo will be the first document facing the reader, attached to the right side of your Double Pocket Folder.

Two examples of Action Memos that have been used by SGE Committees in their Membership Packages and approved by the Third Floor are included. These examples are designed to assist you with your SGE Committee Packages.

- Example #1—Appointment to National Drinking Water Advisory Council
- Example #2—Appointment to Federal Insecticide, Fungicide, and Rodenticide Act Science Advisory Panel

Action Memos should be consistent and contain the following:

- A brief sentence listing former members and a simple explanation detailing why these members are coming off the committee (i.e., term has expired, member had conflicts and other engagements, etc.).
- A brief paragraph describing your solicitation process/selection criteria, a listing of new members, and an explanation of why you are nominating these individuals (i.e., expertise in field, recommended by NGO, etc.).
- Summary or brief biographies of nominees included in the body of the memo with brief biographical sketches for all members attached.
- Membership Grid, showing current members, former members, and new nominees, affiliations, and terms. The Grid may be the same one you prepared for the White House Liaison and OGC to review Balance and committee composition. Proposed nominees, current and former members should be identified in some way so there is some type of visual distinction between the nominees and current members (i.e., bold, highlight, asterisks, etc.).
- Sentence acknowledging diversity has been considered and balance requirements have been met.
- If your committee obtains confidential financial disclosure information prior to sending out the Invitation/Appointment Letter, then include: a brief description regarding the information that was sent and the results of the screening for financial conflicts of interest. Please see Example #2.

For your convenience, these criteria are highlighted in the attached examples for SGE Membership Packages.

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(Example #1: Action Memo for a SGE Membership Package)
Note: Use your Program Letterhead

OFFICE OF WATER

February 20, 2003

MEMORANDUM

SUBJECT: Proposed Nominees for Appointment to the National Drinking Water Advisory Council

FROM: G. Tracy Mehan, III
Assistant Administrator

TO: Linda J. Fisher
Deputy Administrator

The Office of Water is requesting your approval of the proposed members for the National Drinking Water Advisory Council (NDWAC). The NDWAC is a federal advisory committee whose purpose is to advise the Agency on matters relating to activities, functions and policies of the Safe Drinking Water Act (SDWA).

and a map showing the geographical distribution of the current and proposed new members. Your signature of the attached appointment letters will enable us to invite the new members to the upcoming NDWAC meeting scheduled for May 13-15, 2003.

Background

The NDWAC supports EPA in performing its duties and responsibilities in administering the national drinking water program, and was established by the Safe Drinking Water Act of 1974. Every year we must appoint five new members for a three year term. By law, we must maintain a balance of membership which includes five members from state and local agencies concerned with drinking water, five members from interest groups concerned with drinking water and five members from the general public. We also must have two representatives from small drinking water systems.

The Office of Ground Water and Drinking Water requested nominations for new members for 2003 through a Federal Register notice published last fall. As we reviewed the qualifications of the candidates, we considered whether nominees had the background, expertise, and skills necessary to provide meaningful advice concerning the Agency's implementation responsibilities as mandated by the SDWA. Working to preserve the required membership composition, we also

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tried to maintain diversity within the membership regarding representation of small and large systems, urban and rural areas, and geographical distribution. Our program has shared the nominees with Kelly Sinclair, White House Liaison to review membership composition. In addition, we held discussions with Marilyn Kuray, Office of General Counsel, with respect to the proposed nominations to ensure that the committee is balanced in the points of view represented.

Attachments

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(ATTACHMENT 1 to Example #1: Action Memo for a SGE Membership Package--Brief Biographies for Proposed and Alternate Members--Paragraph Bios or Summary Bios for proposed new members/nominees should be included with the Action Memo. Bios for Alternates may be included at the program office's discretion, but are not necessary.)

2003 NATIONAL DRINKING WATER ADVISORY COUNCIL: PROPOSED AND ALTERNATE MEMBERS

Proposed New Members

After reviewing the list of over 72 nominees, I am proposing the appointment of five new members, and one reappointment whose terms will end December 15, 2005.

The proposed new members are:

State & Local

Jeff Taylor, Deputy Director, Public Utilities Division, Houston Department of Public Works and Engineering, Texas. As Director with overall responsibility for the division, Mr. Taylor is in charge of managing the maintenance and repair of the city's approximately 14,000 miles of sewer and water pipes, the production of water on a regional basis and the city's 197 groundwater wells and five water treatment plants. Mr. Taylor is also responsible for ensuring that Houston and much of the surrounding area is able to meet its future water supply needs. His previous experience included managing the long-term water supply plan development for the 15 county Houston Metropolitan region. We believe he would represent the interests of local officials, with added emphasis on water supply planning.

Interest Group

Dennis Schwartz, (Reappointment) General Manager, Rural Water District, Tecumseh, Kansas. Mr. Schwartz is active in the National Rural Water Association, serving as a Board Member for the Kansas affiliate. He manages a small surface water system serving 8,000 people operating over three water districts. Mr. Schwartz recently completed his first term on the Council, and was also an active participant on two workgroups. He was recommended for reappointment by the National Rural Water Association and EPA.

John Betkoski, Commissioner of the Connecticut Department of Public Utility Control. Mr. Betkoski specializes in water utility issues and served as a panelist for the EPA's Water Infrastructure Forum held in January. He is currently on the National Association of Regulatory Utility Commissioner (NARUC) Board of Directors, and serves as the Chairman of the Committee on Water. Mr. Betkoski's previous experience also includes 10 years of service as a representative in the Connecticut State Legislature.

General Public

Rebecca Head, Director, Department of Environment and Infrastructure Services, Washtenaw County, Michigan. Ms. Head has directed this multi-functional agency with 4 divisions and 75 employees for the past ten years. Responsibilities of the department include administration, environmental health, public works and resource management with an emphasis on sustainable communities. Ms. Head is the Chair of the County Department Heads Group and the twelve agency member Environmental Issues Group. She is very active in multiple public health and environmental organizations and currently serves as the Chair of the American Water Works Association Public Information Advisory Forum.

Lynn Thorp, serves as the National Programs Coordinator for the Clean Water Fund, Washington, D.C. The Clean Water Fund is a national organization that conducts public education and outreach on environmental and public health issues. Ms. Thorp also served for three years as Coordinator for the Campaign for Safe and Affordable Drinking Water, a nationwide coalition of organizations working to protect our Nation's drinking water resources and also serves as a Campaign Coordinator for Clean Water Fund's sister organization, Clean Water Action. Ms. Thorp has a strong background in negotiation, communication and management of water issues. Ms. Thorp currently serves as an active participant on the NDWAC Contaminant Candidate List Workgroup.

Possible Alternates

General Public

Eric D. Olson, is a Senior Attorney with the Natural Resources Defense Council (NRDC) in Washington, DC specializing in public health issues including drinking water, pesticides, toxics, and food safety. Mr. Olson is the national Coordinator of the Campaign for Safe and Affordable Drinking Water, a coalition of over 300 public health, environmental, consumer, and other groups dedicated to improved drinking water protection. He is a past member of the NDWAC and currently serves on the NDWAC Affordability Workgroup.

Regu Regunathan, Ph.D, is President and owner of his own company providing technically oriented consulting services to different companies and organizations, including the Water Quality Association (WQA) and the National Sanitation Foundation (NSF). Dr. Regunathan has held several positions of increasing responsibility with Everpure, Inc., a subsidiary of Culligan International, including an appointment as the Senior Vice President of Science & Technology at Culligan Water Technologies, Inc. He has also been and is an active participant in NSF Joint Committee involved toward developing standards for the Drinking Water Treatment Units for this industry. Mr. Regunathan also served on the NDWAC's Arsenic Cost Workgroup, and was recommended by the Water Quality Association (WQA).

Interest Group

David Denig-Chakroff, is the General Manager of the Madison Water Utility in Madison, Wisconsin. He has worked on drinking water issues at both the state and local levels as a geologist/planner in a SDWA primacy agency (Ohio) and as a Director and General Manager for public water systems (Alaska and Wisconsin). He has managed both surface water and ground water sources and has also worked closely with Native groups and communities. He wrote UIC regulations in Ohio which resulted in primacy designation. Mr. Denig-Chakroff actively participates in state and national drinking water organizations and federal stakeholder groups and advisory councils.

State & Local

Lorraine F. Reynolds, is the Manager of Klickitat Public Utility District No.1, Washington. She is responsible for managing eight water systems and five wastewater treatment plants. Ms. Reynolds has a great deal of experience in small rural water systems and she specializes in public potable water system management and regulations of water system quality and monitoring procedures and records. She is currently a member of the WA Department of Health Water Works Operator Advisory Committee.

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*(ATTACHMENT 2 to Example #1: Action Memo for a SGE Membership Package.
Biographical Sketches not included. Please see Representative Package, Example #1, Att. C)*

ATTACHMENT 2 NOT INCLUDED

Note to the Reader:

Attachment 2 includes Biographical sketches of all members. Attachment 2 is not included due to space. Please see Representative Package Example #1, Attachment C for a sample of Brief Biographical Sketches for all members. Full resumes, charters, and other documents may be included in the Additional Information (expandable folder) of your Official Membership Package Submission Folder, but are not required components of the membership package. Discretion is left to the DFO. Full resumes are requested during your initial sharing of the draft list with the White House Liaison's Office and OGC.

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(ATTACHMENT 3 to Example #1: Action Memo for a SGE Membership Package
Membership Grid. This can be the same document you prepare for Marilyn Kuray, OGC)

**2002 National Drinking Water Advisory Council
PROPOSED MEMBERSHIP 2/20/03**

<u>CATEGORY REQUIRED REPS.</u>	<u>GENERAL PUBLIC</u> 5	<u>STATE & LOCAL</u> 5	<u>INTEREST GROUP</u> 5 (2 reps. small systems)
<u>EXISTING MEMBERS</u>	<p>Jeffrey Griffiths, MA (03) Tufts University School of Medicine</p> <p>G. Ramirez-Toro, PR (03) Environmental Information Center, International University of Puerto Rico</p> <p>Blanca Surgeon, NM (04) Rural Community Assistance Corporation</p>	<p><i>state:</i> Jay Rutherford, KY (03) KY Natural Resources and Environmental Protection Cabinet</p> <p>David Spath, CA (03) CA Dept. of Health Services/Drinking Water and Environmental Management</p> <p>Michael G. Baker, Ohio (04) EPA, Columbus Ohio</p> <p><i>local:</i> Brian Ramaley, VA (04) Newport News Department of Public Utilities</p>	<p>Bradford McLane, AL (03) Alabama Rivers Alliance</p> <p>Bruce Florquist, WY (ss) (04) Rawlins Public Works</p> <p>John Young, NJ (04) American Water Works Service Company</p>
<u>RECOMMENDED ADDITIONS</u>	<p>Lynn Thorp, DC (05) Clean Water Action</p> <p>Rebecca A. Head, MI (05) Washtenaw County Public Health</p>	<p>John W. Betkoski, III, CT (05) Connecticut Public Utility</p> <p><i>local:</i> Jeff Taylor, TX (05) Houston Public Utilities</p>	<p>Dennis Schwartz, KS (ss) (05) Rural Water District #8</p>
<u>POSSIBLE ALTERNATES</u>	<p>Regu Regunathan, IL Regunathan & Associates</p> <p>Eric Olson, DC NRDC</p>	<p>David Denig-Chakroff, WI Madison Water Utility</p>	<p>Lorraine Reynolds, WA Klickitat Public Utility District</p>

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*(ATTACHMENT 4 to Example #1: Action Memo for a SGE Membership Package
Additional Information Attachments not included.)*

ATTACHMENTS NOT INCLUDED

Note to the Reader:

NDWAC includes a Short Fact Sheet and a map showing the geographical distribution of current and proposed new members. You may include additional information you think is necessary and beneficial to your package in the Additional Documents (Expandable Folder) of your Official Membership Package Submission Folder. Discretion is left to the DFO. However, the fact sheet and map are not included with this example due to space, content, and consistency.

U.S. EPA Headquarters Library
Mail code 3201
1200 Pennsylvania Avenue NW
Washington DC 20460

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(Example #2: Action Memo for a SGE Membership Package)

Note: Use your Program Letterhead

**OFFICE OF PREVENTION,
PESTICIDES AND TOXIC SUBSTANCES**

April 1, 2003

MEMORANDUM

SUBJECT: Proposed Nominations for Appointment to the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel

FROM: Stephen L. Johnson
Assistant Administrator

TO: Linda J. Fisher
Deputy Administrator

The Office of Prevention, Pesticides and Toxic Substances is requesting your approval of three proposed members for the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel (FIFRA/SAP). The FIFRA/SAP is a federal advisory committee whose purpose is to provide independent scientific advice, information, and recommendations on pesticides and pesticide-related issues as to the impact on health and the environment of regulatory actions.

The attached documents provide more details regarding the three proposed members. I have provided a brief description of the nomination and recommendation process including a profile of the current and proposed panels. In addition, I have provided Curriculum Vitae for each of the proposed members.

The proposed members have been contacted to ascertain their availability and willingness to serve on the FIFRA/SAP. The proposed members have expressed an interest to serve. Our program has reviewed the membership composition with Kelly Sinclair, White House Liaison. In addition, we have held discussions with Marilyn Kuntz, Office of General Counsel, with respect to the proposed nominations to ensure that the committee is balanced in the points of view represented. Attached for your signature are three letters of invitation for the proposed members.

Thank you for your attention and assistance in this matter.

Attachments

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ATTACHMENT 1
NOMINATION AND RECOMMENDATION OF FEDERAL INSECTICIDE
FUNGICIDE RODENTICIDE ACT/SCIENCE ADVISORY PANEL MEMBERS

Regulatory Authority

The nomination process and fields of expertise for FIFRA/SAP members are defined by the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act. Pursuant to section 25(d) of the Act, the SAP "...shall consist of 7 members appointed by the Administrator from a list of 12 nominees, 6 nominated by the National Institutes of Health and 6 by the National Science Foundation."

To the extent feasible to insure multi-disciplinary representation, the panel membership shall include representation from the disciplines of toxicology, pathology, environmental biology, and related sciences.

Nomination Process

In April 2002, the Office of Prevention, Pesticides, and Toxic Substances (OPPTS) solicited nominations from the National Institutes of Health (NIH) and the National Science Foundation (NSF). NIH and NSF were selected as the primary federal agencies recognized by the Act as chartered academic research organizations and as the primary federal agencies. NIH and NSF responded with 6 nominations each. The 12 nominees were distributed across the requested scientific expertise as follows: 7 toxicology/veterinary medicine experts, 3 biostatistics experts, and 2 clinical pediatric researchers. Five of the nominees withdrew from consideration because they believed their existing responsibilities would preclude active participation in the FIFRA/SAP.

A Federal Register notice providing the names, affiliations, and biographical sketches of the nominees was published on September 27, 2002 (67 FR 61094). In response, comments were received from the Dean of Agriculture, Purdue University, the Natural Resources Defense Council, and CropLife America. In addition, comments on the nominees were received from the current chartered members of the FIFRA/SAP.

Conflict of Interest

Chartered members of the FIFRA/SAP serve as Special Government Employees. As such, they are subject to applicable ethics regulations and must file confidential financial disclosures with the Agency. The candidates for appointment were provided with copies of EPA Ethics Advisory Form 97-15, the U.S. Office of Government Ethics summary entitled "Conflict of Interest and the Special Government Employee," an EPA ethics training CD, and the new EPA Form 3110-48 (Confidential Financial Disclosure Form for Special Government Employees Serving on Federal Advisory Committees at the U.S. EPA) or OGE Form 450 for employees of other Federal Agencies. These forms have been screened and no financial conflict of interest concerns have been identified for the candidates.

Recommendations

Of the individuals nominated and available to serve on the Panel, OPPTS believes that Dr. Stuart Handwerker, Dr. Steven Heeringa, and Dr. Gary Isom are the best candidates. The recommendation for these three experts is based upon their technical expertise and the current academic needs of the FIFRA/SAP (toxicology, veterinary medicine, biostatistics, and clinical pediatric research). All three candidates are pursuing relevant research and are well published. In addition, all three candidates hold authoritative positions in their respective organizations and have been recommended by their scientific peers.

The existing expertise on the FIFRA/SAP includes toxicology (specifically endocrine pathology, environmental toxicology, and human toxicology), environmental science, pediatrics, statistics, and veterinary medicine. As a result of the mentorship terms that will expire this year, the FIFRA/SAP will lose needed expertise in the field of toxicology and pediatrics. The three experts recommended by OPPTS will fulfill these needs and bring better technical balance to the Panel through additional expertise in biostatistics. A profile of the current and proposed panels is presented in the following table.

MEMBERSHIP TABLE
PROFILE OF THE CURRENT AND PROPOSED FIFRA/SAP

CURRENT PANEL		PROPOSED PANEL	
Committee Member	Principal Expertise	Committee Member	Principal Expertise
Dr. Charles Capen Ohio State University Columbus, OH 5/1995 - TERM ENDING	Toxicology - Endocrine Pathology	Dr. Gary Isom* Purdue University West Lafayette, IN 12/2002 - 12/2006	Toxicology
Dr. Ronald Kendall (Current SAP Chair) Texas Tech University Lubbock, TX 12/1996 - TERM ENDING	Toxicology - Aquatic and Terrestrial Biology	Dr. Steven Heeringa University of Michigan Ann Arbor, MI 12/2002 - 12/2006	Biostatistics
Dr. Fumio Matsumura University of California Davis, CA 6/1998 - 8/2003	Environmental Toxicology	Dr. Fumio Matsumura University of California Davis, CA 6/1998 - 8/2003	Environmental Toxicology
Dr. Herbert Needleman University of Pittsburgh Pittsburgh, PA 3/1998 - TERM ENDING	Pediatrician	Dr. Stuart Handwerger University of Cincinnati Cincinnati, OH 12/2002 - 12/2006	Clinical Pediatric Research
Dr. Christopher Portier National Institute of Environm. Health Sciences Research Triangle Park, NC 3/1998 - 3/2003	Biostatistics	<u>Dr. Christopher Portier</u> <u>National Institute of</u> <u>Environm. Health</u> <u>Sciences</u> <u>Research Triangle Park,</u> <u>NC</u> <u>3/1998 - 3/2003</u>	<u>Biostatistics</u>
Dr. Stephen Roberts University of Florida Gainesville, FL 7/1999 - 9/2003	Human Toxicology	<u>Dr. Stephen Roberts</u> <u>(Future SAP Chair)</u> <u>University of Florida</u> <u>Gainesville, FL</u> <u>7/1999 - 9/2003</u>	<u>Human Toxicology</u>
Dr. Mary Anna Thrall Colorado State University Fort Collins, CO 9/1994 - 10/2003	Veterinary Medicine	<u>Dr. Mary Anna Thrall</u> <u>Colorado State University</u> <u>Fort Collins, CO</u> <u>9/1994 - 10/2003</u>	<u>Veterinary Medicine</u>

***Proposed new members are shown in Bold. Those members nominated for reappointment are identified in BOLD and underlined text.**

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*(ATTACHMENT 2 to Example #2: Action Memo for a SGE Membership Package
Additional Information Attachments not included.)*

ATTACHMENT 2 NOT INCLUDED

Note to the Reader:

FIFRA/SAP includes Curriculum Vitae for its proposed members. The document is similar to a detailed resume, but includes personal information (i.e., home address, social security numbers, date of birth, publications, etc.,) for proposed new members. Detailed resumes, Charters, bylaws and other documents may be included in the Additional Information (expandable folder) of your Official Membership Package Submission Folder, but are not required components of the membership package. Discretion is left to the DFO. The curriculum vitae are not included with this example due to space, consistency, content, and issues of confidentiality.

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INVITATIONAL

SGE Example

Sample Invitational Letter

for SGE Membership Packages

Invitational Letters should immediately follow your Action Memo and be attached to the right side of your Green Pocket Folder.

Two examples of Invitational Letters that have been used by SGE Committees in their Membership Packages and approved by the Third Floor are included. These examples are designed to assist you with your SGE Committee Packages.

- Example #1—Invitation for a four-year term on the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel.
- Example #2—Invitation for a one-year term on the Board of Scientific Counselors

Invitational Letters should be consistent and contain the following:

- An introductory sentence in the opening paragraph briefly listing purpose of letter and name of committee.
- Membership term START and END DATES in the opening paragraph.
- Brief explanation of what the committee does.
- Reference to enclosed “Federal Advisory Committee Act” or pamphlet.
- Reference to enclosed membership confirmation form.
- Reference to enclosed Ethics and Confidential Financial Disclosure Forms (EPA Form 3110-48 for SGE or OGE 450 for federal employees), any ethics training documents or CD if included, and any applicable Personnel Forms.*

For your convenience, these criteria are highlighted in the attached examples for SGE Membership Packages.

*** PLEASE NOTE:** SGE advisory committee members are requested to serve as government employees. Therefore, they are required to complete paperwork as required by Personnel.

SGE DFOs should check with their program office for proper procedures and protocol. If these documents are mailed with the invitation/appointment letter, reference should be made to any forms included with the invitation letter.

Some SGE Committees require the *EPA Form 3110-48, Confidential Financial Disclosure Form for Special Government Employees*, and EPA ethics training be completed prior to the nomination process. Personnel forms are usually completed after appointment. If your committee obtains confidential financial disclosure information prior to sending out the Invitation/Appointment Letter, then include: a brief description regarding the information that was sent, the results of the screening for financial conflicts of interest in the ACTION MEMO, and a simple sentence acknowledging the Agency's receipt of completed forms in the INVITATIONAL LETTER. This alerts the reviewer that forms will not be enclosed with your invitational letter.

DFOs please check with your appropriate program staff to determine which documents you need to include with the invitation letter, and protocol for documents handled through the HR/Personnel/or Front Office Staff.

These are some documents you may need for SGE employees:

- EPA Form, 3110-48, Confidential Financial Disclosure Form
- EPA Ethics Advisory 97-15
- EPA Form 3110-45, Expert or Consultant Certificate
- EPA Form 3110-15, Supplemental Information accompanies 3110-45
- Standard Form 81-Appointment Affidavits

Personnel Forms which may include:

- Optional Form 306-Declaration for Federal Employment
- Standard Form 181-Race and National Origin Identification
- Taxes and Withholdings
- Pay/Direct Deposit
- Selective Service Verification
- Social Security Verification
- Statement of Current Salary
- Additional Documents NOT provided at Orientation

SGE DFO's should contact their program staff for appropriate advice and assistance.

(Example #1: Invitational Letter for a SGE Membership Package)

Note: Use Administrator Letterhead for Administrator's Signature, Office of the Administrator for Deputy Administrator's Signature.

OFFICE OF
THE ADMINISTRATOR

August 25, 2003

Stuart Handwerger, M.D.
Director, Division of Endocrinology
Cincinnati Children's Hospital Medical Center
3333 Burnet Avenue
Cincinnati, Ohio 45229

Dear Dr. Handwerger:

I am pleased to invite you to serve as a member of the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel for a two-year term beginning November 15, 2003, and ending November 15, 2005. As a Panel member, you would be responsible for chairing and facilitating meetings and reviewing meeting minutes to ensure their accuracy and completeness.

The Panel provides independent scientific advice, information, and recommendations on pesticides and pesticide-related issues. Its major objectives are to examine the impact on public health and the environment of matters arising under Sections 6(b), 6(c), and 25(a) of FIFRA; offer comments, evaluations, and recommendations for operating guidelines to improve the effectiveness and quality of scientific analyses made by EPA scientists; and provide independent peer review of major scientific studies and related issues.

The Panel is organized under the Federal Advisory Committee Act, which regulates and governs its operation, including public participation and access to documents. Enclosed is a copy of the Act and the Panel's current charter. As a member, you would serve as a Special Government Employee. I understand you have already received information about applicable conflict-of-interest regulations and that you have completed and returned, EPA Form 3110-48, Confidential Financial Disclosure Form for Special Government Employees. It is important that you understand the applicable ethics regulations and that you alert the Agency to any potential conflict between your public responsibilities and your private interests and activities, or the appearance of lack of impartiality as defined by these regulations.

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Please return the enclosed confirmation form using the pre-addressed envelope. If you have any questions or need additional information, please contact Larry Dorsey, the FIFRA/SAP Executive Secretary, at (202) 564-8450 or at dorsey.larry@epa.gov.

Along with Acting Administrator Horinko, I hope that you will accept this appointment so that EPA may benefit from your expertise and perspectives.

Sincerely yours,

Stephen L. Johnson
Acting Deputy Administrator

Enclosures

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(Example #2: Invitational Letter for a SGE Membership Package)

Note: Use Administrator Letterhead for Administrator's Signature, Office of the Administrator for Deputy Administrator's Signature.

THE ADMINISTRATOR

September 10, 2003

Dr. David Leslie
Distinguished Professor of Genetics
Department of Botany and Plant Sciences
University of Texas
1 University Station C0400
Austin, Texas 78712

Dear Dr. Leslie:

It is my pleasure to invite you to serve as a member of the U.S. Environmental Protection Agency's Board of Scientific Counselors (BOSC). Your term will begin September 30, 2003, and continue through September 30, 2004. I hope you will accept this invitation and give EPA the benefit of your expertise and experience.

BOSC provides counsel to the Assistant Administrator for the Office of Research and Development (ORD) on the operation of ORD's research program. The primary functions of the BOSC are to:

- (a) evaluate science and engineering research, programs and plans, laboratories, and research-management practices of ORD and recommend actions to improve their quality and/or strengthen their relevance to EPA's mission; and
- (b) evaluate and provide advice concerning the utilization of peer review within ORD to sustain and enhance the quality of science in EPA

I am enclosing a copy of the Committee's Charter and a copy of the Federal Advisory Committee Act which regulates and governs the operation of advisory committees, including public participation and access to committee documents. You are invited to serve as a Special Government Employee. This position is subject to the conflict of interest restrictions which requires nominees to file a Confidential Financial Disclosure Form (EPA Form 3110-48, enclosed). Please read and complete the form and return it in the enclosed envelope immediately upon your acceptance of this document. You may wish to keep a copy in your files.

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Please complete the enclosed Membership Response Confirmation Form and return it in the envelope provided to Ms. Shirley R. Hamilton. Ms. Hamilton is the Designated Federal Officer (DFO) for the BOSC and can be reached at (202) 564-6853. This is formal documentation of your acceptance to serve on this committee. Upon receiving your acceptance, you will be sent information related to upcoming BOSC activities. Thank you for your consideration and I look forward to your acceptance.

Sincerely yours,

Marianne Lamont Horinko
Acting Administrator

Enclosures:

Federal Advisory Committee Act
EPA Form 3110-43
Membership Response Form

U.S. EPA Headquarters Library
Mail code 3201
1200 Pennsylvania Avenue
Washington DC

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REAPPOINTMENT

SGE Example

Sample Reappointment Letter

for SGE Membership Packages

Reappointment Letters should immediately follow your Invitational Letters and be attached to the right side of your Double Pocket Folder.

Two examples of Reappointment Letters that have been used by SGE Committees in their Membership Packages and approved by the Third Floor are included. These examples are designed to assist you with your SGE Committee Packages.

- Example #1–Invitation for two-year reappointment to the Science Advisory Board
- Example #2–Invitation for two-year reappointment to the Children’s Health Protection Advisory Committee

Reappointment Letters should be consistent and contain the following:

- An introductory sentence in the opening paragraph briefly stating purpose of letter.
- Membership term START and END DATES in the opening paragraph.
- Reference to enclosed “Federal Advisory Committee Act” or pamphlet.
- Reference to enclosed membership confirmation form.
- Reference to enclosed Ethics and Confidential Financial Disclosure Forms (EPA Form 3110-48 for SGE or OGE 450 for employees of other federal agencies), any ethics training documents or CD, if included, and any applicable Personnel Forms.

For your convenience, these criteria are highlighted in the attached examples for SGE Membership Packages.

SGE DFOs should check with their program office for proper procedures and protocol. If these documents are mailed with the invitation/appointment letter, reference should be made to any forms included with the invitation letter.

Some SGE Committees require the *EPA Form 3110-48, Confidential Financial Disclosure Form for Special Government Employees*, and EPA ethics training be completed prior to the nomination process. Personnel forms are usually completed after appointment. If your committee obtains confidential financial disclosure information prior to sending out the Invitation/Appointment Letter, then include: a brief description regarding the information that was sent, the results of the screening for financial conflicts of interest in the ACTION MEMO, and a simple sentence acknowledging the Agency's receipt of completed forms in the REAPPOINTMENT LETTER. This alerts the reviewer that forms will not be enclosed with your reappointment letter.

DFOs please check with your appropriate program staff to determine which documents you need to include with the reappointment letter and protocol for documents handled through the HR/Personnel/or Front Office Staff.

These are some documents you may need for SGE employees:

- EPA Form, 3110-48, Confidential Financial Disclosure Form
- EPA Ethics Advisory 97-15
- EPA Form 3110-45, Expert or Consultant Certificate
- EPA Form 3110-15, Supplemental Information accompanies 3110-45
- Standard Form 81-Appointment Affidavits

Personnel Forms which may include:

- Optional Form 306-Declaration for Federal Employment
- Standard Form 181-Race and National Origin Identification
- Taxes and Withholdings
- Pay/Direct Deposit
- Selective Service Verification
- Social Security Verification
- Statement of Current Salary
- Additional Documents NOT provided at Orientation

SGE DFO's should contact their program staff for appropriate advice and assistance.

(Example #1: Reappointment Letter for a SGE Membership Package)

Note: Use Administrator Letterhead for Administrator's Signature, Office of the Administrator for Deputy Administrator's Signature.

THE ADMINISTRATOR

September 6, 2003

Dr. Gregory Biddinger
Environmental Issues Advisor
Exxon Mobil Refining and Supply
3225 Gallows Rd., 8B-914
Fairfax, Virginia 22037

Dear Dr. Biddinger:

On behalf of the U.S. Environmental Protection Agency, I thank you for your service on the Science Advisory Board and invite you to continue to serve on the Board for another two-year term beginning on October 1, 2003, and ending on September 30, 2005.

President Bush and I are committed to employing sound science and good sense to pursue the resolution of a broad range of vital environmental issues. Clearly, the knowledge, innovation, and scientific and technical expertise of those who serve on the SAB and its advisory committees will play a big part in the success of this prudent approach to effective environmental protection. Complementing the work of dedicated EPA scientists, the objective peer review and independent activities of the SAB will help enable the Agency to make continued progress in safeguarding public health and in protecting our country's air, water, and land.

Enclosed is a copy of the "Federal Advisory Committee Act" which regulates and governs the operations of such committees. Please return the enclosed confirmation form using the pre-addressed envelope provided for your convenience. I hope to benefit from your continuing contributions to this vital effort.

Sincerely yours,

Marianne Lamont Horinko
Acting Administrator

Enclosures

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(Example #2: Reappointment Letter for a SGE Membership Package)

Note: Use Administrator Program Letterhead for Administrator's Signature, Office of the Administrator for Deputy Administrator's Signature.

THE ADMINISTRATOR

September 13, 2003

Mr. Chuck Jones
Commissioner
Bay County
1504 Inverness
Panama City, Florida 32444

Dear Mr. Jones:

Thank you for your service as a member of the Children's Health Protection Advisory Committee (CHPAC) for the past three years. Please renew your membership on the CHPAC beginning September 30, 2003 through September 30, 2005.

I appreciate your willingness to commit your time and attention for participation on the CHPAC. As you know, children's environmental health issues are extremely important to me and I am proud of the excellent accomplishments that the CHPAC has achieved over the past three years. This committee has provided thoughtful, insightful, and achievable advice and guidance to me and the Agency. Changes in EPA policies and procedures have been instituted based on CHPAC recommendations.

Enclosed is a copy of the "Federal Advisory Committee Act" which regulates and governs the operations of such committees. Please return the enclosed confirmation form using the pre-addressed envelope provided. Thank you again for helping me make progress in the arena of children's environmental health at EPA. I wish the CHPAC much continued success.

Sincerely yours,

Marianne Lamont Horinko
Acting Administrator

Enclosures

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THANK YOU

SGE Example

Sample Thank you Letter

Thank you Letters should immediately follow your Reappointment Letters and be attached to the right side of your Green Pocket Folder.

Two examples of Thank you Letters that have been used by SGE Committees and approved by the Third Floor are included. These examples are designed to assist you with your SGE Committee Packages.

- Example #1–Thank you letter from the Children's Health Protection Advisory Committee (CHPAC)
- Example #2–Thank you letter from the Science Advisory Board (SAB)

Thank you Letters should be consistent and contain the following:

- A brief sentence stating purpose of letter.
- Thank members for their service.

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(Example #1: Thank you Letter for a SGE Membership Package)

Note: Use Administrator Letterhead for Administrator's Signature, Office of the Administrator for Deputy Administrator's Signature.

THE ADMINISTRATOR

July 18, 2003

Dr. Belinda Butler
Food Issues Advisor
Metromedia Restaurant Group
6500 International Parkway
Plano, Texas 75074

Dear Dr. Butler:

Thank you so much for your efforts to promote children's health, and for the time, experience, and energy you have given as a member of the Children's Health Protection Advisory Committee (CHPAC). You have been instrumental in providing advice to EPA on key issues regarding children's environmental health, and your work on the CHPAC has made a significant impact on the way the Agency does business.

Based on the CHPAC's recommendations, EPA is reevaluating standards and regulations that have an impact on children's health, and increasing investments in the science that is needed to assess risks. The CHPAC's advice is contributing to EPA's development of materials to promote and protect children, such as the Children's Health Valuation Handbook and the "Tips to Protect Children from Environmental Threats." I am confident that the CHPAC will make great strides forward based on the CHPAC's recommendations.

The EPA has greatly benefitted from your expertise and advice, and more importantly, future generations benefit from your dedication in your work and life to promoting the health of our children. Thank you again for serving.

Sincerely yours,

Marianne Lamont Horinko
Acting Administrator

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(Example #2: Thank you Letter for a SGE Membership Package)

Note: Use Administrator Letterhead for Administrator's Signature, Office of the Administrator for Deputy Administrator's Signature.

THE ADMINISTRATOR

September 26, 2003

Dr. David L. Johnson
Department of Chemical Engineering
University of Texas
1 University Station C0400
Austin, Texas 78712

Dear Dr. Johnson:

As you end your distinguished service as a member of the U.S. Environmental Protection Agency Science Advisory Board's Drinking Water Committee, please accept my sincere thanks for your valuable contributions to the success of the Science Advisory Board (SAB).

You can indeed take great pride in your determined efforts to help EPA address many challenging environmental issues. Clearly, the knowledge, innovation, and scientific and technical expertise of those who serve on the SAB go a long way in complementing the work of dedicated EPA scientists. The objective peer review and independent activities of the SAB have helped the Agency vigorously pursue its vital mission and make important progress in safeguarding public health and in protecting our country's air, water, and land.

Again, I thank you, and I wish you all the best in your future endeavors.

Sincerely yours,

Marianne Lamont Horinko
Acting Administrator

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ENCLOSURES

SGE Example

Sample Enclosures

for SGE Membership Packages

Concurrence Sheets/Routing Slip, the yellow concurrence sheet or file copy to accompany the appropriate correspondence document and initial routing slip with the appropriate signatures from your program office, OGC, OCEM, and the Office of the Administrator should be included. The original routing slip accompanies your membership package to provide verification that you have reviewed balance requirements.

Acceptance Forms should be included as enclosures to your Invitational Letters/Reappointment Letters, with a pre-addressed envelope.

Federal Advisory Committee Act (FACA) or the FACA pamphlet should be included as an enclosure to your Invitational Letters/Reappointment Letters.

SGE Forms/Personnel Forms, as needed. SGE DFOs should check with their program office for proper procedures and protocol. If personnel documents are mailed with the invitation/reappointment letter, appropriate references should be made to any forms included within the invitation letter.

Examples of some of these documents are provided behind this tab. If any of these elements are not included in the package, DFOs should provide an explanation to inform the reviewer. Providing an explanation saves time, allowing the reviewer to call the DFO directly, if necessary, without returning the package and stopping the concurrence process. DFOs may wish to contact OCEM to obtain additional examples.

In order to mail out the signed letters, OEX will need addressed envelopes and copies of all the enclosures. Including envelopes and enclosures in the Submission Folder, acts as an alert to OEX to mail out the signed letters. Many DFOs prefer to mail out the invitation, reappointment, and thank you letters on their own. If this is the case, DO NOT include envelopes, and only include ONE COMPLETE SET of attachments. This alerts OEX that the package should be returned to the DFO for mailing.

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Sample Concurrence Slip

Concurrence (Yellow File Copy) slips should be attached behind Official Correspondence Documents in your membership package according to your program office's guidelines.

Attached is an example of Form 1320-1A, or the form generally used for concurrence copies. Provided is an example from the Office of Cooperative Environmental Management to provide you with a reference of what a slip may look like. This may not be the format your program office follows.

The concurrence slip accompanies your membership folder to provide verification that management has signed off on the correspondence documents.

Concurrence slips also document changes made to the original version for your files. If you have multiple letters going to different addressees but with the same body/text, check with your program office, many offices allow one yellow file copy with a list of names and addressees attached to document multiple recipients. This is fine and conserves paper.

The Office of the Administrator will be looking at your signature line and the concurrence line to verify your program management has signed off on the outgoing letters.

Please check with your program office for the appropriate format for the Signature Line. Generally it should include:

Originator's initials/typist's initials/office symbol/office mail-code/date/and telephone number of originator.

There are 7 boxes/signature slots on Form 1320-1A. Please check with your individual program office, and follow office protocol. The boxes are designed for the person concurring to fill in their Office Symbol/Last Name/Date. Usually, the concurrence line follows your internal office hierarchy, beginning in Box #1 with:

1.) Originator/ 2.) Immediate Supervisor/ 3.) Division Director/ 4.) Office Director/ 5.) Correspondence Control Person/ 6.) AA/ and 7.) OCEM.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Mr. Dennis J. Aigner, Ph.D.

Dean

Donald Bren School of Environmental Science and Management

University of California

2410 Bren Hall

Santa Barbara, California 93106

Dear Dr. Aigner:

I am pleased to invite you to serve a two-year term on the National Advisory Committee (NAC) to the U.S. Representative to the Commission for Environmental Cooperation, beginning April 21, 2003, through March 21, 2005.

The NAC is composed of representatives from environmental, business, professional, and academic organizations. It was chartered in 1994, and has played a significant role in implementation of the Environmental Supplemental Agreement to the North American Free Trade Agreement. As a member of the committee, you will be asked to consider and offer policy recommendations on a wide range of issues related to trade and the environment in North America.

Oscar Carrillo, the Committee's Designated Federal Officer, will provide background materials to you under separate cover and will contact you to discuss your availability for the next committee meeting. To accept this invitation, please return the enclosed confirmation form. For further information, please contact Mr. Oscar Carrillo, at 202 233-0076.

It is my pleasure to welcome you to the Committee and I look forward to receiving your advice and counsel.

Sincerely yours,

Marianne Lamont Horinko
Acting Administrator

SAMPLE COPY

KJ/nb/OA-OCem/1601E(202)233-0090/3-17-03

CONCURRENCES

SYN	NAME	DATE	DATE	DATE	DATE	DATE	DATE
	OCem j. jordan	OCem Carrillo	OCem j. jordan	OCem C. Carrillo	OCem D. Balkas		OCem Tim Sherer
	3/17/03	3-18-03	3-25-03	3-24	3-25-03		4/1/03

Sample Routing Slip

Routing slips are attached to the FRONT (OUTSIDE) of your double pocket official membership package submission folder. The White House Liaison and Office of General Counsel will sign your routing slip when you share your draft list to review Balance. This initial sign off should take place before you begin preparing your membership package folder. The White House Liaison will be interested in the membership grid and resumes. The Office of General Counsel Attorney will be looking at your membership grid, which includes both current and former members, nominees, and affiliations to ensure that the make up of the committee is balanced.

The original routing slip will accompany your membership folder to provide verification to the Third Floor that you have met balance and/or diversity requirements.

Attached are two examples of a routing slip. The first of which is used by OCEM to provide you with a reference of what your program office's routing slip may look like. The second is Optional Form 41, a standard form used by many program offices. The format does not matter.

Reviewers will be looking for signatures obtained from:

White House Liaison	AR3315	MC-1101A	564.4693
Office of General Counsel	AR7502A	MC-2322A	564.3449
Your Program Correspondence Control Manager			
Your Program Management Officials			
Office of Cooperative			
Environmental Management	MB800	MC1601E	233.0077

(Please note Key Contacts—current as of September 12, 2003, are listed for your convenience in the Additional Resources Tab found at the back of this guide.)

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ROUTING AND TRANSMITTAL SLIP**Date:****To: (Name, office symbol, room number,
building, Agency/Post)****Initials****Date**

1.

2.

3.

4.

5.

6.

	Action	File	Note and Return
	Approval	For Clearance	Per Conversation
	As Requested	For Correction	Prepare Reply
	Circulate	For Your Information	See Me
	Comment	Investigate	X Signature
	Coordination	Justify	

REMARKS**Thank you****Return to:****Room No.-----Bldg****Phone No.**

ROUTING AND TRANSMITTAL SLIP

Date

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1.		
2.		
3.		
4.		
5.		

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
	Phone No.

5041-103

U S GPO 1996-404-763/40015

OPTIONAL FORM 41 (Rev 1-94)
Prescribed by GSA

Sample Acceptance Form

Membership Acceptance Forms should be included as enclosures to your Invitational Letters/Reappointment Letters with a pre-addressed envelope.

Attached is an example of a Membership Acceptance Form that is used by the Children's Health Protection Advisory Committee.

Some committees choose to use a letter format where the nominee submits a letter back to the Agency accepting the nomination. Whichever format you wish to use is fine. The important thing is to obtain an original signature indicating acceptance to the membership term in order to document your official committee files.

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(Example: Enclosure Acceptance Form for a SGE Membership Package)

**CHILDREN'S HEALTH PROTECTION ADVISORY COMMITTEE
Membership Response Form**

Mail to:

Joanne Rodman
U.S. EPA, OCHP
Ariel Rios North Building, MC 1107
1200 Pennsylvania Avenue
Washington, D. C. 20460

202-564-2708
Fax: 202-564-2733

In response to the invitation for membership renewal on the Children's Health Protection Advisory Committee (CHPAC), I am pleased to extend my membership for the term beginning October 1, 2003, and ending September 30, 2005, as stated in the letter of invitation.

(Signature)

(Date)

Please print or type your name and address as you wish it to appear on correspondence:

Name

Organization

Address

City, State, Zip

Telephone

Fax

E-mail Address

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Sample Federal Advisory Committee Act

The Federal Advisory Committee Act (FACA) or pamphlet should be included as an enclosure to your Invitational Letters/Reappointment Letters.

Attached is the Federal Advisory Committee Act (FACA). You are welcome to highlight areas you want to draw attention to.

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Federal Advisory Committee Act

The Federal Advisory Committee Act became law in 1972 and is the legal foundation defining how federal advisory committees operate. The law has special emphasis on open meetings, chartering, public involvement, and reporting.



§ 1. Short title

this Act may be cited as the "Federal Advisory Committee Act."

§ 2. Findings and purpose

(a) The Congress finds that there are numerous committees, boards, commissions, councils, and similar groups which have been established to advise officers and agencies in the executive branch of the Federal Government and that they are frequently a useful and beneficial means of furnishing expert advice, ideas, and diverse opinions to the Federal Government.

(b) The Congress further finds and declares that--

- (1) the need for many existing advisory committees has not been adequately reviewed;
- (2) new advisory committees should be established only when they are determined to be essential and their number should be kept to the minimum necessary;
- (3) advisory committees should be terminated when they are no longer carrying out the purposes for which they were established;
- (4) standards and uniform procedures should govern the establishment, operation, administration, and duration of advisory committees;
- (5) the Congress and the public should be kept informed with respect to the number, purpose, membership, activities, and cost of advisory committees; and
- (6) the function of advisory committees should be advisory only, and that all matters under their consideration should be determined, in accordance with law, by the official, agency, or officer involved.

§ 3. Definitions

For the purpose of this Act--

- (1) The term "Administrator" means the Administrator of General Services.
- (2) 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 officer the Federal Government, except that such term excludes (i) the Advisory Commission on Intergovernmental Relations, (ii) the Commission on Government Procurement, and (iii) any committee which is composed wholly of full-time officers or employees of the Federal Government.

(3) The term "agency" has the same meaning as in section 551(1) of Title 5

(4) The term "Presidential advisory committee" means an advisory committee which advises the President.

§ 4. Applicability; restrictions

(a) The provisions of this Act or of any rule, order, or regulation promulgated under this Act shall apply to each advisory committee except to the extent that any Act of Congress establishing any such advisory committee specifically provides otherwise.

(b) Nothing in this Act shall be construed to apply to any advisory committee established or utilized by--

(1) the Central Intelligence Agency; or

(2) the Federal Reserve System.

(c) Nothing in this Act shall be construed to apply to any local civic group whose primary function is that of rendering a public service with respect to a Federal program, or any State or local committee, council, board, commission, or similar group established to advise or make recommendations to State or local officials or agencies.

§ 5. Responsibilities of Congressional committees; review; guidelines

(a) In the exercise of its legislative review function, each standing committee of the Senate and the House of Representatives shall make a continuing review of the activities of each advisory committee under its jurisdiction to determine whether such advisory committee should be abolished or merged with any other advisory committee, whether the responsibilities of such advisory committee should be revised, and whether such advisory committee performs a necessary function not already being performed. Each such standing

committee shall take appropriate action to obtain the enactment of legislation necessary to carry out the purpose of this subsection.

(b) In considering legislation establishing, or authorizing the establishment of any advisory committee, each standing committee of the Senate and of the House of Representatives shall determine, and report such determination to the Senate or to the House of Representatives, as the case may be, whether the functions of the proposed advisory committee are being or could be performed by one or more agencies or by an advisory committee already in existence, or by enlarging the mandate of an existing advisory committee. Any such legislation shall--

- (1) contain a clearly defined purpose for the advisory committee;
 - (2) 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;
 - (3) contain 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, but will instead be the result of the advisory committee's independent judgment;
 - (4) contain provisions dealing with authorization of appropriations, the date for submission of reports (if any), the duration of the advisory committee, and the publication of reports and other materials, to the extent that the standing committee determines the provisions of section 10 of this Act to be inadequate; and
 - (5) contain provisions which will assure that the advisory committee will have adequate staff (either supplied by an agency or employed by it), will be provided adequate quarters, and will have funds available to meet its other necessary expenses.
- (c) To the extent they are applicable, the guidelines set out in subsection (b) of this section shall be followed by the President, agency heads, or other Federal officials in creating an advisory committee.

§ 6. Responsibilities of the President; report to Congress; annual report to Congress; exclusion

(a) The President may delegate responsibility for evaluating and taking action, where appropriate, with respect to all public recommendations made to him by Presidential advisory committees.

(b) Within one year after a Presidential advisory committee has submitted a public report to the President, the President or his delegate shall make a report to the Congress stating either his proposals for action or his reasons for inaction, with respect to the recommendations contained in the public report.

(c) The President shall, not later than December 31 of each year, make an annual report to the Congress on the activities, status, and changes in the composition of advisory committees in existence during the preceding fiscal year. The report shall contain the name of every advisory committee, the date of and authority for its creation, its termination date or the date it is to make a report, its functions, a reference to the reports it has submitted, a statement of whether it is an ad hoc or continuing body, the dates of its meetings, the names and occupations of its current members, and the total estimated annual cost to the United States to fund, service, supply, and maintain such committee. Such report shall include a list of those advisory committees abolished by the President, and in the case of advisory committees established by statute, a list of those advisory committees which the President recommends be abolished together with his reasons therefore. The President shall exclude from this report any information which, in his judgment, should be withheld for reasons of national security, and he shall include in such report a statement that such information is excluded.

§ 7. Responsibilities of the Administrator of General Services; Committee Management Secretariat, establishment; review; recommendations to President and Congress; agency cooperation; performance guidelines; uniform pay guidelines; travel expenses; expense recommendations

(a) The Administrator shall establish and maintain within the General Services Administration a Committee Management Secretariat, which shall be responsible for all matters relating to advisory committees.

(b) The Administrator shall, immediately after October 6, 1972, institute a comprehensive review of the activities and responsibilities of each advisory committee to determine--

- (1) whether such committee is carrying out its purpose;
- (2) whether, consistent with the provisions of applicable statutes, the responsibilities assigned to it should be revised;
- (3) whether it should be merged with other advisory committees; or
- (4) whether it should be abolished.

The Administrator may from time to time request such information as he deems necessary to carry out his functions under this subsection. Upon the completion of the

Administrator's review he shall make recommendations to the President and to either the agency head or the Congress with respect to action he believes should be taken. Thereafter, the Administrator shall carry out a similar review annually. Agency heads shall cooperate with the Administrator in making the reviews required by this subsection.

(c) The 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. In carrying out his functions under this subsection, the Administrator shall consider the recommendations of each agency head with respect to means of improving the performance of advisory committees whose duties are related to such agency.

(d) (1) The Administrator after study and consultation with the Director of the Office of Personnel Management, shall establish guidelines with respect to uniform fair rates of pay for comparable services of members, staffs, and consultants of advisory committees in a manner which gives appropriate recognition to the responsibilities and qualifications required and other relevant factors. Such regulations shall provide that--

(A) no member of any advisory committee or of the staff of any advisory committee shall receive compensation at a rate in excess of the rate specified for GS-18 of the General Schedule under section 5332 of title 5, United States Code;

(B) such members, while engaged in the performance of their duties away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service; and

(C) such members--

(i) who are blind or deaf or who otherwise qualify as handicapped individuals (within the meaning of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 794)), and

(ii) who do not otherwise qualify for assistance under section 3102 of Title 5, by reason of being an employee of an agency (within the meaning of section 3102(a)(1) of such Title 5), may be provided services pursuant to section 3102 of such Title 5 while in performance of their advisory committee duties.

(2) Nothing in this subsection shall prevent--

(A) an individual who (without regard to his service with an advisory committee) is a full-time employee of the United States, or

(B) an individual who immediately before his service with an advisory committee was such an employee, from receiving compensation at the rate at which he otherwise would be compensated (or was compensated) as a full-time employee of the United States.

(e) The Administrator shall include in budget recommendations a summary of the amounts he deems necessary for the expenses of advisory committees, including the expenses for publication of reports where appropriate.

§ 8. Responsibilities of agency heads; Advisory Committee Management Officer, designation

(a) Each agency head shall establish uniform administrative guidelines and management controls for advisory committees established by that agency, which shall be consistent with directives of the Administrator under section 7 and section 10. Each agency shall maintain systematic information on the nature, functions, and operations of each advisory committee within its jurisdiction.

(b) The head of each agency which has an advisory committee shall designate an Advisory Committee Management Officer who shall--

(1) exercise control and supervision over the establishment, procedures, and accomplishments of advisory committees established by that agency;

(2) assemble and maintain the reports, records, and other papers of any such committee during its existence; and

(3) carry out, on behalf of that agency, the provisions of section 552 of title 5, United States Code, with respect to such reports, records, and other papers.

§ 9. Establishment and purpose of advisory committees; publication in Federal Register; charter: filing, contents, copy

(a) No advisory committee shall be established unless such establishment is--

(1) specifically authorized by statute or by the President; or

(2) determined as a matter of formal record, by the head of the agency involved after consultation with the Administrator with timely notice published in the Federal Register, to be in the public interest in connection with the performance of duties imposed on that agency by law.

(b) Unless otherwise specifically provided by statute or Presidential directive, advisory committees shall be utilized solely for advisory functions. Determinations of action to be taken and policy to be expressed with respect to matters upon which an advisory committee reports or makes recommendations shall be made solely by the President or an officer of the Federal Government.

(c) No advisory committee shall meet or take any action until an advisory committee charter has been filed with (1) the Administrator, in the case of Presidential advisory committees, or (2) with the head of the agency to whom any advisory committee reports and with the standing committees of the Senate and of the House of Representatives having legislative jurisdiction of such agency. Such charter shall contain the following information:

- (A) the committee's official designation;
- (B) the committee's objectives and the scope of its activity;
- (C) the period of time necessary for the committee to carry out its purposes;
- (D) the agency or official to whom the committee reports;
- (E) the agency responsible for providing the necessary support for the committee;
- (F) a description of the duties for which the committee is responsible, and, if such duties are not solely advisory, a specification of the authority for such functions;
- (G) the estimated annual operating costs in dollars and man-years for such committee;
- (H) the estimated number and frequency of committee meetings;
- (I) the committee's termination date, if less than two years from the date of the committee's establishment; and
- (J) the date the charter is filed.

A copy of any such charter shall also be furnished to the Library of Congress.

§ 10. Advisory committee procedures; meetings; notice, publication in Federal Register; regulations; minutes; certification; annual report; Federal officer or employee, attendance

(a) (1) Each advisory committee meeting shall be open to the public.

(2) Except when the President determines otherwise for reasons of national security, timely notice of each such meeting shall be published in the Federal Register, and the Administrator shall prescribe regulations to provide for other types of public notice to insure that all interested persons are notified of such meeting prior thereto.

(3) Interested persons shall be permitted to attend, appear before, or file statements with any advisory committee, subject to such reasonable rules or regulations as the Administrator may prescribe.

(b) Subject to section 552 of title 5, United States Code, the records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents which were made available to or prepared for or by each advisory committee shall be available for public inspection and copying at a single location in the offices of the advisory committee or the agency to which the advisory committee reports until the advisory committee ceases to exist.

(c) Detailed minutes of each meeting of each advisory committee shall be kept and shall contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the advisory committee. The accuracy of all minutes shall be certified to by the chairman of the advisory committee.

(d) Subsections (a)(1) and (a)(3) of this section shall not apply to any portion of an advisory committee meeting where the President, or the head of the agency to which the advisory committee reports, determines that such portion of such meeting may be closed to the public in accordance with subsection (c) of section 552b of title 5, United States Code. Any such determination shall be in writing and shall contain the reasons for such determination. If such a determination is made, the advisory committee shall issue a report at least annually setting forth a summary of its activities and such related matters as would be informative to the public consistent with the policy of section 552(b) of title 5, United States Code.

(e) There shall be designated an officer or employee of the Federal Government to chair or attend each meeting of each advisory committee. The officer or employee so designated is authorized, whenever he determines it to be in the public interest, to adjourn any such meeting. No advisory committee shall conduct any meeting in the absence of that officer or employee.

(f) Advisory committees shall not hold any meetings except at the call of, or with the advance approval of, a designated officer or employee of the Federal Government, and in the case of advisory committees (other than Presidential advisory committees), with an agenda approved by such officer or employee.

§ 11. Availability of transcripts; "agency proceeding"

(a) Except where prohibited by contractual agreements entered into prior to the effective date of this Act, agencies and advisory committees shall make available to any person, at actual cost of duplication, copies of transcripts of agency proceedings or advisory committee meetings.

(b) As used in this section "agency proceeding" means any proceeding as defined in section 551(12) of title 5, United States Code.

§ 12. Fiscal and administrative provisions; record keeping; audit; agency support services

(a) Each agency shall keep records as will fully disclose the disposition of any funds which may be at the disposal of its advisory committees and the nature and extent of their activities. The General Services Administration, or such other agency as the President may designate, shall maintain financial records with respect to Presidential advisory committees. The Comptroller General of the United States, or any of his authorized representatives, shall have access, for the purpose of audit and examination, to any such records.

(b) Each agency shall be responsible for providing support services for each advisory committee established by or reporting to it unless the establishing authority provides otherwise. Where any such advisory committee reports to more than one agency, only one agency shall be responsible for support services at any one time. In the case of Presidential advisory committees, such services may be provided by the General Services Administration.

§ 13. Responsibilities of Library of Congress; reports and background papers; depository

Subject to section 552 of title 5, United States Code, the Administrator shall provide for the filing with the Library of Congress of at least eight copies of each report made by every advisory committee and, where appropriate, background papers prepared by consultants. The Librarian of Congress shall establish a depository for such reports and papers where they shall be available to public inspection and use.

§ 14. Termination of advisory committees; renewal; continuation

(a) (1) Each advisory committee which is in existence on the effective date of this Act shall terminate not later than the expiration of the two-year period following such effective date unless--

(A) in the case of an advisory committee established by the President or an officer of the Federal Government, such advisory committee is renewed by the President or that officer by appropriate action prior to the expiration of such two-year period; or

(B) in the case of an advisory committee established by an Act of Congress, its duration is otherwise provided for by law.

(2) Each advisory committee established after such effective date shall terminate not later than the expiration of the two-year period beginning on the date of its establishment unless--

(A) in the case of an advisory committee established by the President or an officer of the Federal Government such advisory committee is renewed by the President or such officer by appropriate action prior to the end of such period; or

(B) in the case of an advisory committee established by an Act of Congress, its duration is otherwise provided for by law.

(b) (1) Upon the renewal of any advisory committee, such advisory committee shall file a charter in accordance with section 9(c).

(2) Any advisory committee established by an Act of Congress shall file a charter in accordance with such section upon the expiration of each successive two-year period following the date of enactment of the Act establishing such advisory committee.

(3) No advisory committee required under this subsection to file a charter shall take any action (other than preparation and filing of such charter) prior to the date on which such charter is filed.

(c) Any advisory committee which is renewed by the President or any officer of the Federal Government may be continued only for successive two-year periods by appropriate action taken by the President or such officer prior to the date on which such advisory committee would otherwise terminate.

§ 15. Effective date

Except as provided in section 7(b), this Act shall become effective upon the expiration of ninety days following October 6, 1972.

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SGE Forms

Enclosures should immediately follow your Invitational Letters/Reappointment letter and be attached to the right side of your Green Pocket Folder.

DFOs please check with your appropriate program staff to determine which documents you need to include with the invitation letter, and protocol for documents handled through the HR/Personnel/or Front Office Staff.

These are some documents you may need for SGE employees:

- EPA Form, 3110-48, Confidential Financial Disclosure Form
- EPA Ethics Advisory 97-15
- EPA Form 3110-45, Expert or Consultant Certificate
- EPA Form 3110-15, Supplemental Information accompanies 3110-45
- Standard Form 81-Appointment Affidavits

Personnel Forms which may include:

- Optional Form 306-Declaration for Federal Employment
- Standard Form 181-Race and National Origin Identification
- Taxes and Withholdings
- Pay/Direct Deposit
- Selective Service Verification
- Social Security Verification
- Statement of Current Salary
- Additional Documents NOT provided at Orientation

• **Attached please find the new standard EPA Form 3110-48, Confidential Financial Disclosure Form for Special Government Employees.**

• **SGE DFO's should contact their program staff for appropriate advice and assistance.**

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Confidential Financial Disclosure Form for Special Government Employees Serving on Federal Advisory Committees at the U.S. Environmental Protection Agency

General Instructions

A. Why You Must File

This report is a safeguard for you as well as the Government. It allows Government officials to determine whether there is a statutory conflict between your public responsibilities and your private interests and activities, or the appearance of a lack of impartiality, as defined by federal regulation.

What is a Special Government Employee?

A person who is retained, designated, appointed, or employed to perform, with or without compensation, for a period not to exceed 130 days during any period of 365 consecutive days, temporary duties for the Federal Government either on a full-time or intermittent basis

Conflicts of Interest

Definition: A conflict of interest is a personal interest or relationship, as defined by law or regulation, that conflicts with the faithful performance of official duty

18 U.S.C. 208: "An employee is prohibited from participating personally and substantially in an official capacity in any particular matter in which, to his knowledge, he or any person whose interests are imputed to him under this statute has a financial interest, if the particular matter will have a direct and predictable effect on that interest "

Participate - "decision, approval, recommendation, or rendering advice "

Personally - "directly and includes participation of a subordinate when directed"

Substantially - "of significance to the matter"

Particular Matter - "one focused on the interests of specific persons or class"

Financial interests - "stocks, bonds, partnership interest, options"

Imputed to the employee - "self, spouse, dependent children"

Direct and predictable effect - "close causal link to the interest, a real effect"

5 C.F.R. 2635.502: Appearance of lack of impartiality "Where an employee knows that a particular matter involving specific parties is likely to have a direct and predictable effect on the financial interest of a member of his household, or knows that a person with whom he has a covered relationship is or represents a party to such matter, and where the person determines that the circumstances would cause a reasonable person with knowledge of the relevant facts to question his impartiality in the matter, the employee should not participate in the matter unless he has informed the agency designee of the appearance of a problem and received authorization from the agency designee"

B. Who Must File

Special Government Employees (SGEs) providing advice to EPA must file this form as well as candidates who wish to be considered for such service.

C. Confidentiality of Information Provided on this Form

Title I of the Ethics in Government Act of 1978 (5 U.S.C. App.), Executive Order 12674, and 5 CFR Part 2634, Subpart I, of the Office of Government Ethics regulations require the reporting of this information. The primary use of the information on this form is for review by Government officials at EPA to determine compliance with applicable Federal conflict of interest laws and regulations. Additional disclosures of

the information on this report may be made: (1) to a Federal, State or local law enforcement agency if the disclosing agency becomes aware of a violation or potential violation of law or regulation; (2) to a court or party in a court or Federal administrative proceeding if the Government is a party or in order to comply with a judge-issued subpoena; (3) to a source when necessary to obtain information relevant to a conflict of interest investigation or decision; (4) to the National Archives and Records Administration or the General Services Administration in records management inspections; (5) to the Office of Management and Budget during legislative coordination on private relief legislation; and (6) in response to a request for discovery or for the appearance of a witness in a judicial or administrative proceeding, if the information is relevant to the subject matter. This confidential report will not be disclosed to any requesting person unless authorized by law.

D. When to file

If an SGE is new to a federal advisory committee, the SGE must complete parts 2-9 of this form before participating in that Committee or activity. Subsequently, SGEs must file annually, between October 1 and October 31 by completing parts 2-8, and also must complete Parts 1 and 9 before participating in each new advisory activity.

E. Where to file

Send your report to the address specified by the Designated Federal Officer for the Committee or panel for which you are a member, consultant, or candidate.

F. General Instructions

Filers must provide sufficient information about outside interests and activities so that EPA ethics officials can make an informed judgment regarding any conflict of interest or appearance of lack of impartiality. EPA staff may contact you to obtain additional information if they see a need for that information to determine whether there is a statutory conflict between your public responsibilities and your spouse's private interests and activities.

You must include information applicable to yourself and your spouse on Parts 2-6, and for yourself, your spouse, and dependent children on Parts 7 and 8. Information about your spouse is not required in the case of divorce, permanent separation, or temporary separation with the intention of terminating the marriage or permanently separating.

Filers may use blank pages for continuation if they note their name and the supplemental page number on the continuation pages.

Information on Reporting, Certification, and Agency Review**1 Reporting Individual's Name**

Last Name	First Name and Middle Initial

Certification:

I certify that the statements I have made on this form and all attached statements are true, complete, and correct to the best of my knowledge.

Signature of Reporting Individual

Signature	Date

Date received by the Agency:

Date

Signature of Designated Federal Officer or Other Intermediate Reviewer and Date:

Signature	Date	Review Official's Comments Appended	
		Y	N

Signature of Agency's Final Reviewing Official and Title and Date:

Signature	Date	Review Official's Comments Appended	
		Y	N

Part 1: Statement regarding any change since annual submission of this form.

Fill out this section **only** if you are being considered for a new advisory activity and have filed annually, in the past year, a Form EPA-3110-48 "Confidential Financial Disclosure Form for Special Government Employees Serving on Federal Advisory Committees at the U.S. Environmental Protection Agency."

I have reviewed my *Form EPA-3110-48*, "Confidential Financial Disclosure Form for Special Government Employees Serving on Federal Advisory Committees at the U.S. Environmental Protection Agency" submitted on the date indicated and have made the following determinations (check column that applies):

(a) Date of last <i>Form EPA-3110-48</i> Submitted (05/02)	(b) Has any information changed in Parts 2- 8 from that reported on the form identified in column (a)?
	Yes <input type="checkbox"/> No <input type="checkbox"/>

If you answered "Yes" in column (b), proceed to complete **any elements in Parts 2-8 of the form that reflect changes** since you last submitted your form *OGE-45XX* and **complete Part 9 of the form**

If you answered "No" in column (b), **complete Part 9 of this form**. You do not need to complete other parts of the form.

Part 2: Compensated Employment

Report any position that you or your spouse have been compensated for in the preceding two years from the date of filing except independent consulting and compensated expert testimony. Positions include (but are not limited to) an employee, officer, director, trustee, general partner, proprietor, representative, or executor of a business, consulting firm, non-profit, labor organization, or educational institution. **Also include** any organization or person with whom you are negotiating with or have an arrangement with concerning prospective employment. Exclude positions with religious, arts, social, fraternal or political entities or those solely of an honorary nature.

Indicate with a checkmark any position, for which annual compensation exceeded \$2,500 for the calendar year of filing or the previous calendar year or represented 5% or more of your or your spouse's total compensation over the course of a calendar year.

If none, please check this box: ☐ If no change from last filing, please check this box: ☐

Organization (Name, City, and State)	Position and brief description of work. For consulting firms, indicate the firm's major practice areas, categories of principal clients, and the clients you or your spouse have dealt with directly or derived compensation from.	Check if compensation exceeded \$2,500 for the calendar year
		<input type="checkbox"/>

		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

Part 3: Non-compensated Employment

Report any non-compensated elected or leadership position that you or your spouse have held in the preceding two years from the date of filing. Positions include (but are not limited to) an employee, officer, director, trustee, general partner, proprietor, representative, or executor of a business, non-profit, labor organization, or educational institution. Also include any organization or person with whom you or your spouse are negotiating with or have an arrangement with concerning such a position. Exclude positions with religious, arts, social, fraternal or political entities or those solely of an honorary nature.

If none, please check this box: ☐ If no change from last filing, please check this box: ☐

Organization (Name, City, and State)	Position and brief description of position

Part 4: Research Support and Project Funding

4.a. Research Support and Project Funding Received by You: Report any source of research or project funding (i.e., through grants, contracts, or other mechanism) that you have received, from any source including government, industry, and foundations for any purpose in the preceding two years from the date of filing if, for that funding, you are the Principal Investigator, Significant Collaborator, or Project Manager or Director.

Funding Organization (Name, City, and State)	Indicate whether you are the Principal (PI) Investigator, Significant Collaborator (SC) or Project Manager (PM)	Brief description of project.	Indicate whether funding is through a grant, contract or other mechanism (check column that applies)		
			Grant	Contract	Other (please specify)
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	

4.b. Research Support and Project Funding Received by Your Spouse: Provide a general description of research and project activities of your spouse in the preceding two years from the date of filing, if they have been funded by any outside source (i.e., any source other than those

If none, please check this box: ☐ If no change from last filing, please check this box: ☐

General description of research and project activities of your spouse

Part 5: Consulting Activities Not Reported in Part 2

5.a. Your Consulting Activities: Report any consulting activities for which you have been compensated and in which you have personally participated during the preceding two years from the date of filing. Indicate the name of clients associated with projects, if projects, if reimbursements from those clients provided 15% or more of your annual compensation.

If none, please check this box: ☐ If no change from last filing, please check this box: ☐

Name of Project	Indicate whether you are a Principal Contractor on that Project (Y/N)	Brief description of project	Check if compensation exceeded \$2,500 for the calendar year	Identification of client's name, if client provided more than 15% of your annual total compensation
			<input type="checkbox"/>	

Part 6: Compensated Expert Testimony

6.a. Your Compensated Expert Testimony: Report any such expert testimony you have provided in the preceding two years from the date of filing.

If none, please check this box: ☐ If no change from last filing, please check this box: ☐

For what Person or Organization (Name, City, and State)?	Brief description of issue and testimony and citation to the testimony, if available	Check if compensation exceeded \$2,500 for the calendar year of filing or the previous calendar year or represented 5% or more of your total compensation over the course of a calendar year
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

6.b. Compensated Expert Testimony by Your Spouse: Provide a general description of any expert testimony your spouse has provided in the preceding two years from the date of filing.

If none, please check this box: ☐ If no change from last filing, please check this box: ☐

General description of compensated expert testimony of your spouse

Part 7: Assets: Stocks, Bonds, Real Estate, Business, Patents, Trademarks, and Royalties

Report assets held by you, your spouse, and dependent children that collectively had a fair market value greater than \$15,000 at any time during preceding twenty-four month reporting period or that produced 5% or more of the total compensation of that person for the past calendar year.

Specific types of assets to report include:

<i>Collectibles held for investment</i>
<i>Commercial crops</i>
<i>Commodity futures</i>
<i>Livestock used for commercial purposes</i>
<i>Non-diversified mutual funds</i>
<i>Partnership interests</i>
<i>Pensions and annuities</i>
<i>Real estate held for investment</i>
<i>Royalties</i>
<i>Stocks, bonds, securities and futures contracts</i>
<i>Trust holdings</i>
<i>Underlying assets of IRAs and 401K Retirement Accounts</i>

Do not report the following types of assets:

<i>Accounts including certificates of deposit, savings accounts, interest bearing checking accounts, or any other forms of deposit in a bank, savings and loan association, credit union or similar financial institution</i>
<i>Diversified mutual funds</i>
<i>Federal Government salary or retirement benefits</i>
<i>Money market funds</i>
<i>Money owed to you, your spouse, or dependent child by a spouse, parent, sibling or child</i>
<i>Securities issued by U.S. Government agencies or Government sponsored corporations such as the Tennessee Valley Authority</i>
<i>Social Security benefits</i>
<i>Underlying holdings of a trust that was not created by you, your spouse or dependent children and for which you, your spouse and dependent children have no past or present knowledge of the holdings or sources of income</i>
<i>U.S. Government obligations (including Treasury bonds, bills, notes and savings bonds)</i>
<i>Your personal residence(s), unless you rent it (them) out</i>

For pensions, indicate the name of the sponsoring employer. If you have control over the specific investment assets held in your pension account (i.e., it is not independently managed), you also must list those underlying investments or attach an account statement that lists them. For publicly available mutual funds, list only funds that are **not diversified**.

5 C.F.R. 2640.102 : "A mutual fund is diversified for purposes *as part if it does not have a policy of concentrating its investmer. an industry, business, single country other than the United States or single State within the United states. Whether a mutual fund meets this standard may be determined by checking the fund's prospectus or by calling a broker or the manager of the fund "*

For the funds you do list, indicate the **full name** of the specific mutual fund, not just the general family fund name.

For other publicly available investment funds, such as publicly traded units of limited partnerships, list the full name of the limited partnership, but not its underlying portfolio investments.

For a privately held trade or business, report its name, location and description of activity.

For investment real estate, give the type and location (city and state).

For patents, trademarks, and other sources of royalties, give the name and a brief description.

If none, please check this box: ☐ If no change from last filing, please check this box: ☐

Full Name of Asset	(x) if no longer held
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

Part 8: Liabilities

Report for you, your spouse, and dependent children liabilities over \$10,000 owed at any time in the preceding twelve months from the date of filing. Exclude a mortgage on your personal residence or home equity loans, unless the residence is rented out; loans for personal automobiles, household furniture or appliances, where the loan does not exceed the purchase price; and liabilities owed to a spouse, or the parent, sibling, or child of you, your spouse, or dependent child.

Creditors (Name, City, and State)	Type of Liability

Part 9: Identification of any other information related to conflict of interest or appearance of lack of impartiality

Complete this section only if you are being considered for a new activity. Please consider all relevant information, over the past 5 years, concerning you, your spouse, and dependent children.

9.a. Identify the Panel for which you are being considered.

Name of Panel	
---------------	--

9.b. Other information related to conflict of interest or appearance of lack of impartiality:

Do you know of any reason that you might be unable to provide impartial advice on the matter to come before the panel or any reason why your impartiality in the matter might be questioned (e.g., constraints imposed by your employer on the advice you will be able to provide, involvement in a lawsuit, gift of research materials)?

If yes, please describe those reasons below. If no, please check this box: ☐

Description of any reason that you might be unable to provide impartial advice on the matter to come before the panel or any reason why your impartiality in the matter might be questioned

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ADDITIONAL RESOURCES

Additional Resources

Attached are Additional Resources for DFOs. If you have any questions or need any assistance, do not hesitate to contact the Office of Cooperative Environmental Management.

- **Helpful Hints**, Excerpts from the guide.
- **DFO Checklist**, A checklist designed to help speed up the concurrence process by assisting DFOs to verify the package is complete.
- **Contacts**, Names and phone numbers to keep handy!

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Helpful Hints:

Timeline:

- Vacancies filled quickly maintain balance, momentum and encourage advisory committee success. Allow four to six months for recruitment, solicitation, and approval of your membership package.
- Allow 2-3 months, to identify potential candidates. Consult with Agency officials for recommendations. Contact OGC if you have any questions.
- To broaden the pool of candidates, many DFOs solicit resumes through a Federal Register (FR) notice. If you choose to do a FR notice, begin concurrence at least 30 days prior to when you want the solicitation published.
- Draft a list and gather resumes for proposed nominees and back up names. Draft membership grid and routing slip. Prepare a folder for review of committee composition and balance.
- Obtain initial approval before preparing the official membership package submission folder. A folder containing the draft list, membership grid, and routing slip should be forwarded to the White House Liaison's office. Allow ten days for review. The White House Liaison will sign off on the routing slip and return the folder to the DFO.
- After Liaison review, forward the folder to the Office of General Counsel. Allow ten days for review. OGC will sign the same routing slip and return the folder to the DFO.
- Prepare the membership package documents. Allow 1-2 months to prepare the package and obtain internal concurrences. Submit to OCEM. Upon submission of a complete package, the 30-day time frame for sign off begins.

Letters for Signature:

- Please ask your Program Correspondence Control Manager to review all correspondence for the Administrator's or Deputy Administrator's signature. Styles change with response to a change in Administrations. Format, grammar, and spelling errors are the most common reasons cited by OEX for delay in obtaining signature.
- Use Administrator Letterhead for the Administrator's Signature. Closure for the Administrator should be "Sincerely yours,".
- Use Office of the Administrator Letterhead for the Deputy Administrator's Signature. Closure for the Deputy Administrator should be "Sincerely yours,".
- Hard return 4 times after the closure before typing the name of the Administrator or Deputy Administrator.
- Type "Attachment" or "Enclosure" as appropriate on Original and File Copies ("attachment" used on internal correspondence (MEMOS), and "enclosure" used

- on external correspondence (LETTER)).
- When typing address information on correspondence (letters), the state should be spelled out (i.e., California not CA). When typing the address on the envelope, use the two letter abbreviation.
- There should be 2 spaces between the spelled out state and the zipcode (i.e., Virginia__22202).
- Letterhead paper can be obtained from your office's administrative staff, as well as instructions on how to create a merge system. If possible, create template letters and use mail merge to allow OEX to make corrections, saving time if changes need to be made.
- The Agency accepted format is Times New Roman, 12pt. font.

One-Page Document for Left Side of Folder:

- The One-Pager lists duplicate letters. It serves as a quick guide to let the reviewer know how many letters need to be signed. Double check names, addresses, and spelling.
- Submit a backup DISK with saved copies of the ACTION MEMO and LETTERS. Place the disk in a pouch adhered to the folder or in an envelope attached to the left side of the folder, behind the one-pager. **(Note: If possible, create a "mail merge" for multiple letters and save this to the diskette. This allows OEX to make the corrections rather than return the package to the DFO and saves time.)**

Concurrence Copy:

- Include legend line on the yellow file copy which is also called the Concurrence Copy. Include approval names. See example. The format is set by OEX, but may be tweaked by your program office.
- Type cc's on the Original and File copy. Type bcc's on the File copy ONLY. Who receives concurrence copies may vary depending on office protocol.

Routing Slip Sign Off:

- The White House Liaison and the Office of General Counsel (OGC) Representative sign off on the routing slip submitted with your folder during your initial discussions to discuss Balance and Membership. This occurs before you begin developing your membership package.
- Initial approval takes place before you begin preparing your membership package folder. It is a good idea to have resumes of "backup nominees or alternates" in case any of your potential members do not make your final list of candidates.

- The White House Liaison's Office will be interested in the membership grid and full Bios. The Office of General Counsel will be looking at your membership grid, which includes members (current and former), nominees, and affiliations to ensure that the make up of the committee is balanced. Do not hesitate to contact OGC or OCEM early on in the process if you have any questions.
- If changes are made to the nominations list after OGC and the White House Liaison have reviewed and signed off on the packet, a follow up meeting should be scheduled to reevaluate Balance and Membership. Both OGC and the White House Liaison will sign off again. Your routing slip will accompany your Official Membership Package Submission Folder. The Office of the Administrator's Staff will be looking for both White House Liaison and OGC sign off.

Distribution:

- Please do not forget to insert your disk in the Official Submission Folder. This allows OEX to make necessary corrections without having to return the package back to the DFO for corrections.
- If letters are to be distributed by OEX, please **INCLUDE ENVELOPES** and **ALL ATTACHMENTS** for each letter. This lets OEX know they are to mail the correspondence
- If the DFO or program office is planning to distribute the signed letters, include **ONLY (1) copy** of all attachments with package. This allows the reader to review a complete mailing. **DO NOT** include the envelopes. This alerts OEX that the package should be returned to the DFO for mailing.
- **Include on the routing slip the name and number of the contact person to pick-up the package or contact with questions.**

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Checklist for DFOs

Beginning approximately, 4-6 months before submitting package for signature.

Prior to preparing my membership package submission, I have:

- ☐ Sought recommendations (i.e., program office, White House Liaison, current advisory committee members, etc.)
- ☐ Solicited nominations (i.e., via Federal Register Notice, meetings, e-mails, newsletters, professional associations, etc.)
- ☐ Gathered Full Resumes/Bios for current members, nominees and backup nominees for review by the White House Liaison's Office.
- ☐ Prepared a list of potential nominees and backup nominees.
- ☐ Reviewed potential nominees with program staff, and briefed program management (optional).
- ☐ Prepared a DRAFT membership grid showing current and outgoing members, nominees, and affiliations for review by Office of General Counsel.
- ☐ Prepared routing slip in order to obtain approval/sign off for reviews.
- ☐ Obtained sign off from White House Liaison.
- ☐ Obtained sign off from Office of General Counsel (FACA Attorney).

Beginning approximately, 3 months prior to submitting the package for signature.

My action memo includes:

- ☐ A brief, simple explanation of why departing members are coming off (i.e., term expired, member had conflicts and other engagements, etc.).
- ☐ Solicitation process/selection criteria, a listing of new members, and an explanation of why you are nominating these individuals (i.e., expertise in field, recommended by NGO, etc.).
- ☐ Membership Grid. (Grid may be the same one you prepared for discussions with OGC, to discuss Balance.)
- ☐ Summary or brief biographies of nominees within action memo, and brief summaries of all members included as an attachment to the memo.
- ☐ Sentence acknowledging requirements for Balance and Diversity have been met.
- ☐ **(for SGE Committees ONLY)** If your committee obtains confidential financial disclosure information prior to sending out the Invitation/Appointment Letter, then include: a brief description regarding the information that was sent and the results of the screening for financial conflicts of interest.

My invitational letter(s) include(s):

- ☐ A brief sentence listing purpose of letter, name of committee, and what committee does in the opening paragraph.
- ☐ Membership term START and END dates in the opening paragraph.
- ☐ Reference to enclosed "Federal Advisory Committee Act Pamphlet" or the Act itself.
- ☐ Reference to enclosed membership confirmation form.
- ☐ (for SGE committees ONLY) Reference to enclosed EPA Form 3110-48 or OGE Form 450, any applicable Personnel Forms, and any applicable ethics training as required by your program office.

My reappointment letter(s) include(s):

- ☐ A brief introductory sentence stating purpose of letter in the opening paragraph.
- ☐ Membership term START and END DATES in the opening paragraph.
- ☐ Reference to enclosed "Federal Advisory Committee Act".
- ☐ Reference to enclosed membership confirmation form.

My thank you letter(s) include(s):

- ☐ A brief sentence stating purpose of letter.
- ☐ Statement thanking members for their service.

Before submitting my package to OCEM, I verify it includes all the items above and the additional documents below. Once the complete package is submitted to OCEM, it will take 30 business days to obtain approval and final signature.

I have also included copies of:

- ☐ One Page document indicating duplicate letters for signature, names, and addresses.
- ☐ Diskette including all template letters with mail merge, if possible.
- ☐ Sign here indicators (stickies) on all letters requiring signature.
- ☐ Acceptance form.
- ☐ FACA rule or FACA pamphlet
- ☐ (only for SGE committees) EPA Form 3110-48 for Special Government Employees or OGE Form 450 for employees of other Federal Agencies and any personnel forms, as required.
- ☐ Envelopes only if OEX is to distribute letters
- ☐ Routing slip on outside of package
- ☐ Contact information of person to call if any questions or to pick up the package clearly indicated on the routing slip.
- ☐ Other additional documents in file expandable folder, with checklist marked.

Approximately, two months prior to submitting my package for signature, I have:

☐ Provided OCEM with a heads up that I will be submitting my package and requested an Official Membership Package Submission Folder (green folder).

At least one month prior to asking nominee to join the committee, I have:

☐ Submitted my completed package to OCEM. The 30-business day count down begins.

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CONTACTS

Office of Cooperative Environmental Management
Program Manager for Federal Advisory Committees

Khanna Johnston, Membership Package Co-Lead

202.233.0082

Toni Rousey, Membership Package Co-Lead

202.233.0065

Tim Sherer, Associate Director

202.233.0077

Vicki Ellis, Committee Management Officer

202.233.0065

Office of Executive Correspondence

Wanda Ford, OEX for OCEM (on detail as of 9/03)

202.564.7313

Mary Stoddard, OEX for OCEM (backup)

202.564.7319

Office of General Counsel

Marilyn Kuray, FACA Attorney

202.564.3449

Ken Wernick, Ethics Attorney

202.564.1761

White House Liaison

Kelly Sinclair, Office of the Administrator

202.564.4693

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