

TITLE 5—APPENDIX

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FEDERAL ADVISORY COMMITTEE ACT

Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended by Pub. L. 94-409, §5(c), Sept. 13, 1976, 90 Stat. 1247; Pub. L. 96-523, §2, Dec. 12, 1980, 94 Stat. 3040; Pub. L. 97-375, title II, §201(c), Dec. 21, 1982, 96 Stat. 1822; Pub. L. 105-153, §2(a), (b), Dec. 17, 1997, 111 Stat. 2689; Pub. L. 111-259, title IV, §410(a), Oct. 7, 2010, 124 Stat. 2724

§ 1. Short title

This Act may be cited as the “Federal Advisory Committee Act”.

(Pub. L. 92-463, §1, Oct. 6, 1972, 86 Stat. 770.)

SHORT TITLE OF 1997 AMENDMENT

Pub. L. 105-153, §1, Dec. 17, 1997, 111 Stat. 2689, provided that: “This Act [enacting section 15 of Pub. L. 92-463, set out in this Appendix, amending section 3 of Pub. L. 92-463, set out in this Appendix, renumbering former section 15 of Pub. L. 92-463, set out in this Appendix, as section 16, and enacting provisions set out as notes under sections 3 and 15 of Pub. L. 92-463, set out in this Appendix] may be cited as the ‘Federal Advisory Committee Act Amendments of 1997.’”

§ 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 deter-

mined, in accordance with law, by the official, agency, or officer involved.

(Pub. L. 92-463, §2, Oct. 6, 1972, 86 Stat. 770.)

EXECUTIVE ORDER NO. 11686

Ex. Ord. No. 11686, Oct. 7, 1972, 37 F.R. 21421, which related to committee management, was superseded by Ex. Ord. No. 11769, Feb. 21, 1974, 39 F.R. 7125, formerly set out below.

EXECUTIVE ORDER NO. 11769

Ex. Ord. No. 11769, Feb. 21, 1974, 39 F.R. 7125, which related to committee management, was revoked by Ex. Ord. No. 12024, Dec. 1, 1977, 42 F.R. 61445, set out below.

EX. ORD. NO. 12024. TRANSFER OF CERTAIN ADVISORY COMMITTEE FUNCTIONS

Ex. Ord. No. 12024, Dec. 1, 1977, 42 F.R. 61445, provided: By virtue of the authority vested in me by the Constitution and statutes of the United States of America, including the Federal Advisory Committee Act, as amended (5 U.S.C. App.), Section 301 of Title 3 of the United States Code, Section 202 of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 581c) [31 U.S.C. 1531], and Section 7 of Reorganization Plan No. 1 of 1977 (42 F.R. 56101 (October 21, 1977)) [set out in this Appendix], and as President of the United States of America, in accord with the transfer of advisory committee functions from the Office of Management and Budget to the General Services Administration provided by Reorganization Plan No. 1 of 1977, it is hereby ordered as follows:

SECTION 1. The transfer, provided by Section 5F of Reorganization Plan No. 1 of 1977 (42 F.R. 56101) [set out in this Appendix], of certain functions under the Federal Advisory Committee Act, as amended (5 U.S.C. App.), from the Office of Management and Budget and its Director to the Administrator of General Services is hereby effective.

SEC. 2. There is hereby delegated to the Administrator of General Services all the functions vested in the President by the Federal Advisory Committee Act, as amended, except that, the annual report to the Congress required by Section 6(c) of that Act shall be prepared by the Administrator for the President’s consideration and transmittal to the Congress.

SEC. 3. The Director of the Office of Management and Budget shall take all actions necessary or appropriate to effectuate the transfer of functions provided in this Order, including the transfer of funds, personnel and