



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

March 24, 2009

### **H.R. 1320** **Federal Advisory Committee Act Amendments of 2009**

*As ordered reported by the House Committee on Oversight and Government Reform  
on March 10, 2009*

#### **SUMMARY**

H.R. 1320 would amend the Federal Advisory Committee Act (FACA) to require agencies to make more information about FACA activities available to the public, including transcripts of meetings. The legislation also would require additional reports to the Congress by the Government Accountability Office concerning the appointment of advisory committee members.

CBO estimates that implementing H.R. 1320 would cost \$20 million in 2010 and \$120 million over the 2010-2014 period, assuming appropriation of the necessary amounts. Enacting the bill would have no impact on direct spending or revenues. H.R. 1320 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

#### **ESTIMATED COST TO THE FEDERAL GOVERNMENT**

The estimated budgetary impact of H.R. 1320 is shown in the following table. The costs of this legislation fall primarily within budget function 800 (general government) but would affect all budget functions that contain federal advisory committees.

	By Fiscal Year, in Millions of Dollars					2010-
	2010	2011	2012	2013	2014	2014
<b>CHANGES IN SPENDING SUBJECT TO APPROPRIATION</b>						
Estimated Authorization Level	25	25	25	25	25	125
Estimated Outlays	20	25	25	25	25	120

## **BASIS OF ESTIMATE**

For this estimate, CBO assumes that the bill will be enacted near the end of fiscal year 2009, that the necessary funds will be provided for each year, and that spending will follow historical patterns for similar activities.

FACA governs the activities of federal advisory committees. Those committees provide independent advice and recommendations to the federal government. According to the General Services Administration (GSA), there are about 900 advisory committees, composed of about 64,000 members, which provide advice and recommendations to 52 departments and agencies. GSA estimates that the total cost to operate those advisory committees during fiscal year 2008 was about \$345 million.

As currently required by FACA, GSA maintains and administers management guidelines for committees. The Office of Government Ethics (OGE) within GSA is responsible for developing regulations and guidance for advisory committee members, who serve as special government employees and must meet certain requirements pertaining to conflicts of interest. In addition, FACA requires that the advice provided by the committees be objective and publicly available. Meetings of advisory committees are generally open to the public, with certain specified exceptions. Notice of such meetings must be published in advance; all papers, records, and minutes of meetings must be made available for public inspection, and such information is subject to disclosure under the Freedom of Information Act.

According to GSA, OGE, and other agencies, most of the provisions of H.R. 1320 would expand the current practices of the federal government regarding the use of advisory committees. Based on information from those sources, CBO expects that implementing the bill would require agencies to prepare additional reports for the Congress, and make transcripts of advisory committee meeting available to the public. Some individual agencies also would need to increase their efforts to investigate Advisory Committee nominees to ensure they have no conflicts of interest. Based on current costs of

administering advisory committees, CBO estimates that those activities would increase funding requirements by about \$25 million a year.

## **INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT**

H.R. 1320 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

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