



Federal Management Regulation
FMR Bulletin 2022-F1

TO: Heads of Federal Agencies

SUBJECT: Federal Advisory Committee Act (FACA) Database Cost Reporting

1. What is the purpose of this bulletin? This bulletin clarifies, highlights, and reminds agencies of the importance of accurately reporting the cost of federal advisory committees to Congress and the public. It also adds the requirement to include financial reporting instructions in agency administrative procedures. This requirement will result in greater assurance that data reported in the FACA database is consistent with agencies' actual costs, and Congress will have greater assurance that it can rely on these data to inform decisions about funding for FACA committees.

2. What is the background of this bulletin? The Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2, requires that:

- Each agency keep records of advisory committee funds that can be audited by the Comptroller General (§12(a))
- Congress and the public to be kept informed with respect to the cost of advisory committees (§2(b)(5))
- The GSA Administrator institute an annual comprehensive review (ACR) of the activities and responsibilities of advisory committees (§7(b))
- Each agency head must establish uniform administrative guidelines and management controls for the advisory committees established by that agency (§8(a))

During a recent evaluation of 11 selected committees covered under the Federal Advisory Committee Act (FACA) that serve the Departments of Commerce, Health and Human Services, and the Treasury, the Government Accountability Office determined that approximately 29 percent of selected committees' cost data reported in the GSA FACA database were inconsistent with the corresponding cost data held in agency records. In the absence of reliable cost data, Congress is unable to fully rely on these data to inform decisions about the funding of federal advisory committees.

3. How is agency cost data reported to Congress and the public? Per the FACA regulation (41 CFR § 102–3.100 and § 102–3.175), the GSA Committee Management Secretariat (CMS) designs and maintains a publicly accessible government-wide FACA database to facilitate collection and reporting of executive branch federal advisory committee data to Congress and the public for each committee that was in existence during any part of a fiscal year. The data collected is verified by the agencies and reviewed by CMS on an annual basis as part of the ACR required under FACA §7(b).

4. What specific cost data is reported to Congress and the public? To comply with §2(b)(5) of the FACA, CMS collects and reports data through the FACA database on the cost (if any) of paying committee members and consultants for their time; the equivalent cost of federal staff time; travel reimbursements for committee members, consultants, and federal staff; and other costs, such as the cost of *Federal Register* notices during the creation and operation of a committee. The data is reported throughout a fiscal year for public transparency and is also used to support the ACR for each advisory committee.

5. Do agency cost records need to match what is reported by agencies through the FACA database? Yes. It is the responsibility of each agency head to ensure records are kept that fully disclose and support the costs reported in the FACA database for each advisory committee and the nature and extent of their activities (§12(a)). The importance of maintaining and reporting accurate advisory committee costs is reflected in the requirement that the Comptroller General shall have access to agency financial records for the purpose of auditing advisory committee cost records.

6. How do agencies ensure accurate cost reporting in the FACA database? The agency administrative guidelines required by §8(a) must include instructions on how to identify, calculate, and fully document federal advisory committee costs for all cost fields (as summarized in question 4 of this bulletin) in the FACA database. These instructions must also specify the quality control measures to be undertaken by the agency FACA staff supporting each advisory committee to ensure that accurate and complete cost data reported in the FACA database matches the agency's advisory committees' cost records.

7. What should agency FACA staff do if some agency cost data lags and is not available in time to meet annual reporting deadlines? Agency FACA staff should report the most up to date cost data available to meet their agency's ACR deadlines. For most advisory committees this will be the final cost data. If there are outstanding costs that become available after the agency deadline for the ACR, agency FACA staff must contact their Committee Management Officer and ensure the relevant cost fields are updated and match the agency's advisory committee cost records. Any final updates to the advisory committee cost fields must be made by December 1 of each year.

8. What is the effective date of this bulletin? This bulletin is effective upon the date of signature.

9. When does this bulletin expire? This bulletin will remain in effect until canceled or superseded.

10. Whom should I contact for further information regarding this bulletin? Contact Ms. Lorelei Kowalski, Director of the Committee Management Secretariat, Office of Government-wide Policy by email at Lorelei.kowalski@gsa.gov. Please cite FMR Bulletin 2022-F1.

By delegation of the Administrator of General Services,

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