



U.S. General Services Administration (GSA)

GSA Order: GSA Intergovernmental and Intragovernmental Committees and GSA Membership on Extra-governmental Committees

OGP 5420.1A

Office of Government-wide Policy

Purpose:

This policy updates guidance for managing GSA controlled intergovernmental and certain intragovernmental committees, and GSA staff membership on extra-governmental committees. For instructions and guidelines pertaining to GSA committees that fall under the provisions of the Federal Advisory Committee Act (FACA), as amended, refer to ADM 5420.40E.

Background:

In November of 2020, the Committee Management Coordinator function was transferred from the Office of Administrative Services (OAS) to the Office of Government-wide Policy (OGP) under the purview of the Committee Management Officer within OGP. This policy is being updated to reflect the organizational change in the Committee Management Coordinator function and clarify the guidance for intergovernmental, intragovernmental committees, and GSA staff membership on extra-governmental committees. This policy's history is documented below:

1. ADM P 5420.40D, CHGE 1, Committee Management, December 9, 1994 (revalidated June 12, 2013), provided instructions and guidelines for establishing, managing, and terminating intergovernmental and intragovernmental committees, as well as committees that fall under the provisions FACA.
2. OAD P 5420.1, CHGE 11, Central Office Committee Handbook, December 15, 2008, provided instructions and guidelines for establishing and terminating intergovernmental and intragovernmental committees in the Central Office and consolidated all committee charters under one internal directive. A separate Order (ADM 5420.40E) was issued pertaining to committees that fall under the provisions of FACA, as amended.
3. OAS 5420.1, Intergovernmental, Intragovernmental GSA and Extra-governmental Committees, November 9, 2015, provided updated guidance for managing intergovernmental, intragovernmental and extra-governmental committees.

Applicability:

- This policy applies to all GSA organizations except for the Office of Inspector General.
- For the purposes of this policy, an intragovernmental committee is a committee composed wholly of GSA employees that is either established at the direction of the GSA Administrator or is legally authorized, or required, to be established by GSA.
- This policy does not apply to those intragovernmental committees established solely at the direction of a Service, Staff Office, or Region. For those committees, it is at the discretion of the Head of the Service or Staff Office, or the Regional Administrator sponsoring the intragovernmental committee to create the processes for establishing and operating it.

Cancellation:

This directive cancels and supersedes OAS 5420.1, Intergovernmental, Intragovernmental GSA and Extra-governmental Committees, dated November 9, 2015.

Summary of Changes:

The following changes have been made to the Order:

1. All references to the Committee Management Coordinator functionality residing in the Office of Administrative Services have been changed to the Office of Government-wide Policy (OGP).
2. The title has been changed from *Intergovernmental, Intragovernmental GSA and Extra-governmental Committees* to *GSA Intergovernmental and Intragovernmental Committees and GSA Membership on Extra-governmental Committees*.
3. The Order number has been changed to OGP 5420.1A by the Internal Directives Team.
4. Clarification has been added to reflect this policy relates only to GSA controlled intergovernmental committees and intragovernmental committees that are either established at the direction of the GSA Administrator or are legally authorized or required to be established by GSA.
5. The required sections of the committee charter (see paragraph 12) have been updated.
6. The charter templates have been removed.

Responsibilities:

All GSA Services and Staff Offices are expected to implement the policy, functions and procedures established herein wholly and immediately.

Signature

/s/
Krystal J. Brumfield
Associate Administrator
Office of Government-wide Policy

3/7/2024
Date

GSA INTERGOVERNMENTAL AND INTRAGOVERNMENTAL COMMITTEES AND GSA MEMBERSHIP ON EXTRA-GOVERNMENTAL COMMITTEES

1. GSA will establish intergovernmental and intragovernmental committees only when they have been determined to be necessary in the public interest and are legally authorized or required in support of GSA's mission. As part of their official duties, GSA employees may participate as members or observers on extra-governmental committees if their participation makes a useful contribution to agency programs. This stipulation does not apply to membership on professional, civic, or other committees by GSA employees where membership and participation are of a personal nature and are not contingent upon GSA employment. In such instances, the individual must not represent or appear to represent GSA in any manner.
2. GSA will establish intergovernmental and intragovernmental committees using achievable objective(s) and cost-effective and efficient operations within agency operating constraints.
3. GSA controlled intergovernmental and intragovernmental committees will perform advisory roles such as fact-finding, research, evaluation, studies, and reviews. These committees will provide recommendations when requested by the GSA Administrator, required by Executive Order or Presidential Directive, or authorized by their respective committee charters.
4. GSA controlled intergovernmental and intragovernmental committees will not be used to administer a function that is an assigned responsibility of a Service, Staff Office, or Region except as directed by the GSA Administrator.
5. The assigned responsibility of a GSA official may not be delegated to any committee. A committee may not be established or changed to perform the functions and responsibilities of a GSA official.
6. Unless required by Executive Order or Presidential Directive, GSA will establish intergovernmental committees only if a clearly defined and continuing need exists for obtaining the formal views and advice of other Federal agencies about the mission and activities of GSA and after approval by the GSA Administrator. To the extent practical, a GSA official will serve as the chairperson on these committees.
7. GSA controlled intergovernmental and intragovernmental committees can include state, local, and tribal counterparts in their official capacity through the exemption afforded by section 204(b) of the Unfunded Mandates Reform Act (UMRA). Intergovernmental and intragovernmental committees, by their very definition, cannot include public members. In limited circumstances, members of the public may be invited to make a presentation before a committee and/or to respond to queries. However, such public attendees cannot be present at or participate in committee discussions, deliberations or voting.

8. An intergovernmental or intragovernmental committee cannot be established in order to manage a Federal advisory committee. For further guidance on establishing a GSA Federal advisory committee, see OAS 5420.40E.
9. The GSA Committee Management Coordinator must be notified of the intent to establish an intergovernmental or intragovernmental committee. The Committee Management Coordinator is co-located with GSA's Committee Management Secretariat within the Office of Government-wide Policy (OGP).
10. Extra-governmental Committee Participation Policy.
 - a. GSA employees may participate as members or observers on extra-governmental committees as part of their official duties if their participation makes a useful contribution to an agency program or the agency mission.
 - b. The Service, Staff Office or Region, in consultation with the Office of General Counsel, as needed, may designate GSA employees to serve as members of extra-governmental committees. In such a capacity, these employees represent GSA and the agency's mission.
 - c. The appointment designation and membership information listed below for each GSA employee serving on an extra-governmental committee should be submitted by email to the Committee Management Coordinator within 30 calendar days of appointment. The appointment notification email must consist of:
 1. Full name of the GSA employee;
 2. GSA employee title and office;
 3. GSA employee contact information (telephone number and email);
 4. Name of GSA employee's supervisor/nominating official and their contact information;
 5. Name of the extra-governmental committee and the sponsoring non-Federal Government entity;
 6. Membership role; and
 7. Membership term.
 - d. The Supervisor/or nominating official for the GSA employee, or another individual in the supervisory chain, should take prompt action to terminate the GSA employee's membership on an extra-governmental committee when the employee's participation ceases to contribute to a GSA program or the agency mission. The Committee Management Coordinator must be notified in writing by the supervisor/or nominating official within 30 calendar days after membership termination.

11. Establishing a Committee. The GSA Administrator approves the establishment of GSA intergovernmental and intragovernmental committees. The Head of the Service or Staff Office, or Regional Administrator must submit a decision paper to the GSA Administrator justifying the need and requesting approval to establish the committee, including a proposed committee charter. The GSA Administrator is the signatory for the decision paper and charter. The Committee Management Coordinator must review the proposed charters to ensure consistency with the charter requirements prior to the Administrator's signature.

A GSA controlled intergovernmental or intragovernmental committee cannot meet or perform any actions until its charter is signed.

12. Charters. All GSA controlled intergovernmental and intragovernmental charters must include the following elements:

- a. Committee's official designation. The official name of the committee.
- b. Purpose and objectives. Detailed description of the committee's purpose as well as the authority for the committee and the background on what led to the establishment of the committee. The committee's objectives should be ambitious, but realistic and quantifiable so that the effectiveness can be measured.
- c. Functions and responsibilities. Description of the functions or duties the committee is expected to perform. GSA controlled intergovernmental and intragovernmental committees perform advisory roles such as fact-finding, research, evaluation, studies, and reviews. These committees also provide recommendations to a GSA official when requested by the Administrator, required by Executive Order or Presidential Directive, or authorized by the committee charter.
- d. Membership. Description of the membership composition, including who will serve as the Chairperson, and the role of the Chairperson.
- e. Meetings. Description of how often meetings may occur, the forum to be used, when meeting minutes will be issued, and the minimum members required for a quorum.
- f. Records. Description of who (title or role) is responsible for keeping the committee records and how they will be maintained and disposed.
- g. Reports. Description of how often reports will be issued and to whom.
- h. Costs. Description of any costs associated with managing the committee.
- i. Support. The office that will provide the administrative support, legal counsel, and other support staff for the committee. For a GSA controlled intergovernmental

committee or intragovernmental committee, this will be an office or department within GSA.

- j. Duration/Termination. The anticipated length of time the committee will be in existence or the expected date the committee will terminate.
- k. Approvals. The signatory line for the charter approver and the date the charter was signed.
- l. Point of Contact. The name and contact information for the GSA employee and program office managing the committee.

13. Meetings.

- a. GSA controlled intergovernmental and intragovernmental committees may not meet until the appropriate approvals have been obtained, the charter is signed, and the signed decision memo and charter have been provided to the Committee Management Coordinator.
- b. A full-time GSA employee usually serves as chairperson of a GSA controlled intergovernmental committee. If the chairperson is not from GSA, a full-time salaried employee of GSA must attend the meeting. A full-time GSA employee must serve as the chairperson for an intragovernmental meeting. Dual or rotating chairpersons exist only when the Service, Staff Office, or Region adopts this arrangement to accomplish GSA's program mission.
- c. Access to GSA controlled intergovernmental and intragovernmental meetings should be limited to committee members and invited speakers. The invited speakers should only attend the portion of the meetings during the allotted time of his/her presentation, to include any subsequent question and answer period. Beyond the need for presentation purposes, non-government attendees are not permitted to attend meetings in any form (i.e., in person, virtual, or by phone) and shall not be on any communications (such as email) related to the work of the committee.
- d. The chairperson must ensure that all persons attending a committee meeting have the appropriate security clearance when classified information is considered.
- e. Meeting minutes must be drafted for each meeting. These minutes will include: a record of the persons present; a complete description of the matters discussed and the conclusions reached; and copies of reports received, issued, or approved by the committee. The chairperson certifies the accuracy of the minutes prior to the next meeting.

14. Support services. The Service, Staff Office, or Region sponsoring the committee provides the needed support for the committee. If GSA joins other agencies in sponsoring a committee, only one agency provides these services during any one fiscal year.

15. Terminating committees. The sponsoring Service, Staff Office, or Region will take action as soon as possible to terminate committees that have fulfilled their purpose. The Service, Staff Office or Region must notify the Committee Management Coordinator in writing within 30 days of terminating the committee.

16. Records.

a. With assistance from the sponsoring Service, Staff Office, or Region providing support to the Committee, the Committee Management Coordinator maintains a central repository of the signed decision memo and committee charters for all GSA controlled intergovernmental and intragovernmental committees, as well as a record of GSA employees serving on extra-governmental committees. All of these documents will be maintained in electronic form.

b. The Service, Staff Office, or Region sponsoring the committee shall maintain copies of any Committee records in electronic form. Such records include the establishing documents, committee membership lists, meeting agendas, meeting minutes, reports, cost expenditures, and other relevant documents and reports that document the Committee's work.

c. GSA controlled intergovernmental and intragovernmental committee records are accessible to members of the public per the Freedom of Information Act (FOIA), 5 U.S.C. § 552, as amended.

Appendix A. Definitions

1. Administrator. Administrator, U.S. General Services Administration.
2. Chairperson. The individual serving on a GSA established/or controlled intergovernmental or intragovernmental committee who has the responsibility of maintaining focus and order during committee meetings and establishing the agenda, with committee member input as applicable, for each meeting. To the extent practical, a GSA official will serve as the chairperson on a GSA controlled intergovernmental or intragovernmental committee.
3. Charter. A document that authorizes and specifies the committee's mission or charge, membership composition, and general operational characteristics, and is approved and signed by the GSA Administrator.
4. Committee Management Coordinator. The GSA Committee Management Coordinator resides within the Office of the GSA Committee Management Officer, within the Office of Government-wide Policy. The Committee Management Coordinator maintains a central repository of the signed decision memos and committee charters for each GSA controlled intergovernmental and intragovernmental committee, as well as a record of GSA employees serving on extra-governmental committees.
5. Committee member. An individual serving on an intergovernmental, intragovernmental, or extra-governmental committee who has the full right and obligation to participate in the activities of the committee, including voting on committee recommendations. All committee members on GSA controlled intergovernmental committees must be Federal employees and all members on intragovernmental committees must be GSA employees.
6. Extra-governmental committee. A committee established by a non-Federal Government entity on which GSA employees serve as members in their official capacity.
7. Intergovernmental committee. A committee composed wholly of employees of the Federal Government that includes individuals outside of GSA.
8. Intragovernmental committee. A committee established at the request of the GSA Administrator, composed wholly of GSA employees, that is legally authorized or required to be established by GSA.
9. Observer. An employee of GSA or another Federal agency assigned to provide information and advice to the committee at the request of the chairperson but who is not a committee member and does not have the authority to participate in the committee's deliberations or actions.

10. Quorum. The minimum number of committee members required to be present during a committee meeting in order to conduct certain business, such as making decisions or recommendations.