

may be, to the procedure relating to a resolution with respect to a reorganization plan shall be decided without debate.

(e) If, prior to the passage by one House of a resolution of that House, that House receives a resolution with respect to the same reorganization plan from the other House, then—

(1) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(2) the vote on final passage shall be on the resolution of the other House.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 398; Pub. L. 95-17, §2, Apr. 6, 1977, 91 Stat. 34; Pub. L. 98-614, §3(d), (e)(1), (2), Nov. 8, 1984, 98 Stat. 3193.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 133z-14.	June 20, 1949, ch. 226, §205, 63 Stat. 207.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

Editorial Notes

AMENDMENTS

1984—Pub. L. 98-614, §3(e)(2), substituted “passage” for “disapproval” in section catchline.

Subsec. (b). Pub. L. 98-614, §3(d)(1), substituted “passed or rejected” for “agreed to or disagreed to”.

Subsec. (c). Pub. L. 98-614, §3(d)(2), substituted “final passage” for “final approval”.

Subsec. (e). Pub. L. 98-614, §3(e)(1), added subsec. (e). 1977—Pub. L. 95-17 inserted “; vote on final disapproval” after “debate” in section catchline.

Subsec. (a). Pub. L. 95-17 inserted provisions that a motion to discharge a committee is not subject to a motion to postpone or to a motion to proceed to the consideration of other business and that if a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

Subsec. (b). Pub. L. 95-17 inserted provisions that a motion to postpone or a motion to proceed to the consideration of other business is not in order.

Subsec. (c). Pub. L. 95-17 added subsec. (c).

Subsec. (d). Pub. L. 95-17 added subsec. (d) which provisions were formerly set out in section 913(b) of this title.

[§913. Omitted]

Editorial Notes

CODIFICATION

Section, Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 398, providing for decision without debate with respect to motions to postpone, motions to proceed to the consideration of other business, and appeals from decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, was omitted in the general amendment of this chapter by Pub. L. 95-17, §2, Apr. 6, 1977, 91 Stat. 29. See section 912 of this title.

CHAPTER 10—FEDERAL ADVISORY COMMITTEES

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1014.	Requirements relating to National Academy of Sciences and National Academy of Public Administration.

§ 1001. Definitions

In this chapter:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of General Services.

(2) ADVISORY COMMITTEE.—

(A) IN GENERAL.—The term “advisory committee” means a 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”) that is established or utilized to obtain advice or recommendations for the President or one or more agencies or officers of the Federal Government and that is—

(i) established by statute or reorganization plan;

(ii) established or utilized by the President; or

(iii) established or utilized by one or more agencies.

(B) EXCLUSIONS.—The term “advisory committee” excludes—

(i) a committee that is composed wholly of full-time, or permanent part-time, officers or employees of the Federal Government; and

(ii) a committee that is created by the National Academy of Sciences or the National Academy of Public Administration.

(3) AGENCY.—The term “agency” has the meaning given the term in section 551 of this title.

(4) PRESIDENTIAL ADVISORY COMMITTEE.—The term “Presidential advisory committee” means an advisory committee that advises the President.

(Pub. L. 117-286, §3(a), Dec. 27, 2022, 136 Stat. 4197.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1001	5 U.S.C. App. (FACA §3)	Pub. L. 92-463, §3, Oct. 6, 1972, 86 Stat. 770; Pub. L. 105-153, §2(a), Dec. 17, 1997, 111 Stat. 2689.

[Although not mentioned in the explanation contained in H. Rept. 117-193, in par. (1), “Administrator” means the Administrator of General Services” substituted for “Director” means the Director of the Office of Management and Budget” because of section 5F of Reorganization Plan No. 1 of 1977 (5 U.S.C. App.).]

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 1997 ACT

Pub. L. 105-153, §1, Dec. 17, 1997, 111 Stat. 2689, provided that: “This Act [see Tables for classification]

may be cited as the ‘Federal Advisory Committee Act Amendments of 1997.’”

SHORT TITLE OF 1972 ACT

Pub. L. 92-463, §1, Oct. 6, 1972, 86 Stat. 770, provided that: “This Act [see Tables for classification] may be cited as the ‘Federal Advisory Committee Act.’”

§ 1002. Findings and declarations

(a) FINDINGS.—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) FINDINGS AND DECLARATIONS.—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) 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 all matters under their consideration should be determined, in accordance with law, by the official, agency, or officer involved.

(Pub. L. 117-286, §3(a), Dec. 27, 2022, 136 Stat. 4198.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1002	5 U.S.C. App. (FACA §2)	Pub. L. 92-463, §2, Oct. 6, 1972, 86 Stat. 770.

Executive Documents

EXECUTIVE ORDER NO. 11007

Ex. Ord. No. 11007, Feb. 27, 1962, 27 F.R. 1875, which related to regulations for formation and use of advisory committees, was superseded by Ex. Ord. No. 11671, June 5, 1972, 37 F.R. 11307.

EXECUTIVE ORDER NO. 11671

Ex. Ord. No. 11671, June 5, 1972, 37 F.R. 11307, which related to committee management, was superseded by Ex. Ord. No. 11686, Oct. 7, 1972, 37 F.R. 21421.

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.

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 ([former] 5 U.S.C. App.) [see 5 U.S.C. 1001 et seq.], 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 the Appendix to this title], 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 the Appendix to this title], of certain functions under the Federal Advisory Committee Act, as amended ([former] 5 U.S.C. App.) [see 5 U.S.C. 1001 et seq.], 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 positions, assets, liabilities, contracts, property, records, and other items related to the functions transferred.

SEC. 4. Executive Order No. 11769 of February 21, 1974 is hereby revoked.

SEC. 5. Any rules, regulations, orders, directives, circulars, or other actions taken pursuant to the functions transferred or reassigned as provided in this Order from the Office of Management and Budget to the Administrator of General Services, shall remain in effect as if issued by the Administrator until amended, modified, or revoked.

SEC. 6. This Order shall be effective November 20, 1977.

JIMMY CARTER.

LOBBYISTS ON AGENCY BOARDS AND COMMISSIONS

Memorandum of President of the United States, June 18, 2010, 75 F.R. 35955, provided:

Memorandum for the Heads of Executive Departments and Agencies

My Administration is committed to reducing the undue influence of special interests that for too long has shaped the national agenda and drowned out the voices of ordinary Americans. Special interests exert this disproportionate influence, in part, by relying on lobbyists who have special access that is not available to all citizens. Although lobbyists can sometimes play a constructive role by communicating information to the government, their service in privileged positions within the executive branch can perpetuate the culture of special-interest access that I am committed to changing.

On the day after my inauguration, I signed Executive Order 13490, which places strict limits on the ability of lobbyists to serve in Government positions related to their prior lobbying activities. Last September, we took another step to close the revolving door through which lobbyists enter and exit Government positions when we announced that my Administration aspires to keep Federal agencies’ advisory boards free of federally registered lobbyists. Many departments and agencies are making this aspiration a reality by no longer placing federally registered lobbyists on advisory boards—a practice that I am now establishing as the official policy of my Administration.