Best Practices for Openness in Federal Advisory Committees

In the spirit of good government, the Project On Government Oversight and the Union of Concerned Scientists propose the following best practices that we believe will maximize transparency, accountability, and public participation in federal advisory committees. These guidelines go beyond what is required by the Federal Advisory Committee Act and fulfill the spirit and promise of this “sunshine law.”

1. The public has a right to know the qualifications of all advisory committee members, their status as either representatives (of civil society, industry, or government) or as special government employees, and the nature and extent of any financial ties a member or the organization the member represents has to a related industry. To that end:

   • Encourage each primary and alternate member of the committee to voluntarily disclose any potential conflicts of interest using the federal Public Financial Disclosure Form 278 as well as their organization’s tax forms, mission statements, and any clients or interests they represent.

   • At a minimum, we strongly urge both primary and alternate members to voluntarily disclose any financial relationships with related industries over the past five years. The disclosure should include any financial support their “civil society” organization may have received from those industries.

2. To achieve real substantive transparency, we recommend that the committee disclose on its publicly accessible website:

   • The names of members who are considered Special Government Employees (SGEs) and those designated as Representatives and the reasons for the designation.

   • Brief biographies of each panel member.

   • Any recusals by panel members because of a conflict of interest, and the nature of the conflict.

   • All voluntary and required financial disclosures made by any committee member.
- Transcripts and audio or video recordings of all meetings no later than 30 days after each meeting.

- Committee documents and other information in a timely fashion.

3. All of the work of the committee should be done in public. We recommend that the committee:

- Provide sufficient advance notice of meetings and provide public access to materials.

- Conduct all committee business, including preparatory, informational, and subcommittee meetings, in open sessions.

- Utilize technology to maximize transparency, efficiency, and public participation to the fullest extent allowed under the law (e.g., webcasting, virtual meetings via video conferencing, asynchronous meetings via email, social media, collaborative governance tools).

- Whenever possible, webcast meetings in real time for the benefit of members of the public who cannot attend in person.

- Place in the public record on the committee website, if not otherwise publicly disclosed, the results of any votes on recommendations or other matters, and dissenting views when the votes are not approved by consensus.

- Allow committee members to make public dissenting views on official recommendations.

- Ensure committee members are not prohibited in any way from speaking frankly and directly regarding committee business to the press and the public using any platform.

4. The committee should increase opportunities for public participation, whenever possible. We recommend that the committee:

- Provide a mechanism for the public to nominate and comment on potential members as vacancies arise.

- Permit members of the public who cannot attend committee meetings to submit written comments for the committee’s consideration in a variety of ways, including online in real time during a webcast and in advance through the mail, email and on the website.

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