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~~C-03-1567-8.2~~
AC03 - 77 - CS 6900/

MEMORANDUM
March 10, 1978

DOE/CS/6900/--T1

MASTER

TO: Judy Liersch, EES Director
THRU: Kathleen Reavis
FROM: Jim Ragan
SUBJECT: ESTABLISHMENT OF THE NATIONAL ENERGY EXTENSION
SERVICE ADVISORY BOARD

This paper contains the documents, discussion materials, and procedural steps necessary to establish the Board. Everything in this paper is intended to implement your decision that the Board should be a forum for "maintaining the vitality of EES" (as I presented in my discussion paper of January 17, 1978). Specifically, the Board should be a forum for EES dialogue and information-sharing with people *outside* EES who have an expertise or interest in technological extension in general or energy conservation in particular. This means that the Board members will not be directly associated with EES. To recap the benefits of this type of Board:

- * EES benefits by being exposed to the perspective of people who do not have a vested interest in EES;
- * EES benefits by hearing about new approaches and reactions to them by people representing many diverse interests;
- * EES benefits by having a forum to expose EES to a much broader audience; and
- * The members benefit from exposure to a new program with substantial experimentation and innovation.

I have repeated this special dimension of the Board because some of the documents contained in this paper may seem to either deny or ignore it. The reason is that I have tried to follow religiously the Board document formats required by the Federal Advisory Committee Act and contained in DOE guidance and document models. My strategy is simply not to create waves when we only have a 23-foot yawl.

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JAMES RAGAN ASSOCIATES
jra

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This paper is presented in seven parts.

Part I presents the draft documents necessary to establish the Board in accordance with the Federal Advisory Committee Act and DOE procedures: an action memorandum from Assistant Secretary Hughes to Deputy Secretary O'Leary, a notice of determination to establish the Board for publication in the *Federal Register*, and the Board's charter (which must be filed with the standing committees of Congress having legislative jurisdiction over EES, and with the Library of Congress).

Part II describes the potential interest representation on the Board and recommends processes for identifying and selecting individuals to recommend to the Secretary for appointment.

Part III presents EES' expectations for the Board in fulfilling its responsibilities. I suggest that this information be used in discussions with member candidates. My experience is that many advisory committees and boards go asunder because at the beginning members do not either understand or agree to the roles they are to play.

Part IV describes the operational relationships between DOE and the Board. The Office of Consumer Affairs provides certain logistical support, and DOE/EXT has both logistical and substantive support roles to play.

Part V presents the legal operational rules as contained in the Federal Advisory Committee Act. Some of them may seem a bit overbearing, but they are there.

Part VI discusses some issues still requiring resolution: specifically--when the Board should be established, whether we should solicit member applications from the general public, and whether Board members should be compensated for their time as well as travel expenses.

Part VII summarizes the procedural steps that are required, from this time forward, to establish the Board and get it off and running.

This paper is put together "ingeniously" to permit you to separate various parts from the whole to use in different ways with different people.

PART I
DRAFT DOCUMENTS
NECESSARY TO ESTABLISH
THE NATIONAL EES ADVISORY BOARD

- A. DOE Action Memorandum
- B. *Federal Register* Notice of
Determination
- C. Advisory Board Charter

ACTION MEMORANDUM

TO: JAMES R. SCHLESINGER, SECRETARY
THRU: JOHN F. O'LEARY, DEPUTY SECRETARY
FROM: PHILLIP S. HUGHES, ASSISTANT SECRETARY,
INTERGOVERNMENTAL & INSTITUTIONAL RELATIONS
SUBJECT: ESTABLISHMENT OF THE NATIONAL ENERGY EXTENSION
SERVICE ADVISORY BOARD

Issue:

Whether to proceed with the establishment of the National Energy Extension Service Advisory Board as proposed by the Department of Energy's Energy Extension Service.

Background:

The Board is statutorily required: Section 8 of the National Energy Extension Service Act of 1976. Congress' decision to require the Board is to insure external review of DOE's implementation of the Energy Extension Service concept. Specifically, Congress expects the Board to be a formal mechanism for insuring that the Energy Extension Service is sensitive to the developing needs of energy end-users at the local level and that the Service takes into account the various considerations of state and local officials and the participating organizations.

Section 8 of the National Energy Extension Service Act says that the Board:

- * shall carry on a continuing review of the operation of the comprehensive EES program and the state plans developed as part of that program for the purpose of evaluating their effectiveness in achieving the objectives of the Act and determining how their operation might be improved;
- * shall report at least annually to the Secretary, the Director of EES, and the Congress on the program's status, including any recommendations for administrative or legislative changes to improve program operation; and
- * shall consist of 15 to 20 members from among persons representative of state, county, and local governments, state universities, community colleges, community service action agencies, consumers, small business, and agriculture.

Discussion:

A. Purpose and Scope of the Advisory Board: The purpose and scope are contained in Section 8 of the National Energy Extension Service Act as stated above. More specifically, EES will seek Board member dialogue, guidance, and recommendations not only on the program's effectiveness in achieving the objectives of the Act, but also on the program's relationship to technological extension activities in general and other energy conservation outreach programs in particular. The administration of EES believes strongly that one measure

of the program's success will be the extent to which it avails itself of and applies the research results and experiences of people associated with these other programs. EES therefore expects the Board to focus on such topics as:

- * the objectives and processes of technological extension as a professional discipline and how EES relates to it,
- * the resources required for successful technological extension programs (people, organizations, money),
- * technological extension and energy conservation from the points of view of the various actors,
- * innovative projects and approaches which might be applicable to EES,
- * lessons learned in other programs which might be applicable to EES, and
- * specific problems encountered in EES program operations.

B. Membership of the Advisory Board. The members of the Advisory Board will be drawn from acknowledged experts representative of the interests specified in the Act. The administration of EES intends to recommend persons for membership who are not directly associated with EES, but who have a demonstrated expertise or interest in technological extension in general or energy conservation outreach in particular. Frequently, "outsiders" can see things, suggest actions, and make connections which direct program

participants cannot make.

The recommended members will also be drawn from three types of functions in technological extension and/or energy conservation outreach:

- * providers--people representative of government or private programs which are providing information and assistance directly to consumers;
- * researchers--people representative of university programs directed to conduct research or demonstrations in technological extension or energy conservation outreach; and
- * end-users--people representative of consumers, small business, and agriculture who receive the information and assistance.

C. Operation of the Advisory Board: The National Energy Extension Service Advisory Board would operate in accordance with the provisions of the Federal Advisory Committee Act (P.L. 92-463), DOE policy and procedures, OMB Circular No. A-63 (Revised), and other directives and instructions issued in accordance with the Act. The Advisory Board would meet three times a year to achieve its purposes. The Board would provide the Secretary, the EES Director, and the Congress with suggestions and recommendations to improve the effectiveness of EES in achieving its statutory objectives. Staff support will be provided to the Board by DOE/EXT.

Recommendation:

The establishment of the National Energy Extension Service Advisory Board is required by statute. I have determined that the Board's purpose and scope and membership, as proposed by DOE/EXT, is important to the success of the EES program and is consistent with the statutory requirements. For these reasons, I recommend:

1. Approval of the establishment of the National Energy Extension Service Advisory Board under the aegis of the Energy Extension Service in the Office of Intergovernmental and Institutional Relations.

Approve: _____

Disapprove: _____

Date: _____

2. You sign the Notice of Determination, which will be published in the Federal Register.

Next Steps:

1. Upon your approval to establish the Advisory Board and upon your signature to the Notice of Determination, the Notice will be published in the Federal Register, and the Office of Advisory Committee Management (IR) will sign the Board Charter and file it with the standing committees of Congress having legislative jurisdiction over DOE, and with the Library of Congress.

2. Proposed membership will be formulated by IR and will be submitted to the Secretary for approval.
3. Notice of Meetings will be published in the Federal Register.

Concurrences:

GC, Fygi

Concur _____ Date _____

Nonconcur _____

Attachments:

A: Notice of Determination (for signature)

B: Charter

UNITED STATES DEPARTMENT OF ENERGY
NOTICE OF DETERMINATION TO ESTABLISH

NATIONAL ENERGY EXTENSION SERVICE ADVISORY BOARD

The National Energy Extension Service Act of 1976 (P.L.) requires the establishment of the National Energy Extension Service Advisory Board. Pursuant to the Federal Advisory Committee Act (P.L. 92-463), I hereby certify that the establishment of the National Energy Extension Service Advisory Board as hereinafter identified, is in the public interest in connection with the duties imposed upon the Department of Energy by the National Energy Extension Service Act of 1976, the Department of Energy Organization Act of 1977, Section 624, and other applicable law. This determination is pursuant to Section 9 (a) (1) of the Federal Advisory Committee Act and OMB Circular No. A-63 (Revised).

1. Name of Advisory Board: National Energy Extension Service Advisory Board.

2. Purpose: The Advisory Board will advise the Director of the Energy Extension Service, the Secretary of the Department of Energy, and the Congress on the effectiveness of the comprehensive program of the Energy Extension Service and the approved energy extension service plans of the Governors of each State as they are implemented to achieve the objectives

of the National Energy Extension Service Act.

3. Effective Date of Establishment and Duration: The Advisory Board is established, effective 15 days after publication of this notice and filing of the charter with the standing committees of Congress having legislative jurisdiction over the Department of Energy and the Library of Congress, ending two years thereafter.

4. Membership: The membership shall be selected from providers, researchers, and end-users of technological extension programs and energy conservation outreach programs--persons representative of State, county, and local governments, State universities, community colleges, community service action agencies, consumers, small business, and agriculture. The members will be recommended for appointment to the Secretary of Energy by the Energy Extension Service of the Department of Energy, in consultation with the Department of Energy Advisory Committee Management Officer and such other DOE officials as are deemed appropriate. The Advisory Board will consist of not less than fifteen, nor more than twenty members--as required by the National Energy Extension Service Act. There will be no discrimination based on race, color, creed, national origin, religion, age, or sex.

5. Operation: The National Energy Extension Service Advisory Board will operate in accordance with the provisions of the Federal Advisory Committee Act (P.L. 92-463), DOE policy

and procedures, OMB Circular No. A-63 (Revised), and other directives and instructions issued in accordance with implementation of the Act. Advisory Board meetings will be held approximately three times a year. An agenda for each meeting will be developed cooperatively between the Advisory Board Chairman and DOE. The Director, Energy Extension Service, will provide on a continuous basis all information on DOE policies, procedures, programs, priorities, and issues reasonably required by the Advisory Board to perform its function. Staff support will be provided to the Board by the Energy Extension Service, Office of Intergovernmental and Institutional Relations, Department of Energy.

6. Objectivity: The advice and recommendations of the Advisory Board will not be inappropriately influenced by the appointing authority or by any special interest, but will instead be the result of the Advisory Board's independent judgment.

JAMES R. SCHLESINGER
SECRETARY OF ENERGY

DEPARTMENT OF ENERGY
CHARTER

NATIONAL ENERGY EXTENSION SERVICE ADVISORY BOARD

1. Board's Official Designation:

National Energy Extension Service Advisory Board

2. Board's Objectives and Scope of Activities and Duties:

The National Energy Extension Service Advisory Board carries on a continuing review of the comprehensive program and approved plans of the Governors of each State for implementing energy extension service activities. The purpose of this review is to advise the Director of the Energy Extension Service, the Secretary of Energy, and the Congress on the effectiveness of these programs and plans in achieving the objectives of the National Energy Extension Service Act of 1976 and determining how their operation might be improved in furtherance of such objectives.

3. Time Period Necessary for the Board to Carry out its Purpose:

In view of the goals and purposes of the Board, it is expected to be continuing in nature.

4. Officials to whom this Board Reports:

In accordance with Section 8 of the National Energy Extension Service Act, the Board reports to the Director of the Energy Extension Service, the Secretary of Energy, and the Congress.

5. Agency Responsible for Providing Necessary Support for this Board:

Department of Energy

Within DOE, primary support shall be furnished by the Energy Extension Service, Office of Intergovernmental and Institutional Relations.

6. A Description of Duties for which the Board is Responsible:

The duties of the Board are solely advisory and are stated in paragraph 2 above.

7. Estimated Annual Operating Costs in Dollars and Man-years:

\$49,000, 1/2 man-years.

8. Estimated Number and Frequency of Board Meetings:

The Board will meet approximately three times a year, once every four months.

9. Board's Termination Date:

Two years from the date of the filing of this Charter, unless renewed.

10. Subcommittee(s):

To facilitate functioning of the Board, subcommittee(s) may be formed. The objectives of the subcommittee(s) are to make recommendations to the parent Board with respect to DOE plans and programs which are related to the responsibilities of the parent Board. The subcommittee(s) shall be comprised of such members of the parent Board as may be determined by the Chairman of the parent Board. Each subcommittee shall include at least one member representing

consumers. All actions of the subcommittee(s) shall be consistent with the provisions of paragraphs 1 through 12 of this Carter.

11. Members:

- a. Board members shall be appointed by the Secretary of Energy. That appointment shall be subject to review every 365 days, unless earlier terminated. Members may be reappointed to an additional one-year term following review.
- b. Number of members: not less than 15, nor more than 30.

12. Chairman:

The Chairman shall be appointed by the Secretary for the first term and recommended for appointment to the Secretary through a Board election thereafter.

This Charter for the Advisory Board named above is hereby approved on:

Date: _____

Tina Hobson
Advisory Committee Management Officer

Date Filed: _____

PART II
ADVISORY BOARD MEMBERS

A. Interest Representation

B. Selection Processes

ADVISORY BOARD MEMBERS

A. Interest Representation

Section 8 of the National Energy Extension Service Act says that the Board shall have from 15 to 20 members, appointed from among persons representative of State, county, and local governments, State universities, community colleges, community service action agencies, consumers, small business, and agriculture.

There are four other criteria for Board membership, as developed by DOE/EXT:

1. The members shall not be directly associated with the EES program, but rather should have demonstrable experience, expertise, or interest in technological extension in general or energy conservation outreach in particular.
2. The members shall also be representative of the three primary functions in technological extension and outreach:
 - * providers--people representative of government or private programs which are providing information and assistance directly to consumers;
 - * researchers--people representative of university programs directed to conduct research or demonstrations in technological extension or energy conservation outreach; and
 - * end-users--people representative of consumers, small business, agriculture, government, and institutions who receive the information and assistance.
3. There shall be a balance of representation in terms of the categories specified in the Act and the three functions presented above.
4. There shall be a mix of members in terms of race, sex, and geographical distribution.

Because the primary membership criterion is contained in Section 8 of the Act, we have related the required representation to the three primary functions in the following table:

	<u>Providers</u>	<u>Researchers</u>	<u>End-Users</u>
State government	x		x
County government	x		x
Local government	x		x
State universities	x	x	x
Community colleges	x	x	x
Community service action agencies	x		
Consumers			x
Small business			x
Agriculture			x

A good balance among those fulfilling the three functions would appear to be: 40 percent providers, 20 percent researchers, and 40 percent providers. Using this balance, a possible distribution among the nine representation categories required by the Act, for a 20-member Board, is:

	<u>%</u>	<u>Providers</u>	<u>Researchers</u>	<u>End-Users</u>
State government	10	2		
County government	5	1		
Local government	15	2		1
State universities	20	1	3	
Community colleges	10	1	1	
Community service action agencies	5	1		
Consumers	15*			3
Small business	15			3
Agriculture	5			1
		<u>8</u>	<u>4</u>	<u>8</u>

* Which is consistent with DOE policy that each advisory committee be composed of 10 percent residential consumer representatives where practicable.

B. Selection Processes

DOE Advisory Committee Management Policy with respect to member selection is:

1. Committees shall be *balanced*--reasonably representative of the industry and users affected (with 10 percent of the membership composed of residential consumer representatives where practicable). Implicit in the definition of *balance* is the need to give appropriate attention to sex, race, and national origin.
2. Committee members may not be paid trade association personnel located in Washington, D.C., although these associations may nominate individual association members to DOE advisory committees.
3. A review panel composed of Bill Peacock, Jim Bishop, Fred Hitz, Tina Hobson, Larry Stewart, and Assistant Secretary Hughes (or his designee) will assure that the committees represent a balance of interests.

The Office of Consumer Affairs is prepared to assist us in the identification of consumer representatives.

There are several ways to approach Board candidate identification: through personal contacts by members of the EES family, through organizations representative or knowledgeable of the type of candidates we want, and/or through open invitation (in the *Federal Register*).

Potential sources for identifying providers, researchers, and end-users follow:

Providers

- (1) The program contacts listed in EES' publication, *Case Studies and Other Materials* (April 1977)
- (2) The panelists producing the report to ERDA, "Factors Leading to the Success and Failure of Complex Technology Transfer Programs" (March 1977)
- (3) The Cooperative Extension Service --for extension agents or specialists (representative of county governments)

- (4) Public Technology Incorporated and the Urban Consortium--with respect to urban technology extension providers
- (5) National Association of County Agricultural Agents, San Antonio--organization of 5300 county agricultural agents and extension workers
- (6) American Association of Community and Junior Colleges, Washington, D.C.--of these colleges throughout the country; has a program of community education
- (7) National Association of State Universities and Land Grant Colleges, Washington, D.C.
- (8) NASA's Technology Utilization Office
- (9) Pilot EES State Directors
- (10) National Governors Association, Washington, D.C.

Researchers

- (1) The panelists in number 2 above
- (2) Center for Science in the Public Interest, Washington, D.C.--collecting and publicizing evidence to assess whether public and private technology activities are responsive to the public interest; staff of scientists, engineers, and lawyers; divisions include Energy Project and People and Energy Project
- (3) National Council for the Public Assessment of Technology, Washington, D.C.--to provide members with before-the-fact information concerning new technologies and new applications of existing technologies and to facilitate public participation in all aspects of technology assessment (has an energy program)
- (4) National Association of State Universities and Land Grant Colleges, Washington, D.C.
- (5) Technology Transfer Society, Los Angeles--50 members from all disciplines to encourage the development of technology assessment, transfer, utilization, and forecasting techniques

End-Users

- (1) Consumer Federation of America, Washington, D.C.--largest consumer advocacy organization in the country
- (2) American Council on Consumer Interests, Columbia, Missouri--3000 teachers, researchers, counselors, and people working with media and government to disseminate information on consumer problems and to promote better consumer education
- (3) National Consumers Congress, Washington, D.C.--4000 members, supporting local efforts on consumer-oriented food and energy issues
- (4) American Farm Bureau Federation, Park Ridge, Illinois--2.5 million members
- (5) National Association of County Agricultural Agents, San Antonio--to identify farmers
- (6) Active Corps of Executives, Washington, D.C.--2500 active business persons helping small business solve operating and management problems
- (7) National Small Business Association, Washington, D.C.--40,000 members; lobbying group
- (8) Service Corps of Retired Executives (SCORE), Washington, D.C.--volunteer assistance effort sponsored by SBA and ACTION
- (9) Center for Community Change, Washington, D.C.--assists community groups of the urban and rural poor to change their communities
- (10) Community Training and Development, Fond DuLac, Wisconsin--40 community action agencies and social service branches of state government (for identification of low-income consumers)
- (11) American College of Hospital Administrators, Chicago, Illinois--professional society for hospital administrators
- (12) American Association of School Administrators, Arlington, Virginia--18,000 administrative officers of boards of education, school district superintendents, etc.

EES EXPECTATIONS FOR THE NATIONAL ENERGY EXTENSION SERVICE ADVISORY BOARD

This material is prepared for EES discussions with prospective Board members.

A. Background

Advisory committee effectiveness in government is spotty. In concept, the purpose of advisory committees is important to government service. *Professional* members of advisory committees (e.g., experts in a particular field) can bring new knowledge and skills to agency programs. *Constituent* members (e.g., persons representative of those served by agency programs) can add experiential perspectives which agency staffs do not have.

And yet, some advisory committees are more effective than others. Some of the indications of ineffectiveness are:

- * some agencies see advisory committees as necessary "public relations evils," peripheral to agency operations;
- * advisory committees may "create waves," making recommendations which agencies perceive as not particularly useful--although they have to deal with them;
- * some advisory committees break into "warring" factions, which prevents them from rendering the advice they were expected to give;
- * some agencies have different expectations than advisory committee members with respect to the role that the latter are to play; and
- * some advisory committees are so "overwhelmed" with information that they don't know where to begin in sorting out priorities.

There are several reasons for advisory committees' failure to live up to their expectations. First, seldom is their role spelled out in sufficient detail for members to understand and accept. The overall objective of the EES Advisory Board, for example, is to carry on a continuing review of programs and plans for the purpose of determining their effectiveness in achieving the objectives of the EES Act. As a practical matter, volunteer members--who meet only a few times a year--cannot be expected to carry on a continuing review. They have neither the time nor inclination to go into compre-

hensive depth. But if this is what is expected of them, then it should not be surprising that the agency sees many of their recommendations as platitudinal--or irrelevant. What is needed is a specification of responsibilities, consistent with the overall committee purpose, which is most useful to the agency and draws out the capabilities, knowledge, and experiences of the members.

Second, there is a tendency in committee member selection to choose people who have a vested interest in the agency or program to which the members will offer advice. The rationale is that they know best what their needs are. The problem is that they cannot necessarily be objective, for the funds and rules of the agency control what they can and cannot do. Moreover, so close to the program, these interests may not be able to see things and make connections which other people--not identified with the program--can. There is therefore a trend in some parts of the country, particularly in professional standard review boards, to add members who are not part of the constituency. A new perspective "in the public interest" is added.

Third, some agencies spend too little time in selecting members. They don't insure that the members will have the commitment and perspective to play a realistic and needed role. No matter how well defined the committee roles are, experience suggests that member selection is the most important ingredient to insure committee effectiveness.

B. Discussion

EES is an innovative and experimental program in technological extension of energy conservation techniques and technologies. Within fairly broad Federal guidelines, EES is a state-run program, and the states have considerable flexibility in tailoring information and assistance services to the special needs of their constituencies. States are encouraged to experiment with a variety of approaches--to take risks which were not possible before.

The National EES Advisory Board can play a crucial role in stimulating and maintaining the momentum of this innovative and experimental program. The Advisory Board can add:

- * the perspective of an independent, objective, non-vested observer and advisor, and
- * the wider horizon to look at EES not only in terms of its statutory objectives, but also in the context of technological extension programs in general and the broad field of energy extension outreach in particular.

Potential Board members with this perspective and wider horizon have knowledge, history, skills, and experience which EES does not have, but which EES needs if it is to continue to be on the cutting edge of technological extension innovation.

The Department of Energy's EES administration has already experienced the value of this type of group. When the pilot EES program was being formulated, EES convened a Study Group on State-Federal Technological Extension Programs. The members--providers, researchers, and end-users in technological extension--offered advice which helped shape the program.

EES wants to continue the spirit of this Study Group in the Advisory Board, selecting providers, researchers, and end-users to add the needed independent perspective and wider horizon.

C. Board Responsibilities

Board responsibilities must, of course, be seen in the context of the Board's statutory objective: to conduct its review of EES and to advise in the context of EES' objectives. But these objectives, summarized from the Act, are sufficiently broad to be adaptable to most technological extension programs:

- (1) to encourage small energy consumers (individuals and small establishments) to reduce energy consumption and convert to renewable energy sources,
- (2) to provide feedback to the Department of Energy, other Federal agencies, and groups in a state regarding institutional and technological barriers uncovered by small energy consumers to their adoption of energy-saving measures, and
- (3) to help reduce the impact of fuel shortages and price increases on small energy consumers by developing a credible assistance and information program that facilitates adoption of energy-saving measures.

In other words, there is a *target audience*--small energy consumers, a *need*--the reduction of energy consumption, a body of *knowledge* to meet the need--demonstrated techniques and technologies in energy conservation, a technological extension *approach to transfer that knowledge*--the personalized, direct delivery of information and assistance to target audiences, and *barriers* to consumer application of that knowledge--institutional and technological problems

to be overcome. These factors--a target audience, a need, knowledge, an approach to transfer knowledge, and barriers--set the stage for Advisory Board members applying their own knowledge, history, skills, and experience to their review and evaluation of EES.

The Board is expected to:

- (1) discuss a variety of technological extension programs in terms of the above factors and how EES might benefit from and apply the experiences of these programs;
- (2) examine the resources required for successful technological extension programs: the personnel skills needed, facilitative organizational structures, and money required;
- (3) present and discuss innovative technological extension projects, where lessons might be useful to EES;
- (4) discuss technological extension needs and problems from the point of view of providers and end-users;
- (5) present and discuss the results of research in technological extension;
- (6) present and discuss the necessary elements in the successful transfer of technological information to target audiences;
- (7) discuss the environment which appears to be necessary for successful technological extension programs;
- (8) discuss the special ingredients of energy conservation as they relate to technological extension;
- (9) discuss the specific problems encountered in EES in relation to how they have been addressed in other programs; and
- (10) advise the EES Director, the Secretary of Energy, and the Congress on how EES operations might be improved in relation to the results of the discussion on the items above.

Following each meeting of the Board, summary reports of Board deliberations will be prepared for broad distribution both within the EES family and to persons associated with other technological extension and energy outreach programs.

PART IV

OPERATIONAL RELATIONSHIPS BETWEEN THE DEPARTMENT OF ENERGY AND THE ADVISORY BOARD

- A. With the DOE Office of Consumer Affairs
- B. With the DOE Energy Extension Service

OPERATIONAL RELATIONSHIPS BETWEEN THE DEPARTMENT OF ENERGY AND THE ADVISORY BOARD

The National Energy Extension Service Advisory Board will consist of 20 volunteer members. The Board will have no staff of its own. Therefore, in order to function, the Board requires Department of Energy staff support in making logistical arrangements for meetings, developing (in cooperation with the Board Chairman) the meeting agendas, preparing and distributing meeting informational materials, and preparing (in cooperation with the Board Chairman) the reports of each meeting. Both the DOE Office of Consumer Affairs and the Energy Extension Service have staff support roles to play.

A. Board Operational Relationships with the Office of Consumer Affairs

This office provides logistical support in establishing the Board and in facilitating its operations.

1. Establishing the Board

- (1) Advises EES of the requirements and documents to be submitted in establishing the Board.
- (2) Reviews the documents for Board establishment; determines whether the Board meets the criteria for establishment.
- (3) Forwards the Action Memorandum (with accompanying documents) to the Secretary for approval; insures that the General Counsel's concurrence has been obtained.
- (4) After the Secretary approves and signs the Notice of Determination to establish the Board, forwards the Notice to EES for transmittal to the *Federal Register*.
- (5) Files the Board Charter with the appropriate committees of Congress and the Library of Congress.
- (6) Notifies DOE Public Affairs of the Board's establishment.
- (7) Reviews the proposed membership list and makes recommendations to EES to insure balance; forwards the proposed membership list to the Secretary for his approval.
- (8) Contacts members to determine their willingness to serve; sends out appointment letters and certificates.

2. Facilitating its Operations

- (1) Works with EES to set up meeting dates, rooms, equipment, furniture, and supplies needed.
- (2) Prepares *Federal Register* notices after receipt of agenda from EES.
- (3) Writes letters to Board members notifying them of the meeting, agenda, hotel accommodations, etc.
- (4) If applicable, makes contact with DOE Region personnel; sends appropriate data for Region information.
- (5) Forwards room set-up scheme and rooming list to hotel for out-of-town meetings.
- (6) Orders reporting service.
- (7) Prepares list of DOE staff and members expected for meetings.
- (8) Attends meetings to check attendance, obtain copies of handouts for the record, to insure that the court reporter has all the needed data, to insure compliance with the Federal Advisory Committee Act, and to be aware of matters discussed which impact on advisory committee management.
- (9) Checks transcripts to insure accuracy as to members and staff present.
- (10) Obtains Chairman's certification of transcript or minutes.
- (11) Has copies of transcripts or minutes reproduced; mails to members.
- (12) Reviews Executive Summaries and/or minutes submitted by EES; assigns action office for commitments made, has reproduced and distributes to members and key policy officials.
- (13) Follows up on Executive Summaries with action offices.
- (14) Maintains files.
- (15) Compiles Annual Report, Comprehensive Review, and other special reports as required.

B. Board Operational Relationships with EES

EES provides logistical support in establishing the Board and in facilitating its operations, and it provides substantive support to facilitate and report on Board deliberations. The Federal Advisory Committee Act requires the Secretary to appoint an Advisory Board Management Officer, who shall:

- * exercise control and supervision over the establishment, procedures, and accomplishments of the Board,
- * assemble and maintain the reports, records, and other papers of the Board, and
- * carry out the provisions of the Freedom of Information Act with respect to those reports, records, and other papers.

1. Logistical Support

a. Establishing the Board

- (1) Submits Board justification material to the Secretary through the Office of Consumer Affairs.
- (2) Recommends members.

b. In Facilitating its Operations

- (1) Determines need for meetings, in coordination with the Office of Consumer Affairs.
- (2) Submits the broad agenda to the Office of Consumer Affairs for use in preparing notice of meetings for the *Federal Register*.
- (3) Designates representative to attend meetings.
- (4) Prepares travel authorization forms for members (and staff for out-of-town meetings).
- (5) Forwards airline tickets to members, if applicable.
- (6) Reviews travel vouchers; follows up with members for outstanding vouchers; maintains liaison with travel office to resolve any problems.
- (7) Maintains accounting control for committee travel funds.

- (8) Xeroxes handouts for meetings in sufficient quantity for members and the public.
- (9) Sets up meeting rooms with name tents, pads, pencils, etc.

2. Substantive Support

- (1) Prepares detailed agendas prior to meetings indicating time frame and the people expected to make presentations.
- (2) Prepares informational materials to support meeting agendas.
- (3) Reviews transcripts and prepares Executive Summaries and/or minutes.
- (4) Prepares Chairman's Report, in coordination with Board Chairman.
- (5) Prepares status report of action taken on resolutions and/or recommendations.
- (6) Provides periodic and special reports as required.

PART V

LEGAL OPERATIONAL RULES
FOR THE ADVISORY BOARD

A. Federal Advisory Committee Act

B. DOE Advisory Committee
Management Policy

LEGAL OPERATIONAL RULES
FOR THE ADVISORY BOARD

A. Rules Prescribed by the Federal Advisory Committee Act

1. Meetings

- (1) The Board may meet only at the call of (or with the advance approval of) the Federal official assigned to attend the meeting.
- (2) The Board may not meet in the absence of this Federal official.
- (3) The Federal official may adjourn any Board meeting when he determines it is in the public interest to do so.
- (4) Every meeting agenda, which shall list the subjects to be considered, must be approved by the Federal official.
- (5) Each Board meeting must be held after timely notice--published in the *Federal Register* at least 15 days before the meeting. Other methods of notice should be used as well: e.g., to people on mailing lists and through press releases. The notice should state the name of the Board, the time, place, and purpose of the meeting, a statement that the meeting is open to the public, and a summary of the agenda.
- (6) All Board meetings are open to the general public and:
 - * should be held in rooms large enough to accomodate expected attendance,
 - * anyone shall be permitted to file a written statement, and
 - * interested persons may be permitted by the Board Chairman to speak in accordance with Board-established procedures.
- (7) The Chairman of the Board will preside over all meetings.

- (8) Detailed minutes, certified as accurate by the Chairman, shall be kept of each meeting: including the time and place of the meeting, a list of members and staff present, a complete summary of matters discussed and conclusions reached, copies of all reports received, issued, or approved by the Board, a statement that the meeting was open to the public, a description of the public participation, a list of people who presented oral or written statements, and an estimate of the number of members of the public who attended.

2. Information Availability

All materials made available to or prepared by or for each Board member shall be available for public inspection and copying at the DOE Energy Extension Service Office. Copies of transcripts (when made) of Board meetings shall be made available to any person at the actual cost of duplication.

B. Rules Prescribed as Part of DOE Advisory Committee Management Policy

1. Member Attendance. DOE guidelines state that members who miss more than two consecutive meetings without adequate cause will, at the discretion of the Board Chairman, be thanked for their past service and replaced with new individuals on the waiting list.
2. Member Compensation. In connection with Board meetings, members will be reimbursed for travel expenses in accordance with Federal regulations. Generally, these regulations state that members shall be reimbursed for actual air travel, coach rate, airport transfer expenses, and hotel and meal expenses up to \$50/day in Washington, D.C. DOE policy is that consultant fees to Board members should not be paid.

PART VI
UNRESOLVED ISSUES
IN ESTABLISHING
THE ADVISORY BOARD

- A. Timing in Establishing the Board
- B. Soliciting Applications from the General Public
- C. Consultant Compensation to Members

UNRESOLVED ISSUES
IN ESTABLISHING
THE ADVISORY BOARD

A. Timing in Establishing the Board

1. Issue

Should the Board be established:

- ___ As soon as possible
- ___ With the publication of the National Program Guidelines (October 1, 1978)
- ___ With the funding of the National Program (April 1, 1979).

2. Discussion

The National Energy Extension Service Act does not specify a date for establishment of the Board, although by implication we might assume that Congressional intent is for its "early" establishment.

As soon as possible realistically means that the first Board meeting would probably be in June or July. Time is necessary for DOE review and approval of the Board documents, identifying and selecting members, arranging for the first meeting, and preparing the agenda and supporting materials. Early establishment means that the Board members, from their broader perspective, could have a positive effect on the National Program Guidelines. Member dialogue on the draft guidelines could have a more positive impact on the final product than comments from the general public. Moreover, the earlier that the Board members begin functioning, the greater positive impact they might have on the development of state plans.

Establishing the Board on October 1 means, of course, that the members will have no impact on the first National Program Guidelines. Member deliberations could still have an effect, however, on the development of State plans.

Establishing the Board on April 1, 1979, which would appear to be the latest possible date, would mean that Board deliberations would focus on program and plan implementation (and up-dates) as opposed to development.

B. Soliciting Applications from the General Public

1. Issue

Should Board member applications be solicited:

- ☐ Through sources known to EES and from the general public through publication in the *Federal Register* and other media
- ☐ Through sources known to EES only.

2. Discussion

Opening up the application process to everyone conveys a certain "democratic" image of EES and could result in the identification of potential "excellent" candidates which EES could not identify through its own sources.

On the other hand, there are potential disadvantages. There could be an "avalanche" of applications, requiring substantial resources to review them--which EES would have a moral obligation to do. Moreover, in reviewing these applications EES would not necessarily have the advantage of recommendations from people or organizations known to EES. Instead, EES would be limited largely to the material submitted.

C. Consultant Compensation to Members

1. Issue

Should EES:

- ☐ Seek an exception to DOE Advisory Committee Management policy that consultant fees should not be paid to Board members
- ☐ Accept DOE policy.

2. Discussion

DOE policy, which at this writing has not been finalized, is presented as follows:

ERDA has formerly paid consultant fees to many of their advisory committee members. We feel that since there are so many prominent and talented individuals willing to serve for reimbursement of travel expenses, consultant fees should not be paid. We believe that consultants are hired to work at agency direction whereas advisory committee members should provide impartial surveillance. Exceptions to this rule would have to be fully justified.

If this policy is formalized, then we can expect the Office of Consumer Affairs to apply very rigid criteria in evaluating requests for exceptions. The Office of Consumer Affairs, for justifiable reasons, wants a uniform policy.

The case for an exception for the EES Advisory Board would probably have to be made on the following grounds:

- (1) The Advisory Board members will be performing a *consultant* role, drawing upon their knowledge, skills, and experience to advise on effective EES operations.
- (2) The Board members will frequently be asked to prepare materials for Board meetings (e.g., on their own programs and experiences).
- (3) Many Board members may not be compensated by their employers for the time necessary to attend meetings, causing them undue hardship.

Paying Board members consultant fees does, of course, have a financial impact--which must be borne by EES. The Federal Advisory Committee Act restricts the fees to a daily rate not to exceed the top level of compensation for a GS-15 (today, approximately \$190/day). If EES were to establish a uniform level of \$150/day, and it is assumed that 20 members would each spend 9 days per year (3 meetings per year, 2 days each in attendance and 1 day each in preparation), the annual consultant cost would be \$27,000 (\$1,350 per member).

PART VII
PROCEDURAL STEPS
TO ESTABLISH THE ADVISORY BOARD

PROCEDURAL STEPS
TO ESTABLISH THE ADVISORY BOARD

	<u>Responsibility</u>	<u>Completion Date</u>
1. Make decisions on unresolved issues (See Part VI).	_____	_____
2. Revise Draft Documents necessary to establish Board and submit to OCA (see Part I).	_____	_____
3. Identify and seek nominations for Board membership (see Part II).	_____	_____
4. Prepare material for discussion with prospective members. (see Part III).	_____	_____
5. Contact prospective members to discuss EES and the Board.	_____	_____
6. Develop specific criteria for achieving Board balance and reviewing applications. (see Part II).	_____	_____
7. Review applications in accordance with the criteria and prepare recommendations.	_____	_____
8. Submit recommendations to OCA for review and transmittal to Secretary.	_____	_____
9. Schedule first Board meeting.	_____	_____
10. Prepare Agenda and supporting materials for first meeting.	_____	_____
11. Make logistical arrangements.	_____	_____
12. Hold first meeting.	_____	_____