

October 14, 2024

To: Arthur Brunson, OG FAC Designated Federal Officer, Office of Government-wide Policy, 202-501-1126, email: arthur.brunson@gsa.gov; ogfac@gsa.gov.

Re: Notice of First and Second Meetings of the Open Government Federal Advisory Committee, <https://www.federalregister.gov/documents/2024/10/01/2024-22406/notice-of-first-and-second-meetings-of-the-open-government-federal-advisory-committee>

Dear Mr. Brunson: I write to suggest that the newly chartered Open Government Federal Advisory Committee reiterate to Federal agencies and their advisory committees their obligation to post meeting minutes in a timely manner. Specifically, under the Federal Advisory Committee Act (FACA: “[a]gencies should post the meeting minutes on the agency advisory committee website (if one exists) not later than 14 calendar days after the meeting minutes have been certified.”¹ While I will not cite examples in this comment, I can think of numerous instances when I have found agencies failing to post minutes from meetings that occurred months or even years ago. This obstructs public understanding of what committees are doing and their work. The Open Government committee should reiterate agency obligations to post these minutes. Moreover, if agencies have failed to do so, they should be encouraged to update committee or agency Web sites to post materials for previous meetings such as those that occurred years ago even if they have not previously done so. Likewise, and for the same reasons, agencies should be encouraged to post written public comments they receive as well as meeting transcripts.² While some agencies no doubt make these types of records available upon request, it would be helpful as a standard practice to proactive share with the public online all such materials. Thank you for your consideration of this input.

Sincerely,



Mitchell Berger

Note/disclaimer: The views expressed above are solely those of the author and should not be imputed to other individuals nor to any public/private entity.

¹ <https://www.ecfr.gov/current/title-41/subtitle-C/chapter-102/subchapter-A/part-102-3>

² <https://www.gsa.gov/policy-regulations/policy/federal-advisory-committee-management/advice-and-guidance/public-access-to-records>