

Testing the Limits of Democracy: Participation, Openness, and Effectiveness in Federal Advisory Committees

By

Kevin D. Karty

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Abstract

This paper considers the tradeoff between democratic values and administrative efficiency in policymaking. Specifically, it looks at federal advisory committees (FACs), and asks two questions. First, does public participation and scrutiny impact FAC effectiveness? Second, does balanced membership impact FAC effectiveness? The paper analyzes data from a survey of committee members in 1998 and concludes that enhancing transparency does significantly impair committee effectiveness. However, balanced membership improves committee effectiveness and can enhance democratic values. The paper then turns to interview evidence to identify the key dynamics underlying these results. Finally, based on the statistical and interview evidence, it argues for stronger enforcement of the balance criterion, rather than further efforts to strengthen transparency.

Introduction

Scholars have invented dozens of catchy terms to describe the alleged inability of democratic institutions to deal with the complex problems of modern society – “Crisis of Democracy” (Brodin; Crozier et. al.; Sundquist), “System Overload” (Scalia), “Legislative Logjam”¹, etc. Yet at the same time that critics indict the state as increasingly incompetent and choked with special interests, they also worry about its growing dependence on technocrats to help it design and administrate programs. (Meynaud; Rourke) The inconsistency in this rhetoric reveals a very real discord between two important features of the state: “the dual and conflicting imperatives of technical effectiveness and democratic responsiveness”. (Aberbach et. al.: 3)

In spite of the rollback in crisis rhetoric during the prosperous 1990s, democracies worldwide have expressed a schizophrenic, love-hate attitude toward technocrats. In Europe, many people deeply distrust the dependence on expert committees in the European Union, which scholars have termed 'Comitology'. (Egan and Wolf; Bignami) Meanwhile, Americans and their elected officials frequently engage in expert-bashing while quoting expert reports at the same time. In the “Contract With America” of 1994, for example, an energetic Republican Congress casually dismantled the Office of Technology Assessment, even though OTA was highly regarded in both the scientific and political communities.² Within a few years, however, Congressional requests for reports from the National Research Council (a non-governmental institution mostly funded by Congressional grants and dominated by peer-elected academics) more than doubled.³

The dislike of technocracy in the United States has spurred a growing desire to bring government closer to the people, which has encouraged two trends in institutional design: First, decentralization of governmental functions to state and local bodies.⁴ Second, efforts to make federal agencies responsive to ‘the public’.⁵ Yet both of these trends suffer from practical limitations.

Most Americans recognize these limits, as did the framers of the Constitution. (Madison, 1788)⁶ Nonetheless, the ideal of direct democracy remains the golden apple

¹ This colloquialism is used in 34 separate articles in between 1996 and 2001 in the New York Times alone. <http://www.nytimes.com/> (August 18, 2001).

² Morgan, M. Granger. Morgan summarizes the praise OTA received from other newspapers, and recounts the “comedy of errors” that resulted in OTA’s unlikely demise.

³ Interview on file with author. Actually, interviewee may have understated the impact of the demise of OTA. In 1995-1996, NRC delivered 4 Congressionally mandated reports. In 1997-1998, NRC delivered 26.

⁴ Decentralization first entered modern academic literature in the context of designing efficient organizations. (Marschak) In 1993, the National Productivity Review (NPR) also approached decentralization in this context, as a method of streamlining government. In the past few decades, however, comparative scholarly work has focused on the political aspects of decentralization and its effects on democracy. (Manor)

⁵ The NPR advocated responsiveness in the form of “customer-driven agencies” in 1993. In 1996, Congress passed the Small Business Regulatory Enforcement Fairness Act (SBREFA) to modify the Regulatory Flexibility Act of 1980 by creating an oversight system of advisory boards and ombudsmen to advocate for small businesses and report to Congress on their efforts of agencies to address the needs of small businesses.

⁶ In Federalist No. 10, Madison actually praises a polity’s size as a virtue, arguing that pure democracies consisting of small numbers of citizens “admit of no cure for the mischiefs of faction.”

of political ideology in the United States. Only the size and complexity of the federal government prevent us from making all decisions by democratic vote. Confronted with these problems, the federal government has frequently looked to advisory committees as a partial solution.

Some fifty or sixty agencies employ a total of about a thousand federal advisory committees (FACs) in a given year, most of which are long term, continuing committees. They provide advice on topics as technical as drug safety and as directly political as the design of monuments. In a typical year, forty thousand members contribute to FACs, from all fields and lines of work. Congress, the President, and agencies all authorize advisory committees for their own purposes. (Karty) FACs have proven one of the most flexible tools available to the federal government.

Potentially, FACs offer many benefits. They secure advice on a wide array of topics from some of the most experienced and skilled citizens in the nation, most of whom serve on these committees for free. In Congress own words, advisory committees provide “a means by which the best brains and experience available in all fields of business, society, government and the professions can be made available to the Federal Government at little cost.” (H.R. REP. NO. 1731:????) Ideally, they also render administrative decision-making and interest representation more transparent. And finally, they allow social groups to directly participate in making and implementing important decisions that affect them. All of these qualities are desirable to some extent, but they often conflict with each other. This paper tries to measure the extent and impact of that conflict.

A Brief History of Advisory Committees in the U.S.

The first FAC dates back to George Washington, who convened it to seek a peaceful solution to the Whiskey Rebellion. Although this committee failed (and may even have been expected to fail), various presidents down the years have used committees and panels for a wide variety of purposes. (Flitner) Their popularity waxed and waned with different presidential incumbents, rarely having much of an impact throughout the 19th century. Frequently, Congress challenged the president’s right to appoint commissions, with virtually every holder of that office defending the right of the president to independently seek advice. Yet it was not until Theodore Roosevelt in the early 20th century that presidents began to use advisory committees with sustained frequency. In particular, Roosevelt’s Commissions on Public Lands, Inland Waterways, Country Life, and National Conservation publicized and informed the debate on protecting national lands, and thereby helped build the foundations underlying the National Park Service. (Wolanin) Since the first Roosevelt, commissions became more accepted and more commonplace. A few even wielded considerable influence – for example, the Brownlow Commission of 1937, which designed the basic structure of the modern presidency, and advocated it with the war cry, “The President needs help!”.

Presidential commissions were typically high profile and ad hoc. The emergence of low-level policy, administrative, and scientific FACs in their present form began with the New Deal, when the reformist government discerned a need to cooperate more fully with the private sector in managing the economy and other social problems. Due largely

to legal challenges and a generally anti-administrative philosophy among those opposed to the New Deal, FACs failed to gain complete legitimacy until World War II.

World War II transformed FACs into a permanent fixture of modern government. Although the War Materials Board is probably the best known advisory committee of that era, the federal government at one time used as many as 35,000 citizen advisory committees, many operating at a state or local level. (H.R. REP. NO. 576) The apparent success of these efforts, illustrated by the overwhelming US economic dominance after World War II, seemed to prove the success of this new model of government-private sector cooperation.⁷ After the war, Congress and the President disbanded most of these committees during the general dismantling of the US war machine, but they left much of the infrastructure in place throughout the Cold War.

Throughout the 1950s, the US public expressed great faith in the competence and integrity of the federal bureaucracy - after all, it had won the war. Nonetheless, undercurrents of criticism persisted and eventually resurfaced. By 1957, the advisory committee process came under intense scrutiny from Congress. Spurred by Department of Justice (DOJ) allegations that large corporations were using advisory committees to facilitate collusion, Congress investigated and leveled two accusations: First, under the “veil of secrecy” surrounding these committees, agencies used them improperly to solicit support among the public for their programs. (H.R. REP. NO. 576) Second, narrow special interests groups dominated certain committees and used them to directly control the regulatory process to pursue their own selfish ends. Congress threatened to regulate advisory committees, but in the early 1960s, the Bureau of the Budget (predecessor to the Office of Management and Budget) avoided new legislation by agreeing to address the problem through administrative means. BOB (and later OMB) failed to follow through, however, and Congress again took notice of abuse of the advisory committee process in 1970. Led by Senator Metzenbaum, the Senate Subcommittee on Intergovernmental Affairs of the Committee on Government Operations first began inquiries into the advisory committee process, and was soon followed by the House. After many hearings, multiple legislative proposals, and much deliberation, Congress passed the Federal Advisory Committee Act (FACA) in 1972. (Markham)

FACA created a new administrative body to oversee advisory committees, and set forth several principles for managing them. These principles include:

- **Transparency**, expressed as a mandate for open meetings and publicly recorded minutes, with limited exceptions
- **Unbiasedness**, expressed as a mandate for balanced representation among social groups, economic interests, and political viewpoints
- **Participation**, expressed as a mandate that agencies announce committee meetings ahead of time and inform interested parties about such meetings
- **Rationality**, expressed as a desire for a streamlined committee process, and an emphasis on obtaining results (reports and advice) and using them

⁷ Soon after Pearl Harbor, Roosevelt came forth with a seemingly absurd demand of producing 60,000 planes, 45,000 tanks, 20,000 aircraft guns, and 8 million tons of shipping within a year. Although initial mobilization efforts generated some amazing bottlenecks in the first year of the war, the U.S. economy was soon exceeding Roosevelt’s demands by a considerable margin. (Janeway)

- **Efficiency**, expressed as a desire to reduce the cost of committees, combine redundant committees, and eliminate obsolete committees
- **Public interestedness**, expressed as a mandate that agency officials convene and direct committee meetings themselves, resist ‘inappropriate influence’, use committees for advice (rather than privatized decision making), and keep the ultimate power to make decisions in their own hands.

FACA and the Principles of Democracy

As many legal scholars have commented, FACA’s principles sometimes conflict with each other. (Funk) Opening committee meetings to the press, for instance, can have a “stifling” effect on committee discussions. (Faure) Direct public participation can prolong meetings and allow disaffected individuals and groups to bog down the discussion. These problems are not unique to advisory committees. They are common to all democratic institutions in the modern age – not least of which, Congress.

Recently, FACs stirred a major conflict when a federal court ordered the National Academy of Sciences (NAS) to open all of its committee meetings to the public in 1997, and Congress stepped in with legislation to establish a compromise between the important principles at stake.⁸ This was only one of several court cases surrounding FACA. In twenty-five years, FACA has racked up nearly 100 precedent setting cases. Twenty of these directly address issues of openness, a dozen address issues of balance, and another thirty address related issues such as when FACA applies and what constitutes an advisory committee.⁹ Often, they founder in legal details, as courts seek to render decisions based on technicalities to avoid answering the big questions. Yet out of these cases has emerged a body of legal rulings that purport to interpret and apply FACA. These rulings illustrate two major trends:

Minimal Emphasis on Balanced Membership

The federal courts have given only the weakest of interpretations to the balanced membership requirement. Even when the courts have granted standing to sue, the courts have frequently denied petitions. Courts have allowed agencies to interpret balance in terms of either interests or points of view, have respected agency discretion in determining which individuals adequately represent which interests, and have denied protests that committees must be numerically balanced. Even though many agencies strictly endorse balanced membership, courts have resisted enforcing this requirement. Even in the most egregious of cases, when the courts have identified wrong-doing on the part of the agency, they have ordered only the weakest of remedies.

⁸ See Federal Advisory Committee Act Amendments of 1997. Also see “Animal Legal Defense Fund, Inc. vs. Donna E Shalala, 104 F.3d 424, 322 (U.S. App. D.C. 1997) The appellate court overturned the lower court decision , ruling that the NAS committee in question was an advisory committee and produced advice that was intended for use by the agency. Congress amended FACA to allow NAS committees somewhat more flexible criterion for fulfilling FACA requirements.

⁹ A full discussion of the cases would require several pages. For details, see Committee Management Secretariat website. <http://policyworks.gov/org/main/mc/index-la.htm>. (August 18, 2001)

High Emphasis on Transparency

By contrast, courts have taken a much more stringent (though not unwavering) stand on openness. Although abiding by the list of FOIA exceptions (which are admittedly quite broad), courts have occasionally compelled the release of documents prepared for the committed and ordered meetings open to the public. The court order to NAS in 1997 was one of the most striking, but several other cases also sided with advocates of open government.

Clearly, the intensity of the legal battles involving FACA demonstrates that formal and case law has an extraordinary impact on the way advisory committees are handled in the United States, yet few scholars empirically study the impact of these cases. What are the consequences of these legal choices on committee effectiveness? How severe are the costs of open meetings and balanced membership? Should courts continue to place a low emphasis on balanced membership and a high emphasis on transparency? This paper tries to answer these questions.

Balanced Membership: *Lowi vs. Madison vs. Arrow*

The primary argument against strictly balanced membership rests in the distinction between interest group liberalism and classical Madisonian democracy. Modern interest-group liberals such as Lowi and (occasionally) Dahl argue that society is so large and complex that groups have considerably more ability to influence government than individuals, because they can more adequately coordinate their behavior and overcome collective action problems. Recognizing this comparative advantage of groups, individuals pursue political goals through groups. Democratic decision-making reflects the accumulation of social pressures in some sort of ‘Calculus of Consent’. (Buchanan and Tullock) Thus, fair and beneficial regulation can only be achieved in the presence of balanced group representation. Modern liberals might therefore express concerns that corporate/business/trade group membership outnumbers that of other non-government, non-academic groups by over 2 to 1, as Figure 1 shows.

[Insert Figure 1 Here]

In contrast, the classical Madison theory of democracy contends that groups (or factions) fragment society and encourage selfish behavior, regardless of any notion of balance. (Madison, 1788) Empowering groups with rights to participate in advisory committees merely accentuates the cleavages of faction and undermines civic principles. Instead, democracies benefit from participation by atomistic individuals with diverse and cross-cutting interests. This view models government either as a guardian of the public interest, or as an extension of the altruistic, civic activity of citizens.¹⁰

The Madisonian view of democracy finds strong statement in law, under the so-called non-delegation doctrine, which prevents the federal government from delegating

¹⁰ The latter view has been called Civic Republicanism by legal scholars, and has received more attention in the legal field than from political scientists. (Croley)

state power to private organizations.¹¹ Since the New Deal era, however, courts have rarely given more than lip service to the non-delegation doctrine.¹² The new General Services Agency (GSA) proposed ruling on FACA, for example, allows the existence of so-called ‘operational committees’, which function like mini-agencies and permit some delegation of power. (GSA Proposed Rule) Even so, courts have refused to grant specific groups a right to participate in committees, insisting that all members sit on FACs as individuals.¹³ Yet practical experience challenges the reality underlying this legal doctrine, and suggests that many groups have *de facto* guaranteed representation on certain advisory committees. Said one interviewee who sat on an EPA committee, “I don’t know how the appointments are selected, but it’s pretty obvious who the stakeholders are... Yes, the stakeholders are mostly organizations.”¹⁴ Another committee member indicated that he filled a position which had traditionally been filled by an employee of his firm; however, he also noted that when serving on the committee he deliberately took a broader view rather than pushing for the narrow interests of the firm.¹⁵

In contrast to both Lowi and Madison, the Public Choice school of modern liberalism often worries less about fairness than the difficulty of achieving any stable political outcome. Since Arrow’s Impossibility Theorem, models of democratic decision-making bodies have consistently predicted that more heterogeneous groups experience greater difficulty in reaching decisions. (Riker) Buchanan and Tullock add to this, noting that rational citizens may yield up control in exchange for more efficient institutions. While formal theorists argue about the precise conditions under which stability can be achieved, virtually all agree on one thing – homogeneity increases the speed of decision-making and the likelihood of reaching stable outcomes, while heterogeneity impedes rapid decision making and increases the likelihood of political instability. Within a FAC, therefore, any sort of diversity (individual or group) should come at a steep cost.

Transparency: Openness vs. Effectiveness

Americans have long associated transparency with clean government.¹⁶ In the over-quoted words of James Madison, “A popular government without popular

¹¹ The non-delegation doctrine typically rests on a trio of cases dating back to the New Deal: *Schechter Poultry Corp. v. United States*, 295 U.S. 495, 529, 542 (1935), *Carter v. Carter Coal*, 298 U.S. 238, 297-315 (1936), and *Panama Refining Co. v. Ryan*, 293 U.S. 388, 430-433 (1935).

¹² Occasionally, the issue becomes one of major concern. Early in 2001, the Supreme Court overturned a lower court ruling that would have invalidated a large portion of the EPA rulemaking process as the unlawful delegation of law-making powers to an agency. The Court held that EPA’s rulemaking powers were narrowly circumscribed, and thus were not legislative in nature. *Whitman vs. American Trucking Associations, Inc.* 531 U.S. 457 (2001). In doing so, the Court reiterated the ‘intelligible principle’ doctrine delegation first spelled out in *J. W. Hampton, Jr., & Co. vs. United States* 276 U.S. 394 (1928) without which modern technocracy would be untenable.

¹³ *National Association of People with AIDS v. Reagan*, Civil No. 87 2777 OG (D.D.C. May 13, 1988). Also see *Public Citizen v. National Advisory Committee on Microbiological Criteria for Foods*, 708 F.Supp. 359 (D.D.C. 1988), *aff’d* 886 F.2d 419 (D.C.Cir. 1989).

¹⁴ Interview on file with author.

¹⁵ Interview on file with author.

¹⁶ Karty, Kevin. 2001. “Transparency and Capture in Federal Advisory Committees.” Unpublished Paper.

information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy; or perhaps both. Knowledge will forever govern ignorance: And a people who mean to be their own governors, must arm themselves with the power which knowledge gives.” (Madison, 1822)¹⁷ Long after Madison, President Wilson took up the cause, writing: “Everybody knows that corruption thrives in secret places, and avoids public places... Government must... be absolutely public in everything that affects it.” Around the same time, Justice Brandeis wrote: “Publicity is justly commended as a remedy for social and industrial disease. Sunlight is said to be the best disinfectant and electric light the most efficient policeman.” Numerous others have said the same in less memorable words.

Yet in spite of this powerful rhetoric, FACA, the Freedom of Information Act (FOIA), and the Sunshine Act all permit secrecy and closure in several important matters, including:¹⁸

- National security interests
- Agency rules and employment practices
- Interagency memoranda
- Matters of individual privacy
- Trade secrets, and commercial and financial information
- Law enforcement records

As one might imagine, this expansive list permits easy abuse. In recent years, the number of closed FAC meetings has seen a dramatic increase, as Figure 2 shows. Although most of this increase has been concentrated in National Science Foundation (NSF) and Health and Human Services (HHS) committees, a number of committee members cite the increased use of executive sessions and other mechanisms to permit closed discussions outside of formal meetings.¹⁹ Public Choice theorists such as Olson and Stigler would express concern about this trend, fearing that information asymmetry between special interests and the mass public facilitates regulatory capture. (Olson) Yet Congress essentially agreed with the claim that openness can harm the effectiveness of FACs when it wrote FACA, and it recently reaffirmed this belief in the NAS amendments to FACA in 1997.

Legal scholars argue convincingly that open meetings sometimes hamper the administrative process. An agency may have convincing evidence of a fact, but choose to withhold certain sensitive financial data from committee members for fear that the general public will obtain it. An agency may wish to facilitate negotiation, but openness may encourage grandstanding, highlight concessions, and create an atmosphere that stifles free discussion. (Faure) Even in meetings that serve no negotiating purpose, open meetings may threaten the sense of collegiality among committee members, prevent important meetings from occurring, and allow a FAC’s staff and chairman to dominate the proceedings. (Bradley) Taken together, these arguments present a formidable challenge to the notion that openness always serves the public interest.

¹⁷ This famous quotation appears in literally hundreds of books and articles, including the Congressional documents supporting FOIA.

¹⁸ For a complete discussion of exemptions, see the FOIA user’s guide by the ACLU.

¹⁹ Interviews on file with author

[Insert Figure 2 Here]

Balanced Membership, Meeting Openness, and Committee Effectiveness

The remainder of this paper analyzes a data set compiled by the General Accounting Office (GAO) from a multi-question survey conducted in 1997. The survey was sent to 900 federal advisory committee members, randomly selected from the general pool of all members. 607 members responded, generating a response rate of 67%. The survey was conducted anonymously, and did not include questions that could identify the responding committee member. This unfortunately precludes the implementation of certain statistical controls for committee type, a potential problem that is addressed later in this paper.

The paper is primarily interested in how Balanced Membership and Openness affect a committee's effectiveness. Recognizing the importance of other factors in running effective committees, however, it includes several additional controls.

Dependent Variables

Table 1 summarizes the possible variables in the survey that could be used to measure committee effectiveness.

[Insert Table 1 Here]

Initially, Success seems a likely candidate for a dependent variable. However, Success only addresses continuing committees that had not yet completed their work. Success, like the other four choices, has both advantages and disadvantages. For this reason, the paper replicates the regressions using each of the variables as the dependent variable. The results are highly robust to choice of the dependent variable, and the high correlation in the responses to the questions above suggest that selection bias in the 'Success' variable is not problematic. In order to improve precision, however, the model ultimately adopts a principal component combination of these five variables (Effectiveness1) as a dependent variable. It also uses Effectiveness2, a principal component that excludes Success, to guard against selection bias. The results on both of these variables prove quite strong and stable.

As with most survey data, however, this data may suffer from typical biases. Most importantly, the dependent variable is drawn from questions that ask committee members to rate their own committee. Some critics may contend that members are predisposed to overrating their committee, but this does not concern us since we are more interested in the *relative* impact of our independent variables than in overall levels of committee approval. We are far more concerned about the possibility that a respondent's perceptions of committee effectiveness may not coincide with the perceptions of an agency or of society at large (if this could even be measured). Thus, we must trust that respondents are not judging committees based entirely on selfish criteria. We do have some basis for making this judgment. First, the survey was fairly extensive, including dozens of questions, and required considerable effort to fill out. Since respondents had

little to personally gain from submitting the survey, we may expect that those who were motivated to serve on their committee purely for selfish reasons would choose not to respond. That GSA received such a high response rate (67%) from an extraordinarily busy group of people speaks very highly of the typical advisory committee member and the quality of the data. Second, the survey included several questions that measured aspects of effectiveness, with each one specifically worded to address a single (somewhat technical) aspect of the committee's behavior. Yet these questions had a single linking theme, and yielded highly correlated responses that behave similarly when used as dependent variables in the regressions that follow. Effectiveness1 and Effectiveness2 thus do seem to measure how FACs functioned, and not how much individual members personally gained from their FACs.

Independent Variables

The GAO survey included several questions that contribute independent variables to the model. Table 2 lists these variables.

[Insert Table 2 Here]

Open Meeting, which codes how respondents rated the openness of their committees to the general public, serves as the primary measure of transparency. Recognizing that 'openness' has two implicit meanings (transparency and participation), the model also includes a related variable, Express, that measures opportunities for public participation. Opportunities for expression may take the form of time set aside at meetings for public comment, formal committee hearings, or access to committee members during breaks and intermissions. Although not the focus of this paper, the coefficient on Express carries considerable importance, as it measures the effect of public participation on the efficient functioning of FACs in the United States. A notable literature contends that sheer size can impose considerable constraints on democracy, and if this were true, one might expect to see participation imposing a cost on efficiency and effectiveness. (Dahl) As expected, Express and Open Meeting are highly correlated and have similar coefficients in all of the regressions when they are individually included in the model. When they are included together, however, the effect of Express tends to fall out, while Open Meeting remains significant.

The GAO survey offers two questions from which to construct a Balance variable. The first question addresses points of view, and the second addresses interest groups (stakeholders). The difference in these two measures potentially allows one to test whether the Madisonian theory of democracy better describes advisory committee dynamics than Interest Group Liberalism. Empirically, however, the two measures are highly correlated (simple correlation of 0.69), and in all of the regressions the variables had virtually identical coefficients. Thus, for the sake of parsimony and statistical significance, the model combines these two variables in the final set of regressions into a single Balance variable by simply averaging them. The combined 'Balance' variable

measures the impact of both balanced membership and balanced viewpoints on the effectiveness of advisory committees.²⁰

The remaining variables are control variables. Although not particularly interesting from the standpoint of a democratic theorist, they are still quite important to the design of efficient agencies and organs of government.

The first control variable, Worth, measures to what extent a FAC had a worthwhile purpose. This variable presents a possible problem for the analysis, as it may explain too much of the variation in committee effectiveness. The model includes it because respondents may rank committees with worthwhile purposes as more effective, regardless of administrative efficacy. However, the coefficient may overestimate the effect of the Worth because of simultaneity – those committees that performed better may appear to have more worthwhile purposes. As one would expect, the inclusion of this variable slightly attenuates the estimated effects other variables, but errs on the side of caution and thus retains Worth in the final regressions.

The next set of control variables, the Contact variables, should all measure the level of contact a member has with the sponsoring agency. Network theory suggests that FACs with higher levels of contact between committee members and agency personnel would perform better. (Granovetter; Saxenian) For the sake of parsimony, the model also constructs a composite Contact variable, as with Balance. But regardless of the method of constructing this composite, both it and all of the individual Contact variables proved insignificant and were thus dropped from the final regressions.

Although it appears to measure something very similar to the Contact variables, Access has a slightly different emphasis. The Contact variables measure how much interaction advisory committee members actually engaged in with agency personnel; Access measures how much access the committee members could have had to agency officials. Surprisingly, Access is generally significant (and positive) even when Contact is not. Unfortunately, Access may also suffer from some simultaneity, as important agency officials may grant more access to successful committees. Yet several rounds of sensitivity analysis reveal that the inclusion of Access never significantly changes another variable's coefficient, affects the significant of another variables coefficient, or flips another coefficient's sign, so the results appear robust to its inclusion.

Support measures the level of administrative support given to a committee by its agency or sponsor. Hypothetically, administrative support should increase committee effectiveness.²¹ Indeed, it may be so crucial that agencies might strategically manipulate agency support to encourage or strangle a committee's deliberations and investigations.²² Regardless, initial investigation suggested that Support would have a large and positive impact on committee effectiveness.

²⁰ A Wald test fails to reject the hypothesis of equivalence of coefficients on the two balance variables at even a 40% significance level in any of the regressions.

²¹ Interview on file with author. "The most common cause of committee breakdown... is probably insufficient staff support. For instance, there was one committee where we had a staffer who had lots of technical expertise in the area, but was less good at the sort of un-quantitative things that are needed to manage a committee and prepare a report generated by a lot of people."

²² Interview on file with author. "There are a lot of tensions between the commission and the staff. How independent is the committee? If the staff is largely detailed (sent by the agency to do work for the committee and paid from agency budgets), and the staff writes the report, and the committee rubber stamps them, then I am cynical about its unbiasedness."

The Prior materials variables measure the degree to which committee members have access to supporting materials and documents prior to meetings, which was one of the primary recommendations of a major 1992 Institute of Medicine report on FACs in the health sciences. As with the Balance variables, the Prior variables all have similar signs and magnitudes. Combining them into a single average variable, 'Prior', improves the precision of the coefficients and the parsimony of the model, without really hindering the analysis.

The 'Input' variable measures the relative amount of input from committee members vis-à-vis agency personnel. In bivariate regressions, this variable has a strong positive impact ($p < 0.001$) on all measures of committee effectiveness, indicating that agency interference in committees might (perhaps inadvertently) harm eventual outcomes. Although this result seems highly intuitive, since it is easy and tempting to imagine federal bureaucrats distorting the committee process, this result largely falls out in the multivariate analysis, and is dropped from the final model.

Lastly, the regressions include 10 group membership dummy variables. All ten variables are included because some respondents listed themselves as members of more than one group (eliminating the problem of collinearity), and a handful did not list themselves as a member of any group (even 'Other'). A quick scan of the means of these variables reveals that fully 54.4 percent of all respondents work in universities, colleges, or academic research institutions. Even considering that university members may be more likely to respond to the survey than members of the private or government sectors, this underscores the extraordinary influence of academics in FACs (and especially science advisory committees), and highlights the 'problem' of technocracy. Indeed, over two thirds of FACs in 1998 had at least one, and usually more than one, academic as a member.²³ Furthermore, as non-governmental experts that can claim unbiased positions, academics often serve as committee chairs. In many cases, academics dominate the entire committee, particularly in the NAS and NIH committees. Even in committees that are not part of the scientific establishment, the presence of academics remains one of the defining characteristics of FACs in the United States.

Before moving on to the results, readers should consider a few words of caution. First, in interpreting the membership variables, the reader should be especially cautious. It is impossible, given this data, to determine whether group membership has a negative effect on committee effectiveness, whether group membership proxies for committee type, or whether certain groups systematically have different levels of expectations. Regardless, the coefficients on group membership are highly unstable across specifications.

Second, the survey data lacks two potentially important controls: agency dummies and committee type. For reasons of anonymity, agency identity was not included in the survey. Committee type, however, should be included as a control, and there was no particular reason not to include the question in the survey. Interview evidence offers every indication that low-level grant review committees, for example, behave very differently than high-level trade negotiation committees. Moreover, evidence from other work provides very strong evidence that certain types of committees differ consistently in such aspects as meeting closure and frequency, which suggests that committee type might help predict effectiveness as well. (Karty) We must therefore hope that failure to control

²³ Result calculated from hand coding of 1998 membership data. (Karty)

for committee type does not bias our other estimates by introducing spurious correlation (that is, that committee type does not contribute toward both balance and effectiveness in a systematic manner). Future work should include questions on committee type, particularly since such information would not threaten the confidentiality of responses.

Third, many of the variables from the survey questions have skewed distributions, with means located at the upper ranks. For instance, most respondents felt their committees did a pretty good job on most things, as Chart III demonstrates. About 95% of all respondents rated their committees as having a 4 or 5 on balanced membership, and about 95% of all respondents gave their agencies a 3 or better on taking committee viewpoints into account. On the whole, most committee members think the process works fairly well in most cases. This raises potential problems with the estimation if the results are being driven by outliers, since the nature of the survey tends to overweight those with unusually harsh or strong viewpoints. To address this problem, I conducted sensitivity analysis by systematically dropping observations with the lowest ratings in each variable, one by one. Surprisingly, this never changed the significance of the major variables (although it does cause those variables with significance levels around $p < 0.05$ to fluctuate slightly). More often than not, it actually increases the significance levels (since outliers tend to increase the estimated residuals), so we ignore the skewness issue throughout the remainder of the paper.

[Insert Figure 3 Here]

Statistical Results

The categorical nature of the dependent variables offers itself to estimation using ordered probit models. However, the results generated using ordered probit generally replicated the OLS results, and also lacked the ease of interpretation. Moreover, the composite dependent variables (Effectiveness1 and Effectiveness2) are nearly continuous, and thus resist ordered probit estimation. This paper therefore only reports the OLS models.

Tables 3 and 4 summarize the results of the data. Table 3 lists the complete regressions, with all of the independent variables. Table 4 presents the restricted regressions. These regressions drop Express and Contact, and collapsed the two Balance variables into a single average, called Balance. Express proved insignificant in the first set of regressions. The four separate Contact variables varied in sign and significance, with no consistent patterns. Moreover, the composite Contact variable also entirely lacked significance (regressions not shown). The Balance variables, on the other hand, did prove significant. However they also suffered from serious collinearity, which plays out in the near identity of the coefficients and the extremely high standard errors.

The table 4 regressions boast slightly lower standard errors and, in 4 of the 7 specifications, higher adjusted R^2 values, than the Table 3 regressions. This paper therefore uses the coefficients in Table 4 during the discussion below.

[Insert Tables 3 and 4 Here]

As anticipated, a worthwhile purpose, access to agency personnel, and prior availability of materials all contribute strongly and significantly to committee effectiveness. None of these results are surprising, although the beta coefficients serve as a stern warning to political scientists that simple administrative matters often outweigh larger political concerns. In fact, Prior Availability of materials consistently exerts more influence on success than any other independent variable. An increase in one standard deviation in Prior Availability improves effectiveness by a full quarter of a standard deviation!

Surprisingly, Staff Support generates weak results in the multivariate regressions, in spite of strong bivariate relationship. Although significant, the somewhat tenuous result on Staff Support in the Table 4 regressions suggests one of two things: either good committees can make do with limited staff, or committee members sometimes do not trust agency-appointed staff.²⁴ Nonetheless, in a number of personal interviews respondents emphasized the importance of staff support, so one hesitates to dismiss its significance so quickly.

Yet at the same time, the positive Member Input coefficient suggests that excessive staff influence can harm the committee's effectiveness from time to time. However, this result derives its strength from the Discuss and Purpose variables, which ask about the adequacy of the number of FAC meetings, not the effectiveness of individual meetings.

The group membership variables tend to lack much statistical significance, although several have sizeable coefficients. More data would surely help. On the positive side, the lack of significance in the membership variables assuages some of our fears about failing to control for committee type. Membership is certainly highly correlated with committee type, yet produces no strong and significant effects in the regressions.

On to the major variables of interest: Openness and Balance. Both variables have very strong coefficients. Judging by the beta coefficients, Openness and Balance have a stronger effect than either the worth of the committee's purpose, the level of staff support, or access to ranking officials. Only the prior availability of preparatory materials has a larger impact on effectiveness. Thus, while administrative qualities certainly do affect committee success, political aspects of committees still explain a significant component of effectiveness.

Openness impairs committee effectiveness.

An increase of one standard deviation in the open meeting variable depresses committee effectiveness by over a fifth of a standard deviation in the final two specifications in Table 4 (Effectiveness1 and Effectiveness2). Moreover, this estimate may still underestimate the actual effect of the open meeting requirement, since it does not measure the lost opportunities from *potential* advisory committee meetings that might have occurred in an atmosphere of enhanced confidentiality. Thus, transparency can interfere with successful policy analysis and decision-making. The coefficient Openness sends a clear message: transparency in political processes comes at a cost. Yet this study

²⁴ Interviews support both arguments. One interviewee describes how success in a committee requires personal effort. Another interviewee described the members of a major DOD commission jettisoning a nearly-complete, overly technical report, and substituting a more politically sensitive document in its stead.

does not identify the mechanism – only case studies, interviews, or more detailed survey data can answer this question. On the positive side, public participation has no additional negative impact given an open meeting, since Participation proved entirely insignificant after controlling for Openness.

Table 4 contains one notable exception with regards to Openness – the coefficient is insignificant in the specification that uses Consistent as the dependent variable. Since this specification addresses ‘consistency with purpose’, Consistent could be taken more as a measure of bias than a measure of effectiveness. One might even suspect that the slight negative coefficient may be an artifact of the survey design, which lumps the consistency question with several other success questions. To control for this, I regressed Consistent on the standard roster of independent variables as well as the other four dependent variables, in order to purge the ‘Consistent’ variable of any component that might be related to committee effectiveness. Strikingly, the sign on Openness flips to positive, but remains insignificant at even a 50% level of confidence. So while Table 4 makes it clear that transparency impairs effectiveness somewhat, it leaves its impact on fairness uncertain.

Balance improves committee effectiveness.

An increase of one standard deviation in Balance boosts committee effectiveness by nearly one fifth of a standard deviation. Perhaps more importantly, the coefficients on the two separate measures of Balance (balance of viewpoints and balance of stakeholders) were almost identical, throwing an interesting wrench into the Lowi vs. Madison debate. The apparent conflict between balance of interest groups and balance of viewpoints appears to be a false dichotomy. Both contribute to committee effectiveness, and indeed they may be inseparable in this day and age. Moreover, balanced membership contributes strongly to all measures of committee effectiveness, including Consistent.

[Insert Figure 4 Here]

Finally, the last two regressions in Table 4 yield quite robust coefficients, most of which are more significant than in the regressions that used non-composite dependent variables. They yield greater precision in spite of the reduced number of observations, indicating that the principal component probably does measure some underlying characteristic that the five individual variables separately attempt to (noisily) measure. Furthermore, the principal component regressions have substantially higher R^2 values, indicating a better fit to the model. These regressions thus support our contention that the previous five variables share a common linking theme - a theme which deeply reflects the difficult-to-measure property of committee effectiveness.

Discussion

Open meetings do in fact have a significant, negative impact on committee effectiveness (as reported by surveyed committee members). Unfortunately, this paper cannot estimate the positive effect of meeting openness on reducing biased output, because it has no estimate of the ‘public interestedness’ of that output. This paper has

assessed the cost of openness, but not its value.²⁵ It now uses evidence drawn from interviews of nearly fifty committee members from over a dozen committees to better understand the cost-benefit tradeoff.

To begin, a number of interviewees expressed in personal interviews that they hesitate to recommend closing meetings, even if it would hasten the meetings and allow members to speak more freely. Closed meetings can jeopardize a committee's credibility, and invite charges of misconduct even when there is really nothing to hide. Open meetings, on the other hand, help "reduce the mystery and suspicion surrounding the decision-making process."²⁶ Moreover, they reduce inappropriate, 'off-the-cuff' remarks, and encourage committee members not "to say something unless they feel they have a good reason to say it, and can back up their words with evidence."²⁷ Says another interviewee,

"Open meetings can have a positive effect – they hold people accountable to what they say. They prevent people from having agendas. In a closed meeting, people can have agendas. I would say that usually accountability is more important than frankness, but this is a case by case situation. Sometimes accountability to ones constituents and peers is less important, and frankness would be better."²⁸

Although rendering the tradeoff between open meetings and effectiveness starkly clear, the paper does offer an optimistic interpretation of public participation. After controlling for open meetings, public participation does not harm effectiveness. This result may account for the dual effect that public participation has in meetings. On one hand, public participation certainly lengthens meetings, and can allow "people with strong concerns" to dominate the discussion.²⁹ Members of the public may show up merely to reiterate views that are already well known or "rehash old issues that the committee had already discussed or addressed."³⁰ In many committees, the members already know what presenters will say long before they say it. On the other hand, presenters can sometimes provide valuable information and outside perspectives to committees. Like the committee members themselves, those who attend the committee meetings often represent stakeholder groups or work in careers that are deeply involved in the committee's area of discussion.³¹ Although they may have biased viewpoints (as will many of the committee members themselves), they will also have a great deal of specific knowledge that the committee may find useful. In a few cases, a member of the public may even present a piece of information or a perspective that completely changes the tenor of the discussion.³² Moreover, many committee members recognize a value in letting the members of the public speak their mind and vent their opinions, even when the public presenters have little or no new information to add. When asked about the value of expression for its own sake, one very prestigious committee member replied:

²⁵ The tradeoff is not unlike that between bias and efficiency in statistical estimators.

²⁶ Interview on file with author.

²⁷ Interview on file with author.

²⁸ Interview on file with author.

²⁹ Interview on file with author.

³⁰ Interview on file with author.

³¹ Multiple interviews on file with author.

³² Personal Observation. National Park System Advisory Board Meeting, January 24-26, 2001.

“Overall, I'd say yes, although the impact of public comments varies inversely with length and repetition. It's a valuable process, putting ideas out for review and public commentary. Although rarely if ever has there been a public comment that hasn't been repeated or previously made in writing. But overall, I believe in the open process and in free expression.”³³

More optimistically, this paper finds that committee balance has a strong, positive impact on effectiveness. Furthermore, balance of interests and balance of viewpoints have almost identical effects, suggesting that worries about faction-induced conflict or passionless academics are both ill-founded. Both types of balance contribute to committee success, and neither seems to harm it. How can this be? Democratic theory of large groups certainly does not predict this. The more homogeneous a group's preferences, the more effective groups should be at producing decisions. (Buchanan and Tullock) Heterogeneous groups, whether they differ along beliefs or along preferences, should have greater difficulty acting quickly and decisively. Nor is this as an artifact of the survey question. If survey respondents had served on FACs for selfish reasons and falsely reported the committee's effectiveness, the coefficient on balance would be biased down, not up.³⁴

The positive impact of both types of balance on committee effectiveness suggests two things. First, the dichotomy between individuals and groups may – to some extent – be a false one. Unfortunately, it is difficult to say whether this is good or bad for democracy. On the one hand, it does raise the possibility of individuals taking broader views than those forwarded by the organizations they work for. On the other hand, it often throws the policy process into the hands of an insulated ‘Washington Elite’. Says one member of an environmental organization who served on an EPA committee, “One or two individuals are there representing the whole environmental community. But really, we're much more professional advocates, and don't have really broad legitimacy to be representing the quote ‘public’.”³⁵

Second, the positive coefficient on balanced membership also suggests that the dynamic which dominates advisory committee proceedings differs from that described in most rational choice models of voting behavior. This dynamic clearly merits further attention, but preliminary interview evidence suggests it emerges from three factors: consensus-type decision-making, a healthy respect and need for information, and credibility.

FACs place an extraordinary emphasis on consensus, especially given the broader emphasis in American democracy on majority-rule. At first glance, many FACs appear to abide by some semblance of majority rule, yet there is almost never any official basis for this practice. FACA does not in any way mandate the rules and by-laws under which advisory committees may operate. Moreover, legislation rarely mandates voting rules or

³³ Interview on file with author.

³⁴ Consider a single committee split between two groups. If a heterogeneous committee has a narrow majority, the majority will be pleased with the outcome but the large minority will be upset. A homogeneous committee has a smaller dissatisfied minority so fewer people will be upset. If the ‘Effectiveness’ variable really measured personal gains from outcome, then homogeneous committees would appear more effective, not less effective, as our coefficients indicate.

³⁵ Interview with on file with author.

bylaws – fewer than 5% of all committees have legal requirements to enact majority voting.³⁶ Unsurprisingly, many (perhaps even most) FACs operate in a much less formal manner. Of the forty individual interviewees in nearly a dozen committees, few could actually recall a single instance of a formal vote being cast in their committee – most recalled a series of straw polls that ultimately resulted in a recommendation receiving general unanimity. In other cases, majority votes ultimately determined outcomes, but only after the committee took extensive measures to try to resolve the most glaring disagreements. Said one committee member, “We primarily established consensus standards, using a formalized mechanism.”³⁷ Only a fairly specific subgroup of committees operate under strict voting rules (Food and Drug Administration drug review committees, for instance).

The desire for consensus emerges from many sources, resulting in very few members (less than 5% in the GAO survey) reporting any instances in which the advisory committee yielded advice contrary to the consensus of the committee.³⁸ Several factors push for this consensus.

- First, advisory committees produce advice, not policy. In instances where advisory committees yield very specific advice that has a high probability of becoming policy (FDA drug review, NHS and NEH grant review, and so forth), committees do depend more on majority rule voting institutions.
- Second, members of committees clearly express a degree of collegiality toward one another. In many cases, committee members have interacted with each other in the past, or may interact in the future. In other cases, committee members extend courtesies to other members with the expectation that the committee will consider their points of view more thoroughly when they are in the minority.
- Third, committee members must compromise in order to secure any committee output at all. The alternative to compromise is wasting time, accomplishing nothing, and giving the agency free reign to do whatever it feels best. Compromise, on the other hand, offers a chance for the committee to solve problems and seek innovative solutions that may be less costly than the agency-directed alternative. This aspect of advisory committees emerges strongly in the Environmental Protection Agency, where the agency specifically balances different interest groups against one another. With the agency holding the threat of unilateral regulation, and interest groups (of all types) holding the power of judicial appeal, negotiation at least offers the possibility of achieving a settlement that is (more) acceptable to all parties.

Like other aspects of FAC behavior, consensus comes at a cost – a negotiating cost, to be exact. Yet while some interviewees complained about this cost, most of them believed the value of consensus to be well worth the price.

The second key dynamic in FACs, the respect and need for information, emerges directly out of the committee’s function: the provision of advice. The superior information-gathering capabilities of balanced committees appeal to several potential

³⁶ Results from analysis of legislation authorizing all advisory committees in 1998. Data on file with author.

³⁷ Interview on file with author.

³⁸ GAO Survey, Q20.

audiences. Even the simplest principal-agent signaling models confirm that principals extract more information when agents have conflicting interests.³⁹ Public-interested agencies in particular benefit from balanced membership by extracting more complete information from private actors whom they regulate. Congress may also benefit from balanced membership, which can facilitate its use of advisory committees as ‘fire alarms’. (Balla and Wright) Even highly contentious interest groups can benefit from committee balance, by gaining a better grasp of their opponent’s arguments and better refining their own.

Committees themselves also benefit from balance. Most FAC members strive to impact political outcomes, but since the FAC has no formal power, it can only sway policy outcomes by making a convincing case in favor of its analysis. To some degree, it can rely on the expertise and the prestige of its members (and particularly its chairman), but expertise becomes suspect when backed by powerful interests (financial, ideological, etc.). Fortunately, the committee has other ways of securing credibility with its audience, one of which is producing technical information.⁴⁰ Committees thus benefit by providing hard data to Congress, the President, the agency, and the public. Committees with diverse viewpoints, experiences, and backgrounds are far more capable of marshalling data, anticipating arguments, and responding to these arguments than one-sided committees.

The third key dynamic in FACs, and perhaps the most important, is credibility. Simply put, an advisory committee’s analysis and recommendations stand to gain a great deal more credibility when they bring as many factions as possible on board. Since committees have no formal power, credibility becomes crucial to their success. “Credibility is a precious commodity,” says one committee member.⁴¹ Another committee member notes that major institutions such as the NRC jealously protect the credibility of their committees because “it’s all they have”.⁴² Packing a FAC’s membership causes incalculable harm to its credibility. Likewise, a major dissenting opinion opens an agency up to criticism, while a unanimous recommendation helps insulate an agency from criticism and litigation, while securing funding and legislative support from Congress.⁴³ The need for consensus to ensure credibility has driven some FAC chairmen to exert extreme pressure on dissenting individuals in order to bring them in line and remove dissenting remarks in the final report.⁴⁴

The issues of openness, balance, consensus, information, and credibility run very deep in the lifeblood of advisory committees. FACs provide a venue for interest groups and individuals to lobby government in an open atmosphere, under the aegis of peer review. In scientific committees, this function is explicitly stated and even encouraged by Congress in several pieces of authorizing legislation. Yet all committees to some degree perform a peer review function. That is, advisory committees reward good

³⁹ Principals can extract a great deal of information in most games where agents are risk averse and principals can confirm the accuracy or inaccuracy of a signal relatively cheaply. Even in “cheap talk” games, the principal can still extract fairly accurate information. (Crawford and Sobel) Nonetheless, balance never hurts and usually helps.

⁴⁰ Interview on file with author.

⁴¹ Interview on file with author.

⁴² Interview on file with author.

⁴³ Interview on file with author.

⁴⁴ Interview on file with author.

information (and also good work on the part of their members) with legitimacy, but legitimacy requires credibility. Consensus, hard data, balanced membership, and transparency all help preserve the committee's credibility. Credibility allows FACs to send agencies and Congress to receive valuable information. Credibility, therefore, is the linchpin in the exchange of information for influence, and holds the entire process together. Credibility also explains how balanced membership can enhance effectiveness even though openness impairs it.

Conclusion

FACs are an administrative response to complexity. At their best, they provide a mechanism for the voting public to overcome the many levels of delegation that stand between them and federal agencies, and they grant administrative agencies a unique resource to gather and analyze information. Like other political institutions, however, they present opportunities for misuse of influence. Congress can use them to lock in favored special interests, agencies can use them to build alliances with special interests, and special interests can use them to unduly influence the execution of laws.

FACA and other laws gave courts, outside groups, and supervisory agencies more tools to guard against corruption. To this end, FACA borrowed from similar legislation – most notably the Administrative Procedures Act of 1946 – and created procedural constraints that would effectively control the substantive abuse of advisory committees. Legal experts have long recognized that procedural constraints come at an efficiency cost, yet no existing scholarship measures this cost. This paper fills the gap.

Using survey data gathered by the GAO in 1998, this paper asks what influences committee effectiveness? Its analysis suggests that open meetings negatively impact committee effectiveness in a large and significant way, though it does not measure the benefits of transparency in reducing corruption.

Optimistically, however, the paper also finds that balanced membership has a strong positive impact on committee effectiveness. Since the ideals underlying balanced membership closely reflect the democratic ideals of pluralism and representative government, this result encourages renewed efforts to ensure balanced committees. Moreover, the synchronicity of our different measures of balance (balanced interests vs. balance viewpoints) calms fears about the potential conflict between the interest group models and the individualistic models of democratic behavior.

Given these two results, this paper draws two normative conclusions. First, further efforts to strengthen transparency may incur steep costs and yield uncertain marginal benefits. Second, the weakness of the federal courts in interpreting the (admittedly vague) FACA balanced membership requirement has harmed not only the fairness of the FAC process, but also the effectiveness of that process. Thus, strengthening the balanced membership requirement presents an excellent opportunity for strengthening and democratizing the FAC process overall.

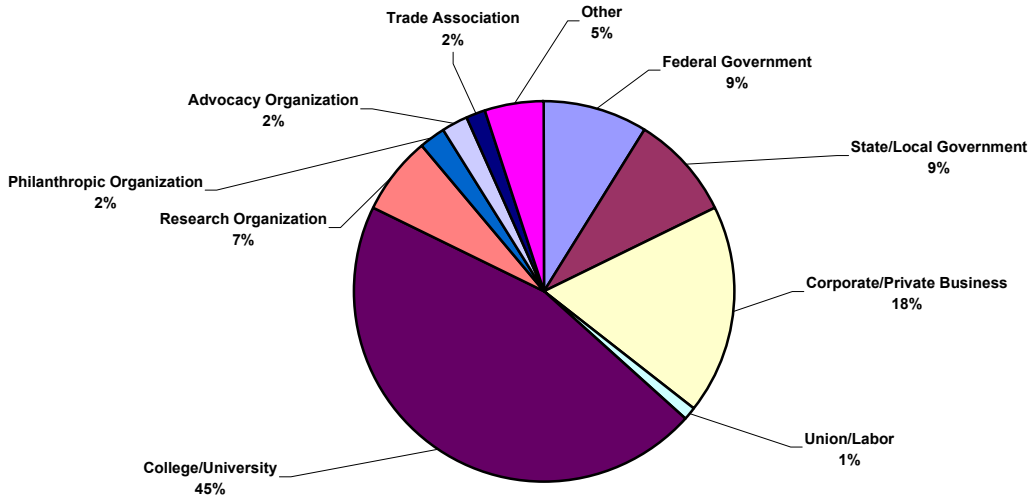
**Appendix: Advisory Committee Survey Questionnaire
GAO Report: GGD-98-147**

Variable	Question Number	Question Statement
Success	Q23e	(Agree or disagree?) This committee should be continued because it is successfully fulfilling a continuing purpose. [Strongly agree, Generally agree, Neither agree nor disagree, Generally disagree, Strongly disagree, No basis to judge]
Purpose	Q22a	In your opinion, to what extent, if at all, has the number of meetings that your committee has held or is holding adequate for your committee to achieve its purpose as defined by its charter? [To a very great extent, To a great extent, To a moderate extent, To some extent, To little or no extent, No basis to judge]
Discuss	Q22b	In your opinion, to what extent, if at all, has the number of meetings that your committee has held or is holding adequate for your committee to thoroughly discuss its recommendations and advice? [To a very great extent, To a great extent, To a moderate extent, To some extent, To little or no extent, No basis to judge]
Consistent	Q21d	(Agree or disagree?) The advice or recommendations that my committee provides through its reports, meetings, and other sources of output are consistent with its purpose. [Strongly agree, Generally agree, Neither agree nor disagree, Generally disagree, Strongly disagree, No basis to judge]
Account	Q21f	(Agree or disagree?) The agency takes committee advice and recommendations into account when developing policy or making changes in operations. [Strongly agree, Generally agree, Neither agree nor disagree, Generally disagree, Strongly disagree, No basis to judge]
Effectiveness1		Principal component of previous 5 variables using orthogonal varimax rotation.
Effectiveness2		As 'Effectiveness1', but excluding the 'Success' variable from the principal component.
Express	Q27	Are members of the public ever allowed to express their views to your committee? (<i>Check one.</i>) [Yes, No, Not sure]
Open Meeting	Q24	Which of the following <u>best describes</u> your committee's meetings with respect to public access? (<i>Check one.</i>) [All meetings are <u>totally open</u> to the public, Some meetings are open to the public and some are closed, A portion of the meetings are closed to the public, All meetings are <u>totally closed</u> to the public, Not sure]
Balance1	Q13a	(Agree or disagree?) The committee's membership is fairly balanced in terms of the points of view represented. [Strongly agree, Generally agree, Neither agree nor disagree, Generally disagree, Strongly disagree, No basis to judge]
Balance2	Q13b	(Agree or disagree?) The committee includes a representative cross-section of those directly interested in and affected by issues discussed by the committee. [Strongly agree, Generally agree, Neither agree nor disagree, Generally disagree, Strongly disagree, No basis to judge]

Balance		Average of balance1 and balance2.
Worthwhile		(Agree or disagree?) This committee has a worthwhile purpose. [Strongly agree, Generally agree, Neither agree nor disagree, Generally disagree, Strongly disagree, No basis to judge]
Contact1	Q14a	Not including formal committee meetings, how often have <u>you</u> had contact (i.e., in person or by phone or fax) with the agency head that was related to the purposes of the committee with the following agency officials? (<i>Check one.</i>) [At least once a month, At least once each six months, At least once a year, Less than once a year, Not at all]
Contact2	Q14b	Not including formal committee meetings, how often have <u>you</u> had contact (i.e., in person or by phone or fax) with management level agency officials that was related to the purposes of the committee with the following agency officials? (<i>Check one.</i>) [At least once a month, At least once each six months, At least once a year, Less than once a year, Not at all]
Contact3	Q14c	Not including formal committee meetings, how often have <u>you</u> had contact (i.e., in person or by phone or fax) with designated agency officials assigned to your committee that was related to the purposes of the committee with the following agency officials? (<i>Check one.</i>) [At least once a month, At least once each six months, At least once a year, Less than once a year, Not at all]
Contact4	Q14d	Not including formal committee meetings, how often have <u>you</u> had contact (i.e., in person or by phone or fax) with agency program officials (other than the designated agency official assigned to your committee) that was related to the purposes of the committee with the following agency officials? (<i>Check one.</i>) [At least once a month, At least once each six months, At least once a year, Less than once a year, Not at all]
Contact		Average of contact1-contact4.
Access	Q15	In your opinion, is <u>your level</u> of access to agency officials adequate or inadequate? (<i>Check one.</i>) [More than adequate, Generally adequate, Generally inadequate, Very inadequate, No basis to judge]
Support	Q9	In your opinion, how adequate or inadequate is the <u>current</u> level of administrative or staff support that the sponsoring agency provides to your committee? (<i>Check one.</i>) [More than adequate, Generally adequate, Generally inadequate, Very inadequate, No basis to judge]
Prior1	Q10a	In your opinion, to what extent, if at all, are you provided with necessary preparatory materials prior to committee meetings? [To a very great extent, To a great extent, To a moderate extent, To some extent, To little or no extent, No basis to judge]
Prior2	Q10b	In your opinion, to what extent, if at all, are you provided with necessary preparatory materials prior to discussing issues? [To a very great extent, To a great extent, To a moderate extent, To some extent, To little or no extent, No basis to judge]
Prior3	Q10c	In your opinion, to what extent, if at all, are you provided with necessary preparatory materials prior to deciding on issues? [To a very great extent, To a great extent, To a moderate

		extent, To some extent, To little or no extent, No basis to judge]
Prior		Average of prior1-prior3.
Member Input		In terms of formulating committee advice or recommendations, in general, about what level of input <u>is usually provided</u> by committee members and agency officials? (<i>Check one.</i>) [Committee members provide <u>much more</u> input that agency officials, Committee members provide <u>somewhat more</u> input that agency officials, Input is about equal, Agency officials provide <u>somewhat more</u> input that committee members, Agency officials provide <u>much more</u> input that committee members]
Member Variables	Q1	In which of the following sectors do you work? (<i>Check all that apply.</i>)
Federal	Q1	Federal government
State/Local	Q1	State or local government
Corporate/Business	Q1	Corporate/private business
Union	Q1	Trade union or labor organization
University	Q1	A college or university
Research	Q1	A non-university affiliated research organization (profit or nonprofit)
Philanthropic	Q1	A philanthropic organization
Advocacy	Q1	An advocacy organization
Trade Association	Q1	A trade association
Other	Q1	Others – Please specify:

Figure 1: Advisory Committees and Group Membership



(Proportion of Survey Respondents, By Group Type)

Note: although only 67% of surveyed individuals responded, these proportions are very close to estimates of group membership in 1998 FACs, which were calculated using hand-coded data for a related project.

Figure 2: Open, Closed, and Partly Closed Meetings (1974-2000)

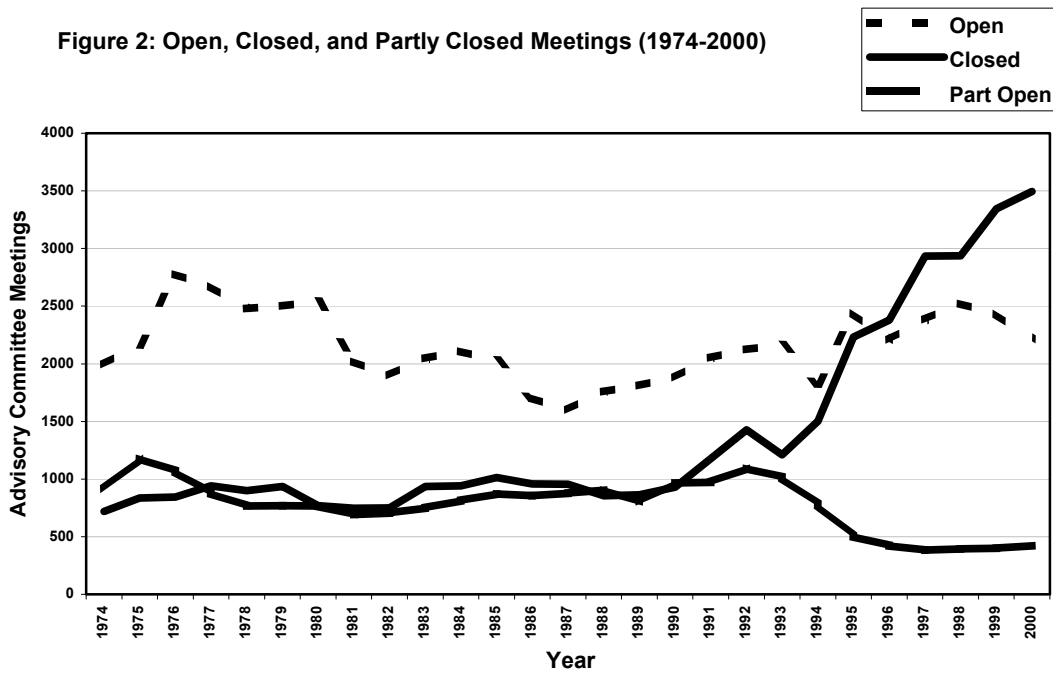
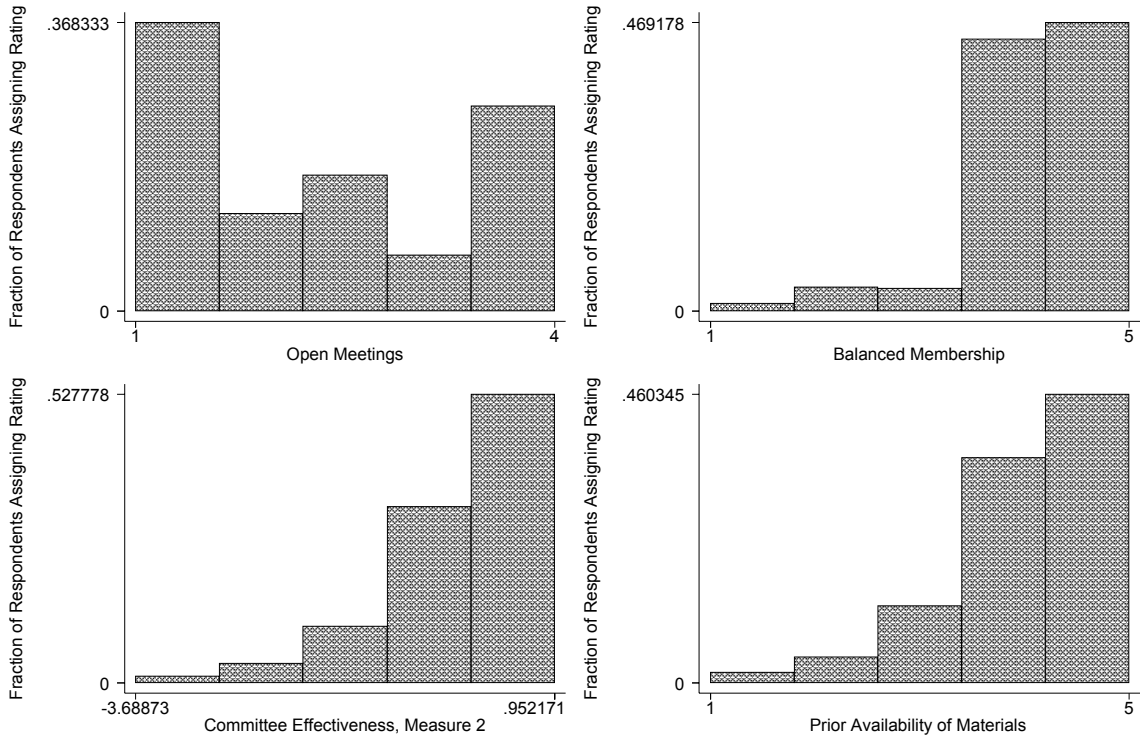
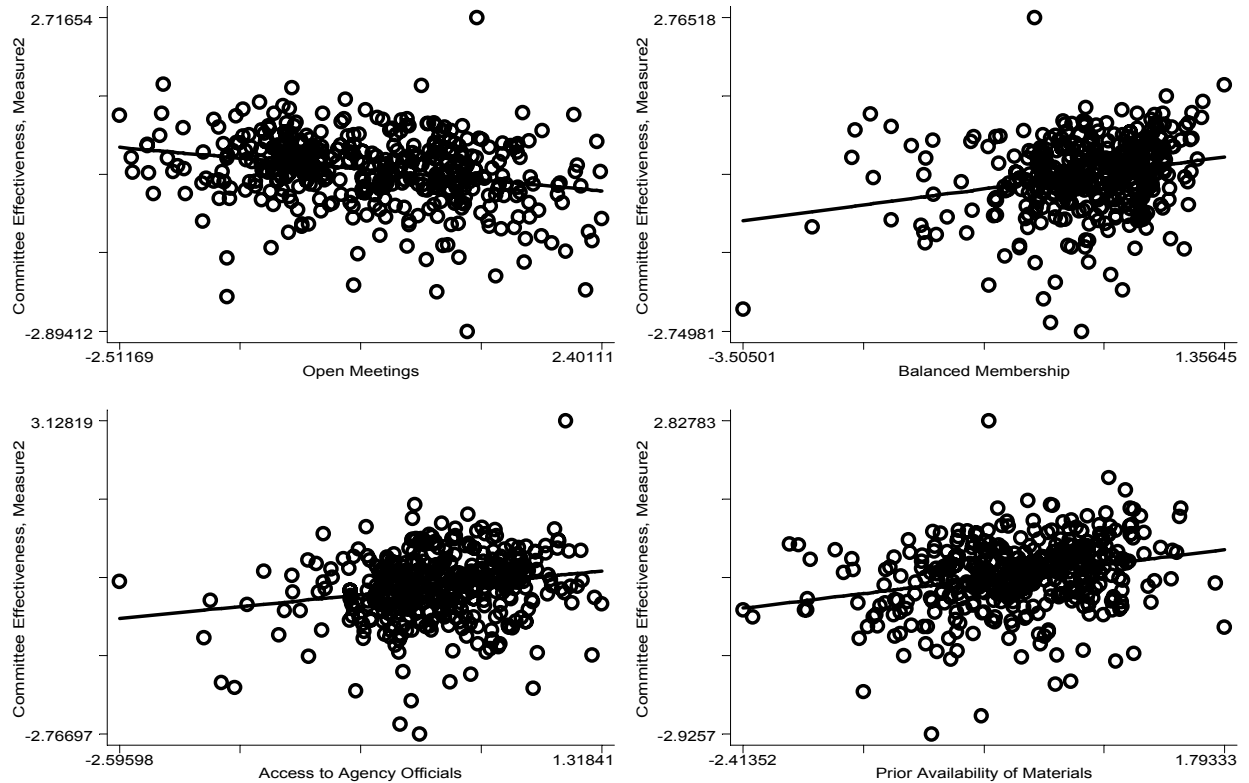


Figure III: Histograms of Key Variables



Note: Open Meetings, unlike the other variables, is nearly symmetric, but is still not normally distributed. It is, if anything, bimodal – with meetings tending toward extreme openness or extreme closure.

**Figure 4: Partial Regression Plots of Four Key Independent Variables
(Dependent Variable = Effectiveness2)**



Note: The Balance plot reveals a slight, but detectable, U-shape in the scatter. Yet an introduction of a quadratic term into the regression yielded ambiguous results, largely due to collinearity and outliers. The Effectiveness1 and Effectiveness2 regressions generated a negative and nearly significant coefficient on Balance, and a large positive coefficient on Balance squared. However, these results proved unstable, and largely resulted from a single piece of the composite variables – Discussion. The coefficients in the other regressions were either inconsequential, or produced opposite signs. This is unfortunate, as the hint of a quadratic relationship raises important issues. Could it be that both homogeneous and highly heterogeneous committees are equally productive, but those committees with strong (and perhaps bipolar) factions face difficulties?⁴⁵ While a plausible argument, this dataset cannot support its validity.

⁴⁵ Similar arguments have been proposed to other phenomena of competition, including ethnic conflict and international war. Dahl, Robert. *Polyarchy*. 1971. Kaplan, Morton A. "Balance of Power, Bipolarity, and Other Models of International Systems." *APSR*. Vol 51, No. 3. September, 1957.

Chart 1: Measures of Committee Effectiveness

Variable	Question (Paraphrased ⁴⁶)	Rating Scale	Obs.	Mean	Std.Dev.
Success	This committee should be continued because it is successfully fulfilling a continuing purpose.	1 to 5	413	4.538	0.802
Purpose	The number of meetings held are adequate for the committee to achieve its purpose.	1 to 5	579	4.149	0.969
Discuss	The number of meetings held are adequate for the committee to thoroughly discuss its recommendations and advice.	1 to 5	579	4.029	1.044
Consistent	Advice or recommendations are consistent with purpose.	1 to 5	594	4.593	0.656
Account	Agency takes advice into account when making policy or changing operations.	1 to 5	525	4.2	0.882
Effectiveness1	Principal component of previous 5 variables using orthogonal varimax rotation.	-4.089 to 1.009	359	0	0.937
Effectiveness2	As 'Effectiveness1', but excluding the 'Success' variable from the principal component.	-3.689 to 0.952	504	0	0.939

⁴⁶ See the appendix for a full description of these questions.

Table 2: Independent Variables

Variable	Question (Paraphrased)	Rating Scale	Obs.	Mean	Std.Dev.
Express	Are members of the public ever allowed to express their views?	0 to 1	597	0.567839	0.428
Open Meeting	How open are committee meetings?	1 to 4	600	2.313333	1.198
Balance1	The committee's membership is balanced in terms of points of view represented.	1 to 5	595	4.292437	0.811
Balance2	The committee includes a represented cross-section of stakeholders.	1 to 5	586	4.183	0.878
Balance	Average of Balance1 and Balance2.	1 to 5	584	4.240	0.778
Worthwhile	This committee has a worthwhile purpose.	1 to 5	594	4.736	0.538
Contact1	How much contact do you have with the agency head?	1 to 5	576	1.905	1.301
Contact2	How much contact do you have with management level agency officials?	1 to 5	568	2.618	1.402
Contact3	How much contact do you have with designated agency officials assigned to the committee?	1 to 5	582	3.562	1.143
Contact4	How much contact do you have with other agency officials than those designated to the committee?	1 to 5	551	2.541	1.459
Contact	Average of contact1-contact4.	1 to 5	530	2.603	1.041
Access	Is your level of access to agency officials adequate?	1 to 4	579	3.273	0.640
Support	How adequate is the current level of administrative staff support?	1 to 4	570	3.193	0.648
Prior1	Do you have access to necessary preparatory materials prior to meetings?	1 to 5	595	4.087	1.005
Prior2	Do you have access to necessary preparatory materials prior to discussions?	1 to 5	586	4.140	0.945
Prior3	Do you have access to necessary preparatory materials prior to decisions?	1 to 5	582	4.199	0.927
Prior	Average of prior1-prior3.	1 to 5	580	4.149	0.883
Member Input	High Level of Committee Member Input vs. Agency Input	1 to 5	582	4.299	1.008
Federal	Federal government member.	0 to 1	607	0.107	0.309
State/Local	State or local government member.	0 to 1	607	0.104	0.305
Corporate/ Business	Corporate/private business member.	0 to 1	607	0.214	0.411
Union	Trade union or labor organization member.	0 to 1	607	0.013	0.114
University	College or university member.	0 to 1	607	0.544	0.499
Research	Non-university research organization member.	0 to 1	607	0.081	0.273
Philanthropic	Philanthropic organization member.	0 to 1	607	0.025	0.155
Advocacy	Advocacy organization member.	0 to 1	607	0.028	0.165
Trade Association	Trade association member.	0 to 1	607	0.020	0.139
Other	Member of other group.	0 to 1	607	0.059	0.236395

Table 3: Full Regressions (Beta Coefficients, P-Values)

Variable	Success	Purpose	Discuss	Consistent	Account	Effectiveness1	Effectiveness2
Express	0.0118 (0.839)	-0.017 (0.734)	0.056 (0.255)	-0.014 (0.78)	0.033 (0.55)	0.000 (0.994)	0.025 (0.591)
Open Meeting	-0.111 (0.075)	-0.195*** (0)	-0.248*** (0)	-0.024 (0.655)	-0.110 (0.067)	-0.203*** (0)	-0.229*** (0)
Balance of Viewpoints	0.016 (0.805)	0.102 (0.054)	0.075 (0.15)	0.119* (0.022)	0.125* (0.034)	0.092 (0.093)	0.115* (0.02)
Balance of Interests	0.111 (0.066)	0.085 (0.095)	0.075 (0.134)	0.064 (0.2)	0.110 (0.054)	0.106* (0.047)	0.103* (0.032)
Worthwhile	0.434* (0)	0.085* (0.048)	0.067 (0.111)	0.461*** (0)	0.145** (0.003)	0.206*** (0)	0.146*** (0)
Contact1	0.013 (0.834)	-0.029 (0.546)	0.054 (0.257)	-0.093 (0.053)	-0.082 (0.133)	-0.006 (0.902)	-0.024 (0.6)
Contact2	0.038 (0.561)	-0.046 (0.386)	-0.053 (0.303)	0.097 (0.064)	0.131* (0.03)	0.026 (0.653)	-0.004 (0.932)
Contact3	-0.005 (0.93)	0.163*** (0)	0.132** (0.002)	-0.026 (0.549)	-0.067 (0.174)	0.027 (0.554)	0.128** (0.002)
Contact4	-0.044 (0.444)	0.041 (0.38)	-0.009 (0.846)	0.010 (0.83)	0.059 (0.262)	0.031 (0.535)	0.017 (0.706)
Access	0.148** (0.005)	0.100* (0.019)	0.133** (0.002)	0.013 (0.755)	0.193*** (0)	0.137** (0.003)	0.127** (0.002)
Support	0.009 (0.849)	0.115** (0.005)	0.072 (0.076)	0.070 (0.083)	0.048 (0.302)	0.146*** (0.001)	0.096* (0.014)
Prior	0.104 (0.067)	0.232*** (0)	0.271*** (0)	0.146** (0.002)	0.166** (0.002)	0.283*** (0)	0.258*** (0)
Input	0.047 (0.374)	0.107* (0.014)	0.120** (0.006)	0.026 (0.545)	-0.016 (0.746)	0.073 (0.105)	0.082* (0.047)
Federal	-0.017 (0.728)	0.009 (0.815)	0.006 (0.877)	-0.009 (0.824)	0.030 (0.511)	0.046 (0.263)	0.006 (0.879)
State/Local	0.024 (0.599)	-0.004 (0.91)	0.020 (0.584)	-0.014 (0.707)	-0.040 (0.351)	-0.032 (0.418)	-0.008 (0.815)
Corporate/Business	0.009 (0.868)	-0.066 (0.16)	-0.016 (0.724)	0.047 (0.315)	-0.078 (0.139)	-0.017 (0.725)	-0.021 (0.633)
Union	-0.043 (0.348)	-0.070 (0.067)	-0.029 (0.44)	-0.044 (0.24)	0.052 (0.221)	-0.055 (0.163)	-0.041 (0.257)
University	0.109 (0.068)	0.003 (0.958)	0.065 (0.216)	0.040 (0.447)	0.103 (0.081)	0.074 (0.151)	0.073 (0.144)
Research	0.035 (0.442)	0.015 (0.693)	0.030 (0.447)	0.007 (0.849)	0.042 (0.347)	0.055 (0.164)	0.023 (0.535)
Philanthropic	0.055 (0.201)	0.026 (0.473)	-0.003 (0.932)	0.036 (0.317)	-0.026 (0.533)	-0.010 (0.794)	0.023 (0.51)
Advocacy	0.024 (0.609)	-0.020 (0.609)	-0.046 (0.233)	-0.098* (0.011)	-0.042 (0.339)	-0.012 (0.774)	-0.046 (0.211)
Trade Association	0.080 (0.078)	-0.073 (0.058)	-0.044 (0.246)	0.040 (0.294)	-0.009 (0.834)	-0.041 (0.297)	-0.025 (0.499)
Other Group	0.029 (0.519)	-0.035 (0.358)	-0.043 (0.248)	0.016 (0.67)	-0.008 (0.851)	-0.011 (0.781)	-0.041 (0.255)
Constant
	(0.43)	(0.966)	(0.392)	(0.001)	(0.291)	(0)	(0)
Observations	315	438	439	444	408	284	398
Adjusted R ²	0.4411	0.4467	0.458	0.4509	0.3544	0.6229	0.5526

Table 4: Restricted Regressions (Beta Coefficients, P-Values)

Variable	Success	Purpose	Discuss	Consistent	Account	Effectiveness1	Effectiveness2
Open Meeting	-0.091* (0.048)	-0.210*** (0)	-0.211*** (0)	-0.023 (0.554)	-0.055 (0.237)	-0.202*** (0)	-0.213*** (0)
Balance	0.135** (0.004)	0.176*** (0)	0.153*** (0)	0.193*** (0)	0.191*** (0)	0.183*** (0)	0.194*** (0)
Worth	0.436*** (0)	0.101* (0.012)	0.076 (0.051)	0.431*** (0)	0.132** (0.004)	0.229*** (0)	0.153*** (0)
Access	0.158*** (0.001)	0.119** (0.003)	0.165*** (0)	0.005 (0.898)	0.203*** (0)	0.160*** (0)	0.157*** (0)
Support	-0.011 (0.807)	0.104** (0.007)	0.056 (0.137)	0.079* (0.034)	0.054 (0.224)	0.133*** (0.001)	0.090* (0.014)
Prior	0.089 (0.082)	0.208*** (0)	0.270*** (0)	0.134** (0.002)	0.155** (0.002)	0.276*** (0)	0.247*** (0)
Input	0.043 (0.348)	0.122** (0.002)	0.104** (0.006)	0.062 (0.098)	0.027 (0.542)	0.071 (0.067)	0.094* (0.011)
Federal	-0.031 (0.478)	0.023 (0.537)	0.005 (0.883)	-0.004 (0.912)	0.0217 (0.61)	0.024 (0.527)	-0.002 (0.959)
State/Local	0.039 (0.35)	0.012 (0.745)	0.043 (0.213)	0.001 (0.971)	-0.008 (0.846)	-0.005 (0.892)	0.017 (0.618)
Corporate/ Business	-0.021 (0.677)	-0.061 (0.168)	-0.003 (0.95)	0.029 (0.504)	-0.071 (0.155)	-0.016 (0.718)	-0.021 (0.619)
Union	-0.040 (0.338)	-0.040 (0.268)	-0.003 (0.93)	-0.094** (0.008)	0.069 (0.093)	-0.046 (0.207)	-0.023 (0.492)
University	0.073 (0.172)	0.021 (0.668)	0.069 (0.145)	0.017 (0.725)	0.079 (0.153)	0.040 (0.386)	0.057 (0.212)
Research	0.026 (0.525)	0.039 (0.282)	0.041 (0.251)	0.004 (0.902)	0.037 (0.375)	0.055 (0.12)	0.032 (0.359)
Philanthropic	0.036 (0.367)	-0.008 (0.819)	-0.030 (0.372)	0.013 (0.709)	-0.046 (0.252)	-0.049 (0.153)	-0.016 (0.635)
Advocacy	0.017 (0.694)	-0.012 (0.736)	-0.036 (0.306)	-0.084* (0.018)	-0.040 (0.339)	-0.015 (0.69)	-0.041 (0.23)
Trade Association	0.072 (0.079)	-0.053 (0.141)	-0.036 (0.3)	0.028 (0.423)	-0.016 (0.686)	-0.039 (0.267)	-0.020 (0.555)
Other Group	0.007 (0.875)	-0.028 (0.435)	-0.046 (0.195)	0.005 (0.884)	-0.009 (0.828)	-0.020 (0.569)	-0.027 (0.424)
Constant	. (0.26)	. (0.472)	. (0.76)	. (0.001)	. (0.275)	. (0)	. (0)
Observations	360	498	498	505	461	324	449
Adjusted R ²	0.4443	0.4296	0.4609	0.4549	0.3233	0.6329	0.5417

Note: Beta coefficients measures how a one standard deviation change in the independent variable affects the dependent variable (also measured in standard deviations). The statistical significance of the coefficients are identical to those of OLS estimates; the beta coefficients merely help one interpret coefficients that lack a natural scale. Significance Levels: *P<0.05; **P<0.01; ***P<0.001

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