

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Special Committee to Review the Government in the Sunshine Act

ACTION: Notice of public hearing regarding the Government in the Sunshine Act.

SUMMARY: The ACUS Special Committee to Review the Government in the Sunshine Act will conduct a public hearing to take testimony and statements from agency officials and members of the public concerning the effectiveness of the Government in the Sunshine Act, as it is now implemented by federal boards and commissions. This notice is pursuant to the Federal Advisory Committee Act (Pub. L. 92-463).

DATES: September 12, 1995, 9 a.m.

LOCATION: Washington, DC (venue to be announced).

FOR FURTHER INFORMATION: Jeffrey Lubbers, (202) 254-7020.

SUPPLEMENTARY INFORMATION: The Chair of the Administrative Conference of the US (ACUS) was asked by letter, signed by over one dozen current and former commissioners of multi-member agencies and several private organizations, to review the effectiveness of the Government in the Sunshine Act. The signatories of the letter stated strong support for the Act's underlying goal of enhancing public understanding of agency decisionmaking, but expressed concern as to whether the Act is, in fact, meeting this goal as well as it might. They also suggested that the Act may have a detrimental effect on collegial deliberation among agency members, thereby reducing the overall quality of decisionmaking at multi-member agencies. The Chair established the Special Committee to study issues raised by the letter.

The Committee, in its open meetings, has heard from some agency officials

and reviewed articles written for ACUS and others to the effect that public meetings under the Act often lack substantive exchange of ideas and collective deliberation on issues being decided. In addition, the Committee has been informed that the restrictions imposed by the Act make spontaneous collegial discussions difficult or impossible as a general matter, adversely affecting the establishment of agency agendas and promoting inefficient practices within agencies. As a result, the Committee is concerned that the public does not receive the information or access to the governmental decisionmaking process that the Act was intended to provide. The Committee has determined that a public hearing is warranted to address proposed suggestions for changes in the Act (or in agency behavior) that will increase collegial decisionmaking among the members of multi-member agencies, and at the same time improve the public's access to the agency's deliberative process.

Toward that end, the Special Committee hereby provides notice of the public hearing and invites the participation of agency officials and other interested persons. It would be helpful if participants would be prepared to discuss or suggest specific proposals for improving public access to agency decisionmaking processes and the quality of agency decisionmaking in agencies subject to the Sunshine Act.

The following proposals are under preliminary consideration by the Committee and are suggested for the purpose of framing the discussion at the public hearing. It should be noted that the order of the proposals is of no particular significance. It may be appropriate to consider some proposals in combination or partial combination with others, or to consider recommending some or all of them on a pilot basis.

(1) The Act could be amended to cover only meetings of the full board or commission.

(2) The Act could be amended to allow subgroups of the full membership of the board or commission to discuss matters in closed session, provided that these matters would later be the subject of open meetings.

(3) The Act could be amended by (1) expanding the current definition of "meeting" to include all get-togethers of

a quorum of agency members to discuss any agency business, (i.e., without regard to whether they "determine" agency business) while also (2) permitting any such meeting to be held in closed session if minutes of the meeting were released to the public shortly after the meeting. (However, decisions by the members of an agency would either have to be voted on in public meetings or pursuant to seriatim or notation voting.)

(4) The Act could be amended to allow the closing of additional categories of meetings without notice (or with shorter notice), provided that minutes or transcripts of closed meetings are released soon thereafter.

(5) The Act could be amended to include additional exemptions, such as for agency consideration of legislative and/or budgetary matters—or where the agency certifies that such matters involve especially sensitive issues.

(6) The Act could be amended so that the open meeting requirements do not apply to discussions of agency actions that will be later embodied in a published opinion and order or similar form of agency determination in which the agency members set forth their individual votes and the rationale and basis for their determination (collectively and/or individually to the extent that individual views may differ from the collective determination).

(7) The Act could be amended to remove from coverage any discussion of a proposed rulemaking proceeding so long as the discussion occurs before the publication of a notice of proposed rulemaking [with or without release of minutes or summaries soon thereafter].

(8) The Act could be amended to allow closed meetings (if no votes are taken) on pending rulemaking proceedings, so long as the discussions occur during the comment period, or only up to some specified time before the proposed rule is subject to a vote [with or without release of minutes or summaries soon thereafter].

(9) The Act could be amended to require that any votes taken through notation voting, that would otherwise be required to be taken at an open meeting, be subject to discussion, upon the request of an agency member, in a subsequent open meeting.

(10) Agencies could be encouraged to develop regulations (or policies) that maximize the amount of information

provided before, during and after agency meetings. Meeting notices could be published further in advance of the meetings where feasible; such notices could provide more complete summaries of upcoming agenda items; relevant non-privileged documents could be provided before or during meetings; closed circuit television coverage of meetings could be provided; and minutes, summaries, and decisional opinions could be provided as soon as feasible after meetings.

The above list of possible recommendations is only tentative and your creative ideas are encouraged.

If you are interested in participating in this public hearing, please send your written request to Jeffrey Lubbers, ACUS, 2120 L Street NW., Suite 500, Washington, DC 20037. You should indicate why you are interested, what organization, if any, you represent, and give a very brief summary of the points to be covered in your testimony. Please also indicate whether you have any special needs. Requests should be submitted by August 25, 1995.

ACUS reserves the right to limit participation to a feasible number of participants, to group participants on panels, to ask participants with similar views to select a group representative, and to limit the time for participation. Generally, participants should expect to limit their prepared remarks to no more than 10 minutes. Shortly after August 25, ACUS will notify requesters of the proposed hearing schedule and of the list of participants.

Written submission from participants and others are welcomed. Unless it is a financial hardship, participants should provide 20 copies of such submissions to Jeffrey Lubbers at the above address by September 5, 1995. Others wishing to provide written comments should provide a single copy to Mr. Lubbers by September 12. Attendance at the public hearing is open to the public.

Dated: August 2, 1995.

Jeffrey S. Lubbers,

Research Director.

[FR Doc. 95-19478 Filed 8-7-95; 8:45 am]

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Special Committee to Review the Government in the Sunshine Act

ACTION: Notice of public meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Special Committee to Review the Government in the Sunshine Act, of the

Administrative Conference of the United States.

DATES: Wednesday, September 20, 1995, 2:00 PM.

LOCATION: Office of the Chairman, Administrative Conference, 2120 L Street, NW., Suite 500 (Library, 5th Floor), Washington, DC.

FOR FURTHER INFORMATION: Jeffrey S. Lubbers, Office of the Chairman, Administrative Conference of the United States, 2120 L Street, NW., Suite 500, Washington, DC 20037. Telephone: (202) 254-7020.

SUPPLEMENTARY INFORMATION: The Special Committee to Review the Government in the Sunshine Act will meet to consider the results of the public hearing to be held on September 12, 1995.

Attendance at the meeting is open to the interested public, but limited to the space available. Persons wishing to attend should notify the Office of the Chairman at least one day in advance. The chairman of the committee, if he deems it appropriate, may permit members of the public to present oral statements at the meeting. Any member of the public may file a written statement with the committee before, during, or after the meeting. Minutes of the meeting will be available on request.

Dated: August 2, 1995.

Jeffrey S. Lubbers,

Research Director.

[FR Doc. 95-19477 Filed 8-7-95; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[No. LS-95-009]

Sheep Promotion, Research, and Information: Certification of Organizations to Make Nominations to the Proposed National Sheep Promotion, Research, and Information Board

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. Department of Agriculture's (USDA) Agricultural Marketing Service (AMS) is accepting applications from State sheep producer organizations, national sheep feeder organizations, as well as organizations representing importers of sheep or sheep products who desire to be certified as eligible to nominate sheep producers, sheep feeders, or importers of sheep or sheep

products for appointment to the proposed National Sheep Promotion, Research, and Information Board (Board). Importer organizations representing importers of only raw wool are not eligible for certification. To nominate a sheep producer or alternate producer member, a sheep feeder or importer member to the Board, organizations must first be certified by the Secretary of Agriculture (Secretary). Each eligible organization must submit an official application form to AMS. Notice is also given that upcoming appointments are anticipated and that during a period to be established, nominations will be accepted from eligible organizations.

DATES: Applications for certification must be received by close of business September 7, 1995.

ADDRESSES: Certification forms as well as copies of the certification procedures may be requested from Ralph L. Tapp, Chief; Marketing Programs Branch; Livestock and Seed Division; AMS, USDA; Room 2606-S; P.O. Box 96456; Washington, DC 20090-6456.

FOR FURTHER INFORMATION CONTACT: Ralph L. Tapp on 202/720-1115.

SUPPLEMENTARY INFORMATION: The Sheep Promotion, Research, and Information Act of 1994 (Act), (7 U.S.C. 7101 *et seq.*), approved October 22, 1994, authorizes the establishment of a sheep and wool promotion, research, education, and information program. The Act provides for the establishment of a Board. The 120-member Board will consist of 85 sheep producers, 10 sheep feeders, and 25 importers of sheep and sheep products appointed by the Secretary. The duties and responsibilities of the Board are provided for under the Act.

The Secretary shall certify any State sheep producer, national sheep feeder, or importer organization that meets the eligibility criteria established under the Act. Those organizations that meet the eligibility criteria specified under the Act will be certified as eligible to nominate members for appointment to the Board to ensure that nominees represent the interests of sheep producers, feeders, and importers.

The Act provides that the members of the Board shall serve for terms of 3 years, except that appointments to the initially established Board shall be proportionately for 1-, 2-, and 3-year terms. No person may serve more than two consecutive 3 year terms, except that an elected officer of the Board shall not be subject to term limits while they hold office. USDA will announce when nominations will be due from eligible