

interagency coordination.<sup>23</sup> Federal agencies that share overlapping or closely related responsibilities should adopt policies or procedures, as appropriate, to document ongoing coordination efforts, and to facilitate additional coordination with other agencies.<sup>24</sup>

(b) Concurrently, the Executive Office of the President (EOP) should work with the agencies to develop a policy to promote coordination where agencies share overlapping or closely related responsibilities. The policy, while maintaining the need for flexibility,<sup>25</sup> should require agencies to address, among other things, how they will:

- (i) Resolve disagreements over jurisdiction;
- (ii) Share or divide information-production responsibilities;
- (iii) Solicit and address potentially conflicting views on executing shared responsibilities;
- (iv) Minimize duplication of effort;
- (v) Identify and resolve differences over the application of analytic requirements imposed by statute or executive order;<sup>26</sup> and

(vi) Formalize agreements allocating respective responsibilities or develop standards or policies jointly, where appropriate.

In addition, the policy should establish a mechanism by which agencies can share best practices and evaluate their coordination initiatives *ex post*, and assist them in doing so effectively and efficiently.

(c) The EOP should effectively utilize the Regulatory Working Group,

<sup>23</sup> A recent GAO report on the implementation of the Dodd-Frank Act faulted the financial regulatory agencies for not pursuing coordination more systematically and noted that the majority of agencies reviewed had not developed internal policies on coordination. See U.S. Gov't Accountability Office, GAO-12-151, *Dodd-Frank Act Regulations: Implementation Could Benefit From Better Analysis and Coordination* 25 (2011) (noting that seven of nine regulators reviewed "did not have written policies and procedures to facilitate coordination on rulemaking").

<sup>24</sup> 31 U.S.C. 1115(b)(5)(D) of GPRMA, as amended by sec. 3 of GPRMA, *supra* note 8, requires each agency to have an annual performance plan providing a description of how its performance goals are to be achieved, including how the agency is working with other agencies to achieve those goals.

<sup>25</sup> See Exec. Order No. 13,609, Promoting International Regulatory Cooperation, 77 FR 26413 (May 4, 2012), for an approach that combines a government-wide policy with individual agency responsibilities, coordinated by the Regulatory Working Group. See *infra* note 14.

<sup>26</sup> See generally Curtis W. Copeland, *Regulatory Analysis Requirements, A Review and Recommendations for Reform* (2012) (report to the Administrative Conference of the U.S.), available at <http://www.acus.gov/wp-content/uploads/downloads/2012/04/COR-Final-Reg-Analysis-Report-for-5-3-12-Mtg.pdf>; and Administrative Conference Recommendation 2012-1, *Regulatory Analysis Requirements*.

established by Executive Order 12,866, or establish or utilize other comparable bodies to assist agencies in identifying opportunities for coordination.<sup>27</sup>

## 2. Improving Joint Rulemaking

The coordination policies and procedures adopted by the EOP and the agencies should include best practices for joint rulemaking and recommend when agencies should consider using it even when not statutorily required to do so. Best practices might include establishing joint technical teams for developing the rule and requiring early consultation, where appropriate, (a) with the Office of Information and Regulatory Affairs (OIRA) regarding joint production of cost-benefit analyses and other analyses required by statute or executive order, and (b) among agency legal staff and lawyers at the Department of Justice who may need ultimately to defend the rule in litigation.

## 3. Improving Interagency Agreements

(a) The coordination policies and procedures adopted by the EOP and the agencies should include best practices for agency agreements such as memoranda of understanding (MOUs). Such best practices might include specification of progress metrics that will enable agencies to assess the effectiveness of their agreement and sunset provisions that would require signatory agencies to review MOUs regularly to determine whether they continue to be of value.<sup>28</sup>

(b) Agencies should make available to the public, in an accessible manner, interagency agreements that have broad policy implications or that may affect the rights and interests of the general public unless the agency finds good cause not to do so.

## 4. Supporting and Funding Interagency Consultation

(a) The EOP should encourage agencies to conduct interagency consultations early in a decisionmaking process, before initial positions are locked in, and to conduct such consultations in a continuing and integrated, rather than periodic and reactive, way. To this end, when appropriate, the EOP should encourage coordinating agencies to establish an

<sup>27</sup> Exec. Order No. 12866, sec. 4(d) (announcing the establishment of a Regulatory Working Group as "a forum to assist agencies in identifying and analyzing important regulatory issues").

<sup>28</sup> In several of the examples reviewed in the Freeman/Rossi report, *supra* note 2, the agencies were negotiating new MOUs to replace outdated ones (often negotiated by previous administrations)—a clear sign that ineffective MOUs can be left to languish for too long.

interagency team to produce and analyze data together over the course of the decisionmaking process, and ensure such teams have adequate funding and support.

(b) The Office of Management and Budget and agencies involved in coordinated interagency activities should take into account, in the budgetary process, the need for sufficient resources to participate effectively in interagency processes, and the need to provide specifically for such cross-cutting activities. Further, an action agency, on which a duty to consult with other agencies falls, should contribute a share of its resources, as appropriate, to the extent it possesses the discretion to do so, to support joint technical and analytic teams, even if those resources will be consumed in part by other agencies.

## 5. Tracking Total Resources

To better evaluate the effectiveness of coordination initiatives, an appropriate office or offices of the federal government should assess the costs and benefits, both quantitative and qualitative, of interagency consultations, MOUs, joint rules, and other similar instruments. Such offices might include the Government Accountability Office or the Congressional Research Service, perhaps with the assistance of the Administrative Conference of the United States. To minimize the burden on the agencies of such evaluation, at the outset, this effort might be limited to high-priority, high-visibility interagency coordination efforts, such as important joint rulemakings, or equivalent initiatives.

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BILLING CODE 6110-01-P

## DEPARTMENT OF AGRICULTURE

### Forest Service

### Yakutat Resource Advisory Committee

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** The Yakutat Resource Advisory Committee will meet in Yakutat, Alaska. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (Pub. L. 112-141) (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with the title II

of the Act. The meeting is open to the public. The purpose of the meeting is to review and recommend projects authorized under title II of the Act.

**DATES:** The meeting will be held September 7, 2012, 6 p.m.

**ADDRESSES:** The meeting will be held at Kwaan Conference Room, 712 Ocean Cape Drive, Yakutat, Alaska. A conference line is available for those wishing to attend via telephone. Please contact Lee A. Benson, Yakutat District Ranger at 907-784-3359 for the number and passcode.

Written comments may be submitted as described under Supplementary Information. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at the Yakutat Ranger District Office, 712 Ocean Cape Drive, Yakutat, Alaska. Please call ahead to 907-784-3359 to facilitate entry into the building to view comments.

**FOR FURTHER INFORMATION CONTACT:** Send written comments to Lee A. Benson, c/o Forest Service, USDA, P.O. Box 327, Yakutat, AK 99689, electronically to [labenson@fs.fed.us](mailto:labenson@fs.fed.us), or via facsimile to 907-784-3457.

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** The following business will be conducted: The purpose of the meeting is to review and recommend projects authorized under title II of the Act. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should request in writing by Sep 1, 2012 to be scheduled on the agenda. Written comments and requests for time for oral comments must be sent to Lee A. Benson, c/o Forest Service, USDA, P.O. Box 327, Yakutat, AK 99689, by email to [labenson@fs.fed.us](mailto:labenson@fs.fed.us), or via facsimile to 907-784-3457. A summary of the meeting will be posted at [https://fsplaces.fs.fed.us/fsfiles/unit/wo/secure\\_rural\\_schools.nsf/Web\\_Agendas?OpenView&Count=1000&RestrictToCategory=Yakutat](https://fsplaces.fs.fed.us/fsfiles/unit/wo/secure_rural_schools.nsf/Web_Agendas?OpenView&Count=1000&RestrictToCategory=Yakutat) within 21 days of the meeting.

**Meeting Accommodations:** If you are a person requiring reasonable accommodation, please make requests

in advance for sign language interpreting, assistive listening devices or other reasonable accommodation for access to the facility or proceedings by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodation requests are managed on a case by case basis.

Dated: August 3, 2012.

**Lee A. Benson,**

*Yakutat District Ranger.*

[FR Doc. 2012-19558 Filed 8-9-12; 8:45 am]

**BILLING CODE 3410-11-M**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Notice of Sanders County Resource Advisory Committee Meeting

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** Pursuant to the authorities in the Federal Advisory Committee Act (Pub. L. 92-463) and under the Secure Rural Schools and Community Self-Determination Act of 2000 (Pub. L. 106-393) the Lolo and Kootenai National Forests' Sanders County Resource Advisory Committee will meet on August 23, 2012 at 5:30 p.m. and on September 20, 2012 at 5:30 p.m. in Thompson Falls, Montana for business meetings. These meetings are open to the public.

**DATES:** August 23, 2012; September 20, 2012.

**ADDRESSES:** The meetings will be held at the Thompson Falls Courthouse, 1111 Main Street, Thompson Falls, MT 59873.

**FOR FURTHER INFORMATION CONTACT:** Randy Hojem, Designated Federal Official (DFO), District Ranger, Plains Ranger District, Lolo National Forest at (406) 826-3821.

**SUPPLEMENTARY INFORMATION:** The agenda topics for the August 23, 2012 meeting include reviewing new RAC project proposals, reviewing progress on current projects, and receiving public comment. The agenda topics for the September 20, 2012 meeting include answering committee questions regarding project proposal submissions and voting on projects for recommendation. If the meeting location is changed, notice will be posted in the local newspapers, including the Clark Fork Valley Press, and Sanders County Ledger.

Dated: July 31, 2012.

**Randy Hojem,**

*Designated Federal Official, Plains Ranger District, Lolo National Forest.*

[FR Doc. 2012-19379 Filed 8-9-12; 8:45 am]

**BILLING CODE 3410-11-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Sitka Resource Advisory Committee

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** The Sitka Resource Advisory Committee will meet in Sitka, Alaska. The committee is meeting as authorized under the Secure Rural Schools and Community Self-Determination Act (Pub. L. 110-343) and in compliance with the Federal Advisory Committee Act. The purpose of this meeting, is to finalize the approval and funding of proposed projects.

**DATES:** The meetings will be held on September 12, 2012 and September 13th, 2012, and will begin at 4 p.m.

**ADDRESSES:** The meeting will be held at the Forest Service Building, Katlian Conference Room, 204 Siginaka Way, Sitka, Alaska. Written comments should be sent to Lisa Hirsch, Sitka Ranger District, 204 Siginaka Way, Sitka, Alaska 99835. Comments may also be sent via email to [lisahirsch@fs.fed.us](mailto:lisahirsch@fs.fed.us), or via facsimile to 907-747-4253.

All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at Sitka Ranger District, 204 Siginaka Way, Sitka, Alaska. Visitors are encouraged to call ahead to 907-747-4214 to facilitate entry into the building.

**FOR FURTHER INFORMATION CONTACT:** Lisa Hirsch, RAC coordinator, USDA, Tongass NF, Sitka Ranger District, 204 Siginaka Way, Sitka, Alaska 99835; 907-747-4214; Email [lisahirsch@fs.fed.us](mailto:lisahirsch@fs.fed.us).

**SUPPLEMENTARY INFORMATION:** The meeting is open to the public. The following business will be conducted: (1) Introductions of all committee members, replacement members and Forest Service personnel. (2) Selection of a chairperson by the committee members. (3) Receive materials explaining the process for considering and recommending Title II projects; and (4) Public Comment. Persons who wish to bring related matters to the attention of the Committee may file written statements with the Committee staff before or after the meeting.