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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Memorandum	National Energy Policy Development Group [3 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 10/05/2023 KS]	3	01/29/2001	

COLLECTION TITLE:

Counsel's Office, White House

SERIES:

Kavanaugh, Brett - Subject Files

FOLDER TITLE:

GAO (Government Accountability Office) Energy Task Force

FRC ID:

9694

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

2017-0345-F
2018-0016-P
2023-0046-F

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SUPERSEDED

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Memorandum	National Energy Policy Development Group	3	01/29/2001	P5;

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Records Not Subject to FOIA

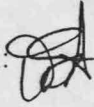
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OFFICE OF THE VICE PRESIDENT
WASHINGTON

May 8, 2001

MEMORANDUM FOR THE COUNSEL TO THE PRESIDENT

FROM:  David S. Addington, Counsel to the Vice President

SUBJECT: INFORMATION -- General Accounting Office Inquiry

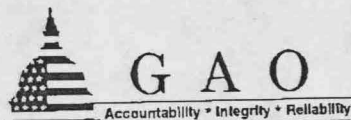
This memorandum forwards for your information a telefax communication I received today from the Assistant Director for Natural Resources and Environment of the General Accounting Office (GAO) asking to interview officials and staff from the National Energy Policy Development Group (NEPDG) and to obtain documents relating to the composition and workings of the NEPDG. (Attachment 1)

I have also attached copies of the Presidential memorandum of January 29, 2001 establishing the NEPDG (Attachment 2); the letter from Representatives Dingell and Waxman forwarding questions to the NEPDG Executive Director dated April 19, 2001 (Attachment 3); and the reply letter to Representatives Dingell and Waxman from me dated May 4, 2001, forwarding responses to their questions (Attachment 4).

ATTACHMENT 1

United States General Accounting Office

Fax Transmittal Sheet



To: (Name and Address)

David Addington
Counsel to the Vice President

Telephone No. 456-9089

Fax Telephone No. 202-456-6429

Date 5/8/01

From: (Name and Address)

Peg Reese
Assistant Director
Natural Resources and Environment

Telephone No. (202) 512-9695

Fax Telephone No. (202) 512-8354

Date

Subject:

GAO's Request

Additional Information

David,

As you know, GAO has been requested by Rep. Dingell and Waxman to review the composition and workings of the President's Energy Policy Development Group. In doing our work, we will need to interview officials and staff from this group as well as other knowledgeable officials. We will also need to obtain relevant documents. As we discussed, we hope to begin work immediately and thus would like to arrange an initial meeting for Friday, Monday afternoon, or Tuesday at your convenience. Attached is a series of specific questions that we have been asked to provide.

Please give me a call at 512-9695. We look forward to working with you.

Acknowledgement Requested

1. ☐ Yes ☒ No2. 2 pages, including this cover sheet, are being transmitted.

3. If pages are not received, call _____.

- 1) A complete list of all task force members and staff, including name, title, office, or employer represented. In addition:
 - a) please identify each member or staff who is not a full-time employee of the federal government and cite the hours per week that person works for the federal government and date on which that person began working for the federal government;
 - b) please identify each task force member or staff who, at the time of any task force meeting, was serving as a contractor to, or temporary full-time employee of, the federal government while on leave from non-federal employment. For each member or staff identified, please include the name of that person's non-federal employer and the dates on which that person began working for the federal government and ceased receiving remuneration from their non-federal job.
- 2) A complete list of all task force meetings held, including the date, location, and duration of each meeting.
- 3) An accounting of the statutory authorities, regulations, rules, and guidelines pursuant to which the task force was organized and conducts its business.
- 4) For each task force meeting that has occurred to date, a complete accounting of all attendees at each meeting. Please include the name of each attendee as well as the name of each person's employer and the name of all clients represented by each person for the purpose of any particular task force meeting.
- 5) Copies of all notices of task force meetings provided to the general public.
- 6) An accounting of the number of task force meetings open to the general public.
- 7) Identification of the person or persons responsible for determining which non-federal employees would be invited to participate in each meeting.
- 8) The criteria used by the task force in determining which non-federal entities would be invited to participate in these meetings or excluded from the meetings.
- 9) Copies of all invitations to participate in task force deliberations and phone records relating to such invitations.
- 10) An accounting of all direct and indirect costs incurred by the task force to date.

ATTACHMENT 2

THE WHITE HOUSE

WASHINGTON

January 29, 2001

MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF THE TREASURY
THE SECRETARY OF THE INTERIOR
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF COMMERCE
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF ENERGY
THE DIRECTOR OF THE FEDERAL EMERGENCY MANAGEMENT
AGENCY
THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION
AGENCY
THE ASSISTANT TO THE PRESIDENT AND DEPUTY CHIEF
OF STAFF FOR POLICY
THE ASSISTANT TO THE PRESIDENT FOR ECONOMIC
POLICY
THE ASSISTANT TO THE PRESIDENT FOR
INTERGOVERNMENTAL AFFAIRS

SUBJECT: National Energy Policy Development Group

One of the greatest challenges facing the private sector and Federal, State, and local governments is ensuring that energy resources are available to meet the needs of our citizens and our economy. To help address this challenge, I am asking the Vice President to lead the development of a national energy policy designed to help the private sector, and government at all levels, promote dependable, affordable, and environmentally sound production and distribution of energy for the future. Accordingly, I direct as follows:

1. Establishment. There is hereby established within the Executive Office of the President an Energy Policy Development Group, consisting of the following officers of the Federal Government: the Vice President, Secretary of the Treasury, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Transportation, Secretary of Energy, Director of the Federal Emergency Management Agency, Administrator of the Environmental Protection Agency, Assistant to the President and Deputy Chief of Staff for Policy, Assistant to the President for Economic Policy, and Assistant to the President for

Intergovernmental Affairs. The Vice President may also invite the Chairman of the Federal Energy Regulatory Commission to participate. The Vice President may invite the participation of the Secretary of State when the work of the Energy Policy Development Group involves international affairs and, as appropriate, other officers of the Federal Government. The Vice President shall preside at meetings of the Energy Policy Development Group, shall direct its work, and may establish subordinate working groups to assist the Energy Policy Development Group in its work.

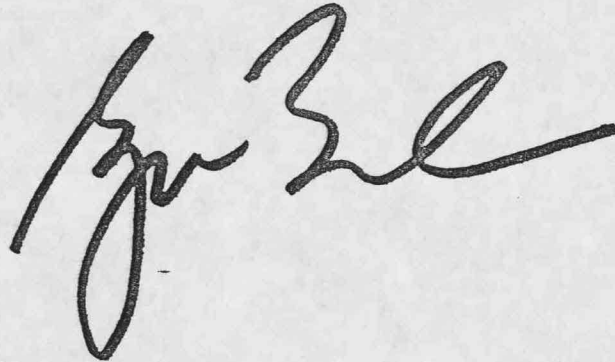
2. Mission. The mission of the Energy Policy Development Group shall be to develop a national energy policy designed to help the private sector, and as necessary and appropriate Federal, State, and local governments, promote dependable, affordable, and environmentally sound production and distribution of energy. In carrying out this mission, the Energy Policy Development Group's functions shall be to gather information, deliberate, and, as specified in this memorandum, make recommendations to the President. Its activities shall not supplant the authority and responsibility of State and local governments for handling energy production, purchase, and distribution difficulties.

3. Reports. The Energy Policy Development Group should submit reports to me as follows: (a) in the near-term, an assessment of the difficulties experienced by the private sector, and State and local governments in ensuring that local and regional energy needs are met, and (b) as soon thereafter as practicable, a report setting forth a recommended national energy policy designed to help the private sector, and as necessary and appropriate State and local governments, promote dependable, affordable, and environmentally sound production and distribution of energy for the future. The recommended national energy policy should take into consideration, among other things, (i) the growing demand for energy, locally, regionally, and nationally, in the United States and in the world, (ii) the potential for local, regional, or national disruptions in energy supplies or distribution, and (iii) the need for responsible policies to protect the environment and promote conservation, and (iv) the need for modernization of energy generation, supply, and transmission infrastructure.

4. Funding. The Department of Energy shall, to the maximum extent permitted by law and consistent with the need for funding determined by the Vice President after consultation with the Secretary of Energy, make funds appropriated to the Department of Energy available to pay the costs of personnel to support the activities of the Energy Policy Development Group. If a situation arises in which Department of Energy appropriations are not available for a category of expenses of the Energy

Policy Development Group, the Vice President or his designee should submit to me a proposal for use, consistent with applicable law, of the minimum necessary portion of any appropriation available to the President to meet the unanticipated need. The Vice President may also obtain, through the Assistant to the President for Economic Policy, such assistance from the National Economic Council staff as the Vice President deems necessary.

5. Termination. The Energy Policy Development Group shall terminate no later than the end of fiscal year 2001.

A handwritten signature in dark ink, appearing to be "John R. ...", is centered on the page. The signature is fluid and cursive, with a large initial "J" and a long, sweeping horizontal stroke at the end.

cc: Secretary of State
Chairman, Federal Energy Regulatory Commission

ATTACHMENT 3

MICHAEL BILIRAKS, FLORIDA
 JOE BARTON, TEXAS
 FRED UPTON, MICHIGAN
 CLIFF STEARNS, FLORIDA
 PAUL E. GILLMOR, OHIO
 JAMES C. GREENWOOD, PENNSYLVANIA
 CHRISTOPHER COX, CALIFORNIA
 NATHAN DEAL, GEORGIA
 STEVE LARGENT, OKLAHOMA
 MICHAEL BURR, NORTH CAROLINA
 ED WHITFIELD, KENTUCKY
 GREG GANSER, IOWA
 CHARLIE NORWOOD, GEORGIA
 BARBARA CUDIN, WYOMING
 JOHN SHIMMUS, ILLINOIS
 HEATHER WILSON, NEW MEXICO
 JOHN B. SHADEGG, ARIZONA
 CHARLES "CHIP" PICKERING, MISSISSIPPI
 VITO FOSSELLA, NEW YORK
 ROY BLUNT, MISSOURI
 TOM DAVIS, VIRGINIA
 ED BRYANT, TENNESSEE
 ROBERT L. ERRLICH, JR., MARYLAND
 STEVE BUYER, INDIANA
 GEORGE RADANOVICH, CALIFORNIA
 CHARLES F. WASS, NEW HAMPSHIRE
 JOSEPH R. PITTS, PENNSYLVANIA
 MARY BONO, CALIFORNIA
 GREG WALDEN, OREGON
 LEE TERRY, NEBRASKA

ONE HUNDRED SEVENTH CONGRESS

U.S. House of Representatives
 Committee on Energy and Commerce
 Washington, DC 20515-6115

W.J. "BILLY" TAUZIN, LOUISIANA,
 CHAIRMAN

April 19, 2001

JOHN D. DINGELL, MICHIGAN
 HENRY A. WAXMAN, CALIFORNIA
 EDWARD J. MARKEY, MASSACHUSETTS
 RALPH M. NALL, TEXAS
 RICK BOUCHER, VIRGINIA
 EDOLPHUS TOWNS, NEW YORK
 FRANK PALLONE, JR., NEW JERSEY
 STEPHEN BROWN, OHIO
 BART GORDON, TENNESSEE
 PETER DEUTSCH, FLORIDA
 BOBBY L. RUSH, ILLINOIS
 ANNA G. ESCOBAR, CALIFORNIA
 BART STUPAK, MICHIGAN
 ELIOT L. ENGEL, NEW YORK
 TOM SAWYER, OHIO
 ALBERT R. WYNN, MARYLAND
 GENE GREEN, TEXAS
 KAREN MCCARTHY, MISSOURI
 TED STRICKLAND, OHIO
 DIANA DEGETTE, COLORADO
 THOMAS M. BARRETT, WISCONSIN
 BILL LUTHER, MINNESOTA
 LOIS CAPPS, CALIFORNIA
 MICHAEL F. DOYLE, PENNSYLVANIA
 CHRISTOPHER JOHN, LOUISIANA
 JANE MARMAN, CALIFORNIA

DAVID V. MCKENTANO, STAFF DIRECTOR

Mr. Andrew Lundquist
 U.S. Department of Energy
 Energy Task Force
 Forrestal Building
 1000 Independence Avenue, S.W.
 Washington, D C 20001

Dear Mr. Lundquist:

Over the past few months, your task force has reportedly conducted a number of meetings with the goal of developing an energy policy. It is our understanding that these meetings took place at federal facilities with the participation of both federal employees and private citizens and groups, including political contributors. We further understand that the meetings were conducted entirely in private.

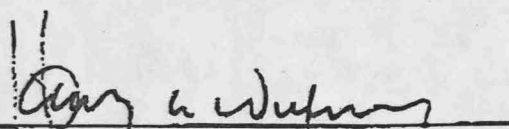
We are concerned that your task force's decision to meet behind closed doors and exclude certain parties from participation in its discussions may violate the letter and the spirit of the Federal Advisory Committee Act (FACA). In order to better understand the task force, and whether it is bound by the FACA, we have enclosed a series of questions relating to the participants, the purpose, the outcome, and the role of federal employees at these meetings. In addition to receiving your responses to these questions, we also would like to receive copies of all documents and records produced or received by the task force in connection with these meetings.

As members of the House committees with primary jurisdiction over federal energy policy and the conduct of the agencies responsible for implementing that policy, we believe the task force must be forthcoming in providing the information we have requested about its operations.

We thank you for your cooperation in this matter and look forward to receiving your responses and the requested material as soon as possible, but in any event by no later than Friday, May 4, 2001.

Sincerely,


 JOHN D. DINGELL
 RANKING MEMBER
 COMMITTEE ON ENERGY AND COMMERCE


 HENRY A. WAXMAN
 RANKING MEMBER
 COMMITTEE ON GOVERNMENT REFORM

Enclosure

Mr. Andrew Lundquist

Page 2

cc: The Honorable W. J. "Billy" Tauzin, Chairman
Committee on Energy and Commerce

The Honorable Dan Burton, Chairman
Committee on Government Reform

**Questions for Andrew Lundquist
Regarding
Energy Task Force Meetings**

- (1) It is our understanding that you are directing a task force charged with examining and formulating energy policy.
 - (a) Please provide a complete list of task force members and staff assigned to the task force, identifying the employer of the member or staff. In the case of federal employees, please identify the department or agency for which the member or staff works.
 - (b) Please identify any task force members and staff who are not full-time federal employees. In the case of any member or staff who is a part-time federal employee, identify the hours per week that person works for the federal government and when that person began working for the federal government.
 - (c) Please identify any task force member or staff who, at the time of any task force meeting, was serving as a contractor to, or temporary full time employee of, the federal government while on leave from non-federal employment. For each member or staff identified, please include the name of that person's non-federal employer.
- (2) It is our understanding that the task force has conducted a series of "stakeholder meetings" on energy policy and legislation at federal facilities over the past few months.
 - (a) Please provide a list of all task force meetings held, including the date and location of each meeting.
 - (b) Please describe in detail the purpose of these meetings. For each meeting, please explain if the meeting was conducted in order to obtain advice or recommendations about policy or proposed legislation. Please explain whether each meeting had a fixed agenda and/or a defined purpose.
 - (c) Please describe the outcome of each meeting. Please explain to what extent each meeting resulted in the formulation of specific proposals or recommendations. Please specify to what extent the task force incorporated or adopted any suggestions or advice received at each meeting from non-federal "stakeholders", or to what extent it modified its proposals based on input received from non-federal "stakeholders" at the meeting.
 - (d) For each task force meeting that has occurred to date, please provide a complete accounting of all attendees. Please include the name and employer of each attendee as well as the name of all clients represented by each person for the

purpose of any particular task force meeting. Please indicate if any participants received any compensation for their involvement in a meeting or meetings.

- (3) The Federal Advisory Committee Act (FACA) defines an advisory committee as

"any committee, board, commission council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof . . . which is . . . established or utilized by one or more agencies, in the interest of obtaining advice or recommendations for . . . one or more agencies or officers of the Federal government . . ."

The Act requires that the meetings of such advisory committees be noticed in advance, open to the general public, and on the record, except under certain limited circumstances.

- (a) Was advance notice of these task force meetings provided to the general public?
 - (b) How many of these task force meetings took place on federal property or involved the attendance of federal personnel?
 - (c) Were these meetings open to the general public?
 - (d) If these meetings were not open to the general public, why not and under what authority?
 - (e) Were any transcripts or detailed minutes of these meetings kept by you or any other attendee or participant?
 - (f) If no transcripts or minutes were kept, please explain why not and under what authority?
- (4) As stated previously, we have been informed that only certain "stakeholders" were invited to participate in these meetings.
- (a) Was any executive branch agency or any of its personnel responsible in any way for determining who would or would not be invited to participate in these meetings?
 - (b) Please provide a detailed explanation of the process by which each non-federal participant in these meetings was determined to be a "stakeholder" in energy policy.
 - (c) Please provide a detailed explanation of the process by which the task force decided not to meet with any private citizens or groups.

- (d) Was the governor of any state invited to participate in these meetings? If so, which? If not, why not?
- (e) Were any state public utility commissioners invited to participate in these meetings? If so, which? If not, why not?
- (f) Were any representatives of organized labor invited to participate in these meetings? If so, which? If not, why not?
- (g) Were any representatives of consumer advocacy groups invited to participate in these meetings? If so, which? If not, why not?
- (h) Was the National Federation of Independent Businesses or any other small business representative invited to participate in these meetings? If not, why not?
- (i) Did the Department of Energy notify any Member of Congress about the task force's meetings prior to the first meeting or invite any Member or congressional staff to attend any of the "stakeholder" meetings?

ATTACHMENT 4



OFFICE OF THE VICE PRESIDENT
WASHINGTON

May 4, 2001

The Honorable W.J. "Billy" Tauzin, Chairman
The Honorable John D. Dingell, Ranking Minority Member
Committee on Energy and Commerce
House of Representatives
Washington, D.C. 20515

The Honorable Dan Burton, Chairman
The Honorable Henry A. Waxman, Ranking Minority Member
Committee on Government Reform
House of Representatives
Washington, D.C. 20515

Gentlemen:

This is in response to the letter of April 19, 2001 from the ranking minority members of your Committees to Mr. Andrew Lundquist, Executive Director of the National Energy Policy Development Group (NEPDG). The letter sought information regarding compliance with the Federal Advisory Committee Act (FACA)(5 U.S.C. Appx. 2) by the NEPDG. Please be advised that the FACA does not apply to the NEPDG, noting especially that FACA by its own terms does not apply to a group "composed wholly of full-time, or permanent part-time, officers or employees of the Federal Government."

As a matter of comity between the legislative and executive branches, with due regard for the constitutional separation of powers and the rights of Americans to petition their government, and reserving all legal authorities and privileges that may apply, we are pleased to provide the enclosed information, which will enable you to conclude independently that the establishment and activities of the NEPDG are not inconsistent with the FACA.

Sincerely,

A handwritten signature in cursive script that reads "David S. Addington".

David S. Addington
Counsel to the Vice President

Enclosure as stated

RESPONSES OF ANDREW LUNDQUIST, EXECUTIVE DIRECTOR
FOR THE NATIONAL ENERGY POLICY DEVELOPMENT GROUP
TO QUESTIONS FROM THE RANKING MINORITY MEMBERS OF THE
HOUSE COMMITTEE ON GOVERNMENT REFORM
AND THE HOUSE COMMITTEE ON ENERGY AND COMMERCE

COMMITTEE QUESTION (1): (1) It is our understanding that you are directing a task force charged with examining and formulating energy policy.

RESPONSE (1): The mission of the National Energy Policy Development Group established on January 29, 2001 is to develop a national energy policy designed to help the private sector, and as necessary and appropriate Federal, State and local governments, promote dependable, affordable, and environmentally sound production and distribution of energy. To carry out that mission, the Group gathers information, deliberates and makes recommendations to the President. Ultimately, the Group is to report its recommended national energy policy to the President.

COMMITTEE QUESTION (1)(a): (a) Please provide a complete list of task force members and staff assigned to the task force, identifying the employer of the member or staff. In the case of federal employees, please identify the department or agency for which the member or staff works.

RESPONSE (1)(a): The National Energy Policy Development Group consists of the following officers of the Federal Government: the Vice President, Secretary of the Treasury, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Transportation, Secretary of Energy, Director of the Federal Emergency Management Agency, Administrator of the Environmental Protection Agency, Assistant to the President and Deputy Chief of Staff for Policy, Assistant to the President for Economic Policy, and Assistant to the President for Intergovernmental Affairs. The Vice President may invite the Chairman of the Federal Energy Regulatory Commission to participate. The Vice President may invite the participation of the Secretary of State when the work of the Group involves international affairs and, as appropriate, other officers of the Federal government. The Vice President has invited the Director of the Office of Management and Budget to participate. The Vice President presides at the meetings of the Group and directs its work. The Group is supported by five professionals employed by the Department of Energy and assigned for this purpose to the Office of the Vice President: an Executive Director, a Deputy Director, two Senior Professional Staff Members, and a Professional Staff Member. In addition, an individual appointed as a White House Fellow who is assigned to the Office of the Vice President provides support to the Group.

COMMITTEE QUESTION (1)(b): (b) Please identify any task force members and staff who are not full-time federal employees. In the case of any member or staff who is a part-time federal

employee, identify the hours per week that person works for the federal government and when that person began working for the federal government.

RESPONSE (1)(b): The National Energy Policy Development Group consists solely of officers of the Federal Government. The six individuals identified in Response (1)(a) above who provide support to the Group (hereafter "Group support staff") are all full-time Federal employees. For brief periods the employment status of two of the six individuals (from February 1 through 12, 2001 in the case of the Executive Director, and from February 7 through 12, 2001 in the case of the Deputy Director) was as consultants to the Department of Energy while the Department was processing their entrance-on-duty papers; they had no employer other than the Department of Energy during those brief periods. Please note that the Government officers who are on the National Energy Policy Development Group have assistants at their individual departments and agencies who help them with review and drafting of materials and may attend Group meetings with them. Those departments and agencies could advise on the personnel status of those assistants if it were material.

COMMITTEE QUESTION (1)(c): (c) Please identify any task force member or staff who, at the time of any task force meeting, was serving as a contractor to, or temporary full time employee of, the federal government while on leave from non-federal employment. For each member or staff identified, please include the name of that person's non-federal employer.

RESPONSE (1)(c): None of the government officers who compose the National Energy Policy Development Group, nor any of the individuals on the Group's support staff, was, at the time of any Group meeting, serving as a contractor to, or temporary full time employee of, the federal government while on leave from non-federal employment.

COMMITTEE QUESTION (2): (2) It is our understanding that the task force has conducted a series of "stakeholder meetings" on energy policy and legislation at federal facilities over the past few months.

RESPONSE (2): The National Energy Policy Development Group has not held such meetings. Individuals on the Group support staff have met with many individuals who are not Federal employees to gather information relevant to the Group's work, but such meetings do not involve deliberations or any effort to achieve consensus on advice or recommendations. These meetings by the Group's staff were simply forums to collect individual views rather than to bring a collective judgment to bear. The Group's staff held such meetings with a broad representation of people potentially affected by the Group's work, including individuals involved with companies or industries (e.g., in the electricity, telecommunications, coal mining, petroleum, gas, refining, bioenergy, solar energy, nuclear energy, pipeline, railroad and automobile manufacturing sectors); environmental, wildlife, and marine advocacy; State and local utility regulation and energy management; research and teaching at universities;

research and analysis at policy organizations (i.e., think-tanks); energy consumers, including consumption by businesses and individuals; a major labor union; and about three dozen Members of Congress or their staffs.

COMMITTEE QUESTION (2)(a): (a) Please provide a list of all task force meetings held, including the date and location of each meeting.

RESPONSE (2)(a): The Vice President has convened the National Energy Policy Development Group on the following dates in the year 2001, and all such meetings have been in the White House Complex: January 29, February 9 and 16, March 12 and 19, April 3, 11, and 18, and May 2.

COMMITTEE QUESTION (2)(b): (b) Please describe in detail the purpose of these meetings. For each meeting, please explain if the meeting was conducted in order to obtain advice or recommendations about policy or proposed legislation. Please explain whether each meeting had a fixed agenda and/or a defined purpose.

RESPONSE (2)(b): The National Energy Policy Development Group, consisting only of Government officers, has met at each of its meetings for the purpose carrying out its mission to develop a national energy policy designed to help the private sector, and as necessary and appropriate Federal, State and local governments, promote dependable, affordable, and environmentally sound production and distribution of energy. At those meetings, to carry out its assigned mission, the Group has reviewed relevant information, deliberated, and formulated potential recommendations. With regard to meetings with individuals involving the Group's support staff, please see Response (2).

COMMITTEE QUESTION (2)(c): (c) Please describe the outcome of each meeting. Please explain to what extent each meeting resulted in the formulation of specific proposals or recommendations. Please specify to what extent the task force incorporated or adopted any suggestions or advice received at each meeting from non-federal "stakeholders", or to what extent it modified its proposals based on input received from non-federal "stakeholders" at the meeting.

RESPONSE (2)(c): Each of the National Energy Policy Development Group's meetings to date have advanced its mission as set forth in Response (1). Each of the meetings of the Group's support staff described in Response (2) gathered, in support of the Group's mission, information relevant to the Group's work.

COMMITTEE QUESTION (2)(d): (d) For each task force meeting that has occurred to date, please provide a complete accounting of all attendees. Please include the name and employer of each attendee as well as the name of all clients represented by each person for the purpose of any particular task force meeting. Please indicate if any participants received any compensation for their involvement in a meeting or meetings.

RESPONSE (2)(d): The officers of the Government constituting the National Energy Policy Development Group attended the Group's meetings. The Group's support staff attended the Group's meetings. Other employees on the staff of the Vice President attended the Group's meetings. The Government officers who constitute the National Energy Policy Development Group have assistants at their departments and agencies who attended the Group's meetings with them.

COMMITTEE QUESTION (3): (3) The Federal Advisory Committee Act (FACA) defines an advisory committee as "any committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof . . . which is . . . established or utilized by one or more agencies, in the interest of obtaining advice or recommendations for . . . one or more agencies or officers of the Federal government . . ." The Act requires that the meetings of such advisory committees be noticed in advance, open to the general public, and on the record, except under certain limited circumstances.

RESPONSE (3): Section 3(2) of the FACA provides that the term "advisory committee" as used in the FACA excludes "any committee that is composed wholly of full-time, or permanent part-time, officers or employees of the Federal Government." The National Energy Policy Development Group is composed wholly of full-time officers of the Federal Government. Accordingly, the FACA requirements to which Committee Questions (3)(a) through (3)(f) refer do not apply. See also Response (2).

COMMITTEE QUESTION (3)(a): (a) Was advance notice of these task force meetings provided to the general public?

RESPONSE (3)(a): See Response (3).

COMMITTEE QUESTION (3)(b): (b) How many of these task force meetings took place on federal property or involved the attendance of federal personnel?

RESPONSE (3)(b): See Response (3).

COMMITTEE QUESTION (3)(c): (c) Were these meetings open to the general public?

RESPONSE (3)(c): See Response (3).

COMMITTEE QUESTION (3)(d): (d) If these meetings were not open to the general public, why not and under what authority?

RESPONSE (3)(d): See Response (3).

COMMITTEE QUESTION (3)(e): (e) Were any transcripts or detailed minutes of these meetings kept by you or any other attendee or participant?

RESPONSE (3)(e): See Response (3).

COMMITTEE QUESTION (3)(f): (f) If no transcripts or minutes were kept, please explain why not and under what authority?

RESPONSE (3)(f): See Response (3).

COMMITTEE QUESTION (4): (4) As stated previously, we have been informed that only certain "stakeholders" were invited to participate in these meetings.

RESPONSE (4): The National Energy Policy Development Group has not held such meetings. To support the Group in the performance of its mission, one or more of the individuals on the Group's support staff have met with many individuals who are not Federal employees to gather from them information relevant to the Group's work. The non-Federal employees from whom the Group's support staff has thus far sought information constitute a broad range of sources of information; see Response (2).

COMMITTEE QUESTION (4)(a): (a) Was any executive branch agency or any of its personnel responsible in any way for determining who would or would not be invited to participate in these meetings?

RESPONSE (4)(a): See Response (4).

COMMITTEE QUESTION (4)(b): (b) Please provide a detailed explanation of the process by which each non-federal participant in these meetings was determine to be a "stakeholder" in energy policy.

RESPONSE (4)(b): See Response (4).

COMMITTEE QUESTION (4)(c): (c) Please provide a detailed explanation of the process by which the task force decided not to meet with any private citizens or groups.

RESPONSE (4)(c): See Response (4).

COMMITTEE QUESTION (4)(d): (d) Was the governor of any state invited to participate in these meetings? If so, which? If not, why not?

RESPONSE (4)(d): See Response (4).

COMMITTEE QUESTION (4)(e): (e) Were any state public utility commissioners invited to participate in these meetings? If so, which? If not, why not?

RESPONSE (4)(e): See Response (4).

COMMITTEE QUESTION (4)(f): (f) Were any representatives of organized labor invited to participate in these meetings? If so, which? If not, why not?

RESPONSE (4)(f): See Response (4).

COMMITTEE QUESTION (4)(g): (g) Were any representatives of consumer advocacy groups invited to participate in these meetings? If so, which? If not, why not?

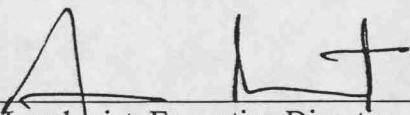
RESPONSE (4)(g): See Response (4).

COMMITTEE QUESTION (4)(h): (h) Was the National Federation of Independent Businesses or any other small business representative invited to participate in these meetings? If not, why not?

RESPONSE (4)(h): See Response (4).

COMMITTEE QUESTION (4)(i): (i) Did the Department of Energy notify any Member of Congress about the task force's meetings prior to the first meeting or invite any Member or congressional staff to attend any of the "stakeholder" meetings?

RESPONSE (4)(i): To the best of my knowledge, no such notifications or invitations by the Department of Energy occurred with regard to any Group support staff meetings with non-Federal employees, nor would the Department of Energy have had a role with regard to such meetings that would have called for the Department of Energy to make such notifications or invitations.



Andrew Lundquist, Executive Director
National Energy Policy Development Group

5/4/01
Date