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Staff Office-Individual: Counsel's Office-Neuwirth, Stephen				
Original OA/ID Number: CF 379				
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SUBJECT TO AVAILABILITY OF FUNDS

MEMORANDUM OF UNDERSTANDING

Between

**THE OFFICE OF POLICY DEVELOPMENT
EXECUTIVE OFFICE OF THE PRESIDENT**

and

THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

I. BACKGROUND:

The White House established in 1995 an interdepartmental team responsible for coordinating policy development and public outreach on HIV/AIDS Policy. This group is referred to as the Interdepartmental Task Force on AIDS.

The Department of Housing and Urban Development (HUD) is actively involved in this interdepartmental effort and has a substantial stake in the success of the Task Force's work. HUD is the only Agency contributing financial support to the Task Force during Fiscal Year 1996. The Office of Policy Development (OPD), Executive Office of the President, will provide administrative services to the Task Force on HUD's behalf.

II. AUTHORITY:

This agreement is entered into under the authority of 31 U.S.C. §1346 (b).

III. THE UNDERTAKING:

Under this interagency agreement, OPD agrees to provide administrative support, on HUD's behalf, to the Task Force. The cost of such support shall not exceed \$245,000 in fiscal year 1996. HUD agrees to make advances to OPD up to the foregoing amount for its expenditures for providing such support. Administrative services include but are not limited to: requisitioning of goods and services, funds management, and liaison with other agencies in the Executive Office of the President.

HUD will be represented on the interdepartmental team by the Secretary or his or her designee(s).

IV. PERIOD OF AGREEMENT:

This agreement commences October 1, 1995, and shall remain in effect until September 30, 1996. The paragraphs herein

memorialize the understandings, terms, and agreements pursuant to which each involved organization shall act. This agreement may be modified with the advance written consent of both parties.

V. NOTICE:

All acquisitions made under this agreement shall comply with the Competition in Contracting Act, Pub. L. 98-369.

All capitalized equipment (equipment with a per item value in excess of \$1,000 and a useful life exceeding one year), including computer hardware, telefax machines, and other equipment purchased for this project with HUD funds will be returned to HUD at the end of this agreement unless the parties enter into a follow-on agreement that provides otherwise.

No portion of these funds will be used to support publicity or propaganda activities prohibited by section 507 of Public Law 103-123, the Treasury, Postal Service, and General Government Appropriations Act, 1995; by the Anti-Lobbying Act, 18 U.S.C. § 1913; or by any other applicable law.

VI. PROGRAM/TECHNICAL LIAISON OFFICERS:

**DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

Fred G. Karnas, Jr., Director
of HIV/AIDS Housing
U.S. Department of
Housing and Urban Dev.
Washington, DC 20410

OFFICE OF POLICY DEVELOPMENT

Ashley Raines
Funds Manager
Office of Policy Development
Executive Office of the
President
Washington, DC 20503
(202) 456-2023

Jurg Hochuli, Director
Financial Management Division
Office of Administration
(202) 395-3793

VII. FINANCIAL PROVISIONS:

With the approval of the agreement, OPD will bill HUD for an advance of funds not to exceed an annual amount of \$245,000, or such lesser pro rata amount as may be permitted under any applicable continuing resolution, via the Online Payment and Collection System (OPAC). Such requests will cite the number of this agreement, appropriation symbol and other accounting identification codes.

Each month, OPD will provide HUD with itemized charges to support the use of the advances. The total amount of expenditures under this agreement shall not exceed \$245,000, in fiscal year 1996. Upon submission of the final monthly list of itemized charges

under this agreement, OPD will provide to HUD a final reconciliation of the advances to the actual costs. OPD will then refund via OPAC any resulting outstanding balance.

VIII. APPROVALS

<u>CUSTOMER AGENCY:</u> ALC: Appropriation Symbol:	<u>SERVICING AGENCY:</u> THE EXECUTIVE OFFICE OF THE PRESIDENT Ashley Raines Office of Policy Development Washington, DC 20503 Attn: Ashley Raines (202) 456-2023 ALC: 11-01-0003 Appropriations Symbol: 1162200
<u>CUSTOMER AGENCY APPROVALS:</u>	<u>SERVICING AGENCY APPROVAL(S):</u>
Signature <i>Marilyn A. Davis</i> Date _____ Marilyn Davis Assistant Secretary for Administration Department of Housing & Urban Development Washington, DC	Signature <i>Ashley Raines</i> Date <i>2/7/16</i> Ashley Raines Funds Manager Office of Policy Development
	Signature _____ Date _____ Jurg Hochuli <i>Jurg Hochuli</i> <i>2/7/16</i> Director Financial Management Division Office of Administration

THE WHITE HOUSE
WASHINGTON

April 24, 1996

MEMORANDUM FOR ROBERT G. DAMUS
GENERAL COUNSEL
OFFICE OF MANAGEMENT AND BUDGET

FROM: KATHLEEN M. WALLMAN 
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: AMENDMENT TO EXECUTIVE ORDER NO. 12963

Attached is a proposed executive order that would amend Executive Order No. 12963 to increase the membership of the Presidential Advisory Council on HIV/AIDS from 30 to 34 members. We have been advised that this amendment has been approved by the Secretary of Health and Human Services and by Carol Rasco and Marsha Scott.

I have been advised that this increase in membership is necessary to ensure adequate representation of the points of view that these new members would bring to the Council.

We request that this order be completed and signed by the President by 9 am, Thursday, April 25, at which time the Council will be meeting.

EXECUTIVE ORDER

No. _____

PRESIDENTIAL ADVISORY COUNCIL ON HIV/AIDS --
AMENDMENT TO EXECUTIVE ORDER 12963

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered that Executive Order No. 12963, establishing the Presidential Advisory Council on HIV/AIDS, is amended to provide, in Section 1(a) of that order, that the Advisory Council shall be composed of not more than 34 members to be appointed or designated by the Secretary of Health and Human Services.

EXECUTIVE ORDER

12963

PRESIDENTIAL ADVISORY COUNCIL ON HIV/AIDS

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct the Secretary of Health and Human Services to exercise her discretion as follows:

Section 1. Establishment. (a) The Secretary of Health and Human Services (the "Secretary") shall establish an HIV/AIDS Advisory Council (the "Advisory Council" or the "Council"), to be known as the Presidential Advisory Council on HIV/AIDS. The Advisory Council shall be composed of not more than 30 members to be appointed or designated by the Secretary. The Advisory Council shall comply with the Federal Advisory Committee Act, as amended (5 U.S.C. App.).

(b) The Secretary shall designate a Chairperson from among the members of the Advisory Council.

Sec. 2. Functions. The Advisory Council shall provide advice, information, and recommendations to the Secretary regarding programs and policies intended to (a) promote effective prevention of HIV disease, (b) advance research on HIV and AIDS, and (c) promote quality services to persons living with HIV disease and AIDS. The functions of the Advisory Council shall be solely advisory in nature. The Secretary shall provide the President with copies of all written reports provided to the Secretary by the Advisory Council.

Sec. 3. Administration. (a) The heads of executive departments and agencies shall, to the extent permitted by law, provide the Advisory Council with such information as it may require for purposes of carrying out its functions.

(b) Any members of the Advisory Council that receive compensation shall be compensated in accordance with Federal law. Committee members may be allowed travel expenses,

including per diem in lieu of subsistence, to the extent permitted by law for persons serving intermittently in the Government service (5 U.S.C. section 5701-5707).

(c) To the extent permitted by law, and subject to the availability of appropriations, the Department of Health and Human Services shall provide the Advisory Council with such funds and support as may be necessary for the performance of its functions.

Sec. 4. General Provisions. (a) Notwithstanding the provisions of any other Executive order, any functions of the President under the Federal Advisory Committee Act that are applicable to the Advisory Council, except that of reporting annually to the Congress, shall be performed by the Department of Health and Human Services, in accordance with the guidelines and procedures established by the Administrator of General Services.

(b) This order is intended only to improve the internal management of the executive branch, and it is not intended to create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person.

William J. Clinton

THE WHITE HOUSE,

June 14, 1995.



FAX TRANSMISSION SHEET

DATE: 2/6/96 PAGES WITH COVER: 4

TO: Steve Newwith

OFFICE: General Counsel

FAX #: 61647 PHONE #: _____

FROM:

☐ Jodie Torkelson
Assistant to the President for
Management and Administration

☐ Frank Reeder
Director
Office of Administration

☐ Lorraine Donovan
Executive Assistant

☐ Douglas Matties
Special Assistant to the Director

☐ Mike Malone
Special Assistant for
Management and Administration

☒ Ashley Raines
Customer Service Program
Director

☐ Kelli McClure
White House Personnel Liaison

☐ Nelson Cunningham
General Counsel

COMMENTS: We finally received a final memo
from HUD on AIDS Policy. Please review.

Thanks!

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Signature <i>Marilyn A. Davis</i> Date _____ Marilyn Davis Assistant Secretary for Administration Department of Housing & Urban Development Washington, DC	Signature _____ Date _____ Ashley Raines Funds Manager Office of Policy Development
	Signature _____ Date _____ Jurg Hochuli Director Financial Management Division Office of Administration