

human capital; distinctions among investments in and for current, future, and retired workers; distinctions between capital to increase productivity and capital to enhance the quality of life; and existing definitions of capital for budgeting;

- (c) The role of depreciation in capital budgeting, and the concept and measurement of depreciation for purposes of a Federal capital budget; and
- (d) The effect of a Federal capital budget on budgetary choices between capital and noncapital means of achieving public objectives; implications for macroeconomic stability; and potential mechanisms for budgetary discipline.

Sec. 3. Report. The Commission shall adopt its report through majority vote of its full membership. The Commission shall report to the National Economic Council by March 15, 1998, or within 1 year from its first meeting.

Sec. 4. Administration. (a) Members of the Commission shall serve without compensation for their work on the Commission. While engaged in the work of the Commission, members appointed from among private citizens of the United States may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701–5707).

(b) The Department of the Treasury shall provide the Commission with funding and administrative support. The Commission may have a paid staff, including detailees from Federal agencies. The Secretary of the Treasury shall perform the functions of the President under the Federal Advisory Committee Act, as amended (5 U.S.C. App.), except that of reporting to the Congress, in accordance with the guidelines and procedures established by the Administrator of General Services.

Sec. 5. General Provisions. The Commission shall terminate 30 days after submitting its report.

WILLIAM J. CLINTON

THE WHITE HOUSE,
March 3, 1997.

Executive Order 13038 of March 11, 1997

Advisory Committee on Public Interest Obligations of Digital Television Broadcasters

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Advisory Committee Act, as amended (5 U.S.C. App.) (the “Act”), and in order to establish an advisory committee on the public interest obligations of digital television broadcasters, it is hereby ordered as follows:

Section 1. Establishment. There is established the “Advisory Committee on the Public Interest Obligations of Digital Television Broadcasters” (“Committee”). The Committee shall consist of not more than 15 members appointed by the President. Members shall be chosen from the private sector,

including members of the commercial and noncommercial broadcasting industry, computer industries, producers, academic institutions, public interest organizations, and the advertising community. The President shall designate a Chair from among the members of the Committee.

Sec. 2. Functions. On or before June 1, 1998, the Committee shall report to the Vice President on the public interest obligations digital television broadcasters should assume. For the purpose of carrying out its functions the Committee may, in consultation with the Assistant Secretary of Commerce for Communications and Information, hold meetings at such times and places as the Committee may find advisable.

Sec. 3. Administration. (a) To the extent permitted by law, the heads of executive departments, agencies, and independent instrumentalities shall provide the Committee, upon request, with such information as it may require for the purpose of carrying out its functions.

(b) Upon request of the Chair of the Committee, the head of any executive department, agency, or instrumentality shall, to the extent permitted by law and subject to the discretion of such head, (1) make any of the facilities and services of such department, agency, or instrumentality available to the Committee; and (2) detail any of the personnel of such department, agency, or instrumentality to the Committee to assist the Committee in carrying out its duties.

(c) Members of the Committee shall serve without compensation for their work on the Committee. While engaged in the work of the Committee, members appointed from the private sector may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law and as the Chair, in consultation with the Assistant Secretary of Commerce for Communications and Information, may allow as needed, for persons serving intermittently in the Government service (5 U.S.C. 5701–5707), to the extent funds are available for such purposes.

(d) To the extent permitted by law and subject to the availability of appropriations, the Department of Commerce shall provide the Committee with administrative services, staff, and other support services necessary for performance of the Committee's functions.

(e) The Assistant Secretary of Commerce for Communications and Information, or his designee, shall perform the functions of the President under the Act, except that of reporting to the Congress, in accordance with the guidelines and procedures established by the Administrator of General Services.

Sec. 4. General. The Committee shall terminate 30 days after submitting its report, unless extended by the President.

WILLIAM J. CLINTON

THE WHITE HOUSE,
March 11, 1997.

Executive Order 13039 of March 11, 1997

**Exclusion of the Naval Special Warfare Development Group
From the Federal Labor-Management Relations Program**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 7103(b)(1) of title 5 of the United States Code, and having determined that the Naval Special Warfare Development Group has as a primary function intelligence, counter-intelligence, investigative, or national security work and that the provisions of Chapter 71 of title 5 of the United States Code cannot be applied to this organization in a manner consistent with national security requirements and considerations, Executive Order 12171 of November 19, 1979, as amended, is further amended by adding the following at the end of section 1-205:

“(i) Naval Special Warfare Development Group.”

WILLIAM J. CLINTON

THE WHITE HOUSE,
March 11, 1997.

Executive Order 13040 of March 25, 1997

**Amendment to Executive Order 13017, Advisory
Commission on Consumer Protection and Quality in the
Health Care Industry**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to expand membership and ensure broad-based representation for the Advisory Commission on Consumer Protection and Quality in the Health Care Industry and to revise the deadlines for the Commission's submission to the President of interim and final reports, it is hereby ordered as follows:

Section 1. Section 1(a) of Executive Order 13017 is amended by deleting the number “20” in the second sentence and inserting the number “32” in lieu thereof.

Sec. 2. Section 3 of Executive Order 13017 is amended to read as follows:

“**Sec. 3. Reports.** The Commission shall make a preliminary report to the President by January 31, 1998. A final report shall be submitted to the President by March 30, 1998.”

WILLIAM J. CLINTON

THE WHITE HOUSE,
March 25, 1997.