

## Nuclear Regulatory Commission

## § 7.1

(l) The agency may delegate its authority for conducting complaint investigations to other Federal agencies, except that the authority for making the final determination may not be delegated to another agency.

[51 FR 22888, 22896, June 23, 1986]

### §§ 4.571—4.999 [Reserved]

#### APPENDIX A TO PART 4—FEDERAL FINANCIAL ASSISTANCE TO WHICH THIS PART APPLIES<sup>1</sup>

(a) *Conferences on regulatory programs.* Agreements for financial assistance to State officials, without full-cost recovery, for visits to NRC facilities and offices or to other locations to confer on regulatory programs and related matters.

(b) *Orientation and instruction.* Agreements for assistance to State and local officials, without full-cost recovery, to receive orientation and on-the-job instruction at NRC facilities and offices.

(c) *Courses in fundamentals of radiation.* Agreements for the conduct of courses for State and local employees, without full-cost recovery, in fundamentals of radiation and radiation protection.

(d) *Participation in meetings and conferences.* Agreements for participation, without full-cost recovery, in meetings, conferences, workshops, and symposia to assist scientific, professional or educational institutions or groups.

(e) *Research Support.* Agreements for the financial support of basic and applied scientific research and for the exchange of scientific information.

[29 FR 19277, Dec. 31, 1964, as amended at 38 FR 17929, July 5, 1973; 40 FR 8778, Mar. 3, 1975; 45 FR 14539, Mar. 6, 1980; 52 FR 25361, July 7, 1987]

## PART 7—ADVISORY COMMITTEES

Sec.

7.1 Policy.

7.2 Definitions.

7.3 Interpretations.

7.4 Establishment of advisory committees.

7.5 Review of establishment of advisory committees by GSA Secretariat; Advisory committee charters.

<sup>1</sup>Categories of assistance may be added to Appendix A from time to time by notice published in the FEDERAL REGISTER. This part shall be deemed to apply to all grants, loans or contracts entered into under any such category of assistance on or after the effective date of the inclusion of the category of assistance in Appendix A.

7.6 Amendments to advisory committee charters.

7.7 Termination, renewal, and rechartering of advisory committees.

7.8 Charter filing requirements.

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7.10 The NRC Advisory Committee Management Officer.

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7.12 Public participation in and public notice of advisory committee meetings.

7.13 Minutes of advisory committee meetings.

7.14 Public information on advisory committees.

7.15 Procedures for closing an NRC advisory committee meeting.

7.16 Annual comprehensive review.

7.17 Reports required for advisory committees.

7.18 Compensation and expense reimbursement of advisory committee members, staffs, and consultants.

7.19 Handicapped members of advisory committees.

7.20 Conflict of interest reviews of advisory committee members' outside interests.

7.21 Costs of duplication of documents.

7.22 Fiscal and administrative responsibilities.

AUTHORITY: Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); Pub. L. 92-463, 86 Stat. 770 (5 U.S.C. App.).

SOURCE: 54 FR 26948, June 27, 1989, unless otherwise noted.

### § 7.1 Policy.

The regulations in this part define the policies and procedures to be followed by the Nuclear Regulatory Commission in the establishment, utilization, and termination of advisory committees. In general, it is the policy of the Commission that—

(a) Except where there is express legal authority to the contrary, the function of NRC advisory committees shall be advisory only.

(b) Each NRC advisory committee shall function in compliance with the Federal Advisory Committee Act and this part.

(c) The number of NRC advisory committees shall be kept to the minimum necessary, and the number of members of each NRC advisory committee shall be limited to the fewest necessary to accomplish committee objectives.

(d) An NRC advisory committee shall be established only when establishment

of the committee is required by law or when the Commission determines that the committee is essential to the conduct of NRC business. In making such a determination, the Commission shall consider whether committee deliberations will result in a significant contribution to the creation, amendment, or elimination of regulations, guidelines, or rules affecting NRC business; whether the information to be obtained is available through another source within the Federal Government; whether the committee will make recommendations resulting in significant improvements in service or reductions in cost; or whether the committee's recommendations will provide an important additional perspective or viewpoint relating to NRC's mission.

(e) Except where otherwise required by law, an NRC advisory committee shall be terminated whenever the stated objectives of the committee have been accomplished, the subject matter or work of the committee has become obsolete, the committee's main functions have been assumed by another entity within the Federal Government, or the cost of operating the committee has become excessive in relation to the benefits accruing to the Federal Government from its activities.

(f) NRC advisory committees shall be balanced in their membership in terms of the points of view represented and the functions to be performed.

(g) The Congress shall be kept informed of the number, purpose, membership, activities, and cost of NRC advisory committees.

(h) NRC advisory committee meetings shall be open to the public, except where closure is determined to be justified under § 7.15.

### § 7.2 Definitions.

As used in this part:

(a) *Act* means the Federal Advisory Committee Act, as amended, 5 U.S.C. App.

(b) *Administrator* means the Administrator of General Services.

(c)(1) *Advisory committee* means any committee, board, commission, council, conference, panel, task force, or similar group, or any subcommittee or other subgroup thereof, that is established by statute for the purpose of

providing advice or recommendations on issues of policy to an official, branch, or agency of the Federal Government, or that is established or utilized by the President or any agency official to obtain advice or recommendations on issues or policies that fall within the scope of his or her responsibilities; except that the term "advisory committee" shall not include the groups listed in paragraph (c)(3) of this section.

(2) For purposes of the definition of "advisory committee" in paragraph (c)(1) of this section, a group shall be considered to be "utilized by the President or any agency official to obtain advice or recommendations on issues or policies that fall within the scope of his or her responsibilities" if (i) the group is composed in whole or in part of other than full-time officers or employees of the Federal Government, (ii) the group has an established existence outside the agency seeking the advice, (iii) the group is a preferred source from which to obtain advice or recommendations on a specific issue or policy within the scope of the President's or agency official's responsibilities, and (iv) such advice or recommendations are obtained in the same manner as advice or recommendations obtained from established advisory committees.

(3) The following advisory meetings or groups are not included in the definition of "advisory committee" in paragraph (c)(1) of this section:

(i) Any group composed wholly of full-time officers or employees of the Federal Government;

(ii) Any group specifically exempted from the Act or these regulations by an Act of Congress;

(iii) Any local civic group whose primary function is that of rendering a public service with respect to a Federal program, or any State or local committee, council, board, commission, or similar group established to advise or make recommendations to any State or local government unit or an official thereof;

(iv) Any group that performs primarily operational functions specifically provided by law, as opposed to advisory functions;