

## Nuclear Regulatory Commission

## § 7.5

committee provides advice or recommendations.

*Committee member* means an individual who is appointed to serve on an advisory committee and has the full right and obligation to participate in the activities of the committee, including voting on committee recommendations.

*Designated Federal Officer* means a government employee appointed, pursuant to § 7.11(a), to chair or attend each meeting of an NRC advisory committee to which he or she is assigned.

*Discretionary advisory committee* means any advisory committee that is established, but not required to be established, under the authority of an agency head, and its establishment or termination is within the legal discretion of an agency head.

*GSA* means the General Services Administration.

*Non-discretionary advisory committee* means any advisory committee either required by statute or Presidential directive. A non-discretionary committee required by statute generally is identified specifically in a statute by name, purpose, or functions and its establishment is mandated.

*NRC* means the agency established by title II of the Energy Reorganization Act of 1974, 42 U.S.C. 5801 (88 Stat. 1233), and known as the Nuclear Regulatory Commission.

*NRC Advisory Committee Management Officer* means the individual appointed, pursuant to § 7.10(a), to supervise and control the establishment and management of NRC advisory committees.

*NRC Public Document Room* means the Public Document Room maintained by the NRC at 11555 Rockville Pike, Rockville, Maryland 20852-2738.

*Presidential advisory committee* means an advisory committee established by statute or directed by the President to advise the President.

*Staff member* means any individual who serves in a support capacity to an advisory committee.

*Subcommittee* means a subgroup of an advisory committee, whether or not its members are drawn in whole or in part from the parent advisory committee.

*Utilized committee* means a committee or group not established by the Federal Government, but whose operations are managed or controlled by a Federal agency.

### § 7.3 Interpretations.

Except as specifically authorized by the Commission in writing, no interpretation of the meaning of the regulations in this part by an NRC officer or employee, other than a written interpretation by the General Counsel, shall be binding upon the Commission.

### § 7.4 Establishment of advisory committees.

(a) An NRC advisory committee may be established under this part only if its establishment—

(1) Is specifically directed or authorized by statute or by Executive Order of the President; or

(2) Has been determined by the Commission to be in the public interest and essential to the performance of the duties imposed on the Commission by law.

The determination required by paragraph (a)(2) of this section shall be a matter of formal record, and shall include a statement of a clearly defined purpose for the advisory committee.

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

(a) Whenever the NRC proposes to establish or utilize an advisory committee, a letter requesting review of the proposal and transmitting a proposed charter for the committee shall be submitted to the GSA Secretariat by the Commission. The letter shall contain the following information:

(1) An explanation of why the committee is essential to the conduct of NRC business and is in the public interest;

(2) An explanation of why the committee's functions cannot be performed by NRC, another existing NRC advisory committee, or other means (such as a public hearing); and

(3) A description of NRC's plan to attain balanced membership on the committee.

For purposes of attaining balance in an NRC advisory committee's membership, the Commission shall consider for membership interested persons and groups with professional, technical, or personal qualifications or experience to contribute to the functions and tasks to be performed.

(b) Each proposed committee charter submitted for review pursuant to paragraph (a) of this section shall contain the following information:

(1) The committee's official designation;

(2) The committee's objectives and the scope of its activity;