

HIGHLIGHTS

COMMISSION/CHAIRMAN RESPONSIBILITIES

- The **Commission** is responsible for policy formulation, rulemaking, adjudications, and adjudicatory orders.¹
- Each **Commission** member has equal authority in all Commission decisions and equal (prompt and full) access to all agency information pertaining to Commission responsibilities.
- The **Chairman** is the official spokesman for the agency.
- The **Chairman** is the principal executive officer for the Commission and is responsible for the administrative functions of the agency.
- The **Chairman** shall be governed by the general policies of the Commission and by such regulatory decisions, findings, and determinations as the Commission may by law be authorized to make.

¹ Those matters set forth in 5 USC 553(a)(2) and (b) which do not pertain to policy formulation, orders, or adjudications shall be reserved to the Chairman. The Commission may determine by majority vote, in any area of doubt, whether any matter, action, question, or area of inquiry pertains to matters of policy formulation. See Reorganization Plan No. 1 of 1980, Sections 1(a)(2) and (3).

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DECISION DOCUMENTS

- SECY papers and action memoranda (COMs and COMSECYs) are the primary decision-making tools of the Commission; the Office of the Secretary (SECY) distributes papers, tracks the status of voting, and prepares decision documentation commonly referred to as "Staff Requirements Memoranda" (SRM).
- COMs are written exchanges between Commissioners and written memoranda between staff and the Commission requiring a response (COMSECYs). SECY assigns an identification number and tracks responses.
- The Commission's goal is to complete action on most papers in 18 business days from the issuance of a SECY paper or action memorandum (COM or COMSECY).

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VOTING

- Commission decision-making is accomplished by a majority vote of the Commission (see Appendix 4).
- Decisions are made by a vote of the Commission according to procedures set forth in Chapter III, "Voting."
- Vote sheets are circulated with SECY papers and other appropriate memoranda. Specific voting choices are:

"Approve"
"Disapprove"
"Abstain"
"Not Participating"

Commissioners may utilize the vote sheet to express personal views or comments on staff proposals and to submit proposed amendments to the proposal or to the draft materials proposed for consideration. Commissioners not voting are recorded as "Not Participating". Commissioners may recuse themselves from a particular matter to avoid any actual or apparent conflict of interest.

- Commissioners' votes on SECY papers are normally requested in 10 business days. Except for adjudicatory papers, which require approval by a majority of the Commission, an initial extension of 5 working days may be granted by the Secretary. Subsequent extensions can be granted unless a majority of the Commission objects.
- Commission decisions are recorded in Staff Requirements Memoranda. Actions requested of the staff are tracked by SECY in an automated, on-line tracking system.

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MEETINGS/HEARINGS

- Meetings are scheduled and conducted in accordance with the requirements of the Government in the Sunshine Act.
- At least three (3) members participating in the meeting shall constitute a quorum for purposes of voting (see Appendix 4).
- Documents pertinent to Commission meetings must be submitted to the Commission between five (5) and fifteen (15) business days prior to the meeting date depending on stakeholder involvement, or the need for the Commission to review documents, such as a SECY Paper or the need for viewgraphs.
- A Commission meeting schedule is published each week. It is prepared from input from Commissioners and others and approved by the Commission.
- Briefings of the Commission Technical/Legal Assistants (TAs) may be originated by the staff or requested by a Commissioner office.
- Specific procedures for Commission conduct of mandatory hearings on applications for combined licenses are contained in Chapter IV.

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CORRESPONDENCE

- The Commission's goal is to reply to external correspondence within 21 business days from receipt of the letter.
- Chairman or Commission Correspondence that requires a response is acknowledged within 48 hours.
- Staff offices normally have 15 business days to draft a reply.
- Correspondence which reflects new, revised, or expanded policy positions, as well as correspondence concerning matters pending Commission decision, items relating to the performance of Commission duties and responsibilities, and items of high Commission interest must be approved by the Commission and will be handled as Commission correspondence. Any Commissioner's request that correspondence be collegially reviewed as Commission correspondence will be granted absent an objection by a majority of the Commission.
- Normally, correspondence that addresses policy issues previously resolved by the Commission, transmits factual information, or restates Commission policy, will be handled as Chairman correspondence on behalf of the Commission.
- Proposed collegial correspondence is sent to the Commissioners, who are afforded five business days to review and comment on the proposed reply.
- An additional two (2) business days for comment will be granted to a Commissioner who is on short term absence from the office.
- Incoming and outgoing correspondence is circulated promptly in the Commission's Daily Reading File.

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CONGRESSIONAL REQUESTS FOR SENSITIVE DOCUMENTS

- The Office of Congressional Affairs (OCA) handles requests for documents from members of Congress; normally, sensitive documents are provided to Congress only upon written request.
- The transmittal of classified or Safeguards Information must be coordinated with the Office of Nuclear Security and Incident Response.
- Transmittal of sensitive documents used in the deliberative, consultative, or decision-making activities of the Commission itself must be coordinated with the Commission.
- Documents are transmitted to Congress by OCA with a cover letter identifying their sensitive nature and requesting appropriate protection. Wording of the cover letter is coordinated with the Office of the General Counsel (OGC) by OCA. Each page of each sensitive document is marked "Not for Public Disclosure".

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CONGRESSIONAL HEARINGS

- The Chairman, as official spokesman for the agency, is responsible for presenting the agency's testimony. Commissioners may also present their own statements.
- Commissioners will attend Congressional hearings when invited to do so by the Congress and may elect to attend at other times.
- An initial planning meeting will be set up by the Director of Congressional Affairs to discuss objectives of and key topics for the hearing, who should testify, NRC's role in the hearing and key messages to be incorporated into the testimony, identify backup material, role of other hearing panel participants, and relevant support documents.
- Final draft testimony should be received by the Commission 3 business days in advance of the scheduled deadline for submittal of the testimony to Congress. Background information and pre-hearing questions should be provided to the Commission one week in advance of the hearing.
- Typically OCA will receive correspondence from the Committee with the Questions for the Record (QFRs). These QFRs will be assigned by SECY to the appropriate staff office for development of a response. Draft QFR responses will be circulated to the Commission for review and approval at least 5 business days before delivering them to Congress.