



U.S. Nuclear Regulatory Commission Office of Nuclear Reactor Regulation

NRR OFFICE INSTRUCTION

Change Notice

Office Instruction No.: COM-206, Revision 1

Office Instruction Title: Industry-Sponsored Seminars and Conferences

Effective Date: April 17, 2006

Primary Contact: Michelle C. Honcharik
301-415-1774
mch3@nrc.gov

Responsible Organization: NRR/DPR

Summary of Changes: This is the second issuance of COM-206, "Industry-Sponsored Seminars and Conferences." The objective of this office instruction is to provide guidance on ethics for NRR staff attendance at industry-sponsored seminars and conferences and thereby improve public confidence in NRR's effectiveness in performing its functions. Additionally, changes have been made to align responsibilities with the new NRR organization.

Training: None

ADAMS Accession No.: ML060740326



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OFFICE	PSPB:NRR	C:PSPB:NRR	D:DPR:NRR	D:PMAS:NRR
NAME	MHoncharik	RGramm	HNieh	CCarpenter/DMcCain
DATE	03/28/2006	04/03/2006	04/14/2006	04/17/2006

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NRR OFFICE INSTRUCTION
COM-206, Revision 1

Industry-Sponsored Seminars or Conferences

1. POLICY

This office instruction informs the staff of Agency standards regarding participation in industry-sponsored seminars or conferences in an official capacity. Agency standards define when it is acceptable to participate in such activities and also the amount and type of compensation, fee or gratuity that is allowed. NRR staff members are expected to comply with this instruction when participating in industry-sponsored seminars or conferences. This instruction is applicable to staff attending these activities in an official capacity; other agency guidance may apply to participation in such activities when not attending in an official capacity.

Procedures for presentation of papers at technical conferences are covered in Office Instruction COM 207, "Presentation of Papers at Technical Conferences," and are not addressed here.

2. OBJECTIVES

NRC staff members are occasionally asked to participate as speakers, panel members or lecturers at industry-sponsored seminars or conferences. Guidance is needed to describe the circumstances under which this participation meets applicable ethics requirements. This instruction gives guidance to the staff for participation in these activities. By following this guidance, the staff will fulfill the Agency's policies on ethical conduct, avoid the appearance of conflict of interest, and increase public confidence in the NRC and its mission.

3. BACKGROUND

The Office of Government Ethics (OGE) was created to provide guidance to agencies of the Executive Branch on ethics including preventing conflicts of interest on the part of Government employees. This mission is accomplished in partnership with each Executive agency. Each Executive agency is responsible for developing an ethics program and appointing a Designated Agency Ethics Official (DAEO) responsible for the implementation of the ethics program. The NRC ethics program is primarily contained in Volume 7 of the NRC Management Directives. The regulations, requirements, and office procedures most applicable to this instruction are:

- 5 CFR 2635, "Standards of Ethical Conduct for Employees of the Executive Branch," February 1, 1993, as amended.

- 5 CFR 5801, "Supplemental Standards of Ethical Conduct for Employees of the Nuclear Regulatory Commission."
 - Regional Office Instruction No. 0206, Rev. 4, "Official Participation in Industry-Sponsored Seminars or Conferences and Speaking Engagements."
 - NRR Office Letter 702, "Official Participation in Industry-Sponsored Seminars or Technical Conferences," dated February 8, 1988. (Retired-Superseded by this Office Instruction)
 - Memorandum from J. M. Taylor, EDO, to Office Directors and Regional Administrators, "Participation in Industry-Sponsored Seminars or Technical Conferences," July 14, 1993.

4. BASIC REQUIREMENTS

This instruction implements guidance in:

- 5 CFR 2635, "Standards of Ethical Conduct for Employees of the Executive Branch," February 1, 1993, as amended.
- Memorandum from J. M. Taylor, EDO, to Office Directors and Regional Administrators, "Participation in Industry-Sponsored Seminars or Technical Conferences," July 14, 1993.
- Management Directive 7.9, "Ethics Approvals and Waivers," Revised January 5, 1998.

Seminar and Conference Participation

NRC employees who receive approval to participate officially as lecturers, panel members, or in a similar active capacity may accept the waiver of the registration or conference fee as well as food and refreshments offered to those in attendance on those days when they serve in any of those capacities.

On those days of the seminar or conference when they do not participate in any of these capacities, employees cannot accept the waiver of the fee or food or refreshments unless the seminar or conference is deemed a "widely attended gathering" with approval from the NRR director or deputy director, based on a determination that the employee's attendance is in the interest of the agency because it would further agency programs

or operations. If the sponsor of the event has interests that may be substantially affected by the performance or nonperformance of the employee's official duties, the approval must be in writing, based on a determination that the agency's interest in the employee's participation in the event outweighs concern that the acceptance of the offer may appear to improperly influence the employee in performing his or her official duties.

An ethics counselor in the Office of the General Counsel (OGC) should be consulted to determine whether the event meets the definition of a "widely attended gathering." Employees attending industry seminars or conferences on Government time but not in an official capacity must take excused absence for that time.

Employees cannot accept travel expenses, including lodging, from anyone, other than the NRC, for official participation unless the offer comes from a nonprofit organization with a tax-exempt status under section 501(c)(3) of the Internal Revenue Code or a foreign or State government, and only if acceptance would not create an appearance of a conflict of interest. An OGC ethics counselor should be consulted as to whether the organization has such a tax-exempt status or whether there would be a conflict of interest.

NRC employees are precluded from receiving any fee, honorarium, or other compensation from anyone, other than the agency, for participating in these conferences or other outside activities while on Government time. Employees also cannot accept compensation for unofficial participation, on their personal time, from an NRC licensee or contractor or other prohibited source, or if the offer was extended because of their NRC position, unless they receive written approval in advance from the Executive Director for Operations or designee pursuant to NRC supplemental conduct regulation 5 CFR 5801.103 and Management Directive 7.8. In addition, employees cannot use their NRC title or position in connection with any activity conducted in their personal capacity or disclose any nonpublic NRC information without authorization.

Commission Policy on Speaking Engagements

Members of the technical staff are frequently invited to speak to schools, local government agencies, civic groups, licensee organizations or technical societies. The intent of those inviting NRC staff members is to learn more about NRC policies and practices and to have an opportunity to address questions to the speaker. It is the policy of the Commission to encourage staff accommodation of these requests within budgetary and work constraints. In making speeches to other organizations, employees should be mindful that official Agency policy is accurately reflected. Employees should not disclose or discuss information not readily available to the public without prior authorization.

To ensure that speeches made by NRR staff members accurately reflect Agency policy, this instruction requires management review and approval of proposed speeches. It is management's prerogative to determine whether a given speech will further the aims of the Agency. Management may designate the individual to make the speech.

A. Action:

1. Requests for approval of all speaking engagements should be made through the line organization to the appropriate Division Director for speeches to be given by the principal staff. The Division Director should be advised of the proposed content of speeches to be given by any staff member.
2. Proposed speeches should be submitted through the line organization to the appropriate Division Director in draft or final form for review at least two weeks prior to the scheduled speaking engagement or advance release.

B. Contact:

Questions or comments regarding this instruction should be directed to the contacts listed under "Primary Contacts" below.

5. **RESPONSIBILITIES AND AUTHORITIES**

This instruction is applicable to all NRR staff members. The Director, NRR, is responsible for overall direction. Division Directors are responsible for implementation of this instruction. The Office of General Counsel may be contacted for further interpretation of the requirements of this instruction. Specific responsibilities are:

Director, NRR

Responsible for determination of whether proposed discussions involve new or major policy issues and informs the Office of Public Affairs, EDO, and the Commission as appropriate.

Appropriate Associate Director, NRR

Reviews the summary of proposed activities to determine that the conference is not primarily for the financial benefit of the sponsoring entity and that attending is in the interest of the NRC's mission before the Division Director approves acceptance of an invitation.

Appropriate Division Director, NRR

- (1) Approves the topic, participant, and travel expenses as required and
- (2) Assures that material to be presented has been reviewed by the appropriate Branch Chief to factor in the views and/or positions of other NRR Divisions and NRC Offices.

6. PERFORMANCE MEASURES

This office instruction is used to help NRR meet the goals and performance measures defined in its Operating Plan and other high-level planning documents. The goal of this office instruction is to maintain public confidence that Agency actions are conducted to a high ethical standard. At this time, there are no other specific performance measures for this instruction.

7. PRIMARY CONTACTS

For questions about this office instruction, Michelle C. Honcharik, NRR, 301-415-1774. For interpretation of this office instruction, John Szabo, OGC Ethics Advisor, 301-415-1610.

8. RESPONSIBLE ORGANIZATION

The Office of Nuclear Reactor Regulation is responsible for implementation and maintenance of this office instruction. The Office of the General Counsel is responsible for interpretations.

9. EFFECTIVE DATE

April 17, 2006

10. REFERENCES

1. NRR Office Letter 702, "Official Participation in Industry-Sponsored Seminars or Technical Conferences," February 8, 1988. (This office instruction supercedes Office Letter 702).
2. Regional Office Instruction No. 0206, Rev. 4, "Official Participation in Industry-Sponsored Seminars or Conferences and Speaking Engagements," October 21, 1998.
3. Management Directive 3.9, "NRC Staff and Contractor Speeches, Papers, and Journal Articles on Regulatory and Technical Subjects," November 16, 1995.

4. Management Directive 7.3, "Participation in Professional Organizations," December 31, 1996.
5. Management Directive 7.9, "Ethics Approvals and Waivers," Revised January 5, 1998.
6. Presidential Memorandum for the Heads of Executive Departments and Agencies, "Standards of Official Conduct," January 20, 2001.
7. 5 CFR 2635, "Standards of Ethical Conduct for Employees of the Executive Branch," February 1, 1993, as amended.
8. Memorandum from J. M. Taylor, EDO, to Office Directors and Regional Administrators, "Participation in Industry-Sponsored Seminars or Technical Conferences," July 14, 1993.

Attachment:
Appendix A - Change History

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Office Instruction COM-206, Revision 1 “Industry-Sponsored Seminars or Conferences”

COM-206 Change History - Page 1 of 1			
Date	Description of Changes	Method Used to Announce & Distribute	Training
06/27/2001	This is the initial issuance of COM-206, “Industry-Sponsored Seminars and Conferences.” This is a reformatting of previous guidance contained in Office Letter 702, “Official Participation in Industry-Sponsored Seminars or Technical Conferences,” dated February 8, 1988. The objective of this office instruction is to provide guidance on ethics for NRR staff attendance at industry-sponsored seminars and conferences and thereby improve public confidence in NRR’s effectiveness in performing its functions.	E-mail to all NRR staff	None
04/ /2006	This is the second issuance of COM-206, “Industry-Sponsored Seminars and Conferences.” The objective of this office instruction is to provide guidance on ethics for NRR staff attendance at industry-sponsored seminars and conferences and thereby improve public confidence in NRR’s effectiveness in performing its functions. Additionally, changes have been made to align responsibilities with the new NRR organization.	E-mail to all NRR staff	None