

Welcome to the EM SSAB

June 2017

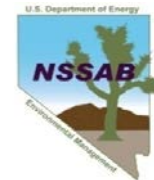
David Borak, Designated Federal Officer, EM SSAB



- Guiding Rules and Regulations for the EM SSAB
- DFO/DDFO Roles & Responsibilities
- Your Roles & Responsibilities
- Legal Considerations
- Workplans and Subcommittees
- Questions

What is the EM SSAB?

- Chartered in 1994 under FACA to involve local citizens more directly in DOE EM cleanup decisions.
- There is one FACA chartered EM SSAB and eight local boards organized under the EM SSAB umbrella charter.
- These eight local boards are brought together biannually at the EM SSAB Chairs meetings, and the EM SSAB is able to speak in one voice.
- Made up of representative members not experts.



- Purpose of FACA
 - Ensure that advice by advisory boards is objective and accessible to the public
 - Formalize process for establishing, operating, overseeing and terminating advisory committees
 - Create the Committee Management Secretariat
 - Require that committees advise and recommend, not decide and implement
- Benefits of FACA
 - Transparency and participation improves citizen trust in government
 - FACA requirements lend credibility to the committees' advice

Key Players

- GSA Committee Management Secretariat
- Department of Energy – Headquarters
 - Committee Management Officer (CMO)
 - Designated Federal Officer (DFO)
- Department of Energy – Field Sites
 - Deputy Designated Federal Officer (DDFO)
 - Alternate DDFOs, Federal Coordinators and Local Board Staff
- Board Members
 - Chair and Vice-Chair
 - Members
- Liaisons

- Require a charter outlining the committee's mission and specific duties
- Allow for Open Access to Committee Meetings and Operations
 - Meetings must be accessible to the public and announced in the Federal Register
 - Committee documents must be maintained and made available for public inspection
- Maintain Fairly Balanced Membership
- Provide an Opportunity for Public Comment
- Violations?

Guiding Documents

FACA

DOE Committee
Management
Manual

EM SSAB Charter

EM SSAB Guidance

Local Board Operating Procedures

The Importance of Community Involvement in Cleanup Decisions

- Allows the agencies to consider local stakeholder values and concerns before making a decision
- If stakeholders are not involved early in the process, they may have reason to doubt, criticize or challenge cleanup decisions



- Recommendations improve policy and technical processes of complex cleanups by providing independent input
- Ensures open and transparent decision making
- Provides opportunities to educate and ensure future informed engagement and participation

DFO/DDFO Requirements

- Know how FACA, FACA regulations, DOE Guidance, and all related agency policies apply to the Board and ensure compliance
- Approve agendas for each Board meeting
- Call, attend, and adjourn every Board meeting
- Maintain required committee records (e.g., costs, minutes, membership)
- Prepare Federal Register notices
- Prepare annual report to the CMO summarizing Board activities
- Nominate members for appointment
- Ensure all ethical standards are met by Board members
- Ensure that meetings are held at a reasonable time and place, accessible to the public

Member Responsibilities

- To attend regular meetings and learn about the site's EM cleanup mission
- Provide recommendations at the request of site management and EM leadership
- To work collaboratively and respectfully with other Board members and liaisons
- To abide by the terms and conditions of the EM SSAB Charter and guiding documents
- Notify the DDFO of any potential conflict of interest

- Conflict of Interest: EM SSAB members are not subject to the same federal ethics regulations as federal employees and Special Government Employees.
- **As a matter of policy**, however, DOE asks that you:
 - Refrain from any use of your membership, which is, or gives the appearance of being, motivated by the desire for private, professional, or financial gain;
 - Recuse yourself from decisions and discussions related to real or perceived conflicts of interest, act impartially, and avoid the appearance of impropriety; and
 - Seek immediate guidance, beginning with the DDFO, if you are offered anything of value such as a gift, gratuity, loan, or favor in connection with advisory committee service.
- Can lead to: legal action against DOE

- Work plan activities are carried out by the full board and its subcommittees
- Identifies where DOE needs your help and what issues you find important
- Members and staff need to regularly assess activities and outcomes
- Work plans are modified as needed throughout the year
 - Evaluate new business in light of the original work plan; ask questions before leaping into new activities
 - DDFO review and approval is required
 - Keep the work manageable
 - Modifications can be proposed by members and DOE

Subcommittee: Any subgroup that advises an established committee.

Per FACA, subcommittees must:

- Act under the policies that have been established by their parent committee
- Have their advice and recommendations reviewed and approved by the parent committee prior to submission to DOE officials

Additional agency requirements:

- Establishment requires DDFO approval
- Purpose should align with board mission and directly support work plan activities

Use of Subcommittees (continued)

- Fact finding and recommendation development
 - Reminder: must characterize work of subcommittee during full board meeting
 - Cannot vote on recommendations or transmit them directly to the agency
- Best Practice: treat subcommittee meetings like full board meetings
 - Open meetings to the public
 - Publish notice on local board website
 - Include a public comment period

Questions?

Contact Information:

David Borak

Designated Federal Officer, EM SSAB

(202) 586-9928

David.Borak@em.doe.gov