

## Federal Emergency Management Agency, DHS

## § 12.5

SOURCE: 45 FR 64180, Sept. 29, 1980, unless otherwise noted.

### § 12.1 Purpose and applicability.

(a) The regulations in this part implement the Federal Advisory Committee Act, Executive Order 12024 and General Services Administration Regulation 41 CFR part 101-6. The provisions of the Federal Advisory Committee Act in this part shall apply to all advisory committees established by the Federal Emergency Management Agency (FEMA), including advisory committees created pursuant to any act of Congress relating to the United States Fire Administration, Federal Insurance Administration, or any other component of the Federal Emergency Management Agency, except to the extent that any act of Congress establishing an advisory committee reporting to the agencies specifically provides otherwise.

(b) This part does not apply to inter-agency advisory committees or advisory committees established by the President unless specifically made applicable by the establishing authority.

(c) This part does not apply to any local group, contractor, grantee, or other organization whose primary function is to render public service with respect to a Federal program, or any state or local committee, counsel, board, commission, or similar group established to advise or make recommendations to State or local officials or agencies.

[45 FR 64180, Sept. 29, 1980, as amended at 48 FR 44543, Sept. 29, 1983; 50 FR 40007, Oct. 1, 1985]

### § 12.2 Definitions.

As used in this part—

*Act* means the Federal Advisory Committee Act (86 Stat. 770).

*Advisory Committee* is used as per the meaning set forth in section 3(2) of the Act.

*Agency* means the Federal Emergency Management Agency, established by Presidential Reorganization Plan No. 3 of 1978, or any component thereof.

*Administrator*, *GSA* means the Administrator of General Services.

*Director* means the Director of the Federal Emergency Management Agency.

*FEMA* means the Federal Emergency Management Agency.

*GSA* means the General Services Administration.

*Presidential Advisory Committee* means an advisory committee which advises the President of the United States.

*Secretariat* means the Committee Management Secretariat of the General Services Administration.

*Any officer of the Federal Government* means any agency official or employee of the Federal government designated to perform duties with respect to an advisory committee established under this part.

*Nonstatutory advisory committee* means an advisory committee not established by statute or reorganization plan.

### § 12.3 Policy.

In determining whether an advisory committee should be created, and in reviewing the functions of operating advisory committees, the Agency will:

(a) Establish new advisory committees only when they are determined to be essential, keeping their number to the minimum necessary to accomplish the assigned mission of the agency or its components;

(b) Provide standards and uniform procedures to govern the establishment, operation, administration, and duration of the advisory committees;

(c) Terminate the advisory committees when they are no longer necessary to carry out the purposes for which they were established; and

(d) Keep the Congress and the public informed with respect to the number, purpose, membership, activity, and cost of the advisory committees.

### § 12.4 Interpretations.

Except as specifically authorized in writing by the Director, including internal instructions, no interpretation of the meaning of the regulations in this part by any employee or officer of the Agency, other than a written interpretation by the General Counsel, will be recognized to be binding upon the Agency.

### § 12.5 Advisory committee management officer.

(a) The Director will designate as advisory committee management officer