\textbf{Nuclear Regulatory Commission} \hspace{1cm} \S \textbf{7.18}

(b) Any NRC advisory committee holding closed or partially closed meet-

\hspace{1cm} ings shall issue a report, at least annu-

\hspace{1cm} ally, setting forth a summary of its ac-

\hspace{1cm} tivities consistent with the policy of

\hspace{1cm} the Government in the Sunshine Act (5

\hspace{1cm} U.S.C. 552b), as implemented by 10 CFR

\hspace{1cm} 9.104. A copy of the report shall be

\hspace{1cm} made available at the NRC Web site,

\hspace{1cm} http://www.nrc.gov, at the NRC Public

\hspace{1cm} Document Room, or both.

(c) Subject to the Freedom of Infor-

\hspace{1cm} mation Act (5 U.S.C. 552) and imple-

\hspace{1cm} menting NRC regulations (10 CFR part

\hspace{1cm} 9, subpart A), eight copies of each re-

\hspace{1cm} port made by an advisory committee,

\hspace{1cm} including any report on closed meet-

\hspace{1cm} ings pursuant to paragraph (b) of this

\hspace{1cm} section, and, where appropriate, back-

\hspace{1cm} ground papers prepared by consultants,

\hspace{1cm} shall be filed for public inspection and

\hspace{1cm} use with the Library of Congress,

\hspace{1cm} Anglo-American Acquisitions Division,

\hspace{1cm} Government Documents Section, Fed-

\hspace{1cm} eral Advisory Committee Desk, 101

\hspace{1cm} Independence Avenue, SE., Wash-

\hspace{1cm} ington, DC 20540–4172.

[67 FR 79842, Dec. 31, 2002]

\textbf{§ 7.18 Appointment, compensation, and expense reimbursement of advisory

\hspace{1cm} committee members, staffs, and consultants.}

(a) Unless otherwise provided by law, advisory committee members serve at

\hspace{1cm} the pleasure of the Commission and their terms are at the sole discretion of

\hspace{1cm} the Commission.

(b) Except where otherwise provided by law, the Commission may accept the

\hspace{1cm} gratuitous services of an NRC advisory committee member, staff member,

\hspace{1cm} or consultant who agrees in advance to serve without compensation.

(c)(1) Subject to the provisions of paragraph (c)(2) of this section, if the

\hspace{1cm} Commission determines that compensation of a member of an NRC advisory

\hspace{1cm} committee is appropriate, the amount that will be paid shall be fixed

\hspace{1cm} by the Chairman of the Commission at a rate that is the daily equivalent of a

\hspace{1cm} rate in NRC’s General Grade Salary Schedule, unless the member is ap-

\hspace{1cm} pointed as a consultant and compensated at a rate applicable to NRC

\hspace{1cm} consultants.

(2) In determining an appropriate rate of pay for a member of an NRC ad-

\hspace{1cm} visory committee, the Chairman of the Commission shall give consideration to

\hspace{1cm} the significance, scope, and technical complexity of the matters with which

\hspace{1cm} the advisory committee is concerned and the qualifications required of the

\hspace{1cm} committee member; provided that the Chairman may not set the rate of pay

\hspace{1cm} for an NRC advisory committee member higher than the daily equivalent

\hspace{1cm} rate for level IV of the Executive Schedule under 5 U.S.C. 5315, unless a

\hspace{1cm} higher rate is expressly allowed by another statute. The Chairman may au-

\hspace{1cm} thorize a rate of basic pay in excess of the maximum rate of basic pay estab-

\hspace{1cm} lished for NRC’s General Grade Salary Schedule. This maximum rate includes

\hspace{1cm} an applicable locality payment. The Commission may pay advisory com-

\hspace{1cm} mittee members on either an hourly or a daily rate basis. The Commission

\hspace{1cm} may not provide additional compensation in any form, such as bonuses or

\hspace{1cm} premium pay. The Chairman may not delegate the responsibility for making

\hspace{1cm} a determination that a higher rate of pay than that established by NRC’s

\hspace{1cm} General Grade Salary Schedule is necessary and justified for an NRC advisory

\hspace{1cm} committee member, and such a determination must be reviewed annu-

\hspace{1cm} ally.

(d)(1) Each NRC advisory committee staff member may be paid at a rate

\hspace{1cm} that is the daily equivalent of a rate in NRC’s General Grade Salary Schedule

\hspace{1cm} in which the staff member’s position would appropriately be placed.

(2) A staff member of an NRC advisory committee may not be paid at a rate

\hspace{1cm} higher than the daily equivalent of the maximum rate for a GG–15 under

\hspace{1cm} NRC’s General Grade Salary Schedule, unless the Chairman of the Commis-

\hspace{1cm} sion determines that the staff member’s position would appropriately be placed.

(2) A staff member of an NRC advisory committee may not be paid at a rate

\hspace{1cm} higher than the daily equivalent of the maximum rate for a GG–15 under

\hspace{1cm} NRC’s General Grade Salary Schedule, unless the Chairman of the Commis-

\hspace{1cm} sion determines that the staff member’s position would appropriately be placed.

(2) A staff member of an NRC advisory committee may not be paid at a rate

\hspace{1cm} higher than the daily equivalent of the maximum rate for a GG–15 under

\hspace{1cm} NRC’s General Grade Salary Schedule, unless the Chairman of the Commis-

\hspace{1cm} sion determines that the staff member’s position would appropriately be placed.

(2) A staff member of an NRC advisory committee may not be paid at a rate

\hspace{1cm} higher than the daily equivalent of the maximum rate for a GG–15 under

\hspace{1cm} NRC’s General Grade Salary Schedule, unless the Chairman of the Commis-

\hspace{1cm} sion determines that the staff member’s position would appropriately be placed.

(2) A staff member of an NRC advisory committee may not be paid at a rate

\hspace{1cm} higher than the daily equivalent of the maximum rate for a GG–15 under

\hspace{1cm} NRC’s General Grade Salary Schedule, unless the Chairman of the Commis-

\hspace{1cm} sion determines that the staff member’s position would appropriately be placed.
§ 7.19 Advisory committee members with disabilities.

An NRC advisory committee member who is disabled may be provided services by a personal assistant while performing advisory committee duties, if the member:

(a) Qualifies as disabled under section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 794); and

(b) Does not otherwise qualify for assistance under 5 U.S.C. 3102 by reason of being an employee of NRC.

[67 FR 79843, Dec. 31, 2002]

§ 7.20 Conflict of interest reviews of advisory committee members' outside interests.

The Designated Federal Officer or alternate for each NRC advisory committee and the General Counsel or designee shall review the interests and affiliations of each member of the Designated Federal Officer’s advisory committee annually, and upon the commencement of the member's appointment to the committee, for the purpose of ensuring that such appointment is consistent with the laws and regulations on conflict of interest applicable to that member.

[67 FR 79843, Dec. 31, 2002]

§ 7.21 Cost of duplication of documents.

Copies of the records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agenda, or other documents that were made available to or prepared for or by an NRC advisory committee shall be made available to any person at the actual cost of duplication prescribed in part 9 of this chapter. (For availability of information on advisory committees, see §7.14.)