

§ 1701.7

5 CFR Ch. VII (1–1–02 Edition)

paragraphs contains at least two names for each vacancy.

(c) Where any member ceases to serve in the official position from which he or she was originally appointed under §1701.4, that place on the Commission is deemed to be vacant.

(d) Thirteen members of the Commission constitute a quorum, but two or more members constitute a quorum for the purpose of conducting hearings.

§ 1701.7 Commission personnel.

(a) *Executive Director.* Is appointed by the Commission itself. He is appointed without regard to the Civil Service laws or Classification Act of 1949, and without regard to political affiliation. He is appointed solely on the basis of fitness to perform the duties of the position.

(b) *Other employees.* Subject to the provisions of part 1720 of this chapter and of such other rules and regulations as the Commission may adopt, the Chairman, without reference to the Civil Service laws and the Classification Act of 1949, and without regard to political affiliation, may appoint, fix the compensation of, and remove such other personnel as he deems necessary.

(c) *Temporary employees.* The Chairman may also procure temporary and intermittent services to the same extent as is authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed the daily rate for a GS-18.

§ 1701.8 Activities of the Commission.

The primary role of the Commission is to give advice. It issues no rules or regulations governing the general public, and the advice it gives is addressed to various levels of the American government, such as the Congress of the United States, and the States, counties, and cities. The advice it gives is contained in its recommendations and reports, and these in turn are based on research conducted by the Commission and its staff.

(a) *Selection of research topics—policy applied.* The policy applied by the Commission in the choice of research topics is to select ones which will strengthen the federal system, and promote the power balance and fiscal balance among the various levels of govern-

ment. Weight is given to new ways of dealing with practical intergovernmental problems. Routine and continual re-evaluation of the same topic will be avoided whenever possible.

(b) *Selection of research topics—criteria.* The Commission, by vote of its members, selects all research projects and approves acceptance of all research grants. Its selections take into account the following general criteria:

- (1) Importance of the subject area,
- (2) Timeliness of the issues,
- (3) Utility to the governmental levels,
- (4) Compatability with the competence of the staff, and
- (5) Appropriateness for the Commission's composition and procedures.

(c) *Outside requests for research.* The Commission undertakes research requested by the Congress and by executive agencies to the extent that its work program and resources allow. However, where such requests do not meet the Commission's research selection criteria or where undertaking the work would impede other important work in progress, the Commission will necessarily seek additional funding to expend its work capacity temporarily. The Commission does not make research grants to other outside parties on topics those parties have selected for study nor will it request appropriation for such studies.

(d) *Special funding of projects.* ACIR will seek and accept grants for work on intergovernmental subjects that accord with the Commission's finding that the subject is of prime intergovernmental importance, if it is within the capacity of the staff—or outside scholars and consultants engaged for this purpose—to produce a study that meets the Commission's usual standards of quality.

§ 1701.9 Step-by-step development of Commission recommendations.

The Commission itself selects the research projects to be undertaken and assigns the priority to be given among projects. In making its selection the Commission may consider exploratory research by the ACIR staff, the Commission members expertise, and any other information the Commission members have. Thereafter: