The original documents are located in Box 3, folder “Intergovernmental Personnel Act of 1970” of the Bradley H. Patterson Files at the Gerald R. Ford Presidential Library.

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A BILL
To amend the Intergovernmental Personnel Act of 1970 to provide more effective means to improve personnel administration in State and local governments; to correct certain inequities in the law; and to extend coverage under the law to Indian tribes and the Trust Territory of the Pacific Islands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the Intergovernmental Personnel Act of 1970 (84 Stat. 4190-1929) is amended as follows:

(1) Section 202 (a), section 203 (a), section 303 (a), and section 304 (a), relating to grants to State and local governments and other organizations, are amended by striking out “after the expiration of three years following the effect-
tive date of the grant provisions of this Act," and substituting
therefor "on July 1, 1978".

(2) Section 305, relating to Government Service Fel-
lowsips, is amended—

(1) by striking out from paragraph (2) of subsec-
tion (a) “one-fourth”, and inserting “75 per centum” in
place thereof;

(2) by renumbering paragraph (3) of subsection
(c) as paragraph (4) and deleting therefrom the words
“and continuation”;

(3) by striking the word “and” at the end of para-
graph (2) of subsection (c); and

(4) by inserting in subparagraph (c) a new para-
graph (3) as follows:

“(3) require, as a condition for the award of such
fellowships, that the recipients enter into a written agre-
ment, enforceable by the government concerned, to serve
with such jurisdiction upon the completion of the fel-
lowship, for a period equal to the length of the fellow-
ship. Such agreement shall provide that in the event the
recipient fails (except for good and sufficient reason,
as determined by the jurisdiction concerned) to carry
out such agreement, he shall be liable for payment of all
expenses (excluding salary) of such fellowship. Any
amount for which a recipient becomes liable shall be
paid to the jurisdiction concerned within the three-year
period beginning on the date he becomes so liable; and
shall be available for use by such jurisdiction for
advanced education of its employees; and”.
(3) Section 502, relating to the definitions of eligible
jurisdictions, is amended—
(1) by inserting in paragraph (3) “the Trust
Territory of the Pacific Islands,” immediately before
“and a territory or possession of the United,”;
(2) by striking out “and” after paragraph (3);
(3) by striking out the period and inserting “;
and” after paragraph (4); and
(4) by adding the following:
“(5) Notwithstanding the population requirements of
section 203 (a) and 303 (c) of this Act a ‘local government’
and a ‘general local government’ also mean the recognized
governing body of an Indian tribe, band, pueblo, or other
organized group or community, including any Alaska Native
village, as defined in the Alaska Native Claims Settlement
Act (85 Stat. 688), which performs substantial govern-
mental functions. The requirements of section 203 (c) and
303 (d) of this Act relating to reviews by the Governor of
a State, do not apply to grant applications from the governing
body of an Indian tribe, although nothing in this Act is
intended to discourage or prohibit voluntary comminica-
tion and cooperation between Indian tribes and State and
local governments."

(4) Section 506, relating to the distribution of grants,
is amended—

(1) by striking out of section 506(b)(3) "and
the District of Columbia." and by inserting in place
thereof: "the District of Columbia, the Commonwealth
of Puerto Rico, Guam, American Samoa, and the
Virgin Islands;"

(2) by adding the following subsection:

"(d) This section does not apply to funds specifically
appropriated to carry out the purposes of section 305 of
this Act."

SEC. 2. Title 5, United States Code, is amended as
follows:

(1) Section 3371, relating to definitions of eligible
jurisdictions for the purpose of intergovernmental mobility
assignments, is amended—

(1) by inserting the "Trust Territory of the Pacific
Islands" after "Puerto Rico," in paragraph (1);

(2) by amending paragraph (2) by striking out
"and" after subparagraph (A), by inserting "; and" in
place of the period after subparagraph (B), and by add-
ing the following:

"(C) the recognized governing body of an Indian
tribe, band, pueblo, or other organized group or community, including any Alaska Native village, as defined in the Alaska Native Claims Settlement Act (85 Stat. 688), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, which performs substantial governmental functions."

(2) Section 3373, relating to the assignment of Federal employees to State and local governments, is amended by adding the following at the end thereof:

"(e) Notwithstanding the provisions of sections 203 and 205 of title 18, an employee of an executive agency assigned under this subchapter to a State or local government, or institution of higher education may act as an agent or attorney on behalf of that State or local government, or institution of higher education before any other agency, other than his employing agency or an agency with which he was employed during the one-year period previous to his assignment under this subchapter, in connection with a proceeding, application, contract, claim, or controversy in which the United States is a party or has a direct and substantial interest."

(3) Section 3374, relating to assignments of employees from State or local governments, is amended—

(1) by striking out the period at the end of para-
graph (3) of subsection (b), inserting "; and" in place of the period, and by adding the following:

"(4) However, the above exceptions shall not apply to employees who are subject to coverage under chapters 83, 87, and 89 of this title by virtue of employment immediately prior to assignment and appointment under this section."

(2) by striking out the semicolon at the end of paragraph (1) of subsection (c), and by adding the following: "except to the extent that the compensation received from the State or local government is less than the appropriate rate of pay which the duties would warrant under the provisions of chapter 51 and subchapter III of chapter 53 of this title, or other applicable authority;" and

(3) by striking out the period at the end of subsection (c) and adding the following: "or for the employer's contributions, or a part thereof, to employee benefit systems."

(4) Section 3375 (a), relating to the travel expenses of a Federal, State, or local government employee while on a mobility assignment is amended by striking out "and" after paragraph (4); renumbering paragraph (5) as paragraph "(6)"; and inserting the following:
"(5) Section 5724a (b) of this title for miscellaneous expenses related to change of station where movement or storage of household goods is involved; and".

Sec. 3. The amendments made by this Act shall take effect after the 90th day following its enactment or any earlier date following the date of enactment that the Commission may prescribe.