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93^D CONGRESS
2^D SESSION

H. R. 16075

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 1974

Mr. QUILL introduced the following bill; which was referred to the Committee on Education and Labor

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That the Intergovernmental Personnel Act of 1970 (84 Stat.
4 1909-1929) is amended as follows:

5 (1) Section 202 (a), section 203 (a), section 303 (a),
6 and section 304 (a), relating to grants to State and local gov-
7 ernments and other organizations, are amended by striking
8 out "after the expiration of three years following the effec-

1 tive date of the grant provisions of this Act,” and substituting
2 therefor “on July 1, 1978”.

3 (2) Section 305, relating to Government Service Fel-
4 lowships, is amended—

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

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

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

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

15 “(3) require, as a condition for the award of such
16 fellowships, that the recipients enter into a written agree-
17 ment, enforceable by the government concerned, to serve
18 with such jurisdiction upon the completion of the fel-
19 lowship, for a period equal to the length of the fellow-
20 ship. Such agreement shall provide that in the event the
21 recipient fails (except for good and sufficient reason,
22 as determined by the jurisdiction concerned) to carry
23 out such agreement, he shall be liable for payment of all
24 expenses (excluding salary) of such fellowship. Any
25 amount for which a recipient becomes liable shall be

1 paid to the jurisdiction concerned within the three-year
2 period beginning on the date he becomes so liable; and
3 shall be available for use by such jurisdiction for
4 advanced education of its employees; and”.

5 (3) Section 502, relating to the definitions of eligible
6 jurisdictions, is amended—

7 (1) by inserting in paragraph (3) “the Trust
8 Territory of the Pacific Islands,” immediately before
9 “and a territory or possession of the United,”;

10 (2) by striking out “and” after paragraph (3);

11 (3) by striking out the period and inserting “;
12 and” after paragraph (4); and

13 (4) by adding the following:

14 “(5) Notwithstanding the population requirements of
15 section 203 (a) and 303 (c) of this Act a ‘local government’
16 and a ‘general local government’ also mean the recognized
17 governing body of an Indian tribe, band, pueblo, or other
18 organized group or community, including any Alaska Native
19 village, as defined in the Alaska Native Claims Settlement
20 Act (85 Stat. 688), which performs substantial govern-
21 mental functions. The requirements of section 203 (c) and
22 303 (d) of this Act, relating to reviews by the Governor of
23 a State, do not apply to grant applications from the governing
24 body of an Indian tribe, although nothing in this Act is
25 intended to discourage or prohibit voluntary communica-

1 tion and cooperation between Indian tribes and State and
2 local governments.”

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

5 (1) by striking out of section 506 (b) (5) “and
6 the District of Columbia.” and by inserting in place
7 thereof: “, the District of Columbia, the Commonwealth
8 of Puerto Rico, Guam, American Samoa, and the
9 Virgin Islands.”;

10 (2) by adding the following subsection:

11 “(d) This section does not apply to funds specifically
12 appropriated to carry out the purposes of section 305 of
13 this Act.”

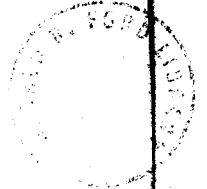
14 SEC. 2. Title 5, United States Code, is amended as
15 follows:

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

19 (1) by inserting the “Trust Territory of the Pacific
20 Islands” after “Puerto Rico,” in paragraph (1);

21 (2) by amending paragraph (2) by striking out
22 “and” after subparagraph (A), by inserting “; and” in
23 place of the period after subparagraph (B), and by add-
24 ing the following:

25 “(C) the recognized governing body of an Indian



1 tribe, band, pueblo, or other organized group or com-
2 munity, including any Alaska Native village, as defined
3 in the Alaska Native Claims Settlement Act (85 Stat.
4 688), which is recognized as eligible for the special pro-
5 grams and services provided by the United States to In-
6 dians because of their status as Indians, which performs
7 substantial governmental functions.”

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

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

23 (3) Section 3374, relating to assignments of em-
24 ployees from State or local governments, is amended—

25 (1) by striking out the period at the end of para-

1 graph (3) of subsection (b), inserting “; and” in place
2 of the period, and by adding the following:

3 “(4) However, the above exceptions shall not apply
4 to employees who are subject to coverage under chapters
5 83, 87, and 89 of this title by virtue of employment im-
6 mediately prior to assignment and appointment under this
7 section.”

8 (2) by striking out the semicolon at the end of
9 paragraph (1) of subsection (c), and by adding the
10 following: “except to the extent that the compensation
11 received from the State or local government is less than
12 the appropriate rate of pay which the duties would war-
13 rant under the provisions of chapter 51 and subchapter
14 III of chapter 53 of this title, or other applicable au-
15 thority;” and

16 (3) by striking out the period at the end of sub-
17 section (c) and adding the following: “, or for the em-
18 ployer’s contributions, or a part thereof, to employee
19 benefit systems.”.

20 (4) Section 3375(a), relating to the travel expenses
21 of a Federal, State, or local government employee while on
22 a mobility assignment is amended by striking out “and”
23 after paragraph (4); renumbering paragraph (5) as para-
24 graph “(6)”; and inserting the following:

1 “(5) Section 5724a (b) of this title for miscellaneous.
2 expenses related to change of station where movement or
3 storage of household goods is involved; and”.

4 SEC. 3. The amendments made by this Act shall take
5 effect after the 90th day following its enactment or any
6 earlier date following the date of enactment that the Com-
7 mission may prescribe.