

111TH CONGRESS  
1ST SESSION

# H. R. 3332

To establish the National Commission on Intergovernmental Relations to facilitate the fullest cooperation and coordination between all levels of government.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2009

Mr. CONNOLLY of Virginia (for himself and Mr. LANCE) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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## A BILL

To establish the National Commission on Intergovernmental Relations to facilitate the fullest cooperation and coordination between all levels of government.

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

3        **SECTION 1. SHORT TITLE.**

4        This act may be cited as the “Restore the Partner-  
5        ship Act of 2009”.

6        **SEC. 2. ESTABLISHMENT.**

7        There is established a permanent bipartisan commis-  
8        sion to be known as the “National Commission on Inter-

1 governmental Relations” (in this Act referred to as the  
2 “Commission”).

3 **SEC. 3. DECLARATION OF PURPOSE.**

4 In order to facilitate the fullest cooperation and co-  
5 ordination between all levels of government in an increas-  
6 ingly complex society, it is essential that a commission be  
7 established to give continuing attention to intergovern-  
8 mental issues. It is intended that the Commission, in the  
9 performance of its duties, will—

10 (1) bring together representatives of Federal,  
11 State, and local governments for the consideration of  
12 common problems;

13 (2) provide a forum for discussing the adminis-  
14 tration and coordination of Federal aid and other  
15 programs requiring intergovernmental cooperation;

16 (3) give critical attention to the conditions, con-  
17 trols, and oversight involved in the administration of  
18 such Federal programs; and

19 (4) encourage discussion and study during the  
20 early stages of emerging public challenges that are  
21 likely to require intergovernmental cooperation.

22 **SEC. 4. MEMBERSHIP.**

23 (a) NUMBER AND APPOINTMENT.—The Commission  
24 shall be composed of 30 members, as follows:

1           (1) 6 appointed by the President of the United  
2 States, 3 of whom shall be officers of the executive  
3 branch of the government, and 3 private citizens,  
4 each of whom shall have experience or familiarity  
5 with relations between the levels of government.

6           (2) 3 appointed by the President of the Senate,  
7 who shall be Members of the Senate.

8           (3) 3 appointed by the Speaker of the House of  
9 Representatives, who shall be Members of the  
10 House.

11           (4) 4 appointed by the President from a panel  
12 of at least 8 Governors submitted by the National  
13 Governors' Association.

14           (5) 4 appointed by the President from a panel  
15 of at least 8 members of State legislative bodies sub-  
16 mitted by the National Conference of State Legisla-  
17 tures.

18           (6) 4 appointed by the President from a panel  
19 of at least 8 mayors submitted jointly by the Na-  
20 tional League of Cities and the United States Con-  
21 ference of Mayors.

22           (7) 4 appointed by the President from a panel  
23 of at least 8 elected county officers submitted by the  
24 National Association of Counties.

1           (8) 2 tribal officials appointed by the Secretary  
2 of the Interior from a panel of at least 4 submitted  
3 by the National Congress of American Indians.

4           (b) POLITICAL AND GEOGRAPHICAL COMPOSITION.—

5           (1) The members appointed from private life  
6 under paragraph (1) of subsection (a) shall be ap-  
7 pointed without regard to political affiliation.

8           (2) Of each class of members enumerated in  
9 paragraphs (2) and (3) of subsection (a), 2 shall be  
10 from the majority party of the respective houses.

11           (3) Of each class of members enumerated in  
12 paragraphs (4), (5), (6), and (7) of subsection (a),  
13 not more than 2 shall be from any 1 political party.

14           (4) Of each class of members enumerated in  
15 paragraphs (5), (6) and (7) of subsection (a), not  
16 more than 1 shall be from any 1 State.

17           (5) At least 2 of the appointees under para-  
18 graph (6) of subsection (a) shall be from cities with  
19 a population of less than 500,000.

20           (6) At least 2 of the appointees under para-  
21 graph (7) of subsection (a) shall be from counties  
22 with a population of less than 50,000.

23           (7) 1 of the appointees under paragraph (8) of  
24 subsection (a) shall be from a gaming tribe and 1  
25 shall be from a non-gaming tribe.

1 (c) TERMS.—

2 (1) IN GENERAL.—The term of office of each  
3 member of the Commission shall be 2 years. Mem-  
4 bers shall be eligible for reappointment. Except as  
5 provided in paragraph (2), members shall serve until  
6 their successors are appointed.

7 (2) TERMINATION OF SERVICE IN OFFICIAL PO-  
8 SITION FROM WHICH ORIGINALLY APPOINTED.—  
9 Where any member ceases to serve in the official po-  
10 sition from which originally appointed under section  
11 3(a), his or her place on the Commission shall be  
12 deemed to be vacant.

13 (3) VACANCIES IN MEMBERSHIP.—Any vacancy  
14 in the membership of the Commission shall be filled  
15 in the same manner in which the original appoint-  
16 ment was made; except that where the number of  
17 vacancies is fewer than the number of members  
18 specified in paragraphs (4), (5), (6), and (7) of sec-  
19 tion 3(a), each panel of names submitted in accord-  
20 ance with the aforementioned paragraphs shall con-  
21 tain at least 2 names for each vacancy.

22 **SEC. 5. ORGANIZATION OF COMMISSION.**

23 (a) INITIAL MEETING.—The President shall convene  
24 the Commission not later than 90 days after the date of

1 enactment of this Act at such time and place as the Presi-  
2 dent may designate.

3 (b) CHAIRMAN AND VICE CHAIRMAN.—The Commis-  
4 sion shall designate a Chairman and a Vice Chairman  
5 from among members of the Commission.

6 (c) QUORUM.—13 members of the Commission shall  
7 constitute a quorum, but 2 or more members, representing  
8 more than 1 of the class of members enumerated in sec-  
9 tion 4(a), shall constitute a quorum for the purpose of  
10 conducting hearings.

11 **SEC. 6. DUTIES OF COMMISSION.**

12 The Commission shall—

13 (1) engage in such activities and make such  
14 studies and investigations as are necessary or desir-  
15 able in the accomplishment of the purposes set forth  
16 in section 2;

17 (2) consider, on its own initiative, mechanisms  
18 for fostering better relations between the levels of  
19 government;

20 (3) make available technical assistance to the  
21 executive and legislative branches of the Federal  
22 Government in the review of proposed legislation to  
23 determine its overall effect on all levels of govern-  
24 ment;

1           (4) recommend, within the framework of the  
2           Constitution, the most desirable allocation of govern-  
3           mental functions, responsibilities, and revenues  
4           among the levels of government;

5           (5) recommend methods of coordinating and  
6           simplifying tax laws and administrative policies and  
7           practices to achieve a more orderly and less competi-  
8           tive fiscal relationship between the levels of govern-  
9           ment and to reduce the burden of compliance for  
10          taxpayers; and

11          (6) submit an annual report to the President and the  
12          Congress on or before January 31 of each year.

13          The Commission may also submit such additional reports  
14          to the President, to Congress or any committee of Con-  
15          gress, and to any unit of government or organization as  
16          the Commission may deem appropriate.

17          **SEC. 7. POWERS AND ADMINISTRATIVE PROVISIONS.**

18          (a) **HEARINGS AND SESSIONS.**—The Commission or,  
19          on the authorization of the Commission, any subcommittee  
20          or members thereof, may, for the purpose of carrying out  
21          the provisions of this Act, hold such hearings, take such  
22          testimony, and sit and act at such times and places as  
23          the Commission deems advisable. Any member authorized  
24          by the Commission may administer oaths or affirmations

1 to witnesses appearing before the Commission or any sub-  
2 committee or members thereof.

3 (b) COOPERATION BY FEDERAL AGENCIES.—Each  
4 department, agency, and instrumentality of the executive  
5 branch of the government, including independent agencies,  
6 is authorized and directed to furnish to the Commission,  
7 upon request made by the Chairman or Vice Chairman,  
8 such information as the Commission deems necessary to  
9 carry out its functions under this Act.

10 (c) EXECUTIVE DIRECTOR.—The Commission shall  
11 have power to appoint and remove an Executive Director.  
12 The Executive Director shall be paid at the rate of basic  
13 pay for level III of the Executive Schedule. Such appoint-  
14 ment shall be made solely on the basis of fitness to per-  
15 form the duties of the position and without regard to polit-  
16 ical affiliation.

17 (d) STAFF.—Subject to such rules and regulations as  
18 may be adopted by the Commission, the Executive Direc-  
19 tor shall have the power—

20 (1) to appoint, fix the compensation of, and re-  
21 move such other personnel as he deems necessary;  
22 and

23 (2) to procure temporary and intermittent serv-  
24 ices to the same extent as is authorized by law.



1 (e) APPLICABILITY OF OTHER LAWS TO EMPLOY-  
2 EES.—Except as otherwise provided in this Act, persons  
3 in the employ of the Commission under subsections (c)  
4 and (d)(1) shall be considered Federal employees for all  
5 purposes.

6 (f) MAXIMUM COMPENSATION OF EMPLOYEES.—No  
7 individual in the employ of the Commission under sub-  
8 section (d)(1) shall be paid compensation for such employ-  
9 ment at a rate in excess of the highest rate provided for  
10 under the General Schedule.

11 **SEC. 8. REIMBURSEMENT.**

12 Members of the Commission shall be entitled to reim-  
13 bursement for travel, subsistence, and other necessary ex-  
14 penses incurred by them in the performance of their duties  
15 as members of the Commission.

16 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

17 There are authorized to be appropriated such sums  
18 as may be necessary to carry out the provisions of this  
19 Act.

20 **SEC. 10. RECEIPT OF FUNDS; CONSIDERATION BY CON-**  
21 **GRESS.**

22 The Commission is authorized to receive funds  
23 through grants, contracts, and contributions from State  
24 and local governments and organizations thereof, and  
25 from nonprofit organizations. Such funds may be received

1 and expended by the Commission only for purposes of this  
2 Act. In making appropriations to the Commission, Con-  
3 gress shall consider the amount of any funds received by  
4 the Commission in addition to those funds appropriated  
5 to it by Congress.

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