

The original documents are located in Box 29, folder “8/9/75 S2073 Indian Policy Commission Amendments” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

Exact duplicates within this folder were not digitized.

APPROVED
AUG 9 - 1975

ACTION

THE WHITE HOUSE

Last Day: August 14

WASHINGTON

August 8, 1975

Posted (Vail, Col.)
8/11
To Archives
8/12

MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON ~~JP~~
SUBJECT: S. 2073 - Indian Policy Commission
Amendments

Attached for your consideration is S. 2073, sponsored by Senator Abourezk, which authorizes the American Indian Policy Review Commission to accept voluntary contributions of services and amends the Commission's enabling legislation in several other minor respects which are detailed in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Ted Marrs, Counsel's Office (Lazarus) and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign S. 2073 at Tab B.



APPROVED

AUG 9 - 1975



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

AUG 7 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 2073 - Indian Policy Commission
amendments
Sponsor - Sen. Abourezk (D) South Dakota

Last Day for Action

August 14, 1975 - Thursday

Purpose

Authorizes the American Indian Policy Review Commission to accept voluntary contributions of services and amends the Commission's enabling legislation in several other minor respects.

Agency Recommendations

Office of Management and Budget	Approval
Civil Service Commission	Approval
Department of the Interior	No objection
United States Postal Service	No objection
Department of the Treasury	No recommendation

Discussion


The American Indian Policy Review Commission was established by Joint Resolution in January 1975 to recommend changes in policies and programs affecting Indians. The Commission is composed of three Senators, three Representatives and five Indian members.

The enrolled bill would make four minor changes to the Commission's authorizing legislation. Specifically, it would:

- authorize the Commission to accept donations of property and uncompensated personal services, and allow any volunteer to be reimbursed for travel and related expenses;

- allow matter mailed by the Commission to be sent under the frank of any Member of Congress serving as the Chairman;
- clarify a provision that allows the Commission to use the services and personnel of Federal agencies to show that such use may be with or without reimbursement; and,
- give the Commission authority to pay members of its task forces at the per annum gross rate or daily rate payable to Senate employees.

Although Interior notes in its enrolled bill letter that two provisions are not clear and may present technical problems in the future, none of the agencies raises a substantive objection. The Commission is a congressional body and, thus, the terms of its establishment and operation can be regarded as essentially an internal matter of the Congress.


Assistant Director for
Legislative Reference

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

AUG 4 1975

Dear Mr. Lynn:

This responds to your request for our views on the enrolled bill S. 2073, "To authorize the American Indian Policy Review Commission to accept voluntary contributions of services and for other purposes."

We have no objection to Presidential approval of this enrolled bill.

Enrolled bill S. 2073 would amend P.L. 93-580 (88 Stat. 1910), which established the American Indian Policy Review Commission. The Commission is composed of six Congressional members and five Indian members and has set up eleven 3-member task forces to aid in the development of the Commission's final report on "the nature and scope of necessary revisions in the formulation of policies and programs for the benefit of Indians." Under section 5(a) of P.L. 93-580, the Commission is to expire by June 30, 1977.

Section 1 of the enrolled bill would add two new subsections to section 3 of P.L. 93-580 ("Powers of the Commission"). New subsection (e) would authorize the Commission to accept donations of money, property, and uncompensated services and the new subsection (f) would permit the Commission to mail material under the frank of the member of Congress serving as its chairman.

Section 2 of the enrolled bill would amend section 4(c) of P.L. 93-580 to authorize the Commission to fix the compensation of the members of its task forces at per annum gross rates or at a rate not to exceed the daily equivalent of the highest rate of annual compensation that may be paid to employees of the United States Senate generally.

Section 3 of S. 2073 would amend section 6(b) of P.L. 93-580 to specify that the "services, information, facilities, and personnel" of executive departments and agencies which section 6(b) now authorizes the Commission to utilize may be on a reimbursable or nonreimbursable basis.



Save Energy and You Serve America!

Section 3 of the enrolled bill further amends section 6(b) of P.L. 93-580 to authorize the Commission to procure temporary or intermittent services of experts, consultants or organizations thereof by contract, the rate of compensation thereunder not to exceed the daily equivalent of the highest per annum rate paid U.S. Senate employees generally.

Although P.L. 93-580 now contains no requirement as to reimbursement or nonreimbursement, we understand that under general Congressional rules applicable to the Commission, reimbursement is required unless otherwise authorized. The revision in section 2 of S. 2073 apparently leaves the matter of reimbursement to be worked out by mutual agreement between the Commission and the department or agency involved.

Section 4 of S. 2073 would add a new subsection (c) to section 6 of P.L. 93-580 to provide that a person providing "voluntary and uncompensated services to the Commission shall not by reason of such service be deemed to be an employee of the United States" and to authorize the reimbursement of such persons for their "travel, subsistence, and other necessary expenses ***."

Although we have no objection to approval of this enrolled bill, we would note two technical problems that may arise thereunder.

Section 6(b) of P.L. 93-580 as currently written and as it would be amended by section 3 of S. 2073 does not indicate whether details of Executive branch employees to the Commission are subject to the 120 day limitations under Civil Service Commission regulations which also provide that extensions of such details for up to an additional 120 days are only permitted with Civil Service Commission approval. This point was not clarified either in the bill or in the legislative history.

Second, it would appear that the amendment in section 4 of S. 2073 would result in excluding voluntary Commission workers from the coverage of the laws applicable to Federal employees. Among such laws are the conflict of interest provisions set out in chapter 11 of title 18, U.S. Code. That chapter includes references to "special Government employee" as well as to "officer or employee" of the executive or legislative branch (see 18 U.S.C. 202 and 205).

While it is our understanding that the provision in section 4 of S. 2073 is intended to exclude volunteer Commission workers from the application of such statutes, it is uncertain as to whether the language of section 4, "shall not by reason of such service be deemed to be an employee of the United States," is sufficient

to exempt a volunteer Commission worker from the definition of "special Government employee" under 18 U.S.C. 202. The legislative history of enrolled bill S. 2073 does not clarify this point either.

On December 27, 1974, in our report on enrolled bill S.J. Res. 133, (which became P.L. 93-580), this Department stated that it had no objection to the establishment of the American Indian Policy Review Commission because it is a clear prerogative of the Congress to establish any Commission or Committee that it so desires. For the same reason, we have no objection to amending P.L. 93-580, which is an internal matter of the Congress.

Sincerely yours,


Commissioner of Indian Affairs

Honorable James T. Lynn
Director, Office of
Management and Budget
Washington, D. C. 20503



UNITED STATES CIVIL SERVICE COMMISSION

WASHINGTON, D.C. 20415

CHAIRMAN

August 5, 1975

Honorable James T. Lynn
Director, Office of Management and Budget
Washington, D.C. 20503

Attention: Assistant Director for
Legislative Reference

Dear Mr. Lynn:

This is in response to your request for the views and recommendations of the Civil Service Commission on enrolled S. 2073, a bill "To authorize the American Indian Policy Review Commission to accept voluntary contributions of services and for other purposes."

Our comments are limited to the personnel provisions.

Section 1 of the enrolled bill would allow the American Indian Policy Review Commission, a Congressional body, to accept voluntary contributions, and uncompensated personal services. Under section 4 persons performing voluntary services would not be considered Federal employees but could accept reimbursement for travel, subsistence and other necessary expenses.

Section 2 would give the Commission authority to pay task force members at a daily rate or use the per annum gross rate for the highest rate payable to Senate employees.

Section 3 would permit the Commission to use the services, facilities, information and personnel of executive departments and agencies with or without reimbursement. It would also continue an authority to procure the services of experts and consultants.

The American Indian Policy Review Commission is a Congressional body over which the Civil Service Commission has no jurisdiction. We have no objection to any of the personnel provisions of enrolled S. 2073, and we recommend that the President sign this enrolled bill.

By direction of the Commission:

Sincerely yours,

Handwritten signature of Robert Hampton in cursive script.

Chairman



LAW DEPARTMENT

Washington, DC 20260

August 5, 1975

Dear Mr. Frey:

This responds to your request for the views of the Postal Service with respect to the enrolled bill:

S. 2073, "To authorize the American Indian Policy Review Commission to accept voluntary contributions of services and for other purposes."

1. Purpose of Legislation as it Pertains to the Postal Service.

The bill proposes to amend section 3 of Pub. L. No. 93-580, 88 Stat. 1912, which established the American Indian Policy Review Commission, to allow matter mailed by the Commission to be sent under the frank of any Member of Congress who is serving as the chairman of the Commission. Such use of the frank is recognized under 39 U.S.C. §3215, which permits a Member to lend his frank to a Congressional commission.
2. Position of the Postal Service.

The Postal Service does not oppose the enactment of this legislation.
3. Timing.

We have no recommendation to make as to when the measure should be signed.
4. Cost or Savings.

Under 39 U.S.C. §3216, the Postal Service is reimbursed for postage on, and fees and charges in connection with, mail matter sent under the frank. Accordingly, this bill would have no adverse impact on postal revenues.

5. Recommendations of
Presidential Action.

The Postal Service does not object
to approval of the bill by the President.

Sincerely,

A handwritten signature in cursive script that reads "W. Allen Sanders". The signature is written in black ink and is positioned to the right of the typed name.

W. Allen Sanders
Assistant General Counsel
Legislative Division

Mr. James M. Frey
Assistant Director
Legislative Reference
Office of Management
and Budget
Washington, D. C. 20503



THE GENERAL COUNSEL OF THE TREASURY
WASHINGTON, D.C. 20220

AUG 5 1975

Director, Office of Management and Budget
Executive Office of the President
Washington, D. C. 20503

Attention: Assistant Director for Legislative
Reference

Sir:

Reference is made to your request for the views of this Department on the enrolled enactment of S. 2073, "To authorize the American Indian Policy Review Commission to accept voluntary contributions of services and for other purposes."

The enrolled enactment would amend Public Law 93-580, providing for the establishment of the American Indian Policy Review Commission, to authorize the Commission to accept and use donations of money, property, and uncompensated services from any person whether public or private for the purposes of carrying out its mandate to review the historical and legal relationships of American Indians to the Federal Government. The enrolled bill would also amend Public Law 93-580 to authorize the Commission to utilize the services, information, facilities, and personnel of Federal agencies with or without reimbursement in carrying out its functions. Finally, the enrolled bill would provide that a person who provides voluntary and uncompensated services to the Commission shall not by reason of such services be deemed to be an employee of the United States, and that any such person may be reimbursed for travel, subsistence, and other necessary expenses incurred in behalf of the Commission.

The Department has no recommendation to make on the merits of the enrolled enactment.

Sincerely yours,



General Counsel

Richard R. Albrecht

To
J. Conaway
8-7-75
3:30 p.m.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

AUG 7 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 2073 - Indian Policy Commission
amendments
Sponsor - Sen. Abourezk (D) South Dakota

Last Day for Action

August 14, 1975 - Thursday

Purpose

Authorizes the American Indian Policy Review Commission to accept voluntary contributions of services and amends the Commission's enabling legislation in several other minor respects.

Agency Recommendations

Office of Management and Budget	Approval
Civil Service Commission	Approval
Department of the Interior	No objection
United States Postal Service	No objection
Department of the Treasury	No recommendation

Discussion

The American Indian Policy Review Commission was established by Joint Resolution in January 1975 to recommend changes in policies and programs affecting Indians. The Commission is composed of three Senators, three Representatives and five Indian members.

The enrolled bill would make four minor changes to the Commission's authorizing legislation. Specifically, it would:

- authorize the Commission to accept donations of property and uncompensated personal services, and allow any volunteer to be reimbursed for travel and related expenses;

- allow matter mailed by the Commission to be sent under the frank of any Member of Congress serving as the Chairman;
- clarify a provision that allows the Commission to use the services and personnel of Federal agencies to show that such use may be with or without reimbursement; and,
- give the Commission authority to pay members of its task forces at the per annum gross rate or daily rate payable to Senate employees.

Although Interior notes in its enrolled bill letter that two provisions are not clear and may present technical problems in the future, none of the agencies raises a substantive objection. The Commission is a congressional body and, thus, the terms of its establishment and operation can be regarded as essentially an internal matter of the Congress.

James M. Frey
Assistant Director for
Legislative Reference

Enclosures

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 7

Time: 500pm

FOR ACTION:

Ted Marrs *TM*
Tod Hullin
Dick Parsons *DP*
Max Friedersdorf *MF*
Ken Lazarus *KL*

cc (for information):

Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date:

August 8

Time:

noon

SUBJECT:

H.R. 2073 - Indian Policy Commission Amendments

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Jhnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 7

Time: 500pm

FOR ACTION:

- Ted Marrs
- Tod Hullin
- Dick Parsons
- Max Friedersdorf
- Ken Lazarus

cc (for information):

- Jim Cavanaugh
- Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date:

August 8

Time:

noon

SUBJECT:

S. 2073 - Indian Policy Commission Amendments

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*no objection
A*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

INDEXED IN CONGRESS
AND THE PUBLIC

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 7

Time: 500pm

FOR ACTION:

- q Ted Marrs
- Tod Hullin
- Dick Parsons
- Max Friedersdorf
- Ken Lazarus

cc (for information):

- Jim Cavanaugh
- Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date:

August 8

Time:

noon

SUBJECT:

S. 2073 - Indian Policy Commission Amendments

ACTION REQUESTED:

- | | |
|---|---|
| <input type="checkbox"/> For Necessary Action | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input checked="" type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

AUG 8 1975

Recommend approval.

A. L. May for R. Parsons

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

JAMES H. CONNORS
STAFF SECRETARY

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 7

Time: 500pm

FOR ACTION:

Ted Marrs ¹⁰²
Tod Hullin
Dick Parsons
Max Friedersdorf
Ken Lazarus

cc (for information):

Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date:

August 8

Time:

noon

SUBJECT:

S. 2073 - Indian Policy Commission Amendments

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

Concur in ~~acceptance~~ authorization with reservations as to reimbursement use of personnel, facilities etc
J. Marrs

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James L. ...
for the ...

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 7

Time: 500pm

FOR ACTION:

- q Ted Marris
- Tod Hullin
- Dick Parsons
- Max Friedersdorf
- Ken Lazarus

cc (for information):

- Jim Cavanaugh
- Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date:

August 8

Time:

noon

SUBJECT:

S. 2073 - Indian Policy Commission Amendments

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection -- Ken Lazarus 8/8/75

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

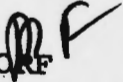
If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James H. C. [unclear]
for the [unclear]

THE WHITE HOUSE

WASHINGTON

August 8, 1975

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF 
SUBJECT: S.2073 - Indian Policy Commission Amendments

The Office of Legislative Affairs concurs with the agencies
that the subject bill be signed.

Attachments

**AUTHORIZING THE AMERICAN INDIAN POLICY REVIEW
COMMISSION TO ACCEPT VOLUNTARY CONTRIBU-
TIONS OF SERVICES AND FOR OTHER PURPOSES**

JULY 30, 1975.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. HALEY, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany S. 2073]

The Committee on Interior and Insular Affairs, to whom was referred the bill (S. 2073), to authorize the American Indian Policy Review Commission to accept voluntary contributions of services and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 2, following line 5, insert the following new Section 2 and renumber the succeeding sections accordingly:

SEC. 2. Section 4(c) of such resolution is amended to read as follows:

“(c) The Commission may fix the compensation of the members of such task forces at per annum gross rates or at a rate not to exceed the daily equivalent of the highest rate of annual compensation that may be paid to employees of the United States Senate generally.”

PURPOSE

The purpose of S. 2073 is to confer authority on the American Indian Policy Review Commission for the use of the franking privilege and to accept and use more effectively voluntary and Executive agency personnel and services.

BACKGROUND

The 93d Congress enacted Senate Joint Resolution 133 which established the American Indian Policy Review Commission, to make a unified survey of the total field of Indian affairs under the auspices

of the United States Congress, in order to recommend rational legislative solutions to a myriad of problems faced by the American Indian and to give added effect to the trust responsibility of the United States in meeting those problems. The Commission is composed of three Members of the House, three Members of the Senate, and five Indian Members.

The Commission has been in operation for approximately four months, having embarked upon its responsibilities early last Spring. Experience during this period of operation has disclosed some minor but frustrating defects in the enabling legislation which require remedial legislation. These defects include the lack of authority in the Commission to use the franking privilege and lack of certain authorities to permit the Commission to use volunteer services and Executive Branch assistance more adequately and effectively.

S. 2073 amends the law establishing the Commission by permitting the Commission (1) to mail material under the frank of the Member of Congress serving as Chairman; (2) to accept volunteer services and property for purposes of carrying out the mission of the Commission; (3) to use Executive Branch personnel, information, services, or facilities on a reimbursable or non-reimbursable basis; and (4) to pay the expenses of persons providing voluntary or uncompensated services to the Commission.

SECTION-BY-SECTION ANALYSIS OF S. 2073, AS AMENDED

S. 2073, as amended by the Committee, is a bill amending the Act of January 2, 1975 (88 Stat. 1912; Public Law 93-580) entitled "A Joint Resolution to provide for the establishment of the American Indian Policy Review Commission."

Section 1 of the bill amends section 3 of the Act to provide for the addition of two new subsections. Subsection (e) would permit the Commission to accept donations of money, property, or uncompensated services to carry out the purposes of the commission. This amendment would expand the ability of the Commission to carry out the duties with which the Congress has charged it without increases in the cost and expenses of the Commission.

Subsection (f) authorizes the mail of the Commission to be mailed under the frank of any Member of Congress serving as Chairman of the Commission. This authority will also permit the Commission to more adequately perform its function without increasing costs.

Section 2 of the bill amends section 4(c) of the Act by adding new language to the subsection. This language would permit members of task forces selected by the Commission to be employed full-time and be paid on that basis. This was the intent of the Congress in enacting Public Law 93-580; however, officials of the Senate, which have been charged with handling the financial affairs of the Commission, have determined that existing language would not permit full time task force members. The amendment would correct that situation.

Section 3 of the bill amends section 6 of the Act in two respects. The first amendment permits the Commission to utilize the services, information, facilities, and personnel of the Commission on a reimbursable or non-reimbursable basis. In addition, it authorizes the agencies to provide such services, etc.

Finally, section 4 of the bill amends section 6 of the Act by adding a new subsection. It provides that voluntary or uncompensated personnel of the Commission will not be considered employees of the United States, but does permit such personnel to be reimbursed for travel, subsistence, and other necessary expenses of such personnel while on Commission business. The Commission has found that many talented people are willing to offer their services to the Commission on a voluntary or non-compensated basis, but it is unable, under the Senate rules, to reimburse such personnel for expenses they incur on Commission business.

COST AND BUDGET ACT COMPLIANCE

No Federal expenditures are involved in the enactment of S. 2073.

INFLATIONARY IMPACT

None.

OVERSIGHT STATEMENT

Pursuant to Rule X, clause 2(b)(1), the Subcommittee on Indian Affairs continues to exercise oversight responsibilities in connection with Indian legislation. No recommendations were submitted to the Committee pursuant to Rule X, clause 2(b)(2).

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs, by voice vote, recommends that the bill, as amended, be enacted.

DEPARTMENTAL REPORTS

There is no departmental report on the bill. The American Indian Policy Review Commission is a congressional commission carrying out a congressional responsibility and function.

CHANGES IN EXISTING LAW

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman) :

ACT OF JANUARY 2, 1975 (88 STAT. 1910)

* * * * *

POWERS OF THE COMMISSION

SEC. 3. (a) The Commission or, on authorization of the Commission, any committee of two or more members is authorized, for the purposes of carrying out the provisions of this resolution, to sit and act at such places and times during the sessions, recesses, and adjourned periods of Congress, to require by subpoena or otherwise the attendance of such witnesses and the production of such books,

papers, and documents, to administer such oaths and affirmations, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable. The Commission may make such rules respecting its organization and procedures as it deems necessary, except that no recommendation shall be reported from the Commission unless a majority of the Commission assent. Upon the authorization of the Commission subpoenas may be issued over the signature of the Chairman of the Commission or of any member designated by him or the Commission, and may be served by such person or persons as may be designated by such Chairman or member. The Chairman of the Commission or any member thereof may administer oaths or affirmations to witnesses.

(b) The provisions of sections 192 through 194, inclusive, of title 2, United States Code, shall apply in the case of any failure of any witness to comply with any subpoena when summoned under this section.

(c) The Commission is authorized to secure from any department, agency, or instrumentality of the executive branch of the Government any information it deems necessary to carry out its functions under this resolution and each such department, agency, or instrumentality is authorized and directed to furnish such information to the Commission and to conduct such studies and surveys as may be requested by the Chairman or the Vice Chairman when acting as Chairman.

(d) If the Commission requires of any witness or of any Government agency the production of any materials which have theretofore been submitted to a Government agency on a confidential basis, and the confidentiality of those materials is protected by statute, the material so produced shall be held in confidence by the Commission.

(e) *The Commission is authorized to accept and use donations of money, property (whether real or personal), and uncompensated services from any person whether public or private for the purpose of carrying out the provisions of this resolution.*

(f) *Matter mailed by the Commission may be mailed under the frank of any Member of Congress who is serving as the chairman of the Commission.*

INVESTIGATING TASK FORCES

SEC. 4. (a) As soon as practicable after the organization of the Commission, the Commission shall, for the purpose of gathering facts and other information necessary to carry out its responsibilities pursuant to section 2 of this resolution, appoint investigating task forces to be composed of three persons, a majority of whom shall be of Indian descent. Such task forces shall be appointed and directed to make preliminary investigations and studies in the various areas of Indian affairs, including, but not limited to—

- (1) trust responsibility and Federal-Indian relationship, including treaty review;
- (2) tribal government;
- (3) Federal administration and structure of *Indian affairs*;
- (4) Federal, State, and tribal jurisdiction;
- (5) Indian education;
- (6) Indian health;
- (7) reservation development;

(8) urban, rural nonreservation, terminated, and nonfederally recognized Indians; and

(9) Indian law revision, consolidation, and codification.

(b)(i) Such task forces shall have such powers and authorities, in carrying out their responsibilities, as shall be conferred upon them by the Commission, except that they shall have no power to issue subpoenas or to administer oaths or affirmations: *Provided*, That they may call upon the Commission or any committee thereof, in the Commission's discretion, to assist them in securing any testimony, materials, documents, or other information necessary for their investigation and study.

(ii) The Commission shall require each task force to provide written quarterly reports to the Commission on the progress of the task force and, in the discretion of the Commission, an oral presentation of such report. In order to insure the correlation of data in the final report and recommendations of the Commission, the Director of the Commission shall coordinate the independent efforts of the task force groups.

(c) The Commission may fix the compensation of the members of such task forces *at per annum gross rates or at a rate not to exceed the daily equivalent of the highest rate of annual compensation that may be paid to employees of the United States Senate generally.*

(d) The Commission shall, pursuant to section 6, insure that the task forces are provided with adequate staff support in addition to that authorized under section 6(a), to carry out the projects assigned to them.

(e) Each task force appointed by the Commission shall, within one year from the date of the appointment of its members, submit to the Commission its final report of investigation and study together with recommendations thereon.

* * * * *

COMMISSION STAFF

SEC. 6. (a) The Commission may by record vote of a majority of the Commission members, appoint a Director of the Commission, a General Counsel, one professional staff member, and three clerical assistants. The Commission shall prescribe the duties and responsibilities of such staff members and fix their compensation at per annum gross rates not in excess of the per annum rates of compensation prescribed for employees of standing committees of the Senate.

(b)(1) In carrying out any of its functions under this resolution, the Commission is authorized to utilize the services, information, facilities, and personnel of the Executive departments and agencies of the Government, *with or without reimbursement, and the head of any such department or agency is authorized to provide the Commission such services, facilities, information, and personnel to the Commission.* [and to procure the temporary or intermittent services of experts or consultants or organizations thereof by contract at rates of compensation not in excess of the daily equivalent of the highest per annum rate of compensation that may be paid to employees of the Senate generally.]

(2) The Commission is authorized to procure the temporary or intermittent services of experts or consultants or organizations thereof by contract at rates of compensation not in excess of the daily equivalent of the highest per annum rate of compensation that may be paid to employees of the Senate generally.

(c) A person who provides voluntary and uncompensated services to the Commission shall not by reason of such service be deemed to be an employee of the United States. Any such person may be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their service to the Commission upon the approval of the chairman.

* * * * *



Ninety-fourth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday, the fourteenth day of January,
one thousand nine hundred and seventy-five*

An Act

To authorize the American Indian Policy Review Commission to accept voluntary contributions of services and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the joint resolution entitled "Joint resolution to provide for the establishment of the American Indian Policy Review Commission", approved January 2, 1975, Public Law 93-580 (88 Stat. 1912), is amended by adding at the end thereof the following new subsections:

"(e) The Commission is authorized to accept and use donations of money, property (whether real or personal), and uncompensated services from any person whether public or private for the purpose of carrying out the provisions of this resolution.

"(f) Matter mailed by the Commission may be mailed under the frank of any Member of Congress who is serving as the chairman of the Commission."

SEC. 2. Section 4(c) of such resolution is amended to read as follows:

"(c) The Commission may fix the compensation of the members of such task forces at per annum gross rates or at a rate not to exceed the daily equivalent of the highest rate of annual compensation that may be paid to employees of the United States Senate generally."

SEC. 3. Section 6(b) of such resolution (88 Stat. 1914) is amended to read as follows:

"(b)(1) In carrying out its functions under this resolution, the Commission is authorized to utilize the services, information, facilities, and personnel of the executive departments and agencies of the Government with or without reimbursement, and the head of any such department or agency is authorized to provide the Commission such services, facilities, information, and personnel to the Commission.

"(2) The Commission is authorized to procure the temporary or intermittent services of experts or consultants or organizations thereof by contract at rates of compensation not in excess of the daily equivalent of the highest per annum rate of compensation that may be paid to employees of the Senate generally."

S. 2073—2

SEC. 4. Section 6 of such resolution is further amended by adding at the end thereof the following new subsection :

“(c) A person who provides voluntary and uncompensated services to the Commission shall not by reason of such service be deemed to be an employee of the United States. Any such person may be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their service to the Commission upon the approval of the chairman.”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

August 2, 1975

Dear Mr. Director:

The following bills were received at the White House on August 2nd:

H.R. 83 ✓ ✓	H.R. 7716 ✓ ✓
H.R. 1553 ✓ ✓	H.R. 9091 ✓ ✓
H.R. 4241 ✓ ✓	S. 409 ✓
H.R. 4723 ✓ ✓	S. 1531 ✓
H.R. 5405 ✓ ✓	S. 1716 ✓
H.R. 7710 ✓ ✓	S. 2073 ✓

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D. C.