

Advisory Com. on Intergovernmental Relations

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increasingly complex society by promoting greater cooperation, understanding and coordination of activities between the separate levels of government. More specifically the purpose of the Commission includes the objectives of:

(a) Bringing together representatives of the Federal, State, and local governments for the consideration of common problem;

(b) Providing a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation;

(c) Giving critical attention to the conditions and controls involved in the administration of Federal grant programs;

(d) Making available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system;

(e) Encouraging discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation;

(f) Recommending within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues amount the several levels of government; and

(g) Recommending methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

§ 1701.4 Membership of the Commission.

The Commission is composed of twenty-six members, as follows:

(a) Six appointed by the President of the United States, three of whom are officers of the executive branch of the Government, and three private citizens, all of whom have had experience of familiarity with relations between the levels of government;

(b) Three appointed by the President of the Senate, who are Members of the Senate;

(c) Three appointed by the Speaker of the House of Representatives, who are Members of the House;

(d) Four appointed by the President from a panel of at least eight Governors submitted by the Governors' Conference;

(e) Three appointed by the President from panel of at least six members of State legislative bodies submitted by the board of managers of the Council of State Governments;

(f) Four appointed by the President from a panel of at least eight mayors submitted jointly by the American Municipal Association and the United States Conference of Mayors;

(g) Three appointed by the President from a panel of at least six elected county officers submitted by the National Association of County Officials.

§ 1701.5 Bipartisan nature of Commission.

The members appointed from private life under paragraph (a) of § 1701.4 are appointed without regard to political affiliation; of each class of members enumerated in paragraphs (b) and (c) of § 1701.4, two are from the majority party of the respective houses; of each class of members enumerated in paragraphs (d), (e), (f) and (g) of § 1701.4, not more than two may be from any one political party; of each class of members enumerated in paragraphs (e), (f) and (g) of § 1701.4, not more than one from any one State; at least two of the appointees under paragraph (f) are from cities under five hundred thousand population. The term of office of each member of the Commission is two years, but members are eligible for re-appointment.

§ 1701.6 Organization of Commission, vacancies, quorum.

(a) The President designates a Chairman and a Vice Chairman from among members of the Commission.

(b) Any vacancy in the membership of the Commission is filled in the same manner in which the original appointment was made; except that where the number of vacancies is fewer than the number of members specified in paragraphs (d), (e), (f) and (g) of § 1701.4, each panel of names submitted in accordance with the aforementioned

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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: