

107TH CONGRESS  
1ST SESSION

# H. R. 49

To establish the United States Commission on Election Law Reform to study election procedures used in the United States and issue a report and recommendations on revisions to such procedures, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2001

Mr. CLYBURN introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish the United States Commission on Election Law Reform to study election procedures used in the United States and issue a report and recommendations on revisions to such procedures, and for other purposes.

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 “Election Law Reform  
5 Act of 2001”.

1 **SEC. 2. ESTABLISHMENT OF COMMISSION.**

2 (a) ESTABLISHMENT.—There is established a com-  
3 mission to be known as the United States Commission on  
4 Election Law Reform (hereafter in this Act referred to as  
5 the “Commission”).

6 (b) PURPOSE.—The purpose of the Commission shall  
7 be to study Federal, State, and local election procedures  
8 and to make recommendations on revisions to such proce-  
9 dures.

10 **SEC. 3. MEMBERSHIP.**

11 (a) NUMBER AND APPOINTMENT.—The Commission  
12 shall be composed of 12 members who shall be appointed  
13 as follows:

14 (1) 2 shall be appointed by the President.

15 (2) 2 shall be appointed by the majority leader  
16 of the Senate.

17 (3) 2 shall be appointed by the minority leader  
18 of the Senate.

19 (4) 2 shall be appointed by the Speaker of the  
20 House of Representatives.

21 (5) 2 shall be appointed by the minority leader  
22 of the House of Representatives.

23 (6) 2 shall be individuals serving as Commis-  
24 sioners of the United States Commission on Civil  
25 Rights, who shall be appointed by the Chairperson  
26 of the United States Commission on Civil Rights.

1 (b) QUALIFICATIONS OF MEMBERS.—Members shall  
2 be appointed to the Commission from among individuals  
3 who have expertise in election laws, the United States  
4 Constitution, and the history of the United States, or  
5 other pertinent qualifications or experience.

6 (c) TERMS.—Members of the Commission shall be  
7 appointed not later than 60 days after the date of enact-  
8 ment of this Act. Appointments shall be for the life of the  
9 Commission.

10 (d) VACANCIES.—A vacancy in the Commission shall  
11 not affect its powers, but shall be filled in the same man-  
12 ner as the original appointment.

13 (e) MEETINGS.—

14 (1) INITIAL MEETING.—Not later than 30 days  
15 after the date on which all members of the Commis-  
16 sion have been appointed, the Commission shall hold  
17 its first meeting.

18 (2) ADDITIONAL MEETINGS.—The Commission  
19 shall meet at the call of the Chair or a majority of  
20 its members.

21 (f) CHAIR AND VICE CHAIR.—The members of the  
22 Commission shall select a Chair and Vice Chair from  
23 among its members.

24 (g) QUORUM.—A majority of the Commission shall  
25 constitute a quorum for the transaction of business.

1 **SEC. 4. DUTIES OF THE COMMISSION.**

2 (a) IN GENERAL.—The Commission shall conduct a  
3 study of the election procedures used to carry out Federal,  
4 State, and local government elections in the United States  
5 and make recommendations on its findings.

6 (b) FINAL REPORT.—Not later than 12 months after  
7 the date of the initial meeting of the Commission, the  
8 Commission shall submit to the President, the Congress,  
9 and the Federal Election Commission a final report which  
10 includes an analysis of the matters considered under the  
11 study carried out under subsection (a) and recommenda-  
12 tions for addressing the problems identified as part of the  
13 Commission’s analysis.

14 (c) SEPARATE VIEWS.—Any member of the Commis-  
15 sion may submit additional findings and recommendations  
16 as part of the final report.

17 **SEC. 5. POWERS OF THE COMMISSION.**

18 (a) HEARINGS.—The Commission may hold such  
19 hearings, sit and act at such times and places, take such  
20 testimony, and receive such evidence as the Commission  
21 may find advisable to fulfill the requirements of this Act.  
22 The Commission may administer oaths and affirmations  
23 to witnesses appearing before the Commission.

24 (b) INFORMATION FROM FEDERAL AGENCIES.—The  
25 Commission may secure directly from any Federal depart-  
26 ment or agency such information as the Commission con-

1 siders necessary to carry out the provisions of this Act.  
2 Upon request of the chairperson of the Commission, the  
3 head of such department or agency shall furnish such in-  
4 formation to the Commission.

5 (c) **POSTAL SERVICES.**—The Commission may use  
6 the United States mails in the same manner and under  
7 the same conditions as other departments and agencies of  
8 the Federal Government.

9 (d) **ADMINISTRATIVE SUPPORT SERVICES.**—Upon  
10 the request of the Chairperson of the Commission, the Ad-  
11 ministrator of General Services shall provide to the Com-  
12 mission, on a reimbursable basis, the administrative sup-  
13 port services that are necessary to enable the Commission  
14 to carry out its duties under this Act.

15 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

16 (a) **COMPENSATION OF MEMBERS.**—Each member of  
17 the Commission who is not an officer or employee of the  
18 Federal Government shall be compensated at a rate equal  
19 to the daily equivalent of the annual rate of basic pay pre-  
20 scribed for level IV of the Executive Schedule under sec-  
21 tion 5315 of title 5, United States Code, for each day (in-  
22 cluding travel time) during which such member is engaged  
23 in the performance of the duties of the Commission. All  
24 members of the Commission who are officers or employees  
25 of the United States shall serve without compensation in

1 addition to that received for their services as officers or  
2 employees of the United States.

3 (b) TRAVEL EXPENSES.—The members of the Com-  
4 mission shall be allowed travel expenses, including per  
5 diem in lieu of subsistence, at rates authorized for employ-  
6 ees of agencies under subchapter 1 of chapter 57 of title  
7 5, United States Code, while away from their homes or  
8 regular places of business in the performance of services  
9 for the Commission.

10 (c) STAFF.—(1) The chairperson of the Commission  
11 may appoint and terminate staff of the Commission, re-  
12 quest the detail of Federal employees, and accept tem-  
13 porary and intermittent services in accordance with sec-  
14 tion 3161 of title 5, United States Code.

15 (2) The employment of an executive director of the  
16 Commission shall be subject to the approval of the Com-  
17 mission.

18 **SEC. 7. TERMINATION OF COMMISSION.**

19 The Commission shall terminate 30 days after the  
20 date on which it submits the final report under  
21 section 4.

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