

104TH CONGRESS  
2D SESSION

# H. R. 4327

To establish a temporary commission to recommend reforms in the laws relating to elections for Federal office.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 1996

Mr. WHITE (for himself and Mr. HORN) introduced the following bill; which was referred to the Committee on House Oversight, and in addition to the Committee on Rules, 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 a temporary commission to recommend reforms in the laws relating to elections for Federal office.

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 “Bipartisan Commission  
5 on Campaign Practices Act of 1996”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) for Congress to address the existing prob-  
9 lems in the Federal election laws, Congress must act

1 in a nonpartisan manner and engage in a debate  
2 based on academic studies and empirical findings in-  
3 stead of partisan rhetoric;

4 (2) when addressing Federal election laws, Con-  
5 gress must be cognizant of the freedoms of speech  
6 and association protected under the Constitution;  
7 and

8 (3) the current Federal election laws unduly  
9 favor incumbent Members of Congress, and, in pre-  
10 vious years, Congress has not been able to eliminate  
11 this bias when addressing the reform of the Federal  
12 election laws.

13 **SEC. 3. ESTABLISHMENT AND PURPOSE OF COMMISSION.**

14 There is established a commission to be known as the  
15 “Bipartisan Commission on Campaign Practices” (re-  
16 ferred to in this Act as the “Commission”). The purposes  
17 of the Commission are to study the laws relating to elec-  
18 tions for Federal office and to report and recommend leg-  
19 islation to reform those laws.

20 **SEC. 4. MEMBERSHIP OF COMMISSION.**

21 (a) APPOINTMENT.—The Commission shall be com-  
22 posed of 12 members appointed within 15 days after the  
23 date of the enactment of this Act by the President, by  
24 and with the advice and consent of the Senate, from  
25 among individuals who are not incumbent Members of

1 Congress and who are specially qualified to serve on the  
2 Commission by reason of education, training, or experi-  
3 ence. In making appointments, the President shall con-  
4 sult—

5           (1) the Speaker of the House of Representa-  
6 tives with respect to the appointment of 3 members,  
7 one of whom is not affiliated with either the Repub-  
8 lican Party or the Democratic Party;

9           (2) the majority leader of the Senate with re-  
10 spect to the appointment of 3 members, one of  
11 whom is not affiliated with either the Republican  
12 Party or the Democratic Party;

13           (3) the minority leader of the House of Rep-  
14 resentatives with respect to the appointment of 2  
15 members, one of whom is not affiliated with either  
16 the Republican Party or the Democratic Party; and

17           (4) the minority leader of the Senate with re-  
18 spect to the appointment of 2 members, one of  
19 whom is not affiliated with either the Republican  
20 Party or the Democratic Party.

21           (b) CHAIRMAN.—At the time of the appointment, the  
22 President shall designate one member of the Commission  
23 as Chairman of the Commission. The Chairman may not  
24 be affiliated with either the Republican Party or the  
25 Democratic Party.

1 (c) TERMS.—The members of the Commission shall  
2 serve for the life of the Commission.

3 (d) VACANCIES.—A vacancy in the Commission shall  
4 be filled in the manner in which the original appointment  
5 was made.

6 (e) POLITICAL AFFILIATION.—Not more than 4  
7 members of the Commission may be of the same political  
8 party.

9 **SEC. 5. POWERS OF COMMISSION.**

10 (a) HEARINGS.—The Commission may, for the pur-  
11 pose of carrying out this Act, hold hearings, sit and act  
12 at times and places, take testimony, and receive evidence  
13 as the Commission considers appropriate.

14 (b) QUORUM.—Seven members of the Commission  
15 shall constitute a quorum, but a lesser number may hold  
16 hearings. A majority of the full Commission is required  
17 when approving all or a portion of the recommended legis-  
18 lation. Any member of the Commission may, if authorized  
19 by the Commission, take any action which the Commission  
20 is authorized to take under this section.

21 **SEC. 6. ADMINISTRATIVE PROVISIONS.**

22 (a) PAY AND TRAVEL EXPENSES OF MEMBERS.—(1)  
23 Each member of the Commission, other than the Chair-  
24 man, shall be paid at a rate equal to the daily equivalent  
25 of the annual rate of basic pay payable for level IV

1 of the Executive Schedule under section 5315 of title 5,  
2 United States Code, for each day (including travel time)  
3 during which the member is engaged in the actual per-  
4 formance of duties vested in the Commission. The Chair-  
5 man shall be paid for each day referred to in the preceding  
6 sentence at a rate equal to the daily equivalent of the an-  
7 nual rate of basic pay payable for level III of the Executive  
8 Schedule under section 5314 of title 5, United States  
9 Code.

10 (2) Members of the Commission shall receive travel  
11 expenses, including per diem in lieu of subsistence, in ac-  
12 cordance with sections 5702 and 5703 of title 5, United  
13 States Code.

14 (b) STAFF DIRECTOR.—The Commission shall, with-  
15 out regard to section 5311(b) of title 5, United States  
16 Code, appoint a staff director, who shall be paid at the  
17 rate of basic pay payable for level IV of the Executive  
18 Schedule under section 5315 of title 5, United States  
19 Code.

20 (c) STAFF OF COMMISSION; SERVICES.—

21 (1) IN GENERAL.—Subject to such rules as may  
22 be adopted by the Commission, the Chair, without  
23 regard to the provisions of title 5, United States  
24 Code, governing appointments in the competitive  
25 service and without regard to the provisions of chap-

1 ter 51 and subchapter III of chapter 53 of that title  
2 relating to classifications and General Schedule pay  
3 rates, may appoint such personnel as the chair con-  
4 siders necessary, except that an individual so ap-  
5 pointed may not receive pay in excess of the maxi-  
6 mum annual rate of basic pay payable for grade  
7 GS-15 of the General Schedule under section 5332  
8 of title 5, United States Code.

9 (2) TEMPORARY AND INTERMITTENT SERV-  
10 ICES.—The Chair may procure temporary and inter-  
11 mittent services to the same extent as is authorized  
12 by section 3109(b) of title 5, United States Code.

13 **SEC. 7. REPORT AND RECOMMENDED LEGISLATION.**

14 (a) REPORT.—Not later than 90 days after the selec-  
15 tion of the Chair of the Commission, the Commission shall  
16 submit to the Congress a report of the activities of the  
17 Commission.

18 (b) RECOMMENDATIONS.—The report under sub-  
19 section (a) shall include any recommendations for changes  
20 in the laws (including regulations) governing the conduct-  
21 ing and financing of Federal campaigns, including any  
22 changes in the rules of the Senate or the House of Rep-  
23 resentatives, to which 7 or more members of the Commis-  
24 sion may agree.

1           (c) PREPARATION OF LEGISLATION.—If 7 or more  
2 members concur on a recommendation submitted under  
3 subsection (b), those members shall prepare and submit  
4 with the report under subsection (a) legislation to imple-  
5 ment the recommendation.

6           (d) EXPEDITED CONGRESSIONAL CONSIDERATION  
7 OF LEGISLATION.—

8           (1) IN GENERAL.—If any legislation is intro-  
9 duced the substance of which implements a rec-  
10 ommendation of the Commission submitted under  
11 subsection (b), subject to paragraph (2), the provi-  
12 sions of section 2908 (other than subsection (a)) of  
13 the Defense Base Closure and Realignment Act of  
14 1990 shall apply to the consideration of the legisla-  
15 tion in the same manner as such provisions apply to  
16 a joint resolution described in section 2908(a) of  
17 such Act.

18           (2) SPECIAL RULES.—For purposes of applying  
19 paragraph (1) with respect to such provisions, the  
20 following rules shall apply:

21           (A) Any reference to the Committee on  
22 Armed Services of the House of Representatives  
23 shall be deemed a reference to the Committee  
24 on House Oversight of the House of Represent-  
25 atives and any reference to the Committee on

1 Armed Services of the Senate shall be deemed  
2 a reference to the Committee on Rules and Ad-  
3 ministration of the Senate.

4 (B) Any reference to the date on which the  
5 President transmits a report shall be deemed a  
6 reference to the date on which the recommenda-  
7 tion involved is submitted under subsection (b).

8 (C) Notwithstanding subsection (d)(2) of  
9 section 2908 of such Act—

10 (i) it shall be in order to consider an  
11 amendment in the nature of a substitute to  
12 the legislation offered by the majority lead-  
13 er of the House of Representatives or the  
14 Senate (as the case may be);

15 (ii) it shall be in order to consider an  
16 amendment in the nature of a substitute to  
17 the legislation offered by the minority lead-  
18 er of the House of Representatives or the  
19 Senate (as the case may be);

20 (iii) a separate vote shall be taken in  
21 each House on adoption of each of the  
22 amendments offered and on the legislation  
23 as introduced; and

24 (iv) if more than one version of the  
25 legislation is adopted by a House pursuant



1 to clause (iii), the version receiving the  
2 greatest number of votes in favor of adop-  
3 tion shall be deemed to be legislation  
4 passed by that House.

5 **SEC. 8. PRIMARY OBJECTIVES OF THE COMMISSION.**

6 In formulating its draft of legislation under section  
7 7, the Commission shall consider the following to be its  
8 primary objectives:

9 (1) Encouraging fair and open Federal elections  
10 that provide voters with meaningful information  
11 about candidates and issues.

12 (2) Eliminating the disproportionate influence  
13 of special interest financing of Federal elections.

14 (3) Creating a system in which incumbent  
15 Members of Congress do not possess an inherent ad-  
16 vantage over challengers.

17 **SEC. 9. TERMINATION.**

18 The Commission shall cease to exist 60 days after  
19 the date of the submission of its report under section 7.

20 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated to the Com-  
22 mission such sums as are necessary to carry out its duties  
23 under this Act.

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