

104TH CONGRESS  
2D SESSION

# S. 2187

To reauthorize appropriations for the Civil Rights Commission Act of 1983,  
and for other purposes.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 2, 1996

Mr. BROWN introduced the following bill; which was read twice and referred  
to the Committee on the Judiciary

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## A BILL

To reauthorize appropriations for the Civil Rights  
Commission Act of 1983, 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 “Civil Rights Commis-  
5 sion Reauthorization Act of 1996”.

6 **SEC. 2. APPROVAL OF SUBMISSION OF REPORTS.**

7 Section 3(c) of the Civil Rights Commission Act of  
8 1983 (42 U.S.C. 1975a(c)) is amended by adding at the  
9 end the following:

1           “(3) APPROVAL.—The Commission may submit  
2           a report under this subsection only with the approval  
3           of a majority of the members of the Commission  
4           that are present at a meeting when a quorum is  
5           present.”.

6 **SEC. 3. APPROVAL OF ISSUANCE OF SUBPOENAS.**

7           Section 3(e)(2) of the Civil Rights Commission Act  
8           of 1983 (42 U.S.C. 1975a(e)(2)) is amended—

9           (1) by striking “The Commission” and insert-  
10          ing:

11                   “(A) IN GENERAL.—The Commission”;  
12          and

13          (2) by adding at the end the following:

14                   “(B) PROCEDURE FOR WITHHOLDING IS-  
15          SUANCE.—

16                           “(i) LIST OF WITNESSES.—Prior to  
17                           the issuance of a subpoena described in  
18                           subparagraph (A) for any witness called to  
19                           testify or produce written or other matter  
20                           for a Commission hearing scheduled pursu-  
21                           ant to paragraph (1), the Chairperson  
22                           shall issue a complete list of all witnesses  
23                           for the hearing, including information  
24                           identifying the witnesses and the nature of  
25                           any written or other matter to be pro-

1           duced, to each member of the Commission  
2           for review. The Chairperson shall issue the  
3           list a reasonable period of time prior to the  
4           issuance of the subpoena.

5           “(ii) OBJECTION.—Any member of  
6           the Commission objecting to the issuance  
7           of a subpoena for any witness on the list  
8           shall notify the Chairperson of the objec-  
9           tion.

10          “(iii) MEETING.—On receiving such  
11          an objection, the Chairperson shall sched-  
12          ule a meeting of the Commission to con-  
13          sider the objection. At the meeting, on the  
14          motion of any member of the Commission,  
15          the Commission shall vote on whether to  
16          issue the subpoena. The Commission may  
17          issue a subpoena only with the approval of  
18          a majority of the members of the Commis-  
19          sion that are present at a meeting when a  
20          quorum is present.”.

21 **SEC. 4. REVIEW OF STAFF DIRECTOR.**

22          Section 4(a)(1) of the Civil Rights Commission Act  
23 of 1983 (42 U.S.C. 1975b(a)(1)) is amended—

24               (1) by striking “(A)” and inserting the follow-  
25               ing:

1 “(i)”;

2 (2) by striking “(B)” and inserting the follow-  
3 ing:

4 “(ii)”;

5 (3) by striking “There shall” and inserting the  
6 following:

7 “(A) IN GENERAL.—There shall”; and

8 (4) by adding at the end the following:

9 “(B) REMOVAL.—The Commission may, by  
10 majority vote of the Commission, remove the  
11 staff director from office.”.

12 **SEC. 5. APPLICATION OF FREEDOM OF INFORMATION ACT,**  
13 **PRIVACY ACT OF 1974, AND GOVERNMENT IN**  
14 **THE SUNSHINE ACT.**

15 Section 4 of the Civil Rights Commission Act of 1983  
16 (42 U.S.C. 1975b) is amended by adding at the end the  
17 following:

18 “(f) APPLICATION OF CERTAIN PROVISIONS OF  
19 LAW.—The Commission shall be included in the term  
20 ‘agency’, as such term is defined for purposes of sections  
21 552, 552a, and 552b of title 5, United States Code.”.

22 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

23 Section 5 of the Civil Rights Commission Act of 1983  
24 (42 U.S.C. 1975c) is amended by striking “fiscal year

1 1995” each place it appears and inserting “for fiscal year  
2 1997”.

3 **SEC. 7. TERMINATION.**

4 Section 6 of the Civil Rights Commission Act of 1983  
5 (42 U.S.C. 1975d) is amended by striking “1996” and  
6 inserting “1997”.

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