

105TH CONGRESS  
2D SESSION

# H. R. 4536

To establish a National Commission on Terrorism.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 1998

Mr. WOLF (for himself, Mr. SAXTON, Mrs. MYRICK, Mr. FROST, Mr. BOB SCHAFER of Colorado, Ms. KILPATRICK, Mr. HORN, Mr. MCCOLLUM, and Mr. GILMAN) introduced the following bill; which was referred to the Committee on International Relations, 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 a National Commission on Terrorism.

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. ESTABLISHMENT AND COMPOSITION OF THE**  
4 **COMMISSION.**

5 (a) ESTABLISHMENT.—There is established a na-  
6 tional commission on terrorism to review counter-terror-  
7 ism policies regarding the prevention and punishment of  
8 international acts of terrorism directed at the United

1 States. The Commission shall be known as “The National  
2 Commission on Terrorism”.

3 (b) COMPOSITION.—The Commission shall be com-  
4 posed of 15 members appointed as follows:

5 (1) Five members shall be appointed by the  
6 President from among officers or employees of the  
7 executive branch, private citizens of the United  
8 States, or both. Not more than 3 members selected  
9 by the President shall be members of the same polit-  
10 ical party.

11 (2) Five members shall be appointed by the Ma-  
12 jority Leader of the Senate, in consultation with the  
13 Minority Leader of the Senate, from among mem-  
14 bers of the Senate, private citizens of the United  
15 States, or both. Not more than 3 of the members se-  
16 lected by the Majority Leader shall be members of  
17 the same political party and 3 members shall be  
18 members of the Senate.

19 (3) Five members shall be appointed by the  
20 Speaker of the House of Representatives, in con-  
21 sultation with the Minority Leader of the House of  
22 Representatives, from among members of the House  
23 of Representatives, private citizens of the United  
24 States, or both. Not more than 3 of the members se-  
25 lected by the Speaker shall be members of the same

1 political party and 3 members shall be members of  
2 the House of Representatives.

3 (4) The appointments of the members of the  
4 Commission should be made no later than 3 months  
5 after the date of the enactment of this Act.

6 (c) **QUALIFICATIONS.**—The members should have a  
7 knowledge and expertise in matters to be studied by the  
8 Commission.

9 (d) **CHAIRMAN.**—The chairman of the Commission  
10 shall be elected by the members of the Commission.

11 **SEC. 2. DUTIES.**

12 (a) **IN GENERAL.**—The Commission shall consider  
13 issues relating to international terrorism directed at the  
14 United States as follows:

15 (1) Review the laws, regulations, policies, direc-  
16 tives, and practices relating to counterterrorism in  
17 the prevention and punishment of international ter-  
18 rorism directed towards the United States.

19 (2) Assess the extent to which laws, regulations,  
20 policies, directives, and practices relating to  
21 counterterrorism have been effective in preventing or  
22 punishing international terrorism directed towards  
23 the United States. At a minimum, the assessment  
24 should include a review of the following:

1           (A) Evidence that terrorist organizations  
2           have established an infrastructure in the west-  
3           ern hemisphere for the support and conduct of  
4           terrorist activities.

5           (B) Executive branch efforts to coordinate  
6           counterterrorism activities among Federal,  
7           State, and local agencies and with other nations  
8           to determine the effectiveness of such coordina-  
9           tion efforts.

10          (C) Executive branch efforts to prevent the  
11          use of nuclear, biological, and chemical weapons  
12          by terrorists.

13          (3) Recommend changes to counterterrorism  
14          policy in preventing and punishing international ter-  
15          rorism directed toward the United States.

16          (b) REPORT.—Not later than 6 months after the date  
17          on which the Commission first meets, the Commission  
18          shall submit to the President and the Congress a final re-  
19          port of the findings and conclusions of the Commission,  
20          together with any recommendations.

21       **SEC. 3. ADMINISTRATIVE MATTERS.**

22          (a) MEETINGS.—

23               (1) The Commission shall hold its first meeting  
24               on a date designated by the Speaker of the House

1 which is not later than 30 days after the date on  
2 which all members have been appointed.

3 (2) After the first meeting, the Commission  
4 shall meet upon the call of the chairman.

5 (3) A majority of the members of the Commis-  
6 sion shall constitute a quorum, but a lesser number  
7 may hold meetings.

8 (b) AUTHORITY OF INDIVIDUALS TO ACT FOR COM-  
9 MISSION.—Any member or agent of the Commission may,  
10 if authorized by the Commission, take any action which  
11 the Commission is authorized to take under this Act.

12 (c) POWERS.—

13 (1) The Commission may hold such hearings,  
14 sit and act at such times and places, take such testi-  
15 mony, and receive such evidence as the Commission  
16 considers advisable to carry out its duties.

17 (2) The Commission may secure directly from  
18 any agency of the Federal Government such infor-  
19 mation as the Commission considers necessary to  
20 carry out its duties. Upon the request of the chair-  
21 man of the Commission, the head of a department  
22 or agency shall furnish the requested information ex-  
23 peditiously to the commission.

24 (3) The Commission may use the United States  
25 mails in the same manner and under the same con-

1       ditions as other departments and agencies of the  
2       Federal Government.

3       (d) PAY AND EXPENSES OF COMMISSION MEM-  
4       BERS.—

5           (1) Each member of the Commission who is not  
6       an employee of the government shall be paid at a  
7       rate equal for the daily equivalent of the annual rate  
8       of basic pay prescribed for level IV of the Executive  
9       Schedule under section 5315 of title 5, United  
10      States Code, for each day (including travel time)  
11      during which such member is engaged in performing  
12      the duties of the Commission.

13          (2) Members and personnel for the Commission  
14      may travel on aircraft, vehicles, or other conveyances  
15      of the Armed Forces of the United States when  
16      travel is necessary in the performance of a duty of  
17      the Commission except when the cost of commercial  
18      transportation is less expensive.

19          (3) The members of the Commission may be al-  
20      lowed travel expenses, including per diem in lieu of  
21      subsistence, at rates authorized for employees of  
22      agencies under subchapter I of chapter 57 of title 5,  
23      United States Code, while away from their homes or  
24      regular places of business in the performance of  
25      services for the Commission.

1           (4)(A) A member of the Commission who is an  
2 annuitant otherwise covered by section 8344 or 8468  
3 of title 5, United States Code, by reason of member-  
4 ship on the Commission shall not be subject to the  
5 provisions of such section with respect to member-  
6 ship on the Commission.

7           (B) A member of the Commission who is a  
8 member or former member of a uniformed service  
9 shall not be subject to the provisions of subsections  
10 (b) and (c) of section 5532 of such title with respect  
11 to membership on the commission.

12           (e) STAFF AND ADMINISTRATIVE SUPPORT.—

13           (1) The chairman of the Commission may,  
14 without regard to civil service laws and regulations,  
15 appoint and terminate an executive director and up  
16 to 3 additional staff members as necessary to enable  
17 the Commission to perform its duties. The Chairman  
18 of the Commission may fix the compensation of the  
19 executive director and other personnel without re-  
20 gard to the provisions of chapter 51, and subchapter  
21 III of chapter 53, of title 5, United States Code, re-  
22 lating to classification of positions and General  
23 Schedule pay rates, except that the rate of pay may  
24 not exceed the maximum rate of pay for GS-15  
25 under the General Schedule.

1           (2) Upon the request of the Chairman of the  
2           Commission, the head of any department or agency  
3           of the Federal Government may detail, without reim-  
4           bursement, any personnel of the department or  
5           agency to the Commission to assist in carrying out  
6           its duties. The detail of an employee shall be without  
7           interruption or loss of civil service status or privi-  
8           lege.

9   **SEC. 4. TERMINATION OF COMMISSION.**

10          The Commission shall terminate 30 days after the  
11          date on which the Commission submits a final report.

12   **SEC. 5. FUNDING.**

13          There are authorized to be appropriated such sums  
14          as may be necessary to carry out the provisions of this  
15          Act.

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