

106TH CONGRESS
2^D SESSION

H. R. 5672

To establish a commission to develop uniform standards which may be adopted by the States for the administration of elections for Federal office, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 15, 2000

Ms. JACKSON-LEE of Texas 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

A BILL

To establish a commission to develop uniform standards which may be adopted by the States for the administration of elections for Federal office, 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 “Secure Democracy for
5 All Americans Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Despite Federal efforts to increase uni-
2 formity in voting procedures for elections for Fed-
3 eral office, there remains much variation in such
4 procedures among the States.

5 (2) A major goal of the National Voter Reg-
6 istration Act of 1993 (commonly known as the
7 “Motor-Voter Act”) was the standardization of voter
8 registration procedures for elections for Federal of-
9 fice to prevent voter fraud and provide an accurate
10 list of eligible voters.

11 (3) Under the provisions of the Uniformed and
12 Overseas Citizens Absentee Voting Act, absent uni-
13 formed services voters and overseas voters can vote
14 by absentee ballot in elections for Federal office and,
15 if a State does not provide an official State absentee
16 ballot in response to a timely request, can write in
17 the names of candidates on a Federal write-in ab-
18 sentee ballot.

19 (4) In North Dakota and in some counties in
20 Wisconsin, individuals may vote without registering.

21 (5) Individuals in Idaho, New Hampshire,
22 Maine, Minnesota, Wisconsin, and Wyoming may
23 register to vote on the day of the election.

1 (6) The duration of the residency requirement
2 for voter registration varies from State to State
3 from 1 to 30 days.

4 (7) In 7 States disability or illness does not
5 provide sufficient grounds for registering as an ab-
6 sentee voter, and in 4 States disability or illness
7 does not provide sufficient grounds for voting as an
8 absentee.

9 (8) A few States allow any citizen who is out
10 of the United States or the State to register as an
11 absentee voter.

12 (9) At least 7 different types of voting equip-
13 ment are used to carry out Presidential elections
14 throughout the United States, and the type of equip-
15 ment used is determined on the county level.

16 (10) The opening time for polling places in
17 Federal elections varies from 6:00 a.m. to 11:00
18 a.m., and the closing time for such polling places
19 varies from 6:00 p.m. to 9:00 p.m.

20 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

21 There is established the Commission on the Com-
22 prehensive Study of Voting Procedures (in this Act re-
23 ferred to as the “Commission”).

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

2 (a) STUDY.—Not later than 1 year after the date of
3 enactment of this Act, the Commission shall complete a
4 thorough study of all issues relating to voting procedures
5 in Federal, State, and local elections, including the fol-
6 lowing:

7 (1) Voting procedures in Federal, State, and
8 local government elections.

9 (2) Voting procedures that represent the best
10 practices in Federal, State, and local government
11 elections.

12 (3) Legislation and regulatory efforts that af-
13 fect voting procedures issues.

14 (4) The implementation of standardized voting
15 procedures, including standardized technology and
16 procedures for voter registration, absentee voting,
17 early voting, and voting hours on the day of the elec-
18 tion, for Federal, State, and local government elec-
19 tions.

20 (5) The speed and timeliness of vote counts in
21 Federal, State and local elections.

22 (6) The accuracy of vote counts in Federal,
23 State and local elections.

24 (7) The security of voting procedures in Fed-
25 eral, State and local elections.

1 (b) RECOMMENDATIONS.—The Commission shall de-
2 velop recommendations on the matters studied under sub-
3 section (a).

4 (c) REPORTS.—

5 (1) FINAL REPORT.—Not later than 180 days
6 after the expiration of the period referred to in sub-
7 section (a), the Commission shall submit a report
8 which has been approved by a majority of the mem-
9 bers of the Commission to the President and Con-
10 gress which shall contain a detailed statement of the
11 findings and conclusions of the Commission, to-
12 gether with its recommendations for such legislation
13 and administrative actions as it considers appro-
14 priate.

15 (2) INTERIM REPORTS.—The Commission may
16 submit to the President and Congress any interim
17 reports that are approved by a majority of the mem-
18 bers of the Commission.

19 (3) ADDITIONAL REPORTS.—The Commission
20 may include in any of the reports submitted under
21 paragraph (1) or paragraph (2) additional reports
22 that contain any dissenting or minority opinions of
23 the members of the Commission.

1 **SEC. 5. MEMBERSHIP.**

2 (a) NUMBER AND APPOINTMENT.—The Commission
3 shall be composed of 5 members of whom—

4 (1) 1 shall be appointed by the President;

5 (2) 1 shall be appointed by the majority leader
6 of the Senate;

7 (3) 1 shall be appointed by the minority leader
8 of the Senate;

9 (4) 1 shall be appointed by the Speaker of the
10 House of Representatives; and

11 (5) 1 shall be appointed by the minority leader
12 of the House of Representatives.

13 (b) MEMBERS.—The Commission shall include at
14 least 1 member from each of the following:

15 (1) The National Institute of Standards and
16 Technology.

17 (2) The Department of Justice.

18 (3) The National Academy of Sciences.

19 (c) DATE OF APPOINTMENT.—The appointments of
20 the members of the Commission shall be made not later
21 than 30 days after the date of enactment of this Act.

22 (d) TERMS.—Each member of the Commission shall
23 be appointed for the life of the Commission.

24 (e) VACANCIES.—A vacancy in the Commission shall
25 not affect its powers, but shall be filled in the same man-
26 ner in which the original appointment was made.

1 (f) MEETINGS.—

2 (1) IN GENERAL.—The Commission shall meet
3 at the call of the Chairperson or a majority of its
4 members.

5 (2) INITIAL MEETING.—Not later than 30 days
6 after the date on which all members of the Commis-
7 sion have been appointed, the Commission shall hold
8 its first meeting.

9 (g) QUORUM.—A majority of the members of the
10 Commission shall constitute a quorum, but a lesser num-
11 ber of members may hold hearings.

12 (h) CHAIRPERSON AND VICE CHAIRPERSON.—The
13 Commission shall select a Chairperson and Vice Chair-
14 person from among its members.

15 **SEC. 6. POWERS OF THE COMMISSION.**

16 (a) HEARINGS AND SESSIONS.—The Commission
17 may hold such hearings for the purpose of carrying out
18 this Act, sit and act at such times and places, take such
19 testimony, and receive such evidence as the Commission
20 considers advisable to carry out this Act. The Commission
21 may administer oaths and affirmations to witnesses ap-
22 pearing before the Commission.

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

1 siders necessary to carry out this Act. Upon request of
2 the Chairperson of the Commission, the head of such de-
3 partment or agency shall furnish such information to the
4 Commission.

5 (c) WEBSITE.—For purposes of conducting the study
6 under section 4(a), the Commission shall establish a
7 website to facilitate public comment and participation.

8 (d) POSTAL SERVICES.—The Commission may use
9 the United States mails in the same manner and under
10 the same conditions as other departments and agencies of
11 the Federal Government.

12 (e) ADMINISTRATIVE SUPPORT SERVICES.—Upon
13 the request of the Chairperson of the Commission, the Ad-
14 ministrator of the General Services Administration shall
15 provide to the Commission, on a reimbursable basis, the
16 administrative support services that are necessary to en-
17 able the Commission to carry out its duties under this Act.

18 (f) CONTRACTS.—The Commission may contract with
19 and compensate persons and Federal agencies for supplies
20 and services without regard to section 3709 of the Revised
21 Statutes (41 U.S.C. 5).

22 (g) GIFTS AND DONATIONS.—The Commission may
23 accept, use, and dispose of gifts or donations of services
24 or property to carry out this Act.

1 **SEC. 7. COMMISSION PERSONNEL MATTERS.**

2 (a) **COMPENSATION OF MEMBERS.**—Each member of
3 the Commission who is not an officer or employee of the
4 Federal Government shall be compensated at a rate equal
5 to the daily equivalent of the annual rate of basic pay pre-
6 scribed for level IV of the Executive Schedule under sec-
7 tion 5315 of title 5, United States Code, for each day (in-
8 cluding travel time) during which such member is engaged
9 in the performance of the duties of the Commission. All
10 members of the Commission who are officers or employees
11 of the United States shall serve without compensation in
12 addition to that received for their services as officers or
13 employees of the United States.

14 (b) **TRAVEL EXPENSES.**—The members of the Com-
15 mission shall be allowed travel expenses, including per
16 diem in lieu of subsistence, at rates authorized for employ-
17 ees of agencies under subchapter I of chapter 57 of title
18 5, United States Code, while away from their homes or
19 regular places of business in the performance of services
20 for the Commission.

21 (c) **STAFF.**—

22 (1) **IN GENERAL.**—The chair of the Commission
23 may appoint staff of the Commission, request the
24 detail of Federal employees, and accept temporary
25 and intermittent services in accordance with section
26 3161 of title 5, United States Code, except that the

1 rate of pay of any staff may not exceed the annual
2 rate payable for level V of the Executive Schedule
3 under section 5316 of title 5, United States Code.

4 (2) SPECIAL RULE REGARDING APPOINTMENT
5 OF EXECUTIVE DIRECTOR.—The employment of an
6 executive director shall be subject to confirmation by
7 the Commission.

8 **SEC. 8. TERMINATION OF THE COMMISSION.**

9 The Commission shall terminate 30 days after the
10 date on which the Commission submits its final report
11 under section 4(c)(1).

12 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) IN GENERAL.—There are authorized to be appro-
14 priated such sums as may be necessary to the Commission
15 to carry out this Act.

16 (b) AVAILABILITY.—Any sums appropriated under
17 the authorization contained in this section shall remain
18 available, without fiscal year limitation, until expended.

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