

107TH CONGRESS  
1ST SESSION

# H. R. 57

To establish a commission to study and make recommendations with respect to the Federal electoral process.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2001

Mr. DEFAZIO (for himself, Mr. LEACH, Mr. LAMPSON, Mr. MCGOVERN, Mr. FROST, Mr. MCNULTY, Mr. OLVER, Mr. CLEMENT, Ms. RIVERS, Mr. SANDERS, Ms. MCKINNEY, Ms. LEE, Mr. CARDIN, Mr. COSTELLO, Mr. WU, Ms. SLAUGHTER, Mr. OBERSTAR, Mr. KUCINICH, Mr. UDALL of Colorado, Mr. BALDACCI, Ms. PELOSI, Mr. BLUMENAUER, Mr. FILNER, Mr. SERRANO, Mr. EVANS, Mr. FARR of California, Ms. HOOLEY of Oregon, Mr. INSLEE, Mr. ISAKSON, and Mr. GILLMOR) introduced the following bill; which was referred to the Committee on House Administration

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## A BILL

To establish a commission to study and make recommendations with respect to the Federal electoral process.

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 “Federal Elections Re-  
5 view Commission Act”.

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

2 (a) ESTABLISHMENT.—There is established a com-  
3 mission to be known as the Federal Elections Review  
4 Commission (hereafter in this Act referred to as the  
5 “Commission”).

6 (b) PURPOSE.—The purpose of the Commission shall  
7 be to study the nature and consequences of the Federal  
8 electoral process and make recommendations to ensure the  
9 integrity of, and public confidence in, Federal elections.

10 (c) MEMBERSHIP.—The Commission shall be com-  
11 posed of 12 members, who shall be appointed as follows:

12 (1) Three members shall be appointed by the  
13 President pro tempore of the Senate based on rec-  
14 ommendations by the majority leader of the Senate.

15 (2) Three members shall be appointed by the  
16 President pro tempore of the Senate based on rec-  
17 ommendations of the minority leader of the Senate.

18 (3) Three members shall be appointed by the  
19 Speaker of the House of Representatives.

20 (4) Three members shall be appointed by the  
21 minority leader of the House of Representatives.

22 (d) QUALIFICATIONS OF MEMBERS.—Members shall  
23 be appointed to the Commission from among individuals  
24 who—

25 (1) have expertise in Federal election laws, the  
26 United States Constitution, and the history of the

1 United States, or other pertinent qualifications or  
2 experience; and

3 (2) are not officers or employees of the United  
4 States.

5 (e) OTHER CONSIDERATIONS.—In appointing mem-  
6 bers of the Commission, every effort shall be made to en-  
7 sure that the members—

8 (1) represent a broad cross section of regional  
9 and political perspectives in the United States; and

10 (2) provide fresh insights to analyzing the Fed-  
11 eral electoral process in order to maintain the integ-  
12 rity of, and public confidence in, such process.

13 (f) PERIOD OF APPOINTMENT; VACANCIES.—(1)  
14 Members of the Commission shall be appointed not later  
15 than 60 days after the date of enactment of this Act. Ap-  
16 pointments shall be for the life of the Commission.

17 (2) Any vacancy in the Commission shall not affect  
18 the powers of the Commission, and shall be filled in the  
19 same manner as the original appointment.

20 (g) INITIAL MEETING.—Not later than 30 days after  
21 the date on which all members of the Commission have  
22 been appointed, the Commission shall hold its first meet-  
23 ing.

24 (h) CHAIRPERSON AND VICE CHAIRPERSON.—The  
25 members of the Commission shall elect a chairperson and

1 vice chairperson from among the members of the Commis-  
2 sion.

3 (i) **ADDITIONAL MEETINGS.**—The Commission shall  
4 meet at the call of the chairperson.

5 (j) **QUORUM.**—A majority of the members of the  
6 Commission shall constitute a quorum for the transaction  
7 of business.

8 (k) **VOTING.**—A vote of a member of the Commission  
9 with respect to the duties of the Commission shall have  
10 the same weight as the vote of any other member of the  
11 Commission.

12 **SEC. 3. DUTIES OF THE COMMISSION.**

13 (a) **IN GENERAL.**—The Commission shall examine  
14 the nature and consequences of the Federal electoral proc-  
15 ess and make recommendations to ensure the integrity of,  
16 and public confidence in, Federal elections.

17 (b) **SPECIFIC ISSUES TO BE ADDRESSED.**—The  
18 Commission shall examine and report to the President, the  
19 Congress, and the Federal Election Commission on, at a  
20 minimum, the following:

21 (1) The historic rationale for the electoral col-  
22 lege, its impact on Presidential elections, and the ad-  
23 visability of its abolition or other options for reform,  
24 including the possibility for proportional allocation of  
25 electors within States.

1           (2) Voter registration issues, including same-  
2           day registration, universal registration, the impact of  
3           “motor voter” registration, and the accuracy of  
4           voter registration rolls.

5           (3) Ballot access issues, including the proce-  
6           dural hurdles that political parties must overcome to  
7           be placed on ballots, the role of mail-in balloting in  
8           Federal elections, and the distinction between mail-  
9           in and absentee balloting, including the uniformity  
10          or lack thereof of the deadlines for the receipt of  
11          ballots.

12          (4) Ballot design and technology issues, includ-  
13          ing the impact of the physical ballot design, the ad-  
14          vantages and disadvantages of various technologies  
15          (including voting through the use of the Internet)  
16          used to cast and count votes, the feasibility and ad-  
17          visability of setting uniform national ballot design  
18          and technology standards, the impact of the lan-  
19          guage used on ballots, the simplicity of language,  
20          and the use of foreign language ballots.

21          (5) Election day polling place issues, including  
22          the impact of polling place closing times, the number  
23          and accessibility of polling places, the training of  
24          poll workers, and voter education.

1           (6) The feasibility and advisability of changing  
2           to multiple day elections, weekend elections, expand-  
3           ing early voting options, and limiting campaign ac-  
4           tivities (including advertising and fundraising) to a  
5           set period of time.

6           (7) The impact of winner-take-all voting, and  
7           the feasibility and advisability of election reforms  
8           such as instant runoff voting, proportional represen-  
9           tation, and fusion balloting, with a particular em-  
10          phasis on the impact on voter turnout and expand-  
11          ing political dialog.

12          (8) The unique problems faced in voting by  
13          members of the uniformed services, especially mem-  
14          bers stationed overseas, and options for reform of  
15          the voting process for such individuals.

16          (9) The presidential primary process and the  
17          presidential debate process, and options for reform  
18          of such processes.

19          (10) The costs of implementing various election  
20          reform proposals and options for paying for such  
21          proposals, including Federal cost-sharing.

22          (c) ANALYSIS OF IMPACT ON CERTAIN ISSUES.—  
23          With respect to each of the issues referred to in subsection  
24          (b), in carrying out its examination and report the Com-  
25          mission shall take into consideration—

1           (1) the speed, accuracy, and security of votes  
2           and vote counts; and

3           (2) the impact on various demographic groups,  
4           including racial minorities, individuals with disabili-  
5           ties, residents of rural areas, and residents of urban  
6           areas.

7 **SEC. 4. FINAL REPORT.**

8           (a) IN GENERAL.—Not later than 12 months after  
9           the date of the initial meeting of the Commission, the  
10          Commission shall submit to the President and the Con-  
11          gress a final report including—

12           (1) the findings and conclusions of the Commis-  
13           sion; and

14           (2) recommendations for addressing the prob-  
15           lems identified as part of the Commission’s analysis.

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

19 **SEC. 5. POWERS.**

20          (a) HEARINGS.—The Commission may hold such  
21          hearings, sit and act at such times and places, take such  
22          testimony, and receive such evidence as the Commission  
23          may find advisable to fulfill the requirements of this Act.  
24          The Commission shall hold at least one hearing in the Dis-

1 triet of Columbia, and at least four hearings in other re-  
2 gions of the United States.

3 (b) INFORMATION FROM FEDERAL AGENCIES.—The  
4 Commission may secure directly from any Federal depart-  
5 ment or agency such information as the Commission con-  
6 siders necessary to carry out the provisions of this Act.  
7 Upon request of the chairperson of the Commission, the  
8 head of such department or agency shall furnish such in-  
9 formation to the Commission.

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

14 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

15 (a) COMPENSATION.—Each member of the Commis-  
16 sion shall be compensated at a rate equal to the daily  
17 equivalent of the annual rate of basic pay prescribed for  
18 level IV of the Executive Schedule under section 5315 of  
19 title 5, United States Code, for each day (including travel  
20 time) during which such member is engaged in the per-  
21 formance of the duties of the Commission.

22 (b) STAFF.—(1) The chairperson of the Commission  
23 may appoint staff of the Commission, request the detail  
24 of Federal employees, and accept temporary and intermit-

1 tent services in accordance with section 3161 of title 5,  
2 United States Code.

3 (2) The employment of an executive director of the  
4 Commission shall be subject to the approval of the Com-  
5 mission.

6 (3) The rate of pay for the executive director and  
7 other personnel of the Commission may not exceed the  
8 rate payable for level V of the Executive Schedule under  
9 section 5316 of such title.

10 **SEC. 7. SUPPORT SERVICES.**

11 The Administrator of General Services shall provide  
12 to the Commission on a reimbursable basis such adminis-  
13 trative support services as the Commission may request.

14 **SEC. 8. TERMINATION.**

15 The Commission shall terminate not later than the  
16 date that is 30 days after the date the Commission sub-  
17 mits its final report under section 4.

18 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated \$2,000,000  
20 for the Commission to carry out this Act.

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