

116TH CONGRESS
2D SESSION

H. R. 8587

To establish a commission to make recommendations on the appropriate size of membership of the House of Representatives and the method by which Members are elected.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 13, 2020

Mr. HASTINGS (for himself, Ms. JACKSON LEE, Mr. MOULTON, Mr. PHILLIPS, and Mr. CARSON of Indiana) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish a commission to make recommendations on the appropriate size of membership of the House of Representatives and the method by which Members are elected.

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 “Congress Commission
5 Act”.

6 **SEC. 2. ESTABLISHMENT.**

7 There is established a commission to be known as the
8 “Congressional Commission to Strengthen Representative

1 Democracy” (hereafter in this Act referred to as the
2 “Commission”).

3 **SEC. 3. DUTIES OF COMMISSION.**

4 The Commission shall—

5 (1) analyze the current size of the membership
6 of the House of Representatives considering the re-
7 quirement for the institution to carry out its respon-
8 sibilities in an effective manner;

9 (2) examine alternatives to the current method
10 by which Representatives are elected (including
11 ranked choice voting, cumulative voting, and other
12 forms of proportional representation) to determine if
13 such alternatives would make the House of Rep-
14 resentatives a more representative body and include
15 more citizens in the electoral process;

16 (3) examine the use of gerrymandering in the
17 creation of single-member districts;

18 (4) to the extent necessary, formulate proposals
19 for changes in the size of the membership of, and
20 the method of electing Representatives to, the House
21 of Representatives; and

22 (5) not later than the end of the One Hundred
23 Seventeenth Congress, submit to the President and
24 the Congress a report of the work of the Commis-
25 sion, together with a draft of legislation (including

1 technical and conforming provisions) to implement
2 the proposals referred to in paragraph (5).

3 **SEC. 4. MEMBERSHIP.**

4 (a) **NUMBER AND APPOINTMENT.**—The Commission
5 shall be composed of 15 members as follows:

6 (1) Five members appointed by the Speaker of
7 the House of Representatives.

8 (2) Five members appointed by the minority
9 leader of the House of Representatives.

10 (3) Two members appointed by the majority
11 leader of the Senate.

12 (4) Two members appointed by the minority
13 leader of the Senate.

14 (5) One member appointed by the other 14
15 members to serve as Chairman of the Commission,
16 by a vote in which at least 9 members approve of
17 the appointment, including at least 1 member ap-
18 pointed by the Speaker of the House of Representa-
19 tives, 1 member appointed by the minority leader of
20 the House of Representatives, 1 member appointed
21 by the majority leader of the Senate, and 1 member
22 appointed by the minority leader of the Senate.

23 (b) **QUALIFICATIONS.**—In making appointments
24 under this section, the appointing authorities shall make
25 a special effort to appoint individuals who are particularly

1 qualified to perform the functions of the Commission, by
2 reason of either practical experience or academic expertise
3 in politics or government.

4 (c) TERMS AND VACANCIES.—Each member shall be
5 appointed for the life of the Commission. A vacancy in
6 the Commission shall be filled in the manner in which the
7 original appointment was made.

8 (d) PAY AND TRAVEL.—Each member of the Com-
9 mission, other than a full-time officer or employee of the
10 United States—

11 (1) shall be paid the daily equivalent of the an-
12 nual rate of basic pay payable for level V of the Ex-
13 ecutive Schedule for each day (including travel time)
14 during which the member is engaged in the actual
15 performance of duties vested in the Commission; and

16 (2) shall receive travel expenses, including per
17 diem in lieu of subsistence, in accordance with appli-
18 cable provisions under subchapter I of chapter 57 of
19 title 5, United States Code.

20 (e) QUORUM.—Eight members of the Commission
21 shall constitute a quorum, but a lesser number may hold
22 hearings.

23 (f) MEETINGS.—The Commission shall meet at the
24 call of the Chairman or a majority of its members.

1 **SEC. 5. STAFF.**

2 (a) **IN GENERAL.**—With the approval of the Commis-
3 sion, the Chairman may appoint and fix the pay of not
4 more than six individuals for the staff of the Commission.
5 Such individuals may be appointed without regard to the
6 provisions of title 5, United States Code, governing ap-
7 pointments in the competitive service, and may be paid
8 without regard to the provisions of chapter 51 and sub-
9 chapter III of chapter 53 of that title relating to classifica-
10 tion and General Schedule pay rates, except that an indi-
11 vidual so appointed may not receive pay in excess of the
12 maximum annual rate of basic pay payable for grade GS-
13 15 of the General Schedule under section 5332 of title
14 5, United States Code.

15 (b) **EXPERTS AND CONSULTANTS.**—With the ap-
16 proval of the Commission, the Chairman may procure tem-
17 porary and intermittent services in the manner prescribed
18 in section 3109(b) of title 5, United States Code, but at
19 rates for individuals not to exceed the daily equivalent of
20 the maximum annual rate of basic pay payable for grade
21 GS-15 of the General Schedule under section 5332 of title
22 5, United States Code.

23 (c) **STAFF OF FEDERAL AGENCIES.**—Upon request
24 of the Commission, the head of any Federal department
25 or agency may detail, on a reimbursable basis, any of the

1 personnel of that department or agency to the Commission
2 to assist it in carrying out its duties under this Act.

3 **SEC. 6. POWERS OF COMMISSION.**

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

8 (b) SUBPOENA POWER.—

9 (1) IN GENERAL.—The Commission may issue
10 subpoenas requiring the attendance and testimony of
11 witnesses and the production of any evidence relat-
12 ing to any matter considered by the Commission in
13 carrying out this Act. The attendance of witnesses
14 and the production of evidence may be required from
15 any place within the United States at any des-
16 ignated place of hearing within the United States.

17 (2) FAILURE TO OBEY A SUBPOENA.—If a per-
18 son refuses to obey a subpoena issued under para-
19 graph (1), the Commission may apply to a United
20 States district court for an order requiring that per-
21 son to appear before the Commission to give testi-
22 mony, produce evidence, or both, relating to the
23 matter involved. The application may be made with-
24 in the judicial district where the hearing is con-
25 ducted or where that person is found, resides, or

1 transacts business. Any failure to obey the order of
2 the court may be punished by the court as civil con-
3 tempt.

4 (3) SERVICE OF SUBPOENAS.—The subpoenas
5 of the Commission shall be served in the manner
6 provided for subpoenas issued by a United States
7 district court under the Federal Rules of Civil Pro-
8 cedure for the United States district courts.

9 (4) SERVICE OF PROCESS.—All process of any
10 court to which application is made under paragraph
11 (2) may be served in the judicial district in which
12 the person required to be served resides or may be
13 found.

14 (c) MEMBERS AND AGENTS.—Any member or agent
15 of the Commission may, if authorized by the Commission,
16 take any action which the Commission is authorized to
17 take by this section.

18 (d) MAILS.—The Commission may use the United
19 States mails in the same manner and under the same con-
20 ditions as departments and agencies of the United States.

21 (e) ADMINISTRATIVE SUPPORT SERVICES.—Upon
22 the request of the Commission, the Administrator of Gen-
23 eral Services shall provide to the Commission, on a reim-
24 bursable basis, the administrative support services nec-

1 essary for the Commission to carry out its responsibilities
2 under this Act.

3 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated to carry out
5 this Act \$5,000,000, to remain available until expended.

6 **SEC. 8. TERMINATION.**

7 The Commission shall terminate on the last day of
8 the month in which the Commission submits the report
9 required under section 3.

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