

116TH CONGRESS
1ST SESSION

S. 960

To establish a commission to develop proposals regarding voting representation for citizens of the United States who reside in a territory, commonwealth, or Federal District of the United States.

IN THE SENATE OF THE UNITED STATES

MARCH 28, 2019

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

A BILL

To establish a commission to develop proposals regarding voting representation for citizens of the United States who reside in a territory, commonwealth, or Federal District of the United States.

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 “We the People Com-
5 mission on Full Representation Act of 2019”.

6 **SEC. 2. DEFINITION OF COVERED JURISDICTION.**

7 In this Act, the term “covered jurisdiction” means—

8 (1) Puerto Rico;

- 1 (2) the District of Columbia;
- 2 (3) Guam;
- 3 (4) the United States Virgin Islands;
- 4 (5) American Samoa; and
- 5 (6) the Northern Mariana Islands.

6 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

7 (a) ESTABLISHMENT.—There is established a com-
8 mission to be known as the “We the People Commission
9 on Full Representation” (in this Act referred to as the
10 “Commission”).

11 (b) MEMBERSHIP.—

12 (1) COMPOSITION.—The Commission shall be
13 composed of 10 members, appointed as follows:

14 (A) Two members appointed by the Presi-
15 dent.

16 (B) Two members appointed by the major-
17 ity leader of the Senate.

18 (C) Two members appointed by the minor-
19 ity leader of the Senate.

20 (D) Two members appointed by the Speak-
21 er of the House of Representatives.

22 (E) Two members appointed by the minor-
23 ity leader of the House of Representatives.

24 (2) QUALIFICATIONS.—

1 (A) IN GENERAL.—The Commission shall
2 include not less than 1 member who represents
3 each covered jurisdiction.

4 (B) REPRESENTATION.—To represent a
5 covered jurisdiction for purposes of subpara-
6 graph (A), an individual shall—

7 (i) be a native of the jurisdiction;

8 (ii) be an elected representative of the
9 jurisdiction;

10 (iii) have lived in the jurisdiction for
11 a period of not less than 10 years; or

12 (iv) have expertise, such as academic
13 expertise, on the jurisdiction.

14 (3) APPOINTMENT DEADLINE.—Members of the
15 Commission shall be appointed not later than 90
16 days after the date of enactment of this Act.

17 (c) PERIOD OF APPOINTMENT.—Members of the
18 Commission shall be appointed for the life of the Commis-
19 sion.

20 (d) VACANCIES.—A vacancy in the Commission shall
21 be filled in the manner in which the original appointment
22 was made.

23 (e) MEETINGS.—

24 (1) INITIAL MEETING.—The Commission shall
25 hold its first meeting not later than 30 days after

1 a majority of members are appointed to the Commis-
2 sion.

3 (2) MEETING.—The Commission shall regularly
4 meet at the call of the Chair. Such meetings may be
5 carried out through the use of telephonic or other
6 appropriate telecommunication technology if the
7 Commission determines that such technology will
8 allow the members to communicate simultaneously.

9 (f) 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 (g) CHAIR.—The President shall designate a member
13 of the Commission to be the Chair of the Commission.

14 **SEC. 4. DUTIES.**

15 (a) DEVELOPMENT OF PROPOSALS.—The Commis-
16 sion—

17 (1) shall develop a proposal for each covered ju-
18 risdiction regarding voting representation for citi-
19 zens of the United States who reside in that jurisdic-
20 tion;

21 (2) in a proposal for a covered jurisdiction
22 under paragraph (1), may recommend—

23 (A) any type of representation, including
24 statehood or voting representation only in the
25 House of Representatives; or

1 (B) no representation; and

2 (3) in determining under paragraph (1) wheth-
3 er and, if so, how a covered jurisdiction should be
4 represented, shall consider—

5 (A) whether the jurisdiction has held a ref-
6 erendum on achieving voting representation in
7 the United States; and

8 (B) the size of the jurisdiction.

9 (b) REPORT.—Not later than 2 years after the date
10 of enactment of this Act, the Commission shall submit to
11 the Committee on Homeland Security and Governmental
12 Affairs of the Senate, the Committee on Oversight and
13 Reform of the House of Representatives, and the Com-
14 mittee on Rules of the House of Representatives a report
15 that contains the proposals developed under subsection
16 (a).

17 **SEC. 5. POWERS OF COMMISSION.**

18 (a) HEARINGS.—The Commission may hold such
19 hearings, sit and act at such times and places, take such
20 testimony, and receive evidence as the Commission con-
21 siders advisable to carry out the responsibilities of the
22 Commission.

23 (b) INFORMATION FROM FEDERAL AGENCIES.—The
24 Commission may secure directly from any department or
25 agency of the Federal Government such information as the

1 Commission considers necessary to carry out the duties
2 of the Commission.

3 (c) INFORMATION FROM NONGOVERNMENTAL ORGA-
4 NIZATIONS.—

5 (1) IN GENERAL.—In carrying out its duties,
6 the Commission may seek guidance through con-
7 sultation with foundations, veteran service organiza-
8 tions, nonprofit groups, faith-based organizations,
9 private and public institutions of higher education,
10 and other organizations as the Commission deter-
11 mines appropriate.

12 (2) SENSE OF CONGRESS.—It is the sense of
13 Congress that the Commission should consult with
14 nongovernmental organizations as authorized under
15 paragraph (2).

16 (d) POSTAL SERVICES.—The Commission may use
17 the United States mails in the same manner and under
18 the same conditions as departments and agencies of the
19 United States.

20 (e) GIFTS.—The Commission may accept, use, and
21 dispose of gifts or donations of services or property.

22 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

23 (a) COMPENSATION OF MEMBERS; TRAVEL EX-
24 PENSES.—Each member shall serve without pay but shall
25 receive travel expenses to perform the duties of the Com-

1 mission, including per diem in lieu of subsistence, at rates
2 authorized under subchapter I of chapter 57 of title 5,
3 United States Code.

4 (b) STAFF.—The Chair, in accordance with rules
5 agreed upon by the Commission, may appoint and fix the
6 compensation of a staff director and any other personnel
7 that may be necessary to enable the Commission to carry
8 out the functions of the Commission—

9 (1) without regard to the provisions of title 5,
10 United States Code, governing appointments in the
11 competitive service; and

12 (2) without regard to the provision of chapter
13 51 and subchapter III of chapter 53 of title 5,
14 United States Code, relating to classification and
15 General Schedule pay rates, except that no rate of
16 pay fixed under this paragraph may exceed the
17 equivalent of that payable for a position at level IV
18 of the Executive Schedule under section 5315 of
19 that title.

20 (c) DETAIL OF GOVERNMENT EMPLOYEES.—Any
21 Federal Government employee may be detailed to the
22 Commission without reimbursement, and that detail shall
23 be without interruption or loss of civil service status or
24 privilege.

25 (d) PERSONNEL AS FEDERAL EMPLOYEES.—

1 (1) IN GENERAL.—The executive director and
2 any personnel of the Commission shall be considered
3 employees under section 2105 of title 5, United
4 States Code, for purpose of chapters 63, 81, 83, 84,
5 85, 87, 89, and 90 of that title.

6 (2) MEMBERS OF THE COMMISSION.—Para-
7 graph (1) shall not be construed to apply to mem-
8 bers of the Commission.

9 (e) COMMISSION RECORDS.—The Commission shall
10 keep an accurate and complete record of the actions and
11 meetings of the Commission. The record shall be made
12 available for public inspection and the Comptroller Gen-
13 eral of the United States may audit and examine the
14 record.

15 (f) CONTRACTING.—The Commission may, to such
16 extent and in such amounts as are provided in appropria-
17 tion Acts, enter into contracts to enable the Commission
18 to discharge the duties of the Commission under this Act.

19 (g) EXPERT AND CONSULTANT SERVICE.—The Com-
20 mission may procure the services of experts and consult-
21 ants in accordance with section 3109 of title 5, United
22 States Code, at rates not to exceed the daily rate paid
23 to a person occupying a position at level IV of the Execu-
24 tive Schedule under section 5315 of title 5, United States
25 Code.

1 (h) PHYSICAL FACILITIES AND EQUIPMENT.—Upon
2 the request of the Commission, the Administrator of Gen-
3 eral Services shall provide to the Commission, on a reim-
4 bursable basis, the administrative support services nec-
5 essary for the Commission to carry out its responsibilities
6 under this Act. The administrative support services may
7 include human resource management, budget, leasing ac-
8 counting, and payroll services.

9 **SEC. 7. TERMINATION OF COMMISSION.**

10 The Commission shall terminate 30 days after the
11 date on which the Commission submits the report under
12 section 4.

13 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

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

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

○