

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4999

To amend the United States Commission on Civil Rights Act of 1983.

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IN THE HOUSE OF REPRESENTATIVES

AUGUST 19, 1994

Mr. EDWARDS of California introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the United States Commission on Civil Rights Act of 1983.

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 “Civil Rights Commis-  
5 sion Amendments Act of 1994”.

6 **SEC. 2. AMENDMENT OF 1983 ACT.**

7 That the portion of the United States Commission  
8 on Civil Rights Act of 1983 which follows the enacting  
9 clause is amended to read as follows:

1 **“SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Civil Rights Commis-  
3 sion Act of 1983”.

4 **“SEC. 2. ESTABLISHMENT OF COMMISSION.**

5 “(a) **GENERALLY.**—There is established the United  
6 States Commission on Civil Rights (hereinafter in this Act  
7 referred to as the “Commission”).

8 “(b) **MEMBERSHIP.**—The Commission shall be com-  
9 posed of eight members. Not more than four of the mem-  
10 bers shall at any one time be of the same political party.  
11 The initial membership of the Commission shall be the  
12 members of the United States Commission on Civil Rights  
13 as on the day before the date of the enactment of the Civil  
14 Rights Commission Amendments Act of 1994. Thereafter  
15 vacancies in the membership of the Commission shall con-  
16 tinue to be appointed as follows:

17 “(1) 4 members of the Commission shall be ap-  
18 pointed by the President.

19 “(2) 2 members of the Commission shall be ap-  
20 pointed by the President pro tempore of the Senate,  
21 upon the recommendations of the majority leader  
22 and the minority leader, and of the members ap-  
23 pointed not more than one shall be appointed from  
24 the same political party.

25 “(3) 2 members of the Commission shall be ap-  
26 pointed by the Speaker of the House of Representa-

1       tives upon the recommendations of the majority  
2       leader and the minority leader, and of the members  
3       appointed not more than one shall be appointed  
4       from the same political party.

5       “(c) TERMS.—(1) The term of office of each member  
6       of the Commission shall be six years and the current stag-  
7       gering of terms shall continue in effect.

8       “(d) CHAIRPERSON.—(1) Except as provided in para-  
9       graphs (2) and (3), the individuals serving as Chairperson  
10      and Vice Chairperson of the United States Commission  
11      on Civil Rights on the day before the date of the enact-  
12      ment of the Civil Rights Commission Amendments Act of  
13      1994 shall continue in those roles on the Commission.

14      “(2) Thereafter the President may, with the concur-  
15      rence of a majority of the Commission’s members, des-  
16      ignate a Chairperson or Vice Chairperson, as the case may  
17      be, from among the Commission’s members.

18      “(3) The President shall, with the concurrence of a  
19      majority of the Commission’s members, fill a vacancy by  
20      designating a Chairperson or Vice Chairperson, as the  
21      case may be, from among the Commission’s members.

22      “(4) The Vice Chairperson shall act in place of the  
23      Chairperson in the absence of the Chairperson.

1       “(e) REMOVAL OF MEMBERS.—The President may  
2 remove a member of the Commission only for neglect of  
3 duty or malfeasance in office.

4       “(f) QUORUM.—5 members of the Commission con-  
5 stitute a quorum of the Commission.

6       **“SEC. 3. DUTIES OF THE COMMISSION.**

7       “(a) GENERALLY.—The Commission shall—

8               “(1) investigate allegations in writing under  
9 oath or affirmation relating to deprivations because  
10 of color, race, religion, sex, age, disability, or na-  
11 tional origin, or as a result of any pattern or prac-  
12 tice of fraud, of the right to vote and have votes  
13 counted; and

14               “(2)(A) study and collect information relating  
15 to;

16               “(B) make appraisals of;

17               “(C) serve as a national clearinghouse for infor-  
18 mation relating to; and

19               “(D) prepare public service announcements and  
20 advertising campaigns to discourage;  
21 discrimination or denials of equal protection of the  
22 laws because of color, race, religion, sex, age, disabil-  
23 ity, or national origin, or in the administration of  
24 justice.

25       “(b) REPORTS.—

1           “(1) ANNUAL REPORT.—The Commission shall  
2           submit to the President and Congress at least one  
3           annual report that monitors Federal civil rights en-  
4           forcement efforts in the United States.

5           “(2) OTHER REPORTS GENERALLY.—The Com-  
6           mission shall submit such other reports to the Presi-  
7           dent and the Congress as the Commission, the Con-  
8           gress, or the President shall deem appropriate.

9           “(c) ADVISORY COMMITTEES.—The Commission may  
10          constitute such advisory committees as it deems advisable.  
11          The Commission shall establish at least one such commit-  
12          tee in each State and the District of Columbia.

13          “(d) HEARINGS AND ANCILLARY MATTERS.—

14                 “(1) POWER TO HOLD HEARINGS.—The Com-  
15                 mission, or upon its authorization, any subcommittee  
16                 of two or more members of the Commission, at least  
17                 one of whom shall be of each major political party,  
18                 may, for the purpose of carrying out this Act, hold  
19                 such hearings and act at such times and places as  
20                 the Commission or such authorized subcommittee  
21                 deems advisable. Each member of the Commission  
22                 shall have the power to administer oaths and affir-  
23                 mations in connection with the proceedings of the  
24                 Commission.

1           “(2) POWER TO ISSUE SUBPOENAS.—The Com-  
2 mission may issue subpoenas for the attendance of  
3 witnesses and the production of written or other  
4 matter. Such a subpoena may not require the pres-  
5 ence of a witness more than 100 miles outside the  
6 State wherein the witness is found or resides or is  
7 domiciled or transacts business, or has appointed an  
8 agent for receipt of service of process. In case of  
9 contumacy or refusal to obey a subpoena, the Attor-  
10 ney General may in a Federal court of appropriate  
11 jurisdiction obtain an appropriate order to enforce  
12 the subpoena.

13           “(3) WITNESS FEES.—A witness attending any  
14 proceeding of the Commission shall be paid the same  
15 fees and mileage that are paid witnesses in the  
16 courts of the United States.

17           “(4) DEPOSITIONS AND INTERROGATORIES.—  
18 The Commission may use depositions and written in-  
19 terrogatories to obtain information and testimony  
20 about matters that are the subject of a Commission  
21 hearing or report.

22           “(e) LIMITATION RELATING TO ABORTION.—Noth-  
23 ing in this or any other Act shall be construed as authoriz-  
24 ing the Commission, its advisory committees, or any other  
25 person under its supervision or control to study and col-

1 lect, make appraisals of, or serve as a clearinghouse for  
2 any information about laws and policies of the Federal  
3 Government or any other governmental authority in the  
4 United States, with respect to abortion.

5 **“SEC. 4. ADMINISTRATIVE PROVISIONS.**

6       “(a) STAFF.—The President shall, with the concur-  
7 rence of a majority of the members of the Commission,  
8 appoint a full time staff director for the Commission. If  
9 the office of staff director becomes vacant, the Chair-  
10 person of the Commission may appoint an acting Director  
11 for a period not to exceed one year. The staff director  
12 shall—

13               “(1) serve as the administrative head of the  
14 Commission; and

15               “(2) within the limitations of appropriations—

16                       “(A) appoint such other personnel as the  
17 staff director deems advisable, under the civil  
18 service and classification laws; and

19                       “(B) procure services, if the staff director  
20 determines it is necessary to do so, as author-  
21 ized in section 3109 of title 5, United States  
22 Code, but at rates for individuals not in excess  
23 of the daily equivalent paid for positions at the  
24 maximum rate for GS-15 of the General Sched-

1           ule under section 5332 of title 5, United States  
2           Code.

3           “(b) COMPENSATION OF MEMBERS.—

4           “(1) GENERALLY.—Each member of the Com-  
5           mission who is not otherwise in the service of the  
6           Government of the United States shall receive a sum  
7           equivalent to the compensation paid at level IV of  
8           the Executive Schedule under section 5315 of title  
9           5, United States Code, prorated on an daily basis  
10          for time spent in the work of the Commission.

11          “(2) PERSONS OTHERWISE IN GOVERNMENT  
12          SERVICE.—Each member of the Commission who is  
13          otherwise in the service of the Government of the  
14          United States shall serve without compensation in  
15          addition to that received for such other service, but  
16          while engaged in the work of the Commission shall  
17          be paid actual travel expenses and per diem in lieu  
18          of subsistence expenses when away from such mem-  
19          ber’s usual place of residence, under subchapter I of  
20          chapter 57 of title 5, United States Code.

21          “(c) VOLUNTARY OR UNCOMPENSATED PERSON-  
22          NEL.—The Commission shall not accept or use the serv-  
23          ices of voluntary or uncompensated persons. This limita-  
24          tion shall apply with respect to services of members of the



1 Commission as it does with respect to services by other  
2 persons.

3 “(d) RULES FOR PROCEEDINGS.—The Commission  
4 may make rules, consistent with this Act and other law,  
5 governing its proceedings. Except as inconsistent with this  
6 Act, and until modified by the Commission, the rules of  
7 the Commission on Civil Rights established by this Act  
8 as in effect on December 31, 1993 shall govern the Com-  
9 mission’s proceedings.

10 **“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

11 “There are authorized to be appropriated, to carry  
12 out this Act \$9,500,000 for fiscal year 1995. None of the  
13 sums authorized to be appropriated for fiscal year 1995  
14 may be used to create additional regional offices.

15 **“SEC. 6. TERMINATION.**

16 “This Act shall terminate on September 30, 1995.”

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