

Public Law 103-419
103d Congress

An Act

Oct. 25, 1994

[S. 2372]

Civil Rights
Commission
Amendments
Act of 1994.
42 USC 1975
note.

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Civil Rights Commission Amendments Act of 1994".

SEC. 2. AMENDMENT OF 1983 ACT.

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

Civil Rights
Commission Act
of 1983.
42 USC 1975
note.
42 USC 1975.

"SECTION 1. SHORT TITLE.

"This Act may be cited as the 'Civil Rights Commission Act of 1983'.

"SEC. 2. ESTABLISHMENT OF COMMISSION.

"(a) **GENERALLY.**—There is established the United States Commission on Civil Rights (hereinafter in this Act referred to as the 'Commission').

"(b) **MEMBERSHIP.**—The Commission shall be composed of 8 members. Not more than 4 of the members shall at any one time be of the same political party. The initial membership of the Commission shall be the members of the United States Commission on Civil Rights on September 30, 1994. Thereafter vacancies in the membership of the Commission shall continue to be appointed as follows:

"(1) 4 members of the Commission shall be appointed by the President.

"(2) 2 members of the Commission shall be appointed by the President pro tempore of the Senate, upon the recommendations of the majority leader and the minority leader, and of the members appointed not more than one shall be appointed from the same political party.

"(3) 2 members of the Commission shall be appointed by the Speaker of the House of Representatives upon the recommendations of the majority leader and the minority leader, and of the members appointed not more than one shall be appointed from the same political party.

"(c) **TERMS.**—The term of office of each member of the Commission shall be 6 years. The term of each member of the Commission

President.

in the initial membership of the Commission shall expire on the date such term would have expired as of September 30, 1994.

“(d) CHAIRPERSON.—(1) Except as provided in paragraphs (2) and (3), the individuals serving as Chairperson and Vice Chairperson of the United States Commission on Civil Rights on September 30, 1994 shall initially fill those roles on the Commission.

“(2) Thereafter the President may, with the concurrence of a majority of the Commission’s members, designate a Chairperson or Vice Chairperson, as the case may be, from among the Commission’s members.

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

President.

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

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

“(f) QUORUM.—5 members of the Commission constitute a quorum of the Commission.

“SEC. 3. DUTIES OF THE COMMISSION.

42 USC 1975a.

“(a) GENERALLY.—The Commission—

“(1) shall investigate allegations in writing under oath or affirmation relating to deprivations—

“(A) because of color, race, religion, sex, age, disability, or national origin; or

“(B) as a result of any pattern or practice of fraud; of the right of citizens of the United States to vote and have votes counted; and

“(2) shall—

“(A) study and collect information relating to;

“(B) make appraisals of the laws and policies of the Federal Government with respect to;

“(C) serve as a national clearinghouse for information relating to; and

“(D) prepare public service announcements and advertising campaigns to discourage;

discrimination or denials of equal protection of the laws under the Constitution of the United States because of color, race, religion, sex, age, disability, or national origin, or in the administration of justice.

“(b) LIMITATIONS ON INVESTIGATORY DUTIES.—Nothing in this or any other Act shall be construed as authorizing the Commission, its advisory committees, or any person under its supervision or control, to inquire into or investigate any membership practices or internal operations of any fraternal organization, any college or university fraternity or sorority, any private club, or any religious organization.

“(c) REPORTS.—

“(1) ANNUAL REPORT.—The Commission shall submit to the President and Congress at least one report annually that monitors Federal civil rights enforcement efforts in the United States.

“(2) OTHER REPORTS GENERALLY.—The Commission shall submit such other reports to the President and the Congress

as the Commission, the Congress, or the President shall deem appropriate.

“(d) **ADVISORY COMMITTEES.**—The Commission may constitute such advisory committees as it deems advisable. The Commission shall establish at least one such committee in each State and the District of Columbia composed of citizens of that State or District.

“(e) **HEARINGS AND ANCILLARY MATTERS.**—

“(1) **POWER TO HOLD HEARINGS.**—The Commission, or on the authorization of the Commission, any subcommittee of two or more members of the Commission, at least one of whom shall be of each major political party, may, for the purpose of carrying out this Act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee deems advisable. Each member of the Commission shall have the power to administer oaths and affirmations in connection with the proceedings of the Commission. The holding of a hearing by the Commission or the appointment of a subcommittee to hold a hearing pursuant to this paragraph must be approved by a majority of the Commission, or by a majority of the members present at a meeting when a quorum is present.

“(2) **POWER TO ISSUE SUBPOENAS.**—The Commission may issue subpoenas for the attendance of witnesses and the production of written or other matter. Such a subpoena may not require the presence of a witness more than 100 miles outside the place wherein the witness is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process. In case of contumacy or refusal to obey a subpoena, the Attorney General may in a Federal court of appropriate jurisdiction obtain an appropriate order to enforce the subpoena.

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

“(4) **DEPOSITIONS AND INTERROGATORIES.**—The Commission may use depositions and written interrogatories to obtain information and testimony about matters that are the subject of a Commission hearing or report.

“(f) **LIMITATION RELATING TO ABORTION.**—Nothing in this or any other Act shall be construed as authorizing the Commission, its advisory committees, or any other person under its supervision or control to study and collect, make appraisals of, or serve as a clearinghouse for any information about laws and policies of the Federal Government or any other governmental authority in the United States, with respect to abortion.

42 USC 1975b.

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

“(a) **STAFF.**—

“(1) **DIRECTOR.**—There shall be a full-time staff director for the Commission who shall—

“(A) serve as the administrative head of the Commission; and

“(B) be appointed by the President with the concurrence of a majority of the Commission.

“(2) **OTHER PERSONNEL.**—Within the limitation of its appropriations, the Commission may—

President.

“(A) appoint such other personnel as it deems advisable, under the civil service and classification laws; and

“(B) procure services, as authorized in section 3109 of title 5, United States Code, but at rates for individuals not in excess of the daily equivalent paid for positions at the maximum rate for GS-15 of the General Schedule under section 5332 of title 5, United States Code.

“(b) COMPENSATION OF MEMBERS.—

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

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

“(c) VOLUNTARY OR UNCOMPENSATED PERSONNEL.—The Commission shall not accept or use the services of voluntary or uncompensated persons. This limitation shall apply with respect to services of members of the Commission as it does with respect to services by other persons.

“(d) RULES.—

“(1) GENERALLY.—The Commission may make such rules as are necessary to carry out the purposes of this Act.

“(2) CONTINUATION OF OLD RULES.—Except as inconsistent with this Act, and until modified by the Commission, the rules of the Commission on Civil Rights in effect on September 30, 1994 shall be the initial rules of the Commission.

“(e) COOPERATION.—All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

42 USC 1975c.

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

42 USC 1975d. **“SEC. 6. TERMINATION.**

“This Act shall terminate on September 30, 1996.”.

Approved October 25, 1994.

LEGISLATIVE HISTORY—S. 2372 (H.R. 4999):

HOUSE REPORTS: No. 103-775 accompanying H.R. 4999 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 140 (1994):

Sept. 30, considered and passed Senate.

Oct. 3, H.R. 4999 considered and passed House; S. 2372, amended, passed in lieu.

Oct. 6, Senate concurred in House amendment with an amendment.

Oct. 7, House concurred in Senate amendment.