

105TH CONGRESS
1ST SESSION

H. R. 1614

To establish the Independent Commission on Campaign Finance Reform to recommend reforms in the laws relating to the financing of political activity.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 1997

Mr. WHITE (for himself, Mrs. MALONEY of New York, Mr. FRANKS of New Jersey, Mr. DINGELL, Mr. HORN, Mr. ANDREWS, Mr. BARCIA, Mr. BARRETT of Wisconsin, Mr. BENTSEN, Mr. BLUMENAUER, Mr. BROWN of California, Mr. CASTLE, Mr. CONYERS, Mr. DELLUMS, Mr. DIXON, Mr. DOOLITTLE, Mr. ENGLISH of Pennsylvania, Mr. ETHERIDGE, Ms. ESHOO, Mr. FATTAH, Mr. FRELINGHUYSEN, Mr. GILCHREST, Mr. GONZALEZ, Mr. GREENWOOD, Mr. HAMILTON, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HOUGHTON, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK, Mr. KLECZKA, Mr. KLINK, Mr. KUCINICH, Mr. LIPINSKI, Ms. LOFGREN, Mrs. LOWEY, Ms. MCCARTHY of Missouri, Mr. McDERMOTT, Mr. McHALE, Mr. METCALF, Ms. MILLENDER-McDONALD, Mr. MILLER of California, Mr. MINGE, Mrs. MINK of Hawaii, Mrs. MORELLA, Mr. NADLER, Mr. OWENS, Mr. PETRI, Mr. POSHARD, Mr. RAHALL, Mr. RAMSTAD, Ms. RIVERS, Mr. SAWYER, Mr. SMITH of Michigan, Mr. STRICKLAND, Mr. STUPAK, Mr. TAYLOR of Mississippi, Mrs. THURMAN, Mr. TORRES, Mr. WISE, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on House Oversight, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Independent Commission on Campaign Finance Reform to recommend reforms in the laws relating to the financing of political activity.

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 “Independent Commis-
5 sion on Campaign Finance Reform Act of 1997”.

6 **SEC. 2. ESTABLISHMENT AND PURPOSE OF COMMISSION.**

7 There is established a commission to be known as the
8 “Independent Commission on Campaign Finance Reform”
9 (referred to in this Act as the “Commission”). The pur-
10 poses of the Commission are to study the laws relating
11 to the financing of political activity and to report and rec-
12 ommend legislation to reform those laws.

13 **SEC. 3. MEMBERSHIP OF COMMISSION.**

14 (a) COMPOSITION.—The Commission shall be com-
15 posed of 12 members appointed within 15 days after the
16 date of the enactment of this Act by the President from
17 among individuals who are not incumbent Members of
18 Congress and who are specially qualified to serve on the
19 Commission by reason of education, training, or experi-
20 ence.

21 (b) APPOINTMENT.—

22 (1) IN GENERAL.—Members shall be appointed
23 as follows:

24 (A) 3 members (one of whom shall be a
25 political independent) shall be appointed from

1 among a list of nominees submitted by the
2 Speaker of the House of Representatives.

3 (B) 3 members (one of whom shall be a
4 political independent) shall be appointed from
5 among a list of nominees submitted by the ma-
6 jority leader of the Senate.

7 (C) 3 members (one of whom shall be a po-
8 litical independent) shall be appointed from
9 among a list of nominees submitted by the mi-
10 nority leader of the House of Representatives.

11 (D) 3 members (one of whom shall be a
12 political independent) shall be appointed from
13 among a list of nominees submitted by the mi-
14 nority leader of the Senate.

15 (2) FAILURE TO SUBMIT LIST OF NOMINEES.—

16 If an official described in any of the subparagraphs
17 of paragraph (1) fails to submit a list of nominees
18 to the President during the 15-day period which be-
19 gins on the date of the enactment of this Act—

20 (A) such subparagraph shall no longer
21 apply; and

22 (B) the President shall appoint 3 members
23 (one of whom shall be a political independent)
24 who meet the requirements described in sub-

1 section (a) and such other criteria as the Presi-
2 dent may apply.

3 (3) POLITICAL INDEPENDENT DEFINED.—In
4 this subsection, the term “political independent”
5 means an individual who at no time after January
6 1992—

7 (A) has held elective office as a member of
8 the Democratic or Republican party;

9 (B) has received any wages or salary from
10 the Democratic or Republican party or from a
11 Democratic or Republican party office-holder or
12 candidate; or

13 (C) has provided substantial volunteer
14 services or made any substantial contribution to
15 the Democratic or Republican party or to a
16 Democratic or Republican party office-holder or
17 candidate.

18 (c) CHAIRMAN.—At the time of the appointment, the
19 President shall designate one member of the Commission
20 as Chairman of the Commission.

21 (d) TERMS.—The members of the Commission shall
22 serve for the life of the Commission.

23 (e) VACANCIES.—A vacancy in the Commission shall
24 be filled in the manner in which the original appointment
25 was made.

1 (f) POLITICAL AFFILIATION.—Not more than 4
2 members of the Commission may be of the same political
3 party.

4 **SEC. 4. POWERS OF COMMISSION.**

5 (a) HEARINGS.—The Commission may, for the pur-
6 pose of carrying out this Act, hold hearings, sit and act
7 at times and places, take testimony, and receive evidence
8 as the Commission considers appropriate. In carrying out
9 the preceding sentence, the Commission shall ensure that
10 a substantial number of its meetings are open meetings,
11 with significant opportunities for testimony from members
12 of the general public.

13 (b) QUORUM.—Seven members of the Commission
14 shall constitute a quorum, but a lesser number may hold
15 hearings. The approval of at least 9 members of the Com-
16 mission is required when approving all or a portion of the
17 recommended legislation. Any member of the Commission
18 may, if authorized by the Commission, take any action
19 which the Commission is authorized to take under this sec-
20 tion.

21 **SEC. 5. ADMINISTRATIVE PROVISIONS.**

22 (a) PAY AND TRAVEL EXPENSES OF MEMBERS.—(1)
23 Each member of the Commission shall be paid at a rate
24 equal to the daily equivalent of the annual rate of basic
25 pay payable for level IV of the Executive Schedule under

1 section 5315 of title 5, United States Code, for each day
2 (including travel time) during which the member is en-
3 gaged in the actual performance of duties vested in the
4 Commission.

5 (2) Members of the Commission shall receive travel
6 expenses, including per diem in lieu of subsistence, in ac-
7 cordance with sections 5702 and 5703 of title 5, United
8 States Code.

9 (b) STAFF DIRECTOR.—The Commission shall, with-
10 out regard to section 5311(b) of title 5, United States
11 Code, appoint a staff director, who shall be paid at the
12 rate of basic pay payable for level IV of the Executive
13 Schedule under section 5315 of title 5, United States
14 Code.

15 (c) STAFF OF COMMISSION; SERVICES.—

16 (1) IN GENERAL.—With the approval of the
17 Commission, the staff director of the Commission
18 may appoint and fix the pay of additional personnel.
19 The Director may make such appointments without
20 regard to the provisions of title 5, United States
21 Code, governing appointments in the competitive
22 service, and any personnel so appointed may be paid
23 without regard to the provisions of chapter 51 and
24 subchapter III of chapter 53 of that title relating to
25 classification and General Schedule pay rates, except

1 that an individual so appointed may not receive pay
2 in excess of the maximum annual rate of basic pay
3 payable for grade GS-15 of the General Schedule
4 under section 5332 of title 5, United States Code.

5 (2) EXPERTS AND CONSULTANTS.—The Com-
6 mission may procure by contract the temporary or
7 intermittent services of experts or consultants pursu-
8 ant to section 3109 of title 5, United States Code.

9 **SEC. 6. REPORT AND RECOMMENDED LEGISLATION.**

10 (a) REPORT.—Not later than July 1, 1998, or 240
11 days after the appointment of its members (whichever oc-
12 curs earlier), the Commission shall submit to the Presi-
13 dent, the Speaker and minority leader of the House of
14 Representatives, and the majority and minority leaders of
15 the Senate a report of the activities of the Commission.

16 (b) RECOMMENDATIONS; DRAFT OF LEGISLATION.—
17 The report under subsection (a) shall include any rec-
18 ommendations for changes in the laws (including regula-
19 tions) governing the financing of political activity, includ-
20 ing any changes in the rules of the Senate or the House
21 of Representatives, to which 9 or more members of the
22 Commission may agree, together with drafts of—

23 (1) any legislation (including technical and con-
24 forming provisions) recommended by the Commis-
25 sion to implement such recommendations; and

1 (2) any proposed amendment to the Constitu-
2 tion recommended by the Commission as necessary
3 to implement such recommendations, except that if
4 the Commission includes such a proposed amend-
5 ment in its report, it shall also include recommenda-
6 tions (and drafts) for legislation which may be im-
7 plemented prior to the adoption of such proposed
8 amendment.

9 (c) GOALS OF RECOMMENDATIONS AND LEGISLA-
10 TION.—In making recommendations and preparing drafts
11 of legislation under this section, the Commission shall con-
12 sider the following to be its primary goals:

13 (1) Encouraging fair and open Federal elections
14 which provide voters with meaningful information
15 about candidates and issues.

16 (2) Eliminating the disproportionate influence
17 of special interest financing of Federal elections.

18 (3) Creating a more equitable electoral system
19 for challengers and incumbents.

20 **SEC. 7. EXPEDITED CONGRESSIONAL CONSIDERATION OF**
21 **LEGISLATION.**

22 (a) IN GENERAL.—If any legislation is introduced the
23 substance of which implements a recommendation of the
24 Commission submitted under section 6(b) (including a
25 joint resolution proposing an amendment to the Constitu-

tion), subject to subsection (b), the provisions of section 2908 (other than subsection (a)) of the Defense Base Closure and Realignment Act of 1990 shall apply to the consideration of the legislation in the same manner as such provisions apply to a joint resolution described in section 2908(a) of such Act.

(b) SPECIAL RULES.—For purposes of applying subsection (a) with respect to such provisions, the following rules shall apply:

(1) Any reference to the Committee on Armed Services of the House of Representatives shall be deemed a reference to the Committee on House Oversight of the House of Representatives and any reference to the Committee on Armed Services of the Senate shall be deemed a reference to the Committee on Rules and Administration of the Senate.

(2) Any reference to the date on which the President transmits a report shall be deemed a reference to the date on which the recommendation involved is submitted under section 6(b).

(3) Notwithstanding subsection (d)(2) of section 2908 of such Act—

(A) debate on the legislation in the House of Representatives, and on all debatable motions and appeals in connection with the legisla-

tion, shall be limited to not more than 10 hours, divided equally between those favoring and those opposing the legislation;

(B) debate on the legislation in the Senate, and on all debatable motions and appeals in connection with the legislation, shall be limited to not more than 10 hours, divided equally between those favoring and those opposing the legislation; and

(C) debate in the Senate on any single debatable motion and appeal in connection with the legislation shall be limited to not more than 1 hour, divided equally between the mover and the manager of the bill (except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee), and the majority and minority leader may each allot additional time from time under such leader's control to any Senator during the consideration of any debatable motion or appeal.

SEC. 8. TERMINATION.

The Commission shall cease to exist 90 days after the date of the submission of its report under section 6.

1 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to the Com-
3 mission such sums as are necessary to carry out its duties
4 under this Act.

