

105TH CONGRESS  
1ST SESSION

# S. 919

To establish the Independent Bipartisan Commission on Campaign Finance Reform to recommend reforms in the law relating to elections for Federal office.

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## IN THE SENATE OF THE UNITED STATES

JUNE 17, 1997

Mr. KOHL (for himself and Mr. BROWNBACK) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

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## A BILL

To establish the Independent Bipartisan Commission on Campaign Finance Reform to recommend reforms in the law relating to elections for Federal office.

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 Biparti-  
5 san Commission on Campaign Finance Reform Act of  
6 1997”.

7 **SEC. 2. ESTABLISHMENT AND DUTIES OF COMMISSION.**

8 (a) ESTABLISHMENT.—There is established a com-  
9 mission to be known as the “Independent Bipartisan Com-

1 mission on Campaign Finance Reform” (referred to in this  
2 Act as the “Commission”).

3 (b) DUTIES.—The duties of the Commission are to  
4 study the law relating to elections for Federal office and  
5 to report and recommend legislation to reform that law.

6 **SEC. 3. MEMBERSHIP OF COMMISSION.**

7 (a) COMPOSITION.—

8 (1) NUMBER.—The Commission shall be com-  
9 posed of 12 members appointed by the President not  
10 later than the date that is 15 days after the date of  
11 enactment of this Act.

12 (2) REQUIREMENTS.—The members shall be  
13 appointed from among individuals who—

14 (A) are not incumbent Members of Con-  
15 gress; and

16 (B) are specially qualified to serve on the  
17 Commission by reason of education, training, or  
18 experience.

19 (b) APPOINTMENT.—

20 (1) IN GENERAL.—Members shall be appointed  
21 as follows:

22 (A) 3 members (one of whom is a political  
23 independent (as defined in paragraph (3)))  
24 shall be appointed from among a list of nomi-

1            nees submitted by the Speaker of the House of  
2            Representatives.

3            (B) 3 members (one of whom is a political  
4            independent) shall be appointed from among a  
5            list of nominees submitted by the Majority  
6            Leader of the Senate.

7            (C) 3 members (one of whom is a political  
8            independent) shall be appointed from among a  
9            list of nominees submitted by the Minority  
10          Leader of the House of Representatives.

11          (D) 3 members (one of whom is a political  
12          independent) shall be appointed from among a  
13          list of nominees submitted by the Minority  
14          Leader of the Senate.

15          (2) FAILURE TO SUBMIT LIST OF NOMINEES.—  
16          If an official described in subparagraph (A), (B),  
17          (C), or (D) of paragraph (1) fails to submit a list  
18          of nominees to the President during the 15-day pe-  
19          riod that begins on the date of enactment of this  
20          Act—

21                  (A) the applicable subparagraph shall no  
22                  longer apply; and

23                  (B) the President shall appoint 3 members  
24                  (one of whom is a political independent) who  
25                  meet the requirements described in subsection

1 (a) and such other criteria as the President  
 2 may determine to apply.

3 (3) POLITICAL INDEPENDENT.—In this sub-  
 4 section, the term “political independent” means an  
 5 individual who at no time on or after January 1,  
 6 1992—

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

9 (B) has received any compensation from  
 10 the Democratic or Republican party or from a  
 11 Democratic or Republican party officeholder 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 officeholder or  
 17 candidate.

18 (c) CHAIRPERSON.—At the time of the appointment,  
 19 the President shall designate 1 member of the Commission  
 20 as the chairperson of the Commission.

21 (d) PERIOD OF APPOINTMENT.—A member of the  
 22 Commission shall be appointed for the life of the Commis-  
 23 sion.

1 (e) VACANCY.—A vacancy in the Commission shall be  
2 filled in the manner in which the original appointment was  
3 made.

4 (f) POLITICAL AFFILIATION.—Not more than 4  
5 members of the Commission may be of the same political  
6 party (as defined in section 301 of the Federal Election  
7 Campaign Act of 1971 (2 U.S.C. 431)).

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

9 (a) HEARINGS.—

10 (1) IN GENERAL.—The Commission may, for  
11 the purpose of carrying out this Act, hold hearings,  
12 sit and act at such times and places, take such testi-  
13 mony, and receive such evidence as the Commission  
14 considers appropriate.

15 (2) OPEN MEETINGS.—In carrying out the pre-  
16 ceding paragraph, the Commission shall ensure that  
17 a substantial number of its meetings are open meet-  
18 ings, with significant opportunities for testimony  
19 from members of the general public.

20 (b) QUORUM.—7 members of the Commission shall  
21 constitute a quorum, but a lesser number may hold hear-  
22 ings.

23 (c) VOTING.—The approval of at least 9 members of  
24 the Commission is required when approving all or a por-  
25 tion of the recommended legislation.

1 (d) POWER OF MEMBER.—A member of the Commis-  
 2 sion may, if authorized by the Commission, take an action  
 3 that the Commission is authorized to take under this sec-  
 4 tion.

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

6 (a) PAY AND TRAVEL EXPENSES OF MEMBERS.—

7 (1) PAY RATE.—Each member of the Commis-  
 8 sion shall be paid at a rate equal to the daily equiva-  
 9 lent of the annual rate of basic pay prescribed for  
 10 level IV of the Executive Schedule under section  
 11 5315 of title 5, United States Code, for each day  
 12 (including travel time) during which the member is  
 13 engaged in the actual performance of duties vested  
 14 in the Commission.

15 (2) TRAVEL EXPENSES.—Members of the Com-  
 16 mission shall receive travel expenses, including per  
 17 diem in lieu of subsistence, in accordance with sec-  
 18 tions 5702 and 5703 of title 5, United States Code.

19 (b) STAFF DIRECTOR.—The Commission shall, with-  
 20 out regard to section 5311(b) of title 5, United States  
 21 Code, appoint a staff director, who shall be paid at the  
 22 rate of basic pay payable for level IV of the Executive  
 23 Schedule under section 5315 of title 5, United States  
 24 Code.

25 (c) STAFF OF COMMISSION; SERVICES.—

1           (1) IN GENERAL.—With the approval of the  
 2           Commission, the staff director of the Commission  
 3           may appoint additional personnel, without regard to  
 4           the provisions of title 5, United States Code, govern-  
 5           ing appointments in the competitive service, and  
 6           may fix the pay of additional personnel, without re-  
 7           gard to the provisions of chapter 51 and subchapter  
 8           III of chapter 53 of that title relating to classifica-  
 9           tion and General Schedule pay rates.

10           (2) MAXIMUM RATE OF PAY.—An an individual  
 11           appointed under paragraph (1) may not receive pay  
 12           in excess of the maximum annual rate of basic pay  
 13           payable for grade GS–15 of the General Schedule  
 14           under section 5332 of title 5, United States Code.

15           (3) EXPERTS AND CONSULTANTS.—The Com-  
 16           mission may procure by contract the temporary or  
 17           intermittent services of experts or consultants pursu-  
 18           ant to section 3109 of title 5, United States Code.

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

20           (a) REPORT.—Not later than July 1, 1998, or the  
 21           date that is 240 days after the date on which the last of  
 22           the members of the Commission is appointed under section  
 23           3 (whichever occurs earlier), the Commission shall submit  
 24           to the President, the Speaker and Minority Leader of the  
 25           House of Representatives, and the Majority and Minority

1 Leaders of the Senate a report of the activities of the  
 2 Commission.

3 (b) RECOMMENDATIONS; DRAFT OF LEGISLATION.—

4 The report under subsection (a) shall include—

5 (1) any recommendations for changes in the law  
 6 (including regulations) relating to elections for Fed-  
 7 eral office (including any changes in the rules of the  
 8 Senate or the House of Representatives) to which 9  
 9 or more members of the Commission agree; and

10 (2) at least 1 bill (including technical and con-  
 11 forming provisions) approved by the members of the  
 12 Commission to implement the recommendations.

13 (c) GOALS OF RECOMMENDATIONS AND LEGISLA-  
 14 TION.—In making recommendations and preparing legis-  
 15 lation under this section, the Commission shall consider  
 16 the following primary goals:

17 (1) Encouraging fair and open Federal elections  
 18 that provide voters with meaningful information  
 19 about candidates and issues.

20 (2) Eliminating the disproportionate influence  
 21 of special interest financing of Federal elections.

22 (3) Creating a more equitable electoral system  
 23 for challenger and incumbent candidates.



1 **SEC. 7. EXPEDITED CONGRESSIONAL CONSIDERATION OF**  
2 **LEGISLATION.**

3 (a) IN GENERAL.—Each bill submitted under section  
4 6(b) shall—

5 (1) not later than 3 days after the Commission  
6 submits the bill under section 6(a), be introduced  
7 (by request) in the House of Representatives by the  
8 Majority Leader of the House and shall be intro-  
9 duced (by request) in the Senate by the Majority  
10 Leader of the Senate; and

11 (2) be given expedited consideration under the  
12 same provisions and in the same way, subject to  
13 subsection (b), as a joint resolution under section  
14 2908 of the Defense Base Closure and Realignment  
15 Act of 1990 (10 U.S.C. 2678 note).

16 (b) SPECIAL RULES.—For purposes of applying sub-  
17 section (a) with respect to such provisions, the following  
18 rules shall apply:

19 (1) Section 2908(a) of the Defense Base Clo-  
20 sure and Realignment Act of 1990 (10 U.S.C. 2678  
21 note) shall not apply.

22 (2) Any reference to the resolution described in  
23 subsection (a) shall be deemed to be a reference to  
24 the bill submitted under section 6(b) of this Act.

25 (3) Any reference to the Committee on National  
26 Security of the House of Representatives shall be

1 deemed to be a reference to the Committee on  
2 House Oversight of the House of Representatives  
3 and any reference to the Committee on Armed Serv-  
4 ices of the Senate shall be deemed to be a reference  
5 to the Committee on Rules and Administration of  
6 the Senate.

7 (4) Any reference to the date on which the  
8 President transmits a report shall be deemed to be  
9 a reference to the date on which the recommenda-  
10 tion of the Commission is submitted under section  
11 6(b).

12 (5) Notwithstanding section 2908(d)(2) of the  
13 Act—

14 (A) debate on the bill in the House of Rep-  
15 resentatives, and on all debatable motions and  
16 appeals in connection with the bill, shall be lim-  
17 ited to not more than 10 hours, divided equally  
18 between those favoring and those opposing the  
19 bill;

20 (B) debate on the bill in the Senate, and  
21 on all debatable motions and appeals in connec-  
22 tion with the bill, shall be limited to not more  
23 than 10 hours, divided equally between those  
24 favoring and those opposing the bill; and

1 (C) debate in the Senate on any single de-  
2 batable motion and appeal in connection with  
3 the bill shall be limited to not more than 1  
4 hour, divided equally between the proponent of  
5 the motion and the manager of the bill, except  
6 that if the manager of the bill is in favor of the  
7 motion or appeal, the time in opposition to the  
8 motion or appeal shall be controlled by the Mi-  
9 nority Leader or the Leader's designee, and the  
10 Majority and Minority Leader may each allot  
11 additional time from time under such Leader's  
12 control to any Senator during the consideration  
13 of any debatable motion or appeal.

14 **SEC. 8. TERMINATION.**

15 The Commission shall cease to exist on the date that  
16 is 90 days after the date of the submission of its report  
17 under section 6.

18 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated to the Com-  
20 mission such sums as are necessary to carry out its duties  
21 under this Act.

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