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Editorial Notes

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SUBCHAPTER II—FEDERAL ELECTION RECORDS

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CODIFICATION

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§ 1974e. Transferred

Editorial Notes

CODIFICATION

Section 1974e was editorially reclassified as section 20706 of Title 52, Voting and Elections.

CHAPTER 20A—CIVIL RIGHTS COMMISSION

Sec.

- 1975. Establishment of Commission.
- 1975a. Duties of Commission.
- 1975b. Administrative provisions.
- 1975c. Authorization of appropriations.
- 1975d. Termination.
- 1975e, 1975f. Omitted.

Editorial Notes

CODIFICATION

A prior chapter 20A, which provided for the establishment of a Commission on Civil Rights in the executive branch, was comprised of part I (§§101-106) of Pub. L. 85-315, Sept. 9, 1957, 71 Stat. 634, and was omitted from the Code in view of the termination of the Commission 60 days after the submission of the Commission's final report which was due not later than Sept. 30, 1983.

§ 1975. Establishment of Commission

(a) Generally

There is established the United States Commission on Civil Rights (hereinafter in this chapter 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 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.

(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.

(Pub. L. 98-183, § 2, Nov. 30, 1983, 97 Stat. 1301; Pub. L. 102-167, § 5, Nov. 26, 1991, 105 Stat. 1101; Pub. L. 103-419, § 2, Oct. 25, 1994, 108 Stat. 4338.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1975, Pub. L. 85-315, pt. I, § 101, Sept. 9, 1957, 71 Stat. 634, related to establishment, membership, etc., of Commission on Civil Rights. See Codification note set out preceding this section.

AMENDMENTS

1994—Pub. L. 103-419 amended section generally, substituting provisions relating to establishment of United States Commission on Civil Rights for provisions relating to Commission on Civil Rights.

1991—Subsec. (c). Pub. L. 102-167 substituted "Chairperson" for "Chairman" wherever appearing.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-419, § 1, Oct. 25, 1994, 108 Stat. 4338, provided that: "This Act [amending this section and sections 1975a to 1975d of this title, omitting former sections 1975e and 1975f of this title, and amending provisions set out as a note below] may be cited as the 'Civil Rights Commission Amendments Act of 1994'."

SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-400, § 1, Oct. 7, 1992, 106 Stat. 1955, provided that: "This Act [amending section 1975e of this title] may be cited as the 'United States Commission on Civil Rights Authorization Act of 1992'."

SHORT TITLE OF 1991 AMENDMENT

Pub. L. 102-167, § 1, Nov. 26, 1991, 105 Stat. 1101, provided that: "This Act [amending this section and sections 1975a and 1975c to 1975f of this title] may be cited as the 'United States Commission on Civil Rights Reauthorization Act of 1991'."

SHORT TITLE OF 1989 AMENDMENT

Pub. L. 101-180, § 1, Nov. 28, 1989, 103 Stat. 1325, provided that: "This Act [amending sections 1975e and 1975f of this title] may be cited as the 'Civil Rights Commission Reauthorization Act of 1989'."

SHORT TITLE

Pub. L. 98-183, § 1, Nov. 30, 1983, 97 Stat. 1301, as amended by Pub. L. 103-419, § 2, Oct. 25, 1994, 108 Stat. 4338, provided that: "This Act [enacting this chapter] may be cited as the 'Civil Rights Commission Act of 1983'."

COMMISSION ON THE SOCIAL STATUS OF BLACK MEN AND BOYS

Pub. L. 116-156, Aug. 14, 2020, 134 Stat. 700, as amended by Pub. L. 116-260, div. O, title II, § 201, Dec. 27, 2020, 134 Stat. 2148, provided that:

"SECTION 1. SHORT TITLE.

"This Act may be cited as the 'Commission on the Social Status of Black Men and Boys Act'.

"SEC. 2. COMMISSION ESTABLISHMENT AND MEMBERSHIP.

"(a) ESTABLISHMENT.—The Commission on the Social Status of Black Men and Boys (hereinafter in this Act referred to as 'the Commission') is established within the United States Commission on Civil Rights Office of the Staff Director.

"(b) MEMBERSHIP.—The Commission shall consist of 19 members appointed as follows:

"(1) The Senate majority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

"(2) The Senate minority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

"(3) The Speaker of the House of Representatives shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

"(4) The House of Representatives minority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

"(5) The Chair of the Congressional Black Caucus shall be a member of the Commission, as well as 5 additional Members of the Congressional Black Caucus who shall be individuals that either sit on the following committees of relevant jurisdiction or are experts on issues affecting Black men and boys in the United States, including—

"(A) education;

"(B) justice and Civil Rights;

"(C) healthcare;

"(D) labor and employment; and

"(E) housing.

"(6) The Staff Director of the United States Commission on Civil Rights shall appoint one member from within the staff of the United States Commission on Civil Rights who is an expert in issues relating to Black men and boys.

"(7) The Chair of the United States Equal Employment Opportunity Commission shall appoint one member from within the staff of the United States Equal Employment Opportunity Commission who is an expert in equal employment issues impacting Black men.

"(8) The Secretary of Education shall appoint one member from within the Department of Education who is an expert in urban education.

“(9) The Attorney General shall appoint one member from within the Department of Justice who is an expert in racial disparities within the criminal justice system.

“(10) The Secretary of Health and Human Services shall appoint one member from within the Department of Health and Human Services who is an expert in health issues facing Black men.

“(11) The Secretary of Housing and Urban Development shall appoint one member from within the Department of Housing and Urban Development who is an expert in housing and development in urban communities.

“(12) The Secretary of Labor shall appoint one member from within the Department of Labor who is an expert in labor issues impacting Black men.

“(13) The President of the United States shall appoint 2 members who are not employed by the Federal Government and are experts on issues affecting Black men and boys in America.

“(c) MEMBERSHIP BY POLITICAL PARTY.—If after the Commission is appointed there is a partisan imbalance of Commission members, the congressional leaders of the political party with fewer members on the Commission shall jointly name additional members to create partisan parity on the Commission.

“SEC. 3. OTHER MATTERS RELATING TO APPOINTMENT; REMOVAL.

“(a) TIMING OF INITIAL APPOINTMENTS.—Each initial appointment to the Commission shall be made no later than 90 days after the Commission is established. If any appointing authorities fail to appoint a member to the Commission, their appointment shall be made by the Staff Director of the Commission on Civil Rights.

“(b) TERMS.—Except as otherwise provided in this section, the term of a member of the Commission shall be 4 years. For the purpose of providing staggered terms, the first term of those members initially appointed under paragraphs (1) through (5) of section 2 shall be appointed to 2-year terms with all other terms lasting 4 years. Members are eligible for consecutive reappointment.

“(c) REMOVAL.—A member of the Commission may be removed from the Commission at any time by the appointing authority should the member fail to meet Commission responsibilities. Once the seat becomes vacant, the appointing authority is responsible for filling the vacancy in the Commission before the next meeting.

“(d) VACANCIES.—The appointing authority of a member of the Commission shall either reappoint that member at the end of that member’s term or appoint another person meeting the qualifications for that appointment. In the event of a vacancy arising during a term, the appointing authority shall, before the next meeting of the Commission, appoint a replacement to finish that term.

“SEC. 4. LEADERSHIP ELECTION.

“At the first meeting of the Commission each year, the members shall elect a Chair and a Secretary. A vacancy in the Chair or Secretary shall be filled by vote of the remaining members. The Chair and Secretary are eligible for consecutive reappointment.

“SEC. 5. COMMISSION DUTIES AND POWERS.

“(a) STUDY.—

“(1) IN GENERAL.—The Commission shall conduct a systematic study of the conditions affecting Black men and boys, including homicide rates, arrest and incarceration rates, poverty, violence, fatherhood, mentorship, drug abuse, death rates, disparate income and wealth levels, school performance in all grade levels including postsecondary education and college, and health issues.

“(2) TRENDS.—The Commission shall document trends regarding the topics described in paragraph (1) and report on the community impacts of relevant government programs within the scope of such topics.

“(b) PROPOSAL OF MEASURES.—The Commission shall propose measures to alleviate and remedy the under-

lying causes of the conditions described in subsection (a), which may include recommendations of changes to the law, recommendations for how to implement related policies, and recommendations for how to create, develop, or improve upon government programs.

“(c) SUGGESTIONS AND COMMENTS.—The Commission shall accept suggestions or comments pertinent to the applicable issues from members of Congress, governmental agencies, public and private organizations, and private citizens.

“(d) STAFF AND ADMINISTRATIVE SUPPORT.—The Office of the Staff Director of the United States Commission on Civil Rights shall provide staff and administrative support to the Commission. All entities of the United States Government shall provide information that is otherwise a public record at the request of the Commission.

“SEC. 6. COMMISSION MEETING REQUIREMENTS.

“(a) FIRST MEETING.—The first meeting of the Commission shall take place no later than 30 days after the initial members are all appointed. Meetings shall be focused on significant issues impacting Black men and boys, for the purpose of initiating research ideas and delegating research tasks to Commission members to initiate the first annual report described in section 7.

“(b) QUARTERLY MEETINGS.—The Commission shall meet quarterly. In addition to all quarterly meetings, the Commission shall meet at other times at the call of the Chair or as determined by a majority of Commission members.

“(c) QUORUM; RULE FOR VOTING ON FINAL ACTIONS.—A majority of the members of the Commission constitute a quorum, and an affirmative vote of a majority of the members present is required for final action.

“(d) EXPECTATIONS FOR ATTENDANCE BY MEMBERS.—Members are expected to attend all Commission meetings. In the case of an absence, members are expected to report to the Chair prior to the meeting and allowance may be made for an absent member to participate remotely. Members will still be responsible for fulfilling prior commitments, regardless of attendance status. If a member is absent twice in a given year, he or she will be reviewed by the Chair and appointing authority and further action will be considered, including removal and replacement on the Commission.

“(e) MINUTES.—Minutes shall be taken at each meeting by the Secretary, or in that individual’s absence, the Chair shall select another Commission member to take minutes during that absence. The Commission shall make its minutes publicly available and accessible not later than one week after each meeting.

“SEC. 7. ANNUAL REPORT GUIDELINES.

“The Commission shall make an annual report, beginning the year of the first Commission meeting. The report shall address the current conditions affecting Black men and boys and make recommendations to address these issues. The report shall be submitted to the President, the Congress, members of the President’s Cabinet, and the chairs of the appropriate committees of jurisdiction. The Commission shall make the report publicly available online on a centralized Federal website.

“SEC. 8. COMMISSION COMPENSATION.

“Members of the Commission shall serve on the Commission without compensation.”

§ 1975a. Duties of Commission

(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;