

In the House of Representatives, U. S.,

October 3, 1994.

Resolved, That the bill from the Senate (S. 2372) entitled “An Act to reauthorize for three years the Commission on Civil Rights, and for other purposes”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Civil Rights Commission*
3 *Amendments Act of 1994”.*

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

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

8 ***“SECTION 1. SHORT TITLE.***

9 *“This Act may be cited as the ‘Civil Rights Commis-*
10 *sion Act of 1983’.*

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

12 *“(a) GENERALLY.—There is established the United*
13 *States Commission on Civil Rights (hereinafter in this Act*
14 *referred to as the ‘Commission’).*

15 *“(b) MEMBERSHIP.—The Commission shall be com-*
16 *posed of 8 members. Not more than 4 of the members shall*

1 *at any one time be of the same political party. The initial*
2 *membership of the Commission shall be the members of the*
3 *United States Commission on Civil Rights on September*
4 *30, 1994. Thereafter vacancies in the membership of the*
5 *Commission shall continue to be appointed as follows:*

6 “(1) 4 members of the Commission shall be ap-
7 pointed by the President.

8 “(2) 2 members of the Commission shall be ap-
9 pointed by the President pro tempore of the Senate,
10 upon the recommendations of the majority leader and
11 the minority leader, and of the members appointed
12 not more than one shall be appointed from the same
13 political party.

14 “(3) 2 members of the Commission shall be ap-
15 pointed by the Speaker of the House of Representa-
16 tives upon the recommendations of the majority leader
17 and the minority leader, and of the members ap-
18 pointed not more than one shall be appointed from
19 the same political party.

20 “(c) *TERMS.*—The term of office of each member of the
21 *Commission shall be 6 years. The term of each member of*
22 *the Commission in the initial membership of the Commis-*
23 *sion shall expire on the date such term would have expired*
24 *as of September 30, 1994.*

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

6 “(2) *Thereafter the President may, with the concur-*
7 *rence of a majority of the Commission’s members, designate*
8 *a Chairperson or Vice Chairperson, as the case may be,*
9 *from among the Commission’s members.*

10 “(3) *The President shall, with the concurrence of a ma-*
11 *jority of the Commission’s members, fill a vacancy by des-*
12 *ignating a Chairperson or Vice Chairperson, as the case*
13 *may be, from among the Commission’s members.*

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

16 “(e) *REMOVAL OF MEMBERS.*—*The President may re-*
17 *move a member of the Commission only for neglect of duty*
18 *or malfeasance in office.*

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

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

22 “(a) *GENERALLY.*—*The Commission—*

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

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

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

7 “(2) shall—

8 “(A) study and collect information relating
9 to;

10 “(B) make appraisals of the laws and poli-
11 cies of the Federal Government with respect to;

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

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

16 discrimination or denials of equal protection of the
17 laws under the Constitution of the United States be-
18 cause of color, race, religion, sex, age, disability, or
19 national origin, or in the administration of justice.

20 “(b) LIMITATIONS ON INVESTIGATORY DUTIES.—Noth-
21 ing in this or any other Act shall be construed as authoriz-
22 ing the Commission, its advisory committees, or any person
23 under its supervision or control, to inquire into or inves-
24 tigate any membership practices or internal operations of
25 any fraternal organization, any college or university frater-

1 nity or sorority, any private club, or any religious organi-
2 zation.

3 “(c) *REPORTS.*—

4 “(1) *ANNUAL REPORT.*—The Commission shall
5 submit to the President and Congress at least one re-
6 port annually that monitors Federal civil rights en-
7 forcement efforts in the United States.

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

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

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

18 “(1) *POWER TO HOLD HEARINGS.*—The Commis-
19 sion, or on the authorization of the Commission, any
20 subcommittee of two or more members of the Commis-
21 sion, at least one of whom shall be of each major po-
22 litical party, may, for the purpose of carrying out
23 this Act, hold such hearings and act at such times
24 and places as the Commission or such authorized sub-
25 committee deems advisable. Each member of the Com-

1 *mission shall have the power to administer oaths and*
2 *affirmations in connection with the proceedings of the*
3 *Commission. The holding of a hearing by the Com-*
4 *mission or the appointment of a subcommittee to hold*
5 *a hearing pursuant to this paragraph must be ap-*
6 *proved by a majority of the Commission, or by a ma-*
7 *jority of the members present at a meeting when a*
8 *quorum is present.*

9 “(2) *POWER TO ISSUE SUBPOENAS.*—The Com-
10 *mission may issue subpoenas for the attendance of*
11 *witnesses and the production of written or other mat-*
12 *ter. Such a subpoena may not require the presence of*
13 *a witness more than 100 miles outside the place*
14 *wherein the witness is found or resides or is domiciled*
15 *or transacts business, or has appointed an agent for*
16 *receipt of service of process. In case of contumacy or*
17 *refusal to obey a subpoena, the Attorney General may*
18 *in a Federal court of appropriate jurisdiction obtain*
19 *an appropriate order to enforce the subpoena.*

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

24 “(4) *DEPOSITIONS AND INTERROGATORIES.*—The
25 *Commission may use depositions and written inter-*

1 *rogatories to obtain information and testimony about*
2 *matters that are the subject of a Commission hearing*
3 *or report.*

4 *“(f) LIMITATION RELATING TO ABORTION.—Nothing*
5 *in this or any other Act shall be construed as authorizing*
6 *the Commission, its advisory committees, or any other per-*
7 *son under its supervision or control to study and collect,*
8 *make appraisals of, or serve as a clearinghouse for any in-*
9 *formation about laws and policies of the Federal Govern-*
10 *ment or any other governmental authority in the United*
11 *States, with respect to abortion.*

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

13 *“(a) STAFF.—*

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

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

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

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

22 *“(A) appoint such other personnel as it*
23 *deems advisable, under the civil service and clas-*
24 *sification laws; and*

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

7 “(b) COMPENSATION OF MEMBERS.—

8 “(1) GENERALLY.—Each member of the Commis-
9 sion who is not otherwise in the service of the Govern-
10 ment of the United States shall receive a sum equiva-
11 lent to the compensation paid at level IV of the Exec-
12 utive Schedule under section 5315 of title 5, United
13 States Code, prorated on an daily basis for time spent
14 in the work of the Commission.

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

1 “(c) *VOLUNTARY OR UNCOMPENSATED PERSONNEL.*—
2 *The Commission shall not accept or use the services of vol-*
3 *untary or uncompensated persons. This limitation shall*
4 *apply with respect to services of members of the Commission*
5 *as it does with respect to services by other persons.*

6 “(d) *RULES.*—

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

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

15 “(e) *COOPERATION.*—*All Federal agencies shall cooper-*
16 *ate fully with the Commission to the end that it may effec-*
17 *tively carry out its functions and duties.*

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

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

23 **“SEC. 6. TERMINATION.**

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

Amend the title so as to read: “An Act to amend the United States Commission in Civil Rights Act of 1983.”.

Attest:

Clerk.

103RD CONGRESS
2^D SESSION

S. 2372

AMENDMENTS