

104TH CONGRESS
1ST SESSION

H. R. 497

To create the National Gambling Impact and Policy Commission.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 11, 1995

Mr. WOLF introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To create the National Gambling Impact and Policy Commission.

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 “National Gambling Im-
5 pact and Policy Commission Act”.

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

7 There is established a commission to be known as the
8 National Gambling Impact and Policy Commission (in this
9 Act referred to as the “Commission”).

1 **SEC. 3. MEMBERSHIP.**

2 (a) NUMBER AND APPOINTMENT.—The Commission
3 shall be composed of 9 members appointed from persons
4 specially qualified by training and experience, of which one
5 should be a Governor of a State, to perform the duties
6 of the Commission as follows:

7 (1) three appointed by the Speaker of the
8 House of Representatives;

9 (2) three appointed by the majority leader of
10 the Senate; and

11 (3) three appointed by the President of the
12 United States.

13 (b) DESIGNATION OF THE CHAIRMAN.—The Speaker
14 of the House of Representatives and majority leader of
15 the Senate shall designate a Chairman and Vice Chairman
16 from among the members of the Commission.

17 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
18 bers shall be appointed for the life of the Commission. Any
19 vacancy in the Commission shall not affect its powers, but
20 shall be filled in the same manner as the original appoint-
21 ment.

22 (d) INITIAL MEETING.—No later than 30 days after
23 the date on which all members of the Commission have
24 been appointed, the Commission shall hold its first meet-
25 ing as directed by the President.

1 (e) MEETINGS.—After the initial meeting, the Com-
2 mission shall meet at the call of the Chairman.

3 (f) QUORUM.—A majority of the members of the
4 Commission shall constitute a quorum, but a lesser num-
5 ber of members may hold hearings.

6 **SEC. 4. DUTIES OF THE COMMISSION.**

7 (a) STUDY.—

8 (1) IN GENERAL.—It shall be the duty of the
9 Commission to conduct a comprehensive legal and
10 factual study of gambling in the United States and
11 existing Federal, State, and local policy and prac-
12 tices with respect to the legalization or prohibition of
13 gambling activities and to formulate and propose
14 such changes in those policies and practices as the
15 Commission shall deem appropriate.

16 (2) MATTERS STUDIED.—The matters studied
17 by the Commission shall include—

18 (A) the economic impact of gambling on
19 the United States, States, political subdivisions
20 of States, and Native American tribes;

21 (B) the economic impact of gambling on
22 other businesses;

23 (C) an assessment and review of the politi-
24 cal contributions and influence of gambling

1 businesses and promoters on the development of
2 public policy regulating gambling;

3 (D) an assessment of the relationship be-
4 tween gambling and crime;

5 (E) an assessment of the impact of patho-
6 logical, or problem gambling on individuals,
7 families, social institutions, criminal activity
8 and the economy;

9 (F) a review of the demographics of gam-
10 blers;

11 (G) a review of the effectiveness of existing
12 practices in law enforcement, judicial adminis-
13 tration, and corrections to combat and deter il-
14 legal gambling and illegal activities related to
15 gambling;

16 (H) a review of the costs and effectiveness
17 of State and Federal gambling regulatory pol-
18 icy, including whether Indian gaming should be
19 regulated by States instead of the Federal Gov-
20 ernment; and

21 (I) such other relevant issues and topics as
22 considered appropriate by the Chairman of the
23 Commission.

24 (b) REPORT.—No later than three years after the
25 Commission first meets, the Commission shall submit a

1 report to the President and the Congress which shall con-
2 tain a detailed statement of the findings and conclusions
3 of the Commission, together with its recommendations for
4 such legislation and administrative actions as it considers
5 appropriate.

6 **SEC. 5. POWERS OF THE COMMISSION.**

7 (a) HEARINGS AND SUBPOENAS.—

8 (1) The Commission may hold such hearings,
9 sit and act at such times and places, administer
10 such oaths, take such testimony, receive such evi-
11 dence, and require by subpoena the attendance and
12 testimony of such witnesses and the production of
13 such materials as the Commission considers advis-
14 able to carry out the purposes of this Act.

15 (2) ATTENDANCE OF WITNESSES.—The attend-
16 ance of witnesses and the production of evidence
17 may be required from any place within the United
18 States.

19 (3) FAILURE TO OBEY A SUBPOENA.—If a per-
20 son refuses to obey a subpoena issued under para-
21 graph (1), the Commission may apply to a United
22 States district court for an order requiring that per-
23 son to appear before the Commission to give testi-
24 mony, produce evidence, or both, relating to the
25 matter under investigation. The application may be

1 made within the judicial district where the hearing
2 is conducted or where that person is found, resides,
3 or transacts business. Any failure to obey the order
4 of the court may be punished by the court as civil
5 contempt.

6 (4) SERVICE OF SUBPOENAS.—The subpoenas
7 of the Commission shall be served in the manner
8 provided for subpoenas issued by a United States
9 district court under the Federal Rules of Civil Pro-
10 cedure for the United States district courts.

11 (5) SERVICE OF PROCESS.—All process of any
12 court to which application is to be made under para-
13 graph (3) may be served in the judicial district in
14 which the person required to be served resides or
15 may be found.

16 (b) INFORMATION FROM FEDERAL AGENCIES.—The
17 Commission may secure directly from any Federal depart-
18 ment or agency such information as the Commission con-
19 siders necessary to carry out the provisions of this Act.
20 Upon request of the Chairman of the Commission, the
21 head of such department or agency shall furnish such in-
22 formation to the Commission.

23 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

24 (a) COMPENSATION OF MEMBERS.—Each member of
25 the Commission who is not an officer or employee of the

1 Federal Government shall be compensated at a rate equal
2 to the daily equivalent of the annual rate of basic pay pre-
3 scribed for level IV of the Executive Schedule under sec-
4 tion 5315 of title 5, United States Code, for each day (in-
5 cluding travel time) during which such member is engaged
6 in the performance of the duties of the Commission. All
7 members of the Commission who are officers or employees
8 of the United States shall serve without compensation in
9 addition to that received for their services as officers or
10 employees of the United States.

11 (b) TRAVEL EXPENSES.—The members of the Com-
12 mission shall be allowed travel expenses, including per
13 diem in lieu of subsistence, at rates authorized for employ-
14 ees of agencies under subchapter I of chapter 57 of title
15 5, United States Code, while away from their homes or
16 regular places of business in the performance of services
17 for the Commission.

18 (c) STAFF.—

19 (1) IN GENERAL.—The Chairman of the Com-
20 mission may, without regard to the civil service laws
21 and regulations, appoint and terminate an executive
22 director and such other additional personnel as may
23 be necessary to enable the Commission to perform
24 its duties. The employment of an executive director
25 shall be subject to confirmation by the Commission.

1 (2) COMPENSATION.—The executive director
2 shall be compensated at the rate payable for level V
3 of the Executive Schedule under section 5316 of title
4 5, United States Code. The Chairman of the Com-
5 mission may fix the compensation of other personnel
6 without regard to the provisions of chapter 51 and
7 subchapter III of chapter 53 of title 5, United
8 States Code, relating to classification of positions
9 and General Schedule pay rates, except that the rate
10 of pay for such personnel may not exceed the rate
11 payable for level V of the Executive Schedule under
12 section 5316 of such title.

13 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any
14 Federal Government employee may be detailed to the
15 Commission without reimbursement, and such detail shall
16 be without interruption or loss of civil service status or
17 privilege.

18 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
19 TENT SERVICES.—The Chairman of the Commission may
20 procure temporary and intermittent services under section
21 3109(b) of title 5, United States Code, at rates for individ-
22 uals which do not exceed the daily equivalent of the annual
23 rate of basic pay prescribed for level V of the Executive
24 Schedule under section 5316 of such title.

1 **SEC. 7. TERMINATION OF THE COMMISSION.**

2 The Commission shall terminate 30 days after the
3 date on which the Commission submits its report under
4 section 4.

