

105TH CONGRESS
2D SESSION

S. 2506

To establish a National Commission on Terrorism.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22, 1998

Mr. WARNER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To establish a National Commission on Terrorism.

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. NATIONAL COMMISSION ON TERRORISM.**

4 (a) ESTABLISHMENT AND MEMBERSHIP.—

5 (1) ESTABLISHMENT.—There is established a
6 national commission on terrorism to review
7 counterterrorism policies regarding the prevention
8 and punishment of international acts of terrorism di-
9 rected at the United States. The commission shall be
10 known as “The National Commission on Terror-
11 ism”.

1 (2) COMPOSITION.—The commission shall be
2 composed of 15 members appointed as follows:

3 (A) Five members shall be appointed by
4 the President from among officers or employees
5 of the executive branch, private citizens of the
6 United States, or both. Not more than three
7 members selected by the President shall be
8 members of the same political party.

9 (B) Five members shall be appointed by
10 the Majority Leader of the Senate, in consulta-
11 tion with the Minority Leader of the Senate,
12 from among members of the Senate, private
13 citizens of the United States, or both. Not more
14 than three of the members selected by the Ma-
15 jority Leader shall be members of the same po-
16 litical party and three members shall be mem-
17 bers of the Senate.

18 (C) Five members shall be appointed by
19 the Speaker of the House of Representatives, in
20 consultation with the Minority Leader of the
21 House of Representatives, from among mem-
22 bers of the House of Representatives, private
23 citizens of the United States, or both. Not more
24 than three of the members selected by the
25 Speaker shall be members of the same political

1 party and three members shall be members of
2 the House of Representatives.

3 (D) The appointments of the members of
4 the commission should be made no later than 3
5 months after the date of the enactment of this
6 Act.

7 (3) QUALIFICATIONS.—The members should
8 have a knowledge and expertise in matters to be
9 studied by the commission.

10 (4) CHAIRMAN.—The chairman of the commis-
11 sion shall be elected by the members of the commis-
12 sion.

13 (b) DUTIES.—

14 (1) IN GENERAL.—The commission shall con-
15 sider issues relating to international terrorism di-
16 rected at the United States as follows:

17 (A) Review the laws, regulations, policies,
18 directives, and practices relating to counter-
19 terrorism in the prevention and punishment of
20 international terrorism directed towards the
21 United States.

22 (B) Assess the extent to which laws, regu-
23 lations, directives, and practices relating to
24 counterterrorism have been effective in prevent-
25 ing or punishing international terrorism di-

1 rected towards the United States. At a mini-
2 mum, the assessment should include a review of
3 the following:

4 (i) Evidence that terrorist organiza-
5 tions have established an infrastructure in
6 the western hemisphere for the support
7 and conduct of terrorist activities.

8 (ii) Executive branch efforts to coordi-
9 nate counterterrorism activities among
10 Federal, State, and local agencies and with
11 other nations to determine the effective-
12 ness of such coordination efforts.

13 (iii) Executive branch efforts to pre-
14 vent the use of nuclear, biological, and
15 chemical weapons by terrorists.

16 (C) Recommend changes to counter-
17 terrorism policy in preventing and punishing
18 international terrorism directed toward the
19 United States.

20 (2) REPORT.—Not later than 6 months after
21 the date on which the Commission first meets, the
22 Commission shall submit to the President and the
23 Congress a final report of the findings and conclu-
24 sions of the commission, together with any rec-
25 ommendations.

1 (c) ADMINISTRATIVE MATTERS.—

2 (1) MEETINGS.—

3 (A) The commission shall hold its first
4 meeting on a date designated by the Speaker of
5 the House which is not later than 30 days after
6 the date on which all members have been
7 appointed.

8 (B) After the first meeting, the commis-
9 sion shall meet upon the call of the chairman.

10 (C) A majority of the members of the com-
11 mission shall constitute a quorum, but a lesser
12 number may hold meetings.

13 (2) AUTHORITY OF INDIVIDUALS TO ACT FOR
14 COMMISSION.—Any member or agent of the commis-
15 sion may, if authorized by the commission, take any
16 action which the commission is authorized to take
17 under this section.

18 (3) POWERS.—

19 (A) The commission may hold such hear-
20 ings, sit and act at such times and places, take
21 such testimony, and receive such evidence as
22 the commission considers advisable to carry out
23 its duties.

24 (B) The commission may secure directly
25 from any agency of the Federal Government

1 such information as the commission considers
2 necessary to carry out its duties. Upon the re-
3 quest of the chairman of the commission, the
4 head of a department or agency shall furnish
5 the requested information expeditiously to the
6 commission.

7 (C) The commission may use the United
8 States mails in the same manner and under the
9 same conditions as other departments and
10 agencies of the Federal Government.

11 (4) PAY AND EXPENSES OF COMMISSION MEM-
12 BERS.—

13 (A) Subject to appropriations, each mem-
14 ber of the commission who is not an employee
15 of the government shall be paid at a rate not
16 to exceed the daily equivalent of the annual rate
17 of basic pay prescribed for level IV of the Exec-
18 utive Schedule under section 5315 of title 5,
19 United States Code, for each day (including
20 travel time) during which such member is en-
21 gaged in performing the duties of the commis-
22 sion.

23 (B) Members and personnel for the com-
24 mission may travel on aircraft, vehicles, or
25 other conveyances of the Armed Forces of the

1 United States when travel is necessary in the
2 performance of a duty of the commission except
3 when the cost of commercial transportation is
4 less expensive.

5 (C) The members of the commission may
6 be allowed travel expenses, including per diem
7 in lieu of subsistence, at rates authorized for
8 employees of agencies under subchapter I of
9 chapter 57 of title 5, United States Code, while
10 away from their homes or regular places of
11 business in the performance of services for the
12 commission.

13 (D)(i) A member of the commission who is
14 an annuitant otherwise covered by section 8344
15 or 8468 of title 5, United States Code, by rea-
16 son of membership on the commission shall not
17 be subject to the provisions of such section with
18 respect to membership on the commission.

19 (ii) A member of the commission who is a
20 member or former member of a uniformed serv-
21 ice shall not be subject to the provisions of sub-
22 sections (b) and (c) of section 5532 of such title
23 with respect to membership on the commission.

24 (5) STAFF AND ADMINISTRATIVE SUPPORT.—

1 (A) The chairman of the commission may,
2 without regard to civil service laws and regula-
3 tions, appoint and terminate an executive direc-
4 tor and up to three additional staff members as
5 necessary to enable the commission to perform
6 its duties. The chairman of the commission may
7 fix the compensation of the executive director
8 and other personnel with regard to the provi-
9 sions of chapter 51, and subchapter III of chap-
10 ter 53, of title 5, United States Code, relating
11 to classification of positions and General Sched-
12 ule pay rates, except that the rate of pay may
13 not exceed the maximum rate of pay for GS-
14 15 under the General Schedule.

15 (B) Upon the request of the chairman of
16 the commission, the head of any department or
17 agency of the Federal Government may detail,
18 without reimbursement, any personnel of the
19 department or agency to the commission to as-
20 sist in carrying out its duties. The detail of an
21 employee shall be without interruption or loss of
22 civil service status or privilege.

23 (d) TERMINATION OF COMMISSION.—The commis-
24 sion shall terminate 30 days after the date on which the
25 commission submits a final report.

1 (e) FUNDING.—There are authorized to be appro-
2 priated such sums as may be necessary to carry out the
3 provisions of this section.

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