

105TH CONGRESS  
1ST SESSION

# S. 876

To establish a nonpartisan commission on Federal election campaign practices and provide that the recommendations of the commission be given expedited consideration by Congress.

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## IN THE SENATE OF THE UNITED STATES

JUNE 11, 1997

Mr. GREGG (for himself, Mr. TORRICELLI, Mr. SMITH of New Hampshire, and Mr. JOHNSON) 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 a nonpartisan commission on Federal election campaign practices and provide that the recommendations of the commission be given expedited consideration by Congress.

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 “Claremont Commission  
5       Act”.

6       **SEC. 2. PURPOSE.**

7       On June 11, 1995, in Claremont, New Hampshire,  
8       the President of the United States and the Speaker of the

1 House of Representatives made an historic handshake  
2 agreement calling for establishment of an independent  
3 Federal election campaign reform commission. The pur-  
4 pose of this Act is to effectuate that agreement.

5 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

6 There is established a nonpartisan commission to be  
7 known as the “Claremont Commission” (referred to in this  
8 Act as the “Commission”).

9 **SEC. 4. GOALS OF THE COMMISSION.**

10 The Commission is established to help effectuate the  
11 following goals of Federal election campaign reform:

12 (1) Limit the influence of money in Federal  
13 election campaigns.

14 (2) Increase public confidence in the Federal  
15 electoral process.

16 (3) Increase voter participation.

17 (4) Encourage qualified candidates to seek pub-  
18 lic office.

19 (5) Create a more equitable electoral system for  
20 both challengers and incumbents.

21 (6) Remove the negative aspects of financing of  
22 Federal election campaigns.

23 (7) Safeguard the role of political parties in the  
24 Federal electoral process.

1 **SEC. 5. DUTIES OF THE COMMISSION.**

2 (a) IN GENERAL.—The Commission shall study the  
3 law (including regulations) that affects how election cam-  
4 paigns for Federal office are conducted and may make rec-  
5 ommendations for change.

6 (b) MATTERS TO BE CONSIDERED.—In studying  
7 Federal election campaign practices, the Commission shall  
8 consider—

9 (1) whether too much or too little money is  
10 spent on campaigns for Federal office (both directly  
11 by candidates and by other persons trying to influ-  
12 ence the outcome of the election) and whether the  
13 funds that are spent are sufficiently disclosed;

14 (2) whether the law governing campaigns for  
15 Federal office encourages or discourages those most  
16 qualified to hold office from seeking it;

17 (3) whether the existing system of financing  
18 campaigns for Federal office promotes trust and  
19 confidence in the political process among the elector-  
20 ate;

21 (4) whether the current system for financing  
22 campaigns for Federal office ensures that the elec-  
23 torate has the greatest possible opportunity to be in-  
24 formed of candidates' positions on the issues;

1           (5) whether the law should be amended to pro-  
2           hibit from making contributions to candidates or po-  
3           litical committees—

4                   (A) persons who are not eligible to vote in  
5           Federal elections in the United States; or

6                   (B) United States' subsidiaries of foreign  
7           corporations;

8           (6) whether the law governing the manner in  
9           which unions and union multicandidate political  
10          committees (commonly referred to as political action  
11          committees or PAC's), or corporations and corporate  
12          multicandidate political committees may raise money  
13          for spending on political election campaigns and  
14          other politically-related activities should be amended;

15          (7) whether amounts given to or spent by a po-  
16          litical party that are not subject to the limitations  
17          or reporting requirements of the Federal Election  
18          Campaign Act of 1971 (2 U.S.C. 431 et seq.) (com-  
19          monly referred to as “soft money”) should be limited  
20          or banned;

21          (8) whether the law should be amended to re-  
22          strict or limit the making of independent expendi-  
23          tures, including independent expenditures made by  
24          corporations;

1           (9) whether the Federal Election Campaign Act  
2 of 1971 (2 U.S.C. 431 et seq.) should be amended  
3 to define “express advocacy” and “independent ex-  
4 penditure” to include certain forms of issue advertis-  
5 ing under the limits and requirements of such Act;

6           (10) whether discounted broadcast time should  
7 be made available to candidates for Federal office;

8           (11) whether the law should be amended to in-  
9 crease or decrease the current limits on contribu-  
10 tions by individuals or multicandidate political com-  
11 mittees;

12           (12) whether the law governing required disclo-  
13 sures in the financing of campaigns for Federal of-  
14 fice should be amended to ensure more accurate dis-  
15 closure, including broadening the required disclo-  
16 sures;

17           (13) whether—

18                   (A) the Federal Election Commission has  
19 adequate powers to effectively oversee the exist-  
20 ing system of financing campaigns for Federal  
21 office; or

22                   (B) the Commission should be given addi-  
23 tional enforcement powers; and

24           (14) such other matters as the Commission con-  
25 siders appropriate.

1 **SEC. 6. MEMBERSHIP.**

2 (a) COMPOSITION.—The Commission shall be com-  
3 posed of 9 members of the private sector, appointed as  
4 follows:

5 (1) Two shall be appointed by the President.

6 (2) Two shall be appointed by the majority  
7 leader of the Senate.

8 (3) Two shall be appointed by the Speaker of  
9 the House of Representatives.

10 (4) One shall be appointed by the minority lead-  
11 er of the Senate.

12 (5) One shall be appointed by the minority lead-  
13 er of the House of Representatives.

14 (6) One, who shall act as chairperson, shall be  
15 appointed jointly by the majority leader and minor-  
16 ity leader of the Senate and the Speaker and minor-  
17 ity leader of the House of Representatives.

18 (b) EXPEDITED APPOINTMENTS.—The President,  
19 majority leader and minority leader of the Senate, and  
20 Speaker and minority leader of the House of Representa-  
21 tives shall make the appointments under subsection (a)  
22 not later than 10 days after the date of enactment of the  
23 Act.

24 (c) VACANCIES.—A vacancy in the Commission shall  
25 be filled in the manner in which the original appointment  
26 was made.

1 (d) COMPENSATION.—Each member of the Commis-  
2 sion shall each be entitled to receive the daily equivalent  
3 of the annual rate of basic pay in effect for level V of  
4 the Executive Schedule under section 5316 of title 5, Unit-  
5 ed States Code, for each day during which the member  
6 is engaged in the actual performance of the duties of the  
7 Commission.

8 (e) QUORUM.—Six members of the Commission shall  
9 constitute a quorum, and any decision of the Commission  
10 shall require the affirmative vote of 6 members.

11 (f) MEETINGS.—The Commission shall meet at the  
12 call of the chairperson or at the request of 6 members  
13 of the Commission.

14 **SEC. 7. STAFF OF COMMISSION; SERVICES.**

15 Subject to such rules as may be adopted by the Com-  
16 mission, the chairperson, without regard to the provisions  
17 of title 5, United States Code, governing appointments in  
18 the competitive service and without regard to the provi-  
19 sions of chapter 51 and subchapter III of chapter 53 of  
20 that title relating to classifications and General Schedule  
21 pay rates, may appoint such staff personnel as the chair-  
22 person considers necessary and procure temporary and  
23 intermittent services to the same extent as is authorized  
24 by section 3109(b) of title 5, United States Code.

1 **SEC. 8. RECOMMENDATION; FAST TRACK PROCEDURES.**

2 (a) REPORT.—Not later than 270 days after the date  
3 of enactment of this Act, the Commission shall submit to  
4 Congress a report describing the study conducted under  
5 section 5.

6 (b) RECOMMENDATIONS.—The report under sub-  
7 section (a) may include any recommendations for changes  
8 in the laws (including regulations) governing the conduct  
9 of Federal campaigns, including any changes in the rules  
10 of the Senate or the House of Representatives, to which  
11 5 or more members of the Commission agree.

12 (c) PREPARATION OF BILL.—If 6 or more members  
13 concur on a plan to make changes in Federal election cam-  
14 paign law, and related laws and regulations, the members  
15 agreeing to the plan shall prepare a bill to implement the  
16 plan and the implementing bill shall be submitted with the  
17 report under subsection (a).

18 (d) CONSIDERATION BY CONGRESS.—The imple-  
19 menting bill submitted with the report under subsection  
20 (a) shall be given expedited consideration under the same  
21 provisions and in the same way as an implementing bill  
22 for a trade agreement under section 151 of the Trade Act  
23 of 1974 (19 U.S.C. 2191).

24 **SEC. 9. TERMINATION.**

25 The Commission shall cease to exist 30 days after  
26 submission of the report under section 8.

1 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

2       There is authorized to be appropriated \$750,000 to  
3 carry out this Act.

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