

106TH CONGRESS
2D SESSION

S. 3269

To establish a Commission for the comprehensive study of voting procedures in Federal, State, and local elections, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 14 (legislative day, SEPTEMBER 22), 2000

Mr. SPECTER (for himself and Mr. HARKIN) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To establish a Commission for the comprehensive study of voting procedures in Federal, State, and local elections, and for other purposes.

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 “Commission on the
5 Comprehensive Study of Voting Procedures Act of 2000”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) Americans are increasingly concerned about
9 current voting procedures;

1 (2) Americans are increasingly concerned about
2 the speed and timeliness of vote counts;

3 (3) Americans are increasingly concerned about
4 the accuracy of vote counts;

5 (4) Americans are increasingly concerned about
6 the security of voting procedures;

7 (5) the shift in the United States is to the in-
8 creasing use of technology which calls for a reassess-
9 ment of the use of standardized technology for Fed-
10 eral elections; and

11 (6) there is a need for Congress to establish a
12 method for standardizing voting procedures in order
13 to ensure the integrity of Federal elections.

14 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

15 There is established the Commission on the Com-
16 prehensive Study of Voting Procedures (in this Act re-
17 ferred to as the “Commission”).

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

19 (a) STUDY.—Not later than 1 year after the date of
20 enactment of this Act, the Commission shall complete a
21 thorough study of all issues relating to voting procedures
22 in Federal, State, and local elections, including the fol-
23 lowing:

24 (1) Voting procedures in Federal, State, and
25 local government elections.

1 (2) Voting procedures that represent the best
2 practices in Federal, State, and local government
3 elections.

4 (3) Legislation and regulatory efforts that af-
5 fect voting procedures issues.

6 (4) The implementation of standardized voting
7 procedures, including standardized technology, for
8 Federal, State, and local government elections.

9 (5) The speed and timeliness of vote counts in
10 Federal, State and local elections.

11 (6) The accuracy of vote counts in Federal,
12 State and local elections.

13 (7) The security of voting procedures in Fed-
14 eral, State and local elections.

15 (b) RECOMMENDATIONS.—The Commission shall de-
16 velop recommendations on the matters studied under sub-
17 section (a).

18 (c) REPORTS.—

19 (1) FINAL REPORT.—Not later than 180 days
20 after the expiration of the period referred to in sub-
21 section (a), the Commission shall submit a report,
22 that has been approved by a majority of the mem-
23 bers of the Commission, to the President and Con-
24 gress which shall contain a detailed statement of the
25 findings and conclusions of the Commission, to-

1 gether with its recommendations for such legislation
2 and administrative actions as it considers appro-
3 priate.

4 (2) INTERIM REPORTS.—The Commission may
5 submit to the President and Congress any interim
6 reports that are approved by a majority of the mem-
7 bers of the Commission.

8 (3) ADDITIONAL REPORTS.—The Commission
9 may, together with the report submitted under para-
10 graph (1), submit additional reports that contain
11 any dissenting or minority opinions of the members
12 of the Commission.

13 **SEC. 5. MEMBERSHIP.**

14 (a) NUMBER AND APPOINTMENT.—The Commission
15 shall be composed of 5 members of whom—

16 (1) 1 shall be appointed by the President;

17 (2) 1 shall be appointed by the majority leader
18 of the Senate;

19 (3) 1 shall be appointed by the minority leader
20 of the Senate;

21 (4) 1 shall be appointed by the Speaker of the
22 House of Representatives; and

23 (5) 1 shall be appointed by the minority leader
24 of the House of Representatives.

1 (b) DATE OF APPOINTMENT.—The appointments of
2 the members of the Commission shall be made not later
3 than 30 days after the date of enactment of this Act.

4 (c) TERMS.—Each member of the Commission shall
5 be appointed for the life of the Commission.

6 (d) VACANCIES.—A vacancy in the Commission shall
7 not affect its powers, but shall be filled in the same man-
8 ner in which the original appointment was made.

9 (e) MEETINGS.—

10 (1) IN GENERAL.—The Commission shall meet
11 at the call of the Chairperson or a majority if its
12 members.

13 (2) INITIAL MEETING.—Not later than 30 days
14 after the date on which all members of the Commis-
15 sion have been appointed, the Commission shall hold
16 its first meeting.

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

20 (g) CHAIRPERSON AND VICE CHAIRPERSON.—The
21 Commission shall select a Chairperson and Vice Chair-
22 person from among its members.

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

24 (a) HEARINGS AND SESSIONS.—The Commission
25 may hold such hearings for the purpose of carrying out

1 this Act, sit and act at such times and places, take such
2 testimony, and receive such evidence as the Commission
3 considers advisable to carry out this Act. The Commission
4 may administer oaths and affirmations to witnesses ap-
5 pearing before the Commission.

6 (b) INFORMATION FROM FEDERAL AGENCIES.—The
7 Commission may secure directly from any Federal depart-
8 ment or agency such information as the Commission con-
9 sidered necessary to carry out this Act. Upon request of
10 the Chairperson of the Commission, the head of such de-
11 partment or agency shall furnish such information to the
12 Commission.

13 (c) WEBSITE.—For purposes of conducting the study
14 under section 4(a), the Commission shall establish a
15 website to facilitate public comment and participation.

16 (d) POSTAL SERVICES.—The Commission may use
17 the United States mails in the same manner and under
18 the same conditions as other departments and agencies of
19 the Federal Government.

20 (e) ADMINISTRATIVE SUPPORT SERVICES.—Upon
21 the request of the Chairperson of the Commission, the Ad-
22 ministrator of the General Services Administration shall
23 provide to the Commission, on a reimbursable basis, the
24 administrative support services that are necessary to en-
25 able the Commission to carry out its duties under this Act.

1 (f) CONTRACTS.—The Commission may contract with
2 and compensate persons and Federal agencies for supplies
3 and services without regard to section 3709 of the Revised
4 Statutes (42 U.S.C. 5).

5 (g) GIFTS AND DONATIONS.—The Commission may
6 accept, use, and dispose of gifts or donations of services
7 or property to carry out this Act.

8 **SEC. 7. COMMISSION PERSONNEL MATTERS.**

9 (a) COMPENSATION OF MEMBERS.—Each member of
10 the Commission who is not an officer or employee of the
11 Federal Government shall be compensated at a rate equal
12 to the daily equivalent of the annual rate of basic pay pre-
13 scribed for level IV of the Executive Schedule under sec-
14 tion 5315 of title 5, United States Code, for each day (in-
15 cluding travel time) during which such member is engaged
16 in the performance of the duties of the Commission. All
17 members of the Commission who are officers or employees
18 of the United States shall serve without compensation in
19 addition to that received for their services as officers or
20 employees of the United States.

21 (b) TRAVEL EXPENSES.—The members of the Com-
22 mission shall be allowed travel expenses, including per
23 diem in lieu of subsistence, at rates authorized for employ-
24 ees of agencies under subchapter I of chapter 57 of title
25 5, United States Code, while away from their homes or

1 regular places of business in the performance of services
2 for the Commission.

3 (c) STAFF.—

4 (1) IN GENERAL.—The Chairperson of the
5 Commission may, without regard to the civil service
6 laws and regulations, appoint and terminate an execu-
7 tive director and such other additional personnel as
8 may be necessary to enable the Commission to per-
9 form its duties. The employment of an executive di-
10 rector shall be subject to confirmation by the Com-
11 mission.

12 (2) COMPENSATION.—The Chairperson of the
13 Commission may fix the compensation of the execu-
14 tive director and other personnel without regard to
15 chapter 51 and subchapter III of chapter 53 of title
16 5, United States Code, relating to classification of
17 positions and General Schedule pay rates, except
18 that the rate of pay for the executive director and
19 other personnel may not exceed the rate payable for
20 level V of the Executive Schedule under section 5316
21 of such title.

22 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any
23 Federal Government employee may be detailed to the
24 Commission without reimbursement, and such detail shall

1 be without interruption or loss of civil service status or
2 privilege.

3 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
4 TENT SERVICES.—The Chairperson of the Commission
5 may procure temporary and intermittent services under
6 section 3109(b) of title 5, United States Code, at rates
7 for individuals which do not exceed the daily equivalent
8 of the annual rate of basic pay prescribed for level V of
9 the Executive Schedule under section 5316 of such title.

10 **SEC. 8. LIMITATION ON CONTRACTING AUTHORITY.**

11 Any new contracting authority provided for in this
12 Act shall be effective only to the extent, or in the amounts,
13 provided for in advance in appropriations Acts.

14 **SEC. 9. TERMINATION OF THE COMMISSION.**

15 The Commission shall terminate 30 days after the
16 date on which the Commission submits its report under
17 section 4.

18 **SEC. 10. RULE OF CONSTRUCTION.**

19 Nothing in this Act shall be construed to prohibit the
20 enactment of an Act with respect to voting procedures
21 during the period in which the Commission is carrying out
22 its duties under this Act.

1 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There are authorized to be appro-
3 priated such sums as may be necessary to the Commission
4 to carry out this Act.

5 (b) AVAILABILITY.—Any sums appropriated under
6 the authorization contained in this section shall remain
7 available, without fiscal year limitation, until expended.

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