

105TH CONGRESS
1ST SESSION

S. 144

To establish the Commission to Study the Federal Statistical System, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1997

Mr. MOYNIHAN (for himself and Mr. KERREY) introduced the following bill;
which was read twice and referred to the Committee on Governmental Affairs

A BILL

To establish the Commission to Study the Federal Statistical
System, 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 to Study
5 the Federal Statistical System Act of 1997”.

6 **SEC. 2. FINDINGS.**

7 The Congress, recognizing the importance of statis-
8 tical information in the development and administration
9 of policies for the private and public sector, finds that—

1 (1) accurate Federal statistics are required to
2 develop, implement, and evaluate government poli-
3 cies and laws;

4 (2) Federal spending consistent with legislative
5 intent requires accurate and appropriate statistical
6 information;

7 (3) business and individual economic decisions
8 are influenced by Federal statistics and contracts
9 are often based on such statistics;

10 (4) statistical information on the manufacturing
11 and agricultural sectors is more complete than sta-
12 tistical information regarding the service sector
13 which employs more than half the Nation's
14 workforce;

15 (5) experts in the private and public sector have
16 long-standing concerns about the accuracy and ade-
17 quacy of numerous Federal statistics, including the
18 Consumer Price Index, gross domestic product,
19 trade data, wage data, and the poverty rate;

20 (6) Federal statistical data should be accurate,
21 consistent, continuous, and be designed to best serve
22 explicitly stated purposes;

23 (7) the Federal statistical infrastructure should
24 be modernized to accommodate the increasingly com-
25 plex and ever changing American economy;

1 (8) Federal statistical agencies should utilize all
2 practical technologies to disseminate statistics to the
3 public;

4 (9) the Federal statistical infrastructure should
5 maintain the privacy of individuals; and

6 (10) the Federal statistical system should be
7 designed to limit redundancy of activities while
8 achieving the maximum practical level of knowledge,
9 expertise, and data.

10 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

11 (a) **ESTABLISHMENT.**—There is established a com-
12 mission to be known as the Commission to Study the Fed-
13 eral Statistical System (hereafter in this Act referred to
14 as the “Commission”).

15 (b) **MEMBERSHIP.**—

16 (1) **COMPOSITION.**—The Commission shall be
17 composed of 13 members of whom—

18 (A) 5 shall be appointed by the President;

19 (B) 4 shall be appointed by the President
20 pro tempore of the Senate, in consultation with
21 the Majority Leader and Minority Leader of the
22 Senate; and

23 (C) 4 shall be appointed by the Speaker of
24 the House of Representatives, in consultation

1 with the Majority Leader and Minority Leader
2 of the House of Representatives.

3 (2) POLITICAL PARTY LIMITATION.—(A) Of the
4 5 members of the Commission appointed under
5 paragraph (1)(A), no more than 3 members may be
6 members of the same political party.

7 (B) Of the 4 members of the Commission ap-
8 pointed under subparagraphs (B) and (C) of para-
9 graph (1), respectively, no more than 2 members
10 may be members of the same political party.

11 (3) CONSULTATION BEFORE APPOINTMENTS.—
12 In making appointments under paragraph (1), the
13 President, the President pro tempore of the Senate,
14 and the Speaker of the House of Representatives
15 shall consult with the National Academy of Sciences
16 and appropriate professional organizations, such as
17 the American Economic Association and the Amer-
18 ican Statistical Association.

19 (4) QUALIFICATIONS.—An individual appointed
20 to serve on the Commission—

21 (A) shall have expertise in statistical policy
22 and a background in such disciplines as actuar-
23 ial science, demography, economics, finance,
24 and management;

1 (B) may not be a Federal officer or em-
 2 ployee; and

3 (C) should be an academician, a statistics
 4 user in the private sector, a corporate manager
 5 with experience related to information tech-
 6 nology, or a former government official with ex-
 7 perience related to—

8 (i) the Bureau of Labor Statistics of
 9 the Department of Labor; or

10 (ii) the Bureau of Economic Analysis
 11 or the Bureau of the Census of the De-
 12 partment of Commerce.

13 (5) DATE.—The appointments of the members
 14 of the Commission shall be made no later than 150
 15 days after the date of the enactment of this Act.

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

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

1 (e) MEETINGS.—The Commission shall meet at the
2 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 (g) CHAIRMAN.—The President shall designate a
7 Chairman of the Commission from among the members.

8 **SEC. 4. FUNCTIONS OF THE COMMISSION.**

9 (a) STUDY.—

10 (1) IN GENERAL.—The Commission shall con-
11 duct a comprehensive study of all matters relating to
12 the Federal statistical infrastructure, including lon-
13 gitudinal surveys conducted by private agencies and
14 partially funded by the Federal Government, for the
15 purpose of identifying opportunities to improve the
16 quality of statistics in the United States.

17 (2) STUDY AND RECOMMENDATIONS.—The
18 matters studied by and recommendations of the
19 Commission shall include—

20 (A) an evaluation of the accuracy and ap-
21 propriateness of key statistical indicators and
22 recommendations on ways to improve such ac-
23 curacy and appropriateness so that the indica-
24 tors better serve the major purposes for which
25 they were intended;

1 (B) an examination of multipurpose statis-
2 tical agencies that collect and analyze data of
3 broad interest across department and functional
4 areas, such as the Bureau of Economic Analysis
5 and the Bureau of the Census of the Commerce
6 Department, and the Bureau of Labor Statis-
7 tics of the Labor Department, for the purpose
8 of understanding the interrelationship and flow
9 of data among agencies;

10 (C) a review and evaluation of the collec-
11 tion of data for purposes of administering such
12 programs as Old-Age, Survivors and Disability
13 Insurance and Unemployment Insurance under
14 the Social Security Act;

15 (D) a review and evaluation of the mission
16 and organization of various statistical agencies,
17 including—

18 (i) recommendations with respect to
19 statistical activities that should be ex-
20 panded or eliminated;

21 (ii) the order of priority such activities
22 should be carried out;

23 (iii) a review of the advantages and
24 disadvantages of a centralized statistical

1 agency or a partial consolidation of the
2 agencies for the Federal Government; and

3 (iv) an assessment of which agencies
4 could be consolidated into such an agency;

5 (E) an examination of the methodology in-
6 volved in producing official data and rec-
7 ommendations for technical changes to improve
8 statistics;

9 (F) a review of interagency coordination of
10 statistical data and recommendations of meth-
11 ods to standardize collection procedures and
12 surveys, as appropriate, and presentation of
13 data throughout the Federal system;

14 (G) a review of information technology and
15 recommendations of appropriate methods for
16 disseminating statistical data, with special em-
17 phasis on resources, such as the Internet, that
18 allow the public to obtain and report informa-
19 tion in a timely and cost-effective manner;

20 (H) an identification and examination of
21 issues regarding individual privacy in the con-
22 text of statistical data;

23 (I) a comparison of the United States sta-
24 tistical system to statistical systems of other
25 nations for the purposes of identifying best

practices and developing a system of maintaining best practices over time;

(J) a consideration of the coordination of statistical data with other nations and international agencies, such as the Organization for Economic Cooperation and Development; and

(K) a recommendation of a strategy for maintaining a modern and efficient Federal statistical infrastructure to produce meaningful information as the United States society and economy change.

(b) REPORT.—

(1) INTERIM REPORT.—No later than June 1, 1998, the Commission shall submit an interim report on the study conducted under subsection (a) to the President and to the Congress.

(2) FINAL REPORT.—No later than January 15, 1999, the Commission shall submit a final report to the President and the Congress which shall contain a detailed statement of the findings and conclusions of the Commission, and recommendations for such legislation and administrative actions as the Commission considers appropriate.

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

2 (a) HEARINGS.—The Commission may hold such
3 hearings, sit and act at such times and places, take such
4 testimony, and receive such evidence as the Commission
5 considers advisable to carry out the purposes of this Act.

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 siderers necessary to carry out the provisions of this Act.
10 Upon request of the Chairman of the Commission, the
11 head of such department or agency shall furnish such in-
12 formation to the Commission.

13 (c) POSTAL SERVICES.—The Commission may use
14 the United States mails in the same manner and under
15 the same conditions as other departments and agencies of
16 the Federal Government.

17 (d) GIFTS.—The Commission may accept, use, and
18 dispose of gifts or donations of services or property.

19 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

20 (a) COMPENSATION OF MEMBERS.—

21 (1) IN GENERAL.—Subject to paragraph (2),
22 each member of the Commission shall be com-
23 pensated at a rate equal to the daily equivalent of
24 the annual rate of basic pay prescribed for level IV
25 of the Executive Schedule under section 5315 of title
26 5, United States Code, for each day (including travel

1 time) during which such member is engaged in the
2 performance of the duties of the Commission.

3 (2) CHAIRMAN.—The Chairman shall be com-
4 pensated at a rate equal to the daily equivalent of
5 the annual rate of basic pay prescribed for level III
6 of the Executive Schedule under section 5315 of title
7 5, United States Code, for each day (including travel
8 time) during which such member is engaged in the
9 performance of the duties of the Commission.

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

18 (c) STAFF.—

19 (1) IN GENERAL.—Subject to paragraph (2),
20 the Commission shall, without regard to the provi-
21 sions of title 5, United States Code, relating to the
22 competitive service, appoint an executive director

1 who shall be paid at a rate equivalent to a rate es-
2 tablished for the Senior Executive Service under sec-
3 tion 5382 of title 5, United States Code. The Com-
4 mission shall appoint such additional personnel as
5 the Commission determines to be necessary to pro-
6 vide support for the Commission, and may com-
7 pensate such additional personnel without regard to
8 the provisions of title 5, United States Code, relat-
9 ing to the competitive service.

10 (2) LIMITATION.—The total number of employ-
11 ees of the Commission (including the executive direc-
12 tor) may not exceed 30.

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 90 days after the
3 date on which the Commission submits the final report
4 of the Commission.

5 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

6 There are authorized to be appropriated \$2,500,000
7 for fiscal year 1997, \$5,000,000 for fiscal year 1998, and
8 \$2,500,000 for fiscal year 1999 to the Commission to
9 carry out the purposes of this Act.

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