

107TH CONGRESS  
1ST SESSION

# H. R. 1069

To establish a Bipartisan Social Security Reform and Results Commission.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2001

Mr. DEMINT introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a Bipartisan Social Security Reform and Results 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 “Bipartisan Social Secu-  
5       rity Reform and Results Commission Act of 2001”.

6       **SEC. 2. FINDINGS.**

7       The Congress finds the following:

8           (1) The 2000 Report of the Social Security  
9       Board of Trustees projects that the receipts financ-

1       ing the Social Security trust funds will fall below its  
2       outgo in 2015 and the trust funds will be depleted  
3       in 2037. At that time only 72 percent of Social Se-  
4       curity benefits would be payable then with incoming  
5       receipts.

6               (2) The primary reason is demographic: the  
7       post-World War II baby boomers will begin retiring  
8       in less than a decade and life expectancy is rising.  
9       By 2025 the number of people age 65 and older is  
10      predicted to grow by 75 percent. In contrast, the  
11      number of workers supporting the system would  
12      grow by 13 percent.

13               (3) If there are no other surplus governmental  
14      receipts, policymakers would have 3 choices: raise  
15      taxes or other income, cut spending, or borrow the  
16      money. Mirroring this adverse outlook are public  
17      opinion polls showing that fewer than 50 percent of  
18      respondents are confident that Social Security can  
19      meet its long-term commitments. There also is a  
20      widespread perception that Social Security may not  
21      be as good a value in the future as it is today.

22               (4) While it is accepted that Social Security re-  
23      form is needed without undue delay, there clearly is  
24      no consensus on how this should be accomplished.  
25      This was evident by the Report of the 1994–1996

1 Social Security Advisory Council, which provided 3  
2 very different plans but none of which received a  
3 majority's endorsement. It also is reflected by the  
4 many bills introduced in the 105th Congress and the  
5 106th Congress and proposals by the administration  
6 that represent a diversity of approaches to Social Se-  
7 curity reform. As a result of differences within Con-  
8 gress and with the administration, there has been no  
9 movement on Social Security reform.

10 (5) This state of affairs shows the need to de-  
11 velop consensus legislation between Congress and  
12 the administration that will achieve the objectives of  
13 reform stated in section 3 and that can be enacted  
14 into law without undue delay.

15 (6) To accomplish such a reform, there is a  
16 need to establish a Bipartisan Social Security Re-  
17 form and Results Commission charged with devel-  
18 oping a unified proposal to ensure the long-term re-  
19 tirement security of Americans.

20 **SEC. 3. OBJECTIVES OF REFORM.**

21 The Congress finds that it must act to reform the  
22 social security system so that—

23 (1) beneficiaries receive the benefits to which  
24 they are entitled based on a fair and equitable re-  
25 form of that system;

7 (3) every generation of workers is guaranteed a  
8 reasonable comparable rate of return on all tax con-  
9 tributions;

10 (4) all Americans, particularly low-income work-  
11 ers, are provided the opportunity to share in our Na-  
12 tion's economic prosperity and create wealth for  
13 themselves and future generations through a private  
14 investment account under that system;

15 (5) revenues flowing into the Federal Old-Age,  
16 Survivors, and Disability Trust Funds are protected  
17 from congressional or other efforts to spend on non-  
18 social security related purposes; and

19 (6) resources are made available from surplus  
20 non-social security revenues to preserve and protect  
21 the social security system while implementing re-  
22 form.

1 **SEC. 4. ESTABLISHMENT OF COMMISSION.**

2       There is established in the legislative branch a Bipar-  
3 tisan Social Security Reform and Results Commission (in  
4 this Act referred to as the “Commission”).

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

6       (a) RECOMMENDATIONS FOR REFORM.—Not later  
7 than September 1, 2001, the Commission shall make spe-  
8 cific recommendations to Congress for reform of the social  
9 security system established under title II of the Social Se-  
10 curity Act in a manner that incorporates the objectives  
11 of reform set forth in section 3. The recommendations of  
12 the Commission shall be based on its compilation and rec-  
13 onciliation of the recommendations of the task forces con-  
14 vened by the Commission pursuant to section 9 and shall  
15 provide for such appropriate interagency support and co-  
16 operation as may be necessary to attain such objectives.

17       (b) LEGISLATIVE LANGUAGE.—The recommenda-  
18 tions required under subsection (a) shall include legislative  
19 language necessary for carrying out such recommenda-  
20 tions. The Commission shall develop such legislative lan-  
21 guage after conducting such public hearings and con-  
22 sulting with such public or private entities as the Commis-  
23 sion considers necessary and appropriate to make the rec-  
24 ommendations required under subsection (a).

1 **SEC. 6. COMPOSITION OF THE COMMISSION.**

2 (a) NUMBER AND APPOINTMENT.—The Commission  
3 shall be composed of 16 members, of whom—

4 (1) 2 members shall be selected by the Chair-  
5 man of the Committee on Ways and Means of the  
6 House of Representatives, 1 from among Members  
7 of the House, and 1 from among private citizens;

8 (2) 2 members shall be selected by the Chair-  
9 man of the Committee on Finance of the Senate, 1  
10 from among Members of the Senate, and 1 from  
11 among private citizens;

12 (3) 2 members shall be selected by the ranking  
13 member of the Committee on Ways and Means of  
14 the House of Representatives, 1 from among Mem-  
15 bers of the House, and 1 from among private citi-  
16 zens;

17 (4) 2 members shall be selected by the ranking  
18 member of the Committee on Finance of the Senate,  
19 1 from among Members of the Senate, and 1 from  
20 among private citizens; and

21 (5) 8 members shall be selected by the Presi-  
22 dent from among Members of the Congress, officers  
23 of the executive branch of the United States Govern-  
24 ment, and private citizens, not more than 2 of whom  
25 shall be from among Members of the Congress.

1 The Commissioner of Social Security shall be an ex officio,  
2 nonvoting member of the Commission.

3 (b) QUALIFICATIONS.—The members of the Commis-  
4 sion shall consist of individuals who are of recognized  
5 standing and distinction who can represent the multiple  
6 generations who have a stake in the viability of the Social  
7 Security system, and who possess a demonstrated capacity  
8 to discharge the duties imposed on the Commission. At  
9 least 1 of the members shall be appointed from individuals  
10 representing the interests of employees, and at least 1 of  
11 the members shall be appointed from individuals rep-  
12 resenting the interests of employers.

13 (c) CHAIR.—The President shall designate a member  
14 of the Commission to serve as Chair of the Commission  
15 who shall chair the Commission, determine its duties, and  
16 supervise its staff.

17 (d) TERMS OF APPOINTMENT.—The members of the  
18 Commission shall be appointed not more than 30 days  
19 after the date of the enactment of this Act. The members  
20 of the Commission shall serve for the life of the Commis-  
21 sion.

22 (e) VACANCIES.—A vacancy in the Commission shall  
23 not affect the power of the remaining members to execute  
24 the duties of the Commission but any such vacancy shall

1 be filled in the same manner in which the original appoint-  
2 ment was made.

3 **SEC. 7. PROCEDURES.**

4 (a) MEETINGS.—The Commission shall meet at the  
5 call of its Chair or a quorum of its members.

6 (b) QUORUM.—A quorum shall consist of nine mem-  
7 bers of the Commission, except that a lesser number may  
8 conduct a hearing under subsection (c).

9 (c) HEARINGS AND OTHER ACTIVITIES.—For the  
10 purpose of carrying out its duties, the Commission may  
11 hold such hearings and undertake such other activities as  
12 the Commission determines necessary to carry out its du-  
13 ties.

14 (d) OBTAINING INFORMATION.—Upon request of the  
15 Commission, the Commissioner of Social Security and the  
16 head of any other agency or instrumentality of the Federal  
17 Government shall furnish information deemed necessary  
18 by the panel to enable it to carry out its duties.

19 **SEC. 8. ADMINISTRATION.**

20 (a) COMPENSATION.—Except as provided in sub-  
21 section (b), members of the Commission shall receive no  
22 additional pay, allowances, or benefits by reason of their  
23 service on the Commission.

24 (b) TRAVEL EXPENSES AND PER DIEM.—Each mem-  
25 ber of the Commission who is not a present Member of

1 the Congress and who is not otherwise an officer or em-  
2 ployee of the Federal Government shall receive travel ex-  
3 penses and per diem in lieu of subsistence in accordance  
4 with sections 5702 and 5703 of title 5, United States  
5 Code.

6 (c) STAFF AND SUPPORT SERVICES.—

7 (1) STAFF DIRECTOR.—

8 (A) APPOINTMENT.—The Chair in accord-  
9 ance with the rules agreed upon by the Com-  
10 mission shall appoint a staff director for the  
11 Commission.

12 (B) COMPENSATION.—The staff director  
13 shall be paid at a rate not to exceed the rate  
14 established for level V of the Executive Sched-  
15 ule under section 5315 of title 5, United States  
16 Code.

17 (2) STAFF.—The Chair in accordance with the  
18 rules agreed upon by the Commission shall appoint  
19 such additional personnel as the Commission deter-  
20 mines to be necessary.

21 (3) APPLICABILITY OF CIVIL SERVICE LAWS.—

22 The staff director and other members of the staff of  
23 the Commission shall be appointed without regard to  
24 the provisions of title 5, United States Code, gov-  
25 erning appointments in the competitive service, and

1 shall be paid without regard to the provisions of  
2 chapter 51 and subchapter III of chapter 53 of such  
3 title relating to classification and General Schedule  
4 pay rates.

5 (4) EXPERTS AND CONSULTANTS.—With the  
6 approval of the Commission, the staff director may  
7 procure temporary and intermittent services under  
8 section 3109(b) of title 5, United States Code.

9 (d) PHYSICAL FACILITIES.—The Architect of the  
10 Capitol, in consultation with the appropriate entities in the  
11 legislative branch, shall locate and provide suitable office  
12 space for the operation of the Commission on a non-  
13 reimbursable basis. The facilities shall serve as the head-  
14 quarters of the Commission and shall include all necessary  
15 equipment and incidentals required for the proper func-  
16 tioning of the Commission.

17 (e) ADMINISTRATIVE SUPPORT SERVICES AND  
18 OTHER ASSISTANCE.—

19 (1) Upon the request of the Commission, the  
20 Architect of the Capitol, the Commissioner of Social  
21 Security, and the Administrator of General Services  
22 shall provide to the Commission on a nonreimburs-  
23 able basis such administrative support services as  
24 the Commission may request.

7 (f) USE OF MAIls.—The Commission may use the  
8 United States mails in the same manner and under the  
9 same conditions as Federal agencies and shall, for pur-  
10 poses of the frank, be considered a commission of Con-  
11 gress as described in section 3215 of title 39, United  
12 States Code.

13 (g) PRINTING.—For purposes of costs relating to  
14 printing and binding, including the cost of personnel de-  
15 tailed from the Government Printing Office, the Commis-  
16 sion shall be deemed to be a committee of the Congress.

## 17 SEC. 9. TASK FORCES.

18 (a) IN GENERAL.—For purposes of compiling rec-  
19 ommendations of the Commission for submission to the  
20 Congress pursuant to section 5, the Commission shall des-  
21 ignate agencies and instrumentalities of the Federal Gov-  
22 ernment, as it determines appropriate, to provide the  
23 Commission with representatives thereof for service on the  
24 following task forces:

11 In the process of convening each task force, the Commis-  
12 sion shall prescribe specific goals to be addressed by such  
13 task force. Such goals shall be formulated so as to effec-  
14 tively obtain the expeditious attainment of the objectives  
15 specified in section 3.

16 (b) DESIGNATED AGENCIES.—The agencies to be  
17 designated by the Commission shall include the Social Se-  
18 curity Administration, the Department of the Treasury,  
19 the Department of Labor, the Office of the Comptroller  
20 of the Currency, the Securities and Exchange Commission,  
21 and other appropriate agencies and instrumentalities, as  
22 determined by the Commission.

23 (c) AGENCY COOPERATION.—Each agency and in-  
24 strumentality designated by the Commission pursuant to  
25 subsection (a) in connection with one or more task forces

1 specified in subsection (a) shall assign to the Commission  
2 representatives of such agency or instrumentality for serv-  
3 ice on such task forces. The Commission, and each agency  
4 and instrumentality designated for service on a task force  
5 under this section, shall provide such staff and administra-  
6 tive support services to the task force as may be necessary  
7 and appropriate, in accordance with procedures which  
8 shall be prescribed by the Commission.

9 (d) DUTIES OF TASK FORCES.—The Commission  
10 shall assign each task force a deadline for submitting its  
11 recommendations to the Commission and shall inform  
12 each House of the Congress of the convening of each task  
13 force and the deadline assigned to it. Each task force con-  
14 vened pursuant to subsection (a) shall, by such date as  
15 shall be specified by the Commission, provide the Commis-  
16 sion with its recommendations for attaining the goals ad-  
17 dressed by the task force, together with appropriate time-  
18 tables for achieving such goals.

19 (e) SEPARATE REPORTS AND TERMINATION.—Upon  
20 submission by each task force of its recommendations to  
21 the Commission, the task force shall submit to each House  
22 of the Congress a copy of its recommendations to the  
23 Commission, and shall thereupon terminate.

## 1 SEC. 10. CONGRESSIONAL CONSIDERATION OF REC-

2 **OMMENDATIONS.**

## 3 (a) INTRODUCTION OF RECOMMENDATIONS AND

## 4 COMMITTEE CONSIDERATION.—

5 (1) INTRODUCTION.—The legislative language  
6 transmitted pursuant to section 5(b) with the rec-  
7 ommendations for reform of the Commission shall be  
8 in the form of a bill (in this title referred to as the  
9 “reform bill”). Such reform bill shall be introduced  
10 in the House of Representatives by the Speaker, and  
11 in the Senate, by the Majority Leader, on the first  
12 day of session ending after receipt of the language  
13 and such reform bill shall be referred to the appro-  
14 priate committee of Congress under paragraph (2).  
15 If the reform bill is not introduced in accordance  
16 with the preceding sentence, the reform bill may be  
17 introduced in either House of Congress by any mem-  
18 ber thereof.

## 19 (2) COMMITTEE CONSIDERATION.—

20 (A) REFERRAL.—A reform bill introduced  
21 in the House of Representatives shall be re-  
22 ferred to the Committee on Ways and Means of  
23 the House of Representatives. A reform bill in-  
24 troduced in the Senate shall be referred to the  
25 Committee on Finance of the Senate.

1 (B) REPORTING.—Not later than 30 days  
2 after the introduction of the reform bill, the  
3 committee of Congress to which the reform bill  
4 was referred shall report the bill or a committee  
5 amendment thereto.

6 (C) DISCHARGE OF COMMITTEE.—If the  
7 committee to which is referred a reform bill has  
8 not reported such reform bill (or an identical  
9 reform bill) at the end of 30 calendar days after  
10 its introduction or at the end of the first day  
11 after there has been reported to the House in-  
12 volved a reform bill, whichever is earlier, such  
13 committee shall be deemed to be discharged  
14 from further consideration of such reform bill  
15 and such reform bill shall be placed on the ap-  
16 appropriate calendar of the House involved.

17 (b) EXPEDITED PROCEDURE.—

## 18 (1) CONSIDERATION.—

19 (A) IN GENERAL.—Not later than 2 days  
20 after the date on which a committee has been  
21 discharged from consideration of a reform bill,  
22 the Speaker of the House of Representatives, or  
23 the Speaker's designee, or the Majority Leader  
24 of the Senate, or the Leader's designee, shall  
25 move to proceed to the consideration of the

1 committee amendment to the reform bill, and  
2 if there is no such amendment, to the reform  
3 bill. It shall also be in order for any member  
4 of the House of Representatives or the Senate,  
5 respectively, to move to proceed to the consider-  
6 ation of the reform bill at any time after the  
7 conclusion of such 2-day period.

8 (B) POINTS OF ORDER WAIVED.—All  
9 points of order against the reform bill (and  
10 against consideration of the reform bill) are  
11 waived.

12 (C) MOTION TO PROCEED.—A motion to  
13 proceed to the consideration of the reform bill  
14 is highly privileged in the House of Representa-  
15 tives and is privileged in the Senate and is not  
16 debatable. The motion is not subject to amend-  
17 ment, to a motion to postpone consideration of  
18 the reform bill, or to a motion to proceed to the  
19 consideration of other business. A motion to re-  
20 consider the vote by which the motion to pro-  
21 ceed is agreed to or not agreed to shall not be  
22 in order. If the motion to proceed is agreed to,  
23 the House of Representatives or the Senate, as  
24 the case may be, shall immediately proceed to  
25 consideration of the reform bill without inter-

1           vening motion, order, or other business, and the  
2           reform bill shall remain the unfinished business  
3           of the House of Representatives or the Senate,  
4           as the case may be, until disposed of.

5 (D) LIMITED DEBATE.—Debate on the re-  
6 form bill and on all debatable motions and ap-  
7 peals in connection therewith shall be limited to  
8 not more than the lesser of 100 hours or 14  
9 days, which shall be divided equally between  
10 those favoring and those opposing the reform  
11 bill. A motion further to limit debate on the re-  
12 form bill is in order and not debatable.

13 (E) AMENDMENTS.—

14 (i) CONSIDERATION IN THE HOUSE OF  
15 REPRESENTATIVES.—Subject to clause  
16 (iii), amendments to the reform bill during  
17 consideration in the House of Representa-  
18 tives shall be limited in accordance with a  
19 rule adopted by the Committee on Rules of  
20 the House of Representatives.

21 (ii) CONSIDERATION IN THE SEN-  
22 ATE.—Subject to clause (iii), amendments  
23 to the reform bill during consideration in  
24 the Senate shall be limited to—

1 (I) one first degree amendment  
2 per member or that member's des-  
3 ignee with 1 hour of debate equally di-  
4 vided; and

5 (II) germane second degree  
6 amendments (without limit) with 30  
7 minutes of debate equally divided.

1 (F) VOTE ON FINAL PASSAGE.—Imme-  
2 diately following the conclusion of the debate on  
3 the reform bill, and on all amendments offered  
4 to the reform bill, and all votes required on  
5 amendments offered to the reform bill, the vote  
6 on final passage of the reform bill shall occur.

7 (G) OTHER MOTIONS NOT IN ORDER.—A  
8 motion to postpone consideration of the reform  
9 bill, a motion to proceed to the consideration of  
10 other business, or a motion to recommit the re-  
11 form bill is not in order. A motion to reconsider  
12 the vote by which the reform bill is agreed to  
13 or not agreed to is not in order.

14 (H) APPEALS.—Appeals from the decisions  
15 of the Chair relating to the application of the  
16 rules of the House of Representatives or of the  
17 Senate, as the case may be, to the procedure re-  
18 lating to the reform bill shall be decided with-  
19 out debate.

20 (2) CONSIDERATION BY OTHER HOUSE.—If, be-  
21 fore the passage by one House of the reform bill  
22 that was introduced in such House, such House re-  
23 ceives from the other House a reform bill as passed  
24 by such other House—

5 (B) the procedure in the House in receipt  
6 of the reform bill of the other House, with re-  
7 spect to the reform bill that was introduced in  
8 the House in receipt of the reform bill of the  
9 other House, shall be the same as if no reform  
10 bill had been received from the other House.

Upon passage of a reform bill by either House (or upon adoption of an amendment by either House to a reform bill received from the other House), it shall no longer be in order in the House passing such bill (or amendment) to consider any other reform bill under this section.

17 (3) CONSIDERATION IN CONFERENCE.—

18 (A) CONVENING OF CONFERENCE.—

19 (i) IN GENERAL.—Immediately upon a  
20 final passage of the reform bill that results  
21 in a disagreement between the two Houses  
22 of Congress with respect to the bill, the  
23 conferees described in clause (ii) shall be  
24 appointed and a conference convened.

(ii) CONFEREES DESCRIBED.—The

conferees described in this clause are the following:

(I) The Speaker of the House of  
representatives.

(II) The Minority Leader of the House of Representatives.

### (III) The Majority Leader of the Senate.

#### (IV) The Minority Leader of the

## Senate.

(V) Each member of the Committee on Ways and Means of the House of Representatives.

(VI) Each member of the Committee on Finance of the Senate.

(B) DEADLINE FOR REPORT.—Not later

than 14 days after the date on which conferees are appointed, the conferees shall file a report with the House of Representatives and the Senate resolving the differences between the Houses on the reform bill.

(C) LIMITATION ON SCOPE.—A report filed under subparagraph (B) shall be limited to resolution of the differences between the Houses

1           on the reform bill and shall not include any  
2           other matter.

3           (D) HOUSE CONSIDERATION.—

4               (i) IN GENERAL.—Notwithstanding  
5               any other rule of the House of Representa-  
6               tives, it shall be in order to immediately  
7               consider a report of a committee of con-  
8               ference on the reform bill filed in accord-  
9               ance with subparagraph (B).

10              (ii) DEBATE.—Debate in the House of  
11              Representatives on the conference report  
12              shall be limited to the lesser of 50 hours  
13              or 7 days, equally divided and controlled  
14              by the Speaker of the House of Represent-  
15              atives and the Minority Leader of the  
16              House of Representatives or their des-  
17              ignees.

18              (iii) LIMITATION ON MOTIONS.—A  
19              motion to further limit debate on the con-  
20              ference report is not debatable. A motion  
21              to recommit the conference report is not in  
22              order, and it is not in order to move to re-  
23              consider the vote by which the conference  
24              report is agreed to or disagreed to.

1 (iv) VOTE ON FINAL PASSAGE.—A  
2 vote on final passage of the conference re-  
3 port shall occur immediately at the conclu-  
4 sion or yielding back of all time for debate  
5 on the conference report.

6 (E) SENATE CONSIDERATION.—

12 (ii) DEBATE.—Consideration in the  
13 Senate of the conference report on a re-  
14 form bill shall be limited to the lesser of 50  
15 hours or 7 days, equally divided and con-  
16 trolled by the Majority Leader and the Mi-  
17 nority Leader or their designees.

18 (iii) LIMITATION ON MOTION TO RE-  
19 COMMIT.—A motion to recommit the con-  
20 ference report is not in order.

21 (4) RULES OF THE SENATE AND HOUSE OF  
22 REPRESENTATIVES.—This subsection is enacted by  
23 Congress—

24 (A) as an exercise of the rulemaking power  
25 of the Senate and House of Representatives, re-

1           spectively, and is deemed to be part of the rules  
2           of each House, respectively, but applicable only  
3           with respect to the procedure to be followed in  
4           that House in the case of a bill, and it super-  
5           sedes other rules only to the extent that it is in-  
6           consistent with such rules; and

7           (B) with full recognition of the constitu-  
8           tional right of either House to change the rules  
9           (so far as they relate to the procedure of that  
10          House) at any time, in the same manner, and  
11          to the same extent as in the case of any other  
12          rule of that House.

13 **SEC. 11. TERMINATION.**

14          The Commission shall terminate 30 days after trans-  
15          mitting its recommendations pursuant to section 5.

16 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

17          There are authorized to be appropriated such sums  
18          as may be necessary for the activities of the Commission.  
19          Until such time as funds are otherwise specifically appro-  
20          priated for such activities, \$2,000,000 shall be available  
21          for the activities of the Commission from funds otherwise  
22          currently appropriated for administrative expenses of the  
23          Social Security Administration pursuant to section  
24          201(g)(1)(A) of the Social Security Act.

