

108TH CONGRESS
1ST SESSION

H. R. 3435

To establish a commission to study employment and economic insecurity
in the United States workforce.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 2003

Mr. HASTINGS of Florida introduced the following bill; which was referred to
the Committee on Education and the Workforce

A BILL

To establish a commission to study employment and
economic insecurity in the United States workforce.

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 “National Commission
5 on Employment and Economic Security Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Employment is the backbone of the United
9 States economy, helping individuals feel positive

1 about themselves, develop independence, and main-
2 tain hope for the future.

3 (2) More than 2,600,000 Americans have be-
4 come unemployed since January 2001.

5 (3) In August 2003, individuals between the
6 ages of 16 and 24 made up more than 25 percent
7 of the total number of unemployed persons in the
8 United States.

9 (4) Minorities are more likely to be unemployed
10 than Whites.

11 (5) In August 2003, African Americans were
12 more than twice as likely as Whites to be unem-
13 ployed.

14 (6) In August 2003, Hispanics were one and a
15 half times as likely as Whites to be unemployed.

16 (7) The loss of a job and the subsequent loss
17 of income from that job can be a substantial trigger
18 for depression.

19 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

20 There is established a commission to be known as the
21 “National Commission on Employment and Economic Se-
22 curity”.

23 **SEC. 4. DUTIES OF COMMISSION.**

24 The Commission shall—

1 (1) examine the issues of economic and psycho-
2 logical insecurity of members of the United States
3 workforce caused by employment displacement;

4 (2) examine the relationship between (A) psy-
5 chological stress caused by employment insecurity
6 and economic insecurity and (B) increased violence
7 by employees and former employees in the workplace
8 and in their private lives;

9 (3) examine the economic and psychological ef-
10 fects of the decreasing number of well-paid jobs on
11 members of the United States workforce; and

12 (4) recommend potential solutions, including
13 recommendations for legislative and administrative
14 action, to alleviate the problems of economic and
15 psychological insecurity of members of the United
16 States workforce.

17 **SEC. 5. MEMBERSHIP OF COMMISSION.**

18 (a) NUMBER AND APPOINTMENT.—The Commission
19 shall be composed of 15 members who shall be appointed
20 as follows:

21 (1) 7 individuals appointed by the President, of
22 which—

23 (A) 2 members shall be individuals who
24 represent labor organizations as defined by sec-

1 tion 2(5) of the National Labor Relations Act
2 (29 U.S.C. 152(5));

3 (B) 2 members shall be individuals who
4 represent business interests; and

5 (C) 2 members shall be individuals who
6 represent mental health interests.

7 (2) 2 individuals appointed by the Speaker of
8 the House of Representatives.

9 (3) 2 individuals appointed by the minority
10 leader of the House of Representatives.

11 (4) 2 individuals appointed by the majority
12 leader of the Senate.

13 (5) 2 individuals appointed by the minority
14 leader of the Senate.

15 (b) QUALIFICATIONS.—

16 (1) IN GENERAL.—Members shall be experts in
17 the fields of labor and employment.

18 (2) POLITICAL AFFILIATION.—Political affli-
19 ation shall not be a factor in the appointment of
20 members.

21 (c) DEADLINE FOR APPOINTMENT.—Each member
22 shall be appointed to the Commission not later than 90
23 days after the date of the enactment of this Act.

24 (d) TERMS.—Each member shall be appointed for the
25 life of the Commission.

1 (e) VACANCIES.—A vacancy in the Commission shall
2 be filled in the manner in which the original appointment
3 was made.

4 (f) BASIC PAY.—Members shall serve without pay.

5 (g) TRAVEL EXPENSES.—Each member shall receive
6 travel expenses, including per diem in lieu of subsistence,
7 in accordance with sections 5702 and 5703 of title 5,
8 United States Code.

9 (h) QUORUM.—8 members of the Commission shall
10 constitute a quorum but a lesser number may hold hear-
11 ings.

12 (i) CHAIRPERSON.—

13 (1) IN GENERAL.—The Chairperson of the
14 Commission shall be elected by the members not
15 later than 30 days after the date on which all of the
16 original members of the Commission have been ap-
17 pointed.

18 (2) PRESIDENTIAL APPOINTMENT.—If the
19 members of the Commission are unable to elect the
20 Chairperson in accordance with paragraph (1), the
21 President shall appoint a member of the Commission
22 to be the Chairperson.

23 (j) MEETINGS.—The Commission shall meet at the
24 call of the Chairperson.

1 **SEC. 6. STAFF OF COMMISSION.**

2 (a) STAFF.—The Chairperson may appoint and fix
3 the pay of the personnel of the Commission as the Chair-
4 person considers appropriate.

5 (b) APPLICABILITY OF CERTAIN CIVIL SERVICE
6 LAWS.—The staff of the Commission shall be appointed
7 subject to the provisions of title 5, United States Code,
8 governing appointments in the competitive service, and
9 shall be paid in accordance with the provisions of chapter
10 51 and subchapter III of chapter 53 of that title relating
11 to classification and General Schedule pay rates.

12 (c) STAFF OF FEDERAL AGENCIES.—Upon request
13 of the Chairperson, the head of any Federal department
14 or agency may detail, on a reimbursable basis, any of the
15 personnel of that department or agency to the Commission
16 to assist it in carrying out its duties under this Act.

17 **SEC. 7. POWERS OF COMMISSION.**

18 (a) HEARINGS AND SESSIONS.—The Commission
19 may, for the purpose of carrying out this Act, hold hear-
20 ings, sit and act at times and places, take testimony, and
21 receive evidence as the Commission considers appropriate.
22 The Commission may administer oaths or affirmations to
23 witnesses appearing before it.

24 (b) POWERS OF MEMBERS AND AGENTS.—Any mem-
25 ber or agent of the Commission may, if authorized by the

1 Commission, take any action which the Commission is au-
2 thorized to take by this section.

3 (c) OBTAINING OFFICIAL DATA.—The Commission
4 may secure directly from any Federal department or agen-
5 cy information necessary to enable it to carry out this Act.
6 Upon request of the Chairperson of the Commission, the
7 head of that department or agency shall provide that in-
8 formation to the Commission.

9 (d) MAILS.—The Commission may use the United
10 States mails in the same manner and under the same con-
11 ditions as other Federal departments and agencies.

12 (e) ADMINISTRATIVE SUPPORT SERVICES.—Upon
13 the request of the Commission, the Administrator of Gen-
14 eral Services shall provide to the Commission, on a reim-
15 bursable basis, the administrative support services nec-
16 essary for the Commission to carry out its responsibilities
17 under this Act.

18 (f) IMMUNITY.—The Commission is an agency of the
19 United States for purpose of part V of title 18, United
20 States Code (relating to immunity of witnesses).

21 (g) SUBPOENA POWER.—

22 (1) IN GENERAL.—The Commission may issue
23 a subpoena to require the attendance and testimony
24 of witnesses and the production of evidence relating

1 to any matter described in paragraphs (1) through
2 (3) of section 4.

3 (2) FAILURE TO OBEY AN ORDER OR SUB-
4 POENA.—If a person refuses to obey a subpoena
5 issued under paragraph (1), the Commission may
6 apply to a United States district court for an order
7 requiring that person to appear before the Commis-
8 sion to give testimony, produce evidence, or both, re-
9 lating to the matter under investigation. The appli-
10 cation may be made within the judicial district
11 where the hearing is conducted or where that person
12 is found, resides, or transacts business. Any failure
13 to obey the order of the court may be punished by
14 the court as civil contempt.

15 (3) SERVICE OF SUBPOENAS.—The subpoenas
16 of the Commission shall be served in the manner
17 provided for subpoenas issued by a United States
18 district court under the Federal Rules of Civil Pro-
19 cedure for the United States district courts.

20 (h) CONTRACT AUTHORITY.—The Commission may
21 contract with and compensate government and private
22 agencies or persons for supplies or services, without regard
23 to section 3709 of the Revised Statutes (41 U.S.C. 5).

1 **SEC. 8. REPORT OF COMMISSION.**

2 Not later than 1 year after the date on which all
3 original members have been appointed to the Commission,
4 the Commission shall transmit to the President and Con-
5 gress a report that contains a detailed statement of the
6 findings and recommendations of the Commission made
7 pursuant to section 4.

8 **SEC. 9. TERMINATION OF COMMISSION.**

9 The Commission shall terminate 30 days after the
10 date of submission of the report pursuant to section 8.

11 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) IN GENERAL.—There are authorized to be appro-
13 priated to carry out this Act \$2,000,000 for fiscal year
14 2004.

15 (b) AVAILABILITY.—Amounts authorized to be appro-
16 priated by subsection (a) are authorized to remain avail-
17 able until expended.

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