

109TH CONGRESS  
1ST SESSION

# H. R. 79

To establish the Medicare Eligible Military Retiree Health Care Consensus Task Force.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2005

Mrs. EMERSON introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To establish the Medicare Eligible Military Retiree Health Care Consensus Task Force.

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 “Military Retiree Health  
5 Care Task Force Act of 2005”.

6 **SEC. 2. ESTABLISHMENT.**

7 There is established a task force to be known as the  
8 “Medicare Eligible Military Retiree Health Care Con-  
9 sensus Task Force” (in this Act referred to as the “Task  
10 Force”).

1 **SEC. 3. DUTIES OF TASK FORCE.**

2 (a) STUDY.—It shall be the duty of the Task Force  
3 to conduct a comprehensive legal and factual study of the  
4 following matters:

5 (1) Promises, commitments, or representations  
6 made to members of the uniformed services by De-  
7 partment of Defense personnel with respect to  
8 health care coverage of such members and their fam-  
9 ilies after separation from the uniformed services.

10 (2) Sharing agreements and contracts between  
11 the Department of Defense and the Department of  
12 Veterans Affairs regarding health care coverage for  
13 military retirees and their dependents.

14 (3) Proposals to provide for a full continuum of  
15 health care coverage for medicare eligible military  
16 retirees and their dependents, including any such  
17 proposal developed by the Department of Defense.

18 (b) REPORT.—Not later than one year after the Task  
19 Force first meets, the Task Force shall submit to Con-  
20 gress a report containing a detailed statement of the find-  
21 ings and conclusions of the Task Force with respect to  
22 the study conducted under subsection (a), together with  
23 its recommendations for such legislative and administra-  
24 tive actions as it considers appropriate.

1 **SEC. 4. MEMBERSHIP.**

2 (a) NUMBER AND APPOINTMENT.—The Task Force  
3 shall be composed of 12 members appointed as follows:

4 (1) The Speaker of the House of Representa-  
5 tives and the minority leader of the House of Rep-  
6 resentatives shall jointly appoint nine members from  
7 among qualified individuals as follows:

8 (A) Two members shall be representatives  
9 of veterans service organizations.

10 (B) Three members shall be representa-  
11 tives of military associations with retired en-  
12 listed members.

13 (C) One member shall be a representative  
14 of a retired officers association.

15 (D) Three members shall be health care  
16 professionals.

17 (2) The Secretary of Defense shall appoint one  
18 member from among officers or employees of the  
19 Department of Defense.

20 (3) The Secretary of Veterans Affairs shall ap-  
21 point one member from among officers or employees  
22 of the Department of Veterans Affairs.

23 (4) The Secretary of Health and Human Serv-  
24 ices shall appoint one member from among officers  
25 or employees of the Department of Health and  
26 Human Services.

1 Not more than six members appointed under this sub-  
2 section may be of the same political party.

3 (b) DEADLINE FOR APPOINTMENT.—Members of the  
4 Task Force shall be appointed by not later than 90 days  
5 after the date of the enactment of this Act.

6 (c) TERMS OF APPOINTMENT.—The term of any ap-  
7 pointment under subsection (a) shall be for the life of the  
8 Task Force.

9 (d) VACANCIES.—Any member appointed to fill a va-  
10 cancy occurring before the expiration of the term for which  
11 the member's predecessor was appointed shall be ap-  
12 pointed only for the remainder of that term. A vacancy  
13 in the Task Force shall be filled in the manner in which  
14 the original appointment was made.

15 (e) WAIVER OF LIMITATION ON EXECUTIVE SCHED-  
16 ULE POSITIONS.—Appointments may be made under this  
17 section without regard to section 5311(b) of title 5, United  
18 States Code.

19 (f) CONTINUATION OF MEMBERSHIP.—If a member  
20 was appointed to the Task Force as a Member of Congress  
21 and the member ceases to be a Member of Congress, or  
22 was appointed to the Task Force while the member was  
23 not an officer or employee of any government and later  
24 becomes an officer or employee of a government, that  
25 member may continue as a member.

1 (g) COMPENSATION.—Members of the Task Force  
2 shall receive no additional pay, allowances, or benefits by  
3 reason of their service on the Task Force.

4 (h) EXPENSES.—Each member of the Task Force  
5 shall receive travel expenses and per diem in lieu of sub-  
6 sistence in accordance with sections 5702 and 5703 of title  
7 5, United States Code.

8 (i) QUORUM.—Seven members of the Task Force  
9 shall constitute a quorum, but a lesser number may hold  
10 hearings.

11 (j) CHAIRPERSON.—As the first order of business at  
12 the first meeting of the Task Force, the members of the  
13 Task Force shall elect a chairperson from among the  
14 members.

15 (k) MEETINGS.—The Task Force shall meet at the  
16 call of the Chairperson or a majority of its members.

17 **SEC. 5. STAFF OF TASK FORCE AND SUPPORT SERVICES.**

18 (a) DIRECTOR.—The Chairperson shall appoint a Di-  
19 rector of the Task Force, without regard to section  
20 5311(b) of title 5, United States Code. The Director shall  
21 be paid at the minimum annual rate of basic pay payable  
22 for GS–15 of the General Schedule.

23 (b) STAFF.—With the approval of the Chairperson of  
24 the Task Force, the Director may appoint and fix the pay  
25 of not more than eight additional personnel.

1           (c) APPLICABILITY OF CERTAIN CIVIL SERVICE  
2 LAWS.—The staff of the Task Force may be appointed  
3 without regard to the provisions of title 5, United States  
4 Code, governing appointments in the competitive service,  
5 and may be paid without regard to the provisions of chap-  
6 ter 51 and subchapter III of chapter 53 of that title relat-  
7 ing to classification and General Schedule pay rates, ex-  
8 cept that an individual so appointed may not receive pay  
9 in excess of the minimum annual rate of basic pay payable  
10 for GS-13 of the General Schedule.

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

17 **SEC. 6. POWERS OF TASK FORCE.**

18           (a) HEARINGS AND SESSIONS.—The Task Force  
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 Task Force considers appropriate.

22           (b) POWERS OF MEMBERS AND AGENTS.—Any mem-  
23 ber or agent of the Task Force may, if authorized by the  
24 Task Force, take any action which the Task Force is au-  
25 thorized to take by this section.

1           (c) OBTAINING OFFICIAL DATA.—The Task Force  
2 may secure directly from any department or agency of the  
3 United States information necessary to enable it to carry  
4 out this Act. Upon request of the Chairperson of the Task  
5 Force, the head of that department or agency shall furnish  
6 that information to the Task Force.

7           (d) MAILS.—The Task Force may use the United  
8 States mails in the same manner and under the same con-  
9 ditions as other departments and agencies of the United  
10 States.

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

17          (f) CONTRACT AUTHORITY.—The Task Force may  
18 contract with and compensate government and private  
19 agencies or persons for supplies or services, without regard  
20 to section 3709 of the Revised Statutes (41 U.S.C. 5).

21 **SEC. 7. TERMINATION.**

22          The Task Force shall terminate 90 days after submit-  
23 ting the report under section 3(b).

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