

112TH CONGRESS
2D SESSION

H. R. 6263

To establish a commission to study how Federal laws and policies affect
United States citizens living in foreign countries.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2012

Mrs. MALONEY (for herself, Mr. HONDA, and Mr. RANGEL) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committees on Financial Services, Ways and Means, the Judiciary, House Administration, Energy and Commerce, and Education and the Workforce, 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

A BILL

To establish a commission to study how Federal laws and
policies affect United States citizens living in foreign
countries.

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 Ameri-
5 cans Living Abroad Act”.

1 **SEC. 2. ESTABLISHMENT.**

2 There is established a commission to be known as the
3 “Commission on Americans Living Abroad” (in this Act
4 referred to as the “Commission”).

5 **SEC. 3. MEMBERSHIP.**

6 (a) NUMBER AND APPOINTMENT.—The Commission
7 shall be composed of 15 members appointed by the Presi-
8 dent, of whom—

9 (1) two members shall be appointed from
10 among individuals recommended by the Speaker of
11 the House of Representatives;

12 (2) two members shall be appointed from
13 among individuals recommended by the majority
14 leader of the House of Representatives;

15 (3) two members shall be appointed from
16 among individuals recommended by the minority
17 leader of the House of Representatives;

18 (4) two members shall be appointed from
19 among individuals recommended by the majority
20 leader of the Senate;

21 (5) two members shall be appointed from
22 among individuals recommended by the minority
23 leader of the Senate; and

24 (6) two members shall be appointed from
25 among individuals recommended by the President
26 pro tempore of the Senate.

1 (b) QUALIFICATIONS.—

2 (1) LIMIT ON OFFICERS OR EMPLOYEES OF
3 THE UNITED STATES.—Not more than 10 members
4 shall be officers or employees of the United States.

5 (2) POLITICAL PARTY AFFILIATION.—Not more
6 than 8 members of the Commission may be of the
7 same political party.

8 (3) EXPERTISE.—

9 (A) OFFICERS OR EMPLOYEES OF THE
10 UNITED STATES.—Members of the Commission
11 who are officers or employees of the United
12 States shall be appointed from among individ-
13 uals whose employment is directly related to the
14 matters to be studied by the Commission under
15 section 4(a)(2).

16 (B) OTHER MEMBERS.—Members of the
17 Commission who are not officers or employees
18 of the United States shall be appointed from
19 among individuals who—

20 (i) have lived in a foreign country for
21 not less than one year;

22 (ii) are members of organizations that
23 represent United States citizens living in
24 foreign countries; or

1 (iii) have other experience that is rel-
2 evant to the matters to be studied by the
3 Commission under section 4(a)(2).

4 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
5 bers shall be appointed for the life of the Commission. Any
6 vacancy in the Commission shall be filled in the same man-
7 ner in which the original appointment was made. Any va-
8 cancy in the Commission shall not affect its powers.

9 (d) FIRST MEETING.—Not later than 60 days after
10 the date on which all members of the Commission have
11 been appointed, the Commission shall hold its first meet-
12 ing.

13 (e) MEETINGS.—The Commission shall meet at the
14 call of the Chairperson.

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

18 (g) CHAIRPERSON.—The President shall select a
19 Chairperson for the Commission from among its members.

20 **SEC. 4. DUTIES.**

21 (a) STUDY.—

22 (1) IN GENERAL.—The Commission shall con-
23 duct a study on how Federal laws and policies affect
24 United States citizens living in foreign countries, in-
25 cluding civilians and members of the Armed Forces.

1 (2) MATTERS STUDIES.—The matters studied
2 shall include the following:

3 (A) Federal financial reporting require-
4 ments for a United States citizen living in a
5 foreign country, including the requirements
6 under section 5314 of title 31, United States
7 Code.

8 (B) Federal policies and requirements that
9 affect the ability of a United States citizen liv-
10 ing in a foreign country to access foreign and
11 domestic financial institutions, including re-
12 quirements under chapter 4 of the Internal
13 Revenue Code of 1986 (commonly known as the
14 “Foreign Account Tax Compliance Act”) and
15 requirements affecting financial institutions im-
16 posed by the Uniting and Strengthening Amer-
17 ica by Providing Appropriate Tools Required to
18 Intercept and Obstruct Terrorism Act of 2001
19 (USA Patriot Act) (Public Law 107–56).

20 (C) Federal requirements for a spouse,
21 child, or another family member of a United
22 States citizen living in a foreign country who is
23 not a United States citizen to become a United
24 States citizen.

1 (D) The ability of a United States citizen
2 living in a foreign country to vote in Federal,
3 State, and local elections in the United States,
4 and the process for such a citizen to vote in
5 such elections.

6 (E) The processes by which a United
7 States citizen living in a foreign country inter-
8 acts with Federal programs such as Social Se-
9 curity and Medicare.

10 (F) The process for a United States citizen
11 living in a foreign country to get a Federal edu-
12 cation loan for such citizen or for such citizen's
13 child who is a United States citizen.

14 (G) Which Federal agencies have jurisdic-
15 tion over each Federal program that serves
16 United States citizens who live in foreign coun-
17 tries and possible methods to improve the col-
18 laboration of and coordination between such
19 Federal agencies.

20 (b) CONSULTATION WITH OUTSIDE ORGANIZA-
21 TIONS.—In conducting the study under subsection (a), the
22 Commission shall consult organizations that represent
23 United States citizens living in foreign countries.

24 (c) REPORTS.—

1 (1) INITIAL REPORT.—Not later than one year
2 after the date of enactment of this Act, the Commis-
3 sion shall submit a report to the President, Con-
4 gress, and the head of any Federal agency identified
5 in subsection (a)(2)(G), which shall contain a de-
6 tailed statement of the findings and conclusions of
7 the Commission, together with its recommendations
8 for such legislative and administrative actions as it
9 considers appropriate.

10 (2) UPDATE.—Not later than one year after the
11 date on which the Commission submits the report
12 under paragraph (1), the Commission shall submit
13 an update to the President, Congress, and the head
14 of any Federal agency identified in subsection
15 (a)(2)(G), which shall describe any administrative
16 actions taken by the head of any Federal agency
17 pursuant to the recommendations in such report.

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

19 (a) HEARINGS AND SESSIONS.—The Commission
20 may, for the purpose of carrying out this Act, hold hear-
21 ings, sit and act at times and places, take testimony, and
22 receive evidence as the Commission considers appropriate.

23 (b) POWERS OF MEMBERS AND AGENTS.—Any mem-
24 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.—Subject to section
4 6103 of the Internal Revenue Code of 1986, the Commis-
5 sion may secure directly from any Federal department or
6 agency such information as the Commission considers nec-
7 essary to carry out this Act. Upon request of the Chair-
8 person of the Commission, the head of such department
9 or agency shall furnish such information to the Commis-
10 sion.

11 (d) MAILS.—The Commission may use the United
12 States mails in the same manner and under the same con-
13 ditions as other departments and agencies of the United
14 States.

15 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

16 (a) COMPENSATION OF MEMBERS.—Each member of
17 the Commission who is not an officer or employee of the
18 United States shall be compensated at a rate equal to the
19 daily equivalent of the annual rate of basic pay prescribed
20 for level IV of the Executive Schedule under section 5315
21 of title 5, United States Code, for each day (including
22 travel time) during which such member is engaged in the
23 performance of the duties of the Commission. All members
24 of the Commission who are officers or employees of the
25 United States shall serve without compensation in addi-

1 tion to that received for their services as officers or em-
2 ployees of the United States.

3 (b) TRAVEL EXPENSES.—The members of the Com-
4 mission shall be allowed travel expenses, including per
5 diem in lieu of subsistence, at rates authorized for employ-
6 ees of agencies under subchapter I of chapter 57 of title
7 5, United States Code, while away from their homes or
8 regular places of business in the performance of services
9 for the Commission.

10 (c) STAFF.—

11 (1) IN GENERAL.—The Chairperson of the
12 Commission may, without regard to the civil service
13 laws and regulations, appoint and terminate an execu-
14 tive director and such other additional personnel as
15 may be necessary to enable the Commission to per-
16 form its duties. The employment of an executive di-
17 rector shall be subject to confirmation by the Com-
18 mission.

19 (2) COMPENSATION.—The Chairperson of the
20 Commission may fix the compensation of the execu-
21 tive director and other personnel without regard to
22 chapter 51 and subchapter III of chapter 53 of title
23 5, United States Code, relating to classification of
24 positions and General Schedule pay rates, except
25 that the rate of pay for the executive director and

1 other personnel may not exceed the rate payable for
2 level V of the Executive Schedule under section 5316
3 of such title.

4 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any
5 United States employee may be detailed to the Commis-
6 sion without reimbursement, and such detail shall be with-
7 out interruption or loss of civil service status or privilege.

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

15 **SEC. 7. FEDERAL AGENCY RESPONSE.**

16 Not later than 180 days after the date on which the
17 Commission submits the report under section 4(c)(1), the
18 head of any Federal agency that is affected by a rec-
19 ommendation in such report shall submit to the President,
20 Congress, and the Commission a response to such rec-
21 ommendation, including any plans to take administrative
22 action pursuant to such recommendation.

23 **SEC. 8. TERMINATION.**

24 The Commission shall terminate on the date on which
25 it submits its update under section 4(c)(2).

1 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

2 There is authorized to be appropriated \$3,000,000
3 for each of fiscal years 2013 and 2014 to the Commission
4 to carry out this Act to remain available until the termi-
5 nation of the Commission.

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