

115TH CONGRESS
1ST SESSION

H. R. 1469

To establish the Benefit Reform and Alignment Commission to consolidate
and realign means-tested direct spending program outlays.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2017

Mr. DAVIDSON (for himself, Mr. POLIQUIN, and Mr. JORDAN) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Agriculture, Natural Resources, Energy and Commerce, Financial Services, Transportation and Infrastructure, Rules, and the Judiciary, 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 the Benefit Reform and Alignment Commission
to consolidate and realign means-tested direct spending
program outlays.

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 “Welfare Benefit Re-
5 form and Alignment Commission (BRAC) Act”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to structure means-tested
3 welfare programs such that—

4 (1) the receipt of means-tested welfare program
5 aid by a beneficiary is temporary, that over time
6 there is a reduction in the number of such programs
7 in which an individual beneficiary or household is
8 participating, and that over time the total number of
9 recipients receiving such aid is reduced; and

10 (2) means-tested welfare programs increase em-
11 ployment, encourage healthy marriages and further
12 educational attainment so that households maintain
13 an income above the poverty level without services
14 and benefits from the Federal Government.

15 **SEC. 3. DEFINITION OF MEANS-TESTED WELFARE PRO-**
16 **GRAM.**

17 (a) MEANS-TESTED WELFARE PROGRAM.—In this
18 Act, the term “means-tested welfare program”—

19 (1) means any Federal program that is de-
20 signed to specifically provide assistance or benefits
21 exclusively to low-income Americans;

22 (2) does not include such a program if the pro-
23 gram—

24 (A) is based on earned eligibility;

25 (B) is not need-based;

1 (C) provides to an individual benefits
2 under title 38, United States Code, or other
3 provisions of law administered by the Secretary
4 of Veterans Affairs; or

5 (D) offers universal or near universal eligi-
6 bility to the working population and their de-
7 pendants; and

8 (3) includes community and economic develop-
9 ment programs targeted to low-income communities
10 or populations.

11 (b) PROGRAMS INCLUDED.—For purposes of sub-
12 section (a), the following Federal programs shall be con-
13 sidered means-tested welfare programs:

14 (1) CASH AND GENERAL ASSISTANCE.—

15 (A) The Supplemental Security Income
16 program under title XVI of the Social Security
17 Act.

18 (B) The earned income tax credit deter-
19 mined under section 32 of the Internal Revenue
20 Code of 1986.

21 (C) The refundable portion of the child tax
22 credit determined under section 24 of the Inter-
23 nal Revenue Code of 1986.

24 (D) The program of block grants to States
25 for temporary assistance for needy families

1 under part A of title IV of the Social Security
2 Act.

3 (E) The foster care and adoption assist-
4 ance program under part E of title IV of the
5 Social Security Act.

6 (F) General Assistance to Indians.

7 (G) The programs operated under the As-
8 sets for Independence Act.

9 (2) MEDICAL.—

10 (A) The Medicaid program under title XIX
11 of the Social Security Act.

12 (B) The State Children's Health Insurance
13 Program under title XXI of the Social Security
14 Act.

15 (C) Health programs operated by the In-
16 dian Health Service, Indian tribes, tribal orga-
17 nizations, and Urban Indian organizations (as
18 those terms are defined in section 4 of the In-
19 dian Health Care Improvement Act (25 U.S.C.
20 1603)).

21 (D) The health center programs under sec-
22 tion 330 of the Public Health Service Act (42
23 U.S.C. 254b).

1 (E) The Maternal and Child Health Serv-
2 ices Block Grant program under title V of the
3 Social Security Act (42 U.S.C. 701 et seq.).

4 (F) The Healthy Start Initiative under
5 section 330H of the Public Health Service Act
6 (42 U.S.C. 254c-8).

7 (G) Premium tax credits and cost sharing
8 reductions available pursuant to the Patient
9 Protection and Affordable Health Care Act
10 (PPACA) and the amendments made by such
11 Act.

12 (3) FOOD.—

13 (A) The supplemental nutrition assistance
14 program under the Food and Nutrition Act of
15 2008 (7 U.S.C. 2011 et seq.).

16 (B) The school lunch program under the
17 Richard B. Russell National School Lunch Act
18 (42 U.S.C. 1751 et seq.).

19 (C) The special supplemental nutrition
20 program for women, infants, and children under
21 section 17 of the Child Nutrition Act (42
22 U.S.C. 1786).

23 (D) The school breakfast program under
24 section 4 of the Child Nutrition Act of 1966
25 (42 U.S.C. 1773).

1 (E) The child and adult care food program
2 under section 17 of the Richard B. Russell Na-
3 tional School Lunch Act (42 U.S.C. 1766).

4 (F) The nutrition services programs under
5 the Older Americans Act of 1965 (42 U.S.C.
6 3001 et seq.).

7 (G) The summer food service program for
8 children under section 13 of the Richard B.
9 Russell National School Lunch Act (42 U.S.C.
10 1761).

11 (H) The commodity supplemental food
12 program under section 4 of the Agriculture and
13 Consumer Protection Act of 1973 (7 U.S.C.
14 612c note).

15 (I) Commodity distribution programs
16 under the Emergency Food Assistance Act of
17 1983 (7 U.S.C. 7501 et seq.).

18 (J) The seniors farmers' market nutrition
19 program under section 3007 of Public Law
20 107–171 (7 U.S.C. 3007).

21 (K) The special milk program established
22 under section 3 of the Child Nutrition Act of
23 1966 (42 U.S.C. 1772).

24 (4) HOUSING.—

1 (A) The rental assistance program under
2 section 8 of the United States Housing Act of
3 1937 (42 U.S.C. 1437f).

4 (B) The public housing program under
5 title I of the United States Housing Act of
6 1937 (42 U.S.C. 1437 et seq.).

7 (C) The Home Investment Partnerships
8 Program under title II of the Cranston-Gon-
9 zalez National Affordable Housing Act (42
10 U.S.C. 12721 et seq.).

11 (D) The programs for homeless assistance
12 under title IV of the McKinney-Vento Homeless
13 Assistance Act (42 U.S.C. 11360 et seq.).

14 (E) The rural housing programs under
15 title V of the Housing Act of 1949 (42 U.S.C.
16 1471 et seq.).

17 (F) The program for supportive housing
18 for elderly persons under section 202 of the
19 Housing Act of 1959 (12 U.S.C. 1701q).

20 (G) The program for Native American
21 housing block grants under the Native Amer-
22 ican Housing Assistance and Self-Determina-
23 tion Act of 1996 (25 U.S.C. 4101 et seq.).

24 (H) The program for supportive housing
25 for persons with disabilities under section 811

1 of the Cranston-Gonzalez National Affordable
2 Housing Act (42 U.S.C. 8013).

3 (5) ENERGY AND UTILITIES.—

4 (A) Low-income home energy assistance
5 under the Low-Income Home Energy Assist-
6 ance Act of 1981 (42 U.S.C. 8621 et seq.).

7 (B) The Lifeline Assistance Program of
8 the Federal Communications Commission and
9 the Tribal Link Up assistance program defined
10 in section 54.413 of title 47, Code of Federal
11 Regulations.

12 (C) Weatherization assistance for low-in-
13 come persons under part A of title IV of the
14 Energy Conservation and Production Act (42
15 U.S.C. 6861 et seq.).

16 (6) EDUCATION.—

17 (A) Federal Pell Grants under subpart 1
18 of part IV of the Higher Education Act of 1965
19 (20 U.S.C. 1070a et seq.).

20 (B) Grants for improving basic programs
21 operated by local educational agencies under
22 part A of title I of the Elementary and Sec-
23 ondary Education Act of 1965 (20 U.S.C. 6311
24 et seq.).

1 (C) Federal TRIO programs under chapter
2 1 of subpart 2 of title IV of the Higher Edu-
3 cation Act of 1965 (20 U.S.C. 1070a–11 et
4 seq.).

5 (D) Federal supplemental educational op-
6 portunity grants under subpart 3 of part A of
7 title IV the Higher Education Act of 1965 (20
8 U.S.C. 1070b et seq.).

9 (E) Programs for the education of migra-
10 tory children under part C of title 1 of the Ele-
11 mentary and Secondary Education Act of 1965
12 (20 U.S.C. 6391 et seq.).

13 (F) Gaining early awareness and readiness
14 for undergraduate programs under chapter 2 of
15 subpart 2 of part A of title IV of the Higher
16 Education Act of 1965 (20 U.S.C. 1070a–21 et
17 seq.).

18 (G) The education for homeless children
19 and youth program under subtitle B of title VII
20 of the McKinney-Vento Homeless Assistance
21 Act (42 U.S.C. 11431 et seq.).

22 (H) The leveraging educational assistance
23 partnership program of subpart 4 of part A of
24 title IV the Higher Education Act of 1965 (20
25 U.S.C. 1070c et seq.).

1 (7) TRAINING.—

2 (A) Job Corps under subtitle C of title I
3 of the Workforce Innovation and Opportunity
4 Act (29 U.S.C. 3191 et seq.).

5 (B) Adult employment and training activi-
6 ties under title I of the Workforce Innovation
7 and Opportunity Act (20 U.S.C. 3101 et seq.).

8 (C) Senior community service employment
9 programs under title V of the Older Americans
10 Act of 1965 (42 U.S.C. 3056 et seq.).

11 (D) Employment and training programs
12 under the Food and Nutrition Act of 2008 (7
13 U.S.C. 2011 et seq.).

14 (E) Migrant and seasonal farmworker pro-
15 grams under section 167 of the Workforce In-
16 novation and Opportunity Act (29 U.S.C.
17 3222).

18 (F) The YouthBuild Program under sec-
19 tion 171 of the Workforce Innovation and Op-
20 portunity Act (29 U.S.C. 3226).

21 (G) Native American Programs under sec-
22 tion 166 of the Workforce Innovation and Op-
23 portunity Act (29 U.S.C. 3221).

24 (8) SERVICES.—

1 (A) The Social Services Block Grant pro-
2 gram under title XX of the Social Security Act.

3 (B) Programs under the Community Serv-
4 ices Block Grant Act of 1981 (42 U.S.C. 9901
5 et seq.).

6 (C) Services for aliens admitted to the
7 United States as refugees or granted asylum in
8 the United States, and other special populations
9 of aliens.

10 (D) State and community programs on
11 aging that receive Federal funds.

12 (E) Legal Services Corporation.

13 (F) Family planning services under title X
14 of the Public Health Service Act (42 U.S.C.
15 300 et seq.).

16 (G) The Emergency Food and Shelter Pro-
17 gram for homeless persons under title III of the
18 McKinney-Vento Homeless Assistance Act (42
19 U.S.C. 11331 et seq.).

20 (H) The AmeriCorps VISTA program
21 under subtitle C of title I of the National and
22 Community Service Act of 1990 (42 U.S.C.
23 12571 et seq.).

24 (9) CHILD CARE AND CHILD DEVELOPMENT.—

1 (A) Head Start programs and Early Head
2 Start programs under the Head Start Act (42
3 U.S.C. 9831 et seq.).

4 (B) Programs under the Child Care and
5 Development Block Grant Act of 1990 (42
6 U.S.C. 9858 et seq.).

7 (10) COMMUNITY DEVELOPMENT.—

8 (A) The Community Development Block
9 Grant Program under title I of the Housing
10 and Community Development Act of 1974 (42
11 U.S.C. 5301 et seq.).

12 (B) Programs administered by the Eco-
13 nomic Development Administration under the
14 Public Works and Economic Development Act
15 of 1965 (42 U.S.C. 3121 et seq.).

16 (C) Programs administered by the Appa-
17 lachian Regional Commission under subtitle IV
18 of title 40, United States Code.

19 (D) Empowerment zones and enterprise
20 communities under subchapter U, and renewal
21 communities under subchapter X, of the Inter-
22 nal Revenue Code of 1986.

23 (c) PROGRAMS EXCLUDED.—For purposes of sub-
24 section (a), the following Federal programs shall not be
25 considered means-tested welfare programs:

1 (1) The Old-Age, Survivors, and Disability In-
2 surance Benefit program under title II of the Social
3 Security Act (42 U.S.C. 401 et seq.).

4 (2) The Medicare program under title XVIII of
5 the Social Security Act (42 U.S.C. 1395 et seq.).

6 (3) A program designed exclusively or primarily
7 to provide to an individual benefits under title 38,
8 United States Code, or other provisions of law ad-
9 ministered by the Secretary of Veterans Affairs.

10 (4) A program that provides for the receipt of
11 “regular compensation”, “extended compensation”,
12 or “additional compensation” (as such terms are de-
13 fined by section 205 of the Federal-State Extended
14 Unemployment Compensation Act (26 U.S.C. 3304
15 note)).

16 (5) The program that provides for trade adjust-
17 ment assistance under title II of the Trade Act of
18 1974 (19 U.S.C. 2251 et seq.).

19 (6) Programs designed specifically to provide
20 benefits to workers to compensate for job-related in-
21 juries or illnesses.

22 (d) SPECIAL RULES.—

23 (1)(A) For purposes of subsection (a), only the
24 refundable portion of the following tax credits shall
25 be considered means-tested welfare programs:

1 (i) The earned income tax credit under sec-
2 tion 32 of the Internal Revenue Code of 1986.

3 (ii) The child tax credit under section
4 24(d) of the Internal Revenue Code of 1986.

5 (B) For purposes of subsection (a), only the re-
6 fundable portion of the premium and out-of-pocket
7 health care subsidies to be paid under the Patient
8 Protection and Affordable Health Care Act shall be
9 considered a means-tested welfare program.

10 (C) For purposes of this subparagraph, the
11 term “refundable portion” means the portion of the
12 credit which is paid to an individual in excess of the
13 amount of Federal income tax owed by the indi-
14 vidual.

15 (2) For purposes of subsection (a), only the
16 costs of the free and reduced price segments of the
17 school lunch and school breakfast programs shall be
18 considered means-tested welfare programs.

19 (e) EXCLUSION OF CERTAIN STATE AND LOCAL EX-
20 PENDITURES.—For purposes of subsection (a), expendi-
21 tures by State and local governments of funds that are—

22 (1) obtained by the State and local government
23 from taxes, fees, or other sources of revenue estab-
24 lished by the State or local government; and

1 (2) not received as any form of grant from the
2 Federal Government,
3 shall not be considered means-tested welfare programs,
4 without regard to whether the State and local expenditures
5 take the form of contributions to a Federal program de-
6 scribed in subsection (a) or listed in subsection (b).

7 **SEC. 4. ESTABLISHMENT OF BENEFIT REFORM AND ALIGN-**
8 **MENT COMMISSION.**

9 (a) **ESTABLISHMENT.**—There is established in the
10 legislative branch a commission to be known as the “Ben-
11 efit Reform and Alignment Commission” (hereafter re-
12 ferred to as the “Commission”).

13 (b) **DUTIES.**—

14 (1) **IN GENERAL.**—The Commission—

15 (A) shall review all means-tested welfare
16 programs within the Federal Government to—

17 (i) identify changes in law (which may
18 include ways to streamline functions and
19 increase efficiency within agencies or pro-
20 grams) that will achieve the purposes set
21 forth in section 2;

22 (ii) evaluate whether each means-test-
23 ed welfare program could be consolidated
24 with another means-tested welfare pro-
25 gram, or a program subject to the avail-

1 ability of discretionary appropriations with
2 similar goals, and make recommendations
3 for consolidating the programs that are
4 identified;

5 (iii) evaluate the potential benefits of
6 eliminating any means-tested welfare pro-
7 gram that does not have proven beneficial
8 outcomes that assist in achieving purposes
9 set forth in section 2 and make rec-
10 ommendations regarding eliminating
11 means-tested welfare programs that are
12 identified;

13 (iv) identify opportunities and make
14 recommendations regarding ways for the
15 Federal Government to reduce the cost or
16 increase the efficiency of means-tested wel-
17 fare program by contracting with private
18 entities, or delegating authority to States,
19 to perform activities relating to the pro-
20 gram;

21 (v) identify means-tested welfare pro-
22 grams and entitlement authorities that
23 should be modified to be carried out sub-
24 ject to the availability of discretionary ap-
25 propriations; and

1 (vi) identify other ways to achieve the
2 purposes set forth in section 2 as deter-
3 mined by the Commission;

4 (B) may review the offsetting receipts and
5 discretionary appropriations of the Federal
6 Government, as determined appropriate by the
7 Commission; and

8 (C) may develop the criteria for achieving
9 the purposes set forth in section 2.

10 (2) CONSULTATION AND WORKING GROUPS.—

11 (A) IN GENERAL.—In carrying out the re-
12 view under paragraph (1)(A), the Commission
13 shall—

14 (i) consult with experts in company
15 restructuring, reorganizing, and cost cut-
16 ting; and

17 (ii) establish working groups for
18 means-tested welfare programs, as deter-
19 mined appropriate by the Commission, to
20 provide recommendations to the Commis-
21 sion.

22 (B) MEMBERS OF WORKING GROUPS.—The
23 individuals serving on a working group estab-
24 lished under subparagraph (A)(ii) shall be em-
25 ployees or contractors of the Commission with

1 expertise in a program reviewed by the working
2 group.

3 (3) REPORT.—Not later than 6 months after
4 the date on which all members of the Commission
5 are appointed, and upon an affirmative vote of a
6 majority of the members of the Commission, the
7 Commission shall submit to Congress and make pub-
8 licly available a report containing—

9 (A) a detailed statement of the findings,
10 conclusions, and recommendations of the Com-
11 mission; and

12 (B) the assumptions, scenarios, and alter-
13 natives considered in reaching such findings,
14 conclusions, and recommendations.

15 (4) LEGISLATION TO CARRY OUT CHANGES IN
16 LAW TO ACHIEVE PURPOSES.—The Commission
17 shall—

18 (A) identify changes in law that will result
19 in the consolidation and realignment in pro-
20 grams and outlays that will achieve the pur-
21 poses set forth in section 2;

22 (B) include in the report submitted under
23 paragraph (3) a bill consisting of proposed leg-
24 islative language to carry out the changes in
25 law identified under subparagraph (A) (here-

1 after in this Act referred to as the “Commission
2 bill”), except that the bill may not include pro-
3 visions creating a new program or agency, un-
4 less such program or agency is the result of a
5 consolidation or realignment of existing pro-
6 grams and agencies which will have the pre-
7 dicted outcome of achieving the purposes of sec-
8 tion 2; and

9 (C) include in such report an estimate of
10 the savings in outlays that will be achieved by
11 the enactment of the Commission bill, as devel-
12 oped in conjunction with the Director of the
13 Congressional Budget Office and the Director
14 of the Office of Management and Budget.

15 (5) INFORMATION TO MEMBERS OF CON-
16 GRESS.—After submission of the Commission bill
17 under paragraph (4), the Commission shall promptly
18 provide, upon request, to any Member of Congress
19 information used by the Commission in making its
20 recommendations.

21 (c) MEMBERSHIP.—

22 (1) IN GENERAL.—The Commission shall be
23 composed of 8 members, appointed as follows:

24 (A) The majority leader of the Senate shall
25 appoint 2 members.

1 (B) The minority leader of the Senate shall
2 appoint 2 members.

3 (C) The Speaker of the House of Rep-
4 resentatives shall appoint 2 members.

5 (D) The minority leader of the House of
6 Representatives shall appoint 2 members.

7 (2) DISQUALIFICATIONS.—An individual may
8 not be appointed as a member of the Commission if
9 the individual—

10 (A) was an officer or employee of any es-
11 tablishment in the Federal Government at any
12 time during the 5-year period ending on the
13 date of the appointment; or

14 (B) was registered as a lobbyist under the
15 Lobbying Disclosure Act of 1995 (2 U.S.C.
16 1601 et seq.) at any time during the 5-year pe-
17 riod ending on the date of the appointment.

18 (3) CHAIRPERSON.—The members of the Com-
19 mission shall select a Chairperson from among the
20 members of the Commission.

21 (4) DATE.—Not later than 1 month after the
22 date of enactment of this Act, all members of the
23 Commission shall be appointed.

24 (5) PERIOD OF DESIGNATION.—Members shall
25 be appointed for the life of the Commission. Any va-

1 cancy in the Commission shall not affect its powers,
2 but shall be filled not later than 14 days after the
3 date on which the vacancy occurs in the same man-
4 ner as the original appointment.

5 (6) COMPENSATION.—

6 (A) IN GENERAL.—Each member of the
7 Commission shall be compensated at a rate
8 equal to the daily equivalent of the annual rate
9 of basic pay prescribed for a position at level IV
10 of the Executive Schedule under section 5314
11 of title 5, United States Code, for each day (in-
12 cluding travel time) during which such member
13 is engaged in the performance of the duties of
14 the Commission.

15 (B) TRAVEL EXPENSES.—Members may be
16 allowed travel expenses, including per diem in
17 lieu of subsistence, in accordance with sections
18 5702 and 5703 of title 5, United States Code,
19 while away from their homes or regular places
20 of business in performance of services for the
21 Commission.

22 (d) POWERS OF THE COMMISSION.—

23 (1) HEARINGS.—The Commission may, for the
24 purpose of carrying out this Act—

1 (A) hold such hearings, sit and act at such
2 times and places, take such testimony, receive
3 such evidence, and administer such oaths as the
4 Commission considers advisable to carry out its
5 duties; and

6 (B) require, by subpoena or otherwise, the
7 attendance and testimony of such witnesses and
8 the production of such books, records, cor-
9 respondence, memoranda, papers, documents,
10 tapes, and materials as the Commission con-
11 siders advisable to carry out its duties.

12 (2) INFORMATION FROM FEDERAL AGENCIES.—

13 The Commission may request directly, or require, by
14 subpoena or otherwise, from any Federal agency
15 such information as the Commission considers nec-
16 essary to carry out its duties. Upon a request of the
17 Chairperson of the Commission, the head of a Fed-
18 eral agency shall furnish such information to the
19 Commission.

20 (3) ISSUANCE AND ENFORCEMENT OF SUB-
21 POENAS.—

22 (A) ISSUANCE.—Subpoenas issued under
23 paragraph (1) or (2) shall bear the signature of
24 the Chairperson of the Commission and shall be

1 served by any person or class of persons des-
2 ignated by the Chairperson for that purpose.

3 (B) ENFORCEMENT.—In the case of contu-
4 macy or failure to obey a subpoena issued
5 under paragraph (1) or (2), the United States
6 district court for the judicial district in which
7 the subpoenaed person resides, is served, or
8 may be found may issue an order requiring
9 such person to appear at any designated place
10 to testify or to produce documentary or other
11 evidence. Any failure to obey the order of the
12 court may be punished by the court as a con-
13 tempt of that court.

14 (4) WITNESS ALLOWANCES AND FEES.—Section
15 1821 of title 28, United States Code, shall apply to
16 witnesses requested or subpoenaed to appear at any
17 hearing of the Commission. The per diem and mile-
18 age allowances for witnesses shall be paid from
19 funds available to pay the expenses of the Commis-
20 sion.

21 (5) INFORMATION FROM THE CONGRESSIONAL
22 BUDGET OFFICE AND OFFICE OF MANAGEMENT AND
23 BUDGET.—The Commission may secure directly
24 from the Congressional Budget Office and Office of
25 Management and Budget such information, includ-

1 ing estimates and analysis, as the Commission con-
2 siders advisable to carry out its duties. Upon request
3 of the Chairperson of the Commission, the Director
4 of the Congressional Budget Office or Office of
5 Management and Budget shall furnish such informa-
6 tion, including estimates and analysis, to the Com-
7 mission.

8 (6) INFORMATION FROM THE LIBRARY OF CON-
9 GRESS.—Upon the request of the Commission, the
10 Librarian of Congress shall provide to the Commis-
11 sion, on a reimbursable basis, administrative support
12 services, research services, and research staff nec-
13 essary for the Commission to carry out its respon-
14 sibilities under this Act.

15 (e) STAFF OF THE COMMISSION.—

16 (1) APPOINTMENT AND COMPENSATION OF
17 STAFF.—The Chairperson may appoint and fix the
18 compensation of a staff director and such other em-
19 ployees as may be necessary to enable the Commis-
20 sion to carry out its functions, without regard to the
21 provisions of title 5, United States Code, governing
22 appointments in the competitive service, but at rates
23 not to exceed the annual rate of basic pay prescribed
24 for a position at level V of the Executive Schedule

1 under section 5316 of title 5 of the United States
2 Code.

3 (2) AGENCY ASSISTANCE.—Upon the request of
4 the Chairperson, the head of any agency may detail
5 an employee of the agency to the Commission with-
6 out reimbursement, and such detail shall be without
7 interruption or loss of civil service status or privi-
8 lege.

9 (f) CONSULTANT, TEMPORARY, AND INTERMITTENT
10 SERVICES.—The Chairperson of the Commission is au-
11 thorized to procure the services of experts and consultants
12 and temporary and intermittent services in accordance
13 with section 3109 of title 5, United States Code, but at
14 rates not to exceed the daily rate paid a person occupying
15 a position at level V of the Executive Schedule under sec-
16 tion 5316 of title 5, United States Code, for each day dur-
17 ing which such consultant or expert is engaged in the per-
18 formance of the duties of the Commission.

19 (g) CONSIDERATION OF SUGGESTIONS FROM THE
20 PUBLIC THROUGH WEB SITE.—In carrying out its duties
21 under this Act, the Commission shall—

22 (1) establish a Web site for the purpose of al-
23 lowing any member of the public to submit sugges-
24 tions to the Commission for its consideration; and

1 (2) consider each such suggestion submitted
2 through the Web site.

3 (h) FEDERAL ADVISORY COMMITTEE ACT.—The
4 Federal Advisory Committee Act (5 U.S.C. App.) shall not
5 apply to the Commission.

6 (i) TERMINATION.—The Commission shall terminate
7 on the day after the earlier of—

8 (1) the date on which the Commission bill is en-
9 acted into law; or

10 (2) the last day of the Congress during which
11 the Commission bill is introduced in the Senate or
12 the House under section 5(a).

13 **SEC. 5. EXPEDITED PROCEDURES.**

14 (a) INTRODUCTION OF COMMISSION BILL.—The
15 Commission bill—

16 (1) shall be introduced in the Senate (by re-
17 quest), with any technical changes necessary to
18 carry out the intent of the bill, by the majority lead-
19 er of the Senate or by a Member of the Senate des-
20 ignated by the majority leader of the Senate not
21 later than 5 legislative days after the date on which
22 the bill is submitted to Congress under section
23 4(b)(4); and

24 (2) shall be introduced in the House of Rep-
25 resentatives (by request), with any technical changes

1 necessary to carry out the intent of the bill, by the
2 Speaker of the House of Representatives or by a
3 Member of the House of Representatives designated
4 by the Speaker of the House of Representatives not
5 later than 5 legislative days after the date on which
6 the bill is submitted to Congress under section
7 4(b)(4).

8 (b) EXPEDITED CONSIDERATION IN HOUSE OF REP-
9 RESENTATIVES.—

10 (1) PLACEMENT ON CALENDAR.—Upon intro-
11 duction in the House of Representatives, the Com-
12 mission bill shall be placed immediately on the ap-
13 propriate calendar.

14 (2) PROCEEDING TO CONSIDERATION.—

15 (A) IN GENERAL.—It shall be in order, not
16 later than 30 legislative days after the date the
17 Commission bill is introduced in the House of
18 Representatives, to move to proceed to consider
19 the Commission bill in the House of Represent-
20 atives.

21 (B) PROCEDURE.—For a motion to pro-
22 ceed to consider the Commission bill—

23 (i) all points of order against the mo-
24 tion are waived;

1 (ii) such a motion shall not be in
2 order after the House of Representatives
3 has disposed of a motion to proceed on the
4 Commission bill;

5 (iii) the previous question shall be
6 considered as ordered on the motion to its
7 adoption without intervening motion;

8 (iv) the motion shall not be debatable;
9 and

10 (v) a motion to reconsider the vote by
11 which the motion is disposed of shall not
12 be in order.

13 (3) CONSIDERATION.—When the House of Rep-
14 resentatives proceeds to consideration of the Com-
15 mission bill—

16 (A) the Commission bill shall be considered
17 as read;

18 (B) all points of order against the Com-
19 mission bill and against its consideration are
20 waived;

21 (C) the previous question shall be consid-
22 ered as ordered on the Commission bill to its
23 passage without intervening motion except 10
24 hours of debate equally divided and controlled
25 by the proponent and an opponent;

1 (D) an amendment to the Commission bill
2 shall not be in order; and

3 (E) a motion to reconsider the vote on pas-
4 sage of the Commission bill shall not be in
5 order.

6 (4) VOTE ON PASSAGE.—In the House of Rep-
7 resentatives, the Commission bill shall be agreed to
8 upon a vote of a majority of the Members present
9 and voting, a quorum being present.

10 (c) EXPEDITED CONSIDERATION IN SENATE.—

11 (1) PLACEMENT ON CALENDAR.—Upon intro-
12 duction in the Senate, the Commission bill shall be
13 placed immediately on the calendar.

14 (2) PROCEEDING TO CONSIDERATION.—

15 (A) IN GENERAL.—Notwithstanding rule
16 XXII of the Standing Rules of the Senate, it is
17 in order, not later than 30 legislative days after
18 the date the Commission bill is introduced in
19 the Senate (even though a previous motion to
20 the same effect has been disagreed to) to move
21 to proceed to the consideration of the Commis-
22 sion bill.

23 (B) PROCEDURE.—For a motion to pro-
24 ceed to the consideration of the Commission
25 bill—

1 (i) all points of order against the mo-
 2 tion are waived;

3 (ii) the motion is not debatable;

4 (iii) the motion is not subject to a mo-
 5 tion to postpone;

6 (iv) a motion to reconsider the vote by
 7 which the motion is agreed to or disagreed
 8 to shall not be in order; and

9 (v) if the motion is agreed to, the
 10 Commission bill shall remain the unfin-
 11 ished business until disposed of.

12 (3) FLOOR CONSIDERATION.—

13 (A) IN GENERAL.—If the Senate proceeds
 14 to consideration of the Commission bill—

15 (i) all points of order against the
 16 Commission bill (and against consideration
 17 of the Commission bill) are waived;

18 (ii) consideration of the Commission
 19 bill, and all debatable motions and appeals
 20 in connection therewith, shall be limited to
 21 not more than 30 hours, which shall be di-
 22 vided equally between the majority and mi-
 23 nority leaders or their designees;

24 (iii) a motion further to limit debate
 25 is in order and not debatable;

1 (iv) an amendment to, a motion to
2 postpone, or a motion to commit the Com-
3 mission bill is not in order; and

4 (v) a motion to proceed to the consid-
5 eration of other business is not in order.

6 (B) VOTE ON PASSAGE.—In the Senate—

7 (i) the vote on passage shall occur im-
8 mediately following the conclusion of the
9 consideration of the Commission bill, and a
10 single quorum call at the conclusion of the
11 debate if requested in accordance with the
12 rules of the Senate; and

13 (ii) the Commission bill shall be
14 agreed to upon a vote of a majority of the
15 Members present and voting, a quorum
16 being present.

17 (C) RULINGS OF THE CHAIR ON PROCE-
18 DURE.—Appeals from the decisions of the Chair
19 relating to the application of this subsection or
20 the rules of the Senate, as the case may be, to
21 the procedure relating to the Commission bill
22 shall be decided without debate.

23 (d) RULES RELATING TO SENATE AND HOUSE OF
24 REPRESENTATIVES.—

1 (1) COORDINATION WITH ACTION BY OTHER
2 HOUSE.—If, before the passage by one House of the
3 Commission bill of that House, that House receives
4 from the other House the Commission bill—

5 (A) the Commission bill of the other House
6 shall not be referred to a committee; and

7 (B) with respect to the Commission bill of
8 the House receiving the resolution—

9 (i) the procedure in that House shall
10 be the same as if no Commission bill had
11 been received from the other House; and

12 (ii) the vote on passage shall be on
13 the Commission bill of the other House.

14 (2) TREATMENT OF COMMISSION BILL OF
15 OTHER HOUSE.—If one House fails to introduce or
16 consider the Commission bill under this section, the
17 Commission bill of the other House shall be entitled
18 to expedited floor procedures under this section.

19 (3) TREATMENT OF COMPANION MEASURES.—
20 If, following passage of the Commission bill in the
21 Senate, the Senate receives the companion measure
22 from the House of Representatives, the companion
23 measure shall not be debatable.

24 (4) VETOES.—If the President vetoes the Com-
25 mission bill, consideration of a veto message in the

1 Senate under this section shall be not more than 10
2 hours equally divided between the majority and mi-
3 nority leaders or their designees.

4 (e) RULES OF HOUSE OF REPRESENTATIVES AND
5 SENATE.—This section is enacted by Congress—

6 (1) as an exercise of the rulemaking power of
7 the Senate and House of Representatives, respec-
8 tively, and as such is deemed a part of the rules of
9 each House, respectively, but applicable only with re-
10 spect to the procedure to be followed in that House
11 in the case of the Commission bill, and supersede
12 other rules only to the extent that it is inconsistent
13 with such rules; and

14 (2) with full recognition of the constitutional
15 right of either House to change the rules (so far as
16 relating to the procedure of that House) at any time,
17 in the same manner, and to the same extent as in
18 the case of any other rule of that House.

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