

104TH CONGRESS
2D SESSION

S. 2119

To establish the Commission to Study the Federal Statistical System, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 1996

Mr. MOYNIHAN (for himself and Mr. KERREY) introduced the following bill;
which was read twice and referred to the Committee on Governmental Affairs

A BILL

To establish the Commission to Study the Federal Statistical
System, and for other purposes.

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 to Study
5 the Federal Statistical System Act of 1996”.

6 **SEC. 2. FINDINGS.**

7 The Congress, recognizing the importance of statis-
8 tical information in the development and administration
9 of policies for the private and public sector, finds that—

1 (1) accurate Federal statistics are required to
2 develop, implement, and evaluate government poli-
3 cies and laws;

4 (2) Federal spending consistent with legislative
5 intent requires accurate and appropriate statistical
6 information;

7 (3) business and individual economic decisions
8 are influenced by Federal statistics and contracts
9 are often based on such statistics;

10 (4) statistical information on the manufacturing
11 and agricultural sectors is more complete than sta-
12 tistical information regarding the service sector
13 which employs more than half the Nation's
14 workforce;

15 (5) experts in the private and public sector have
16 long-standing concerns about the accuracy and ade-
17 quacy of numerous Federal statistics, including the
18 Consumer Price Index, gross domestic product,
19 trade data, wage data, and the poverty rate;

20 (6) Federal statistical data should be accurate,
21 consistent, and continuous;

22 (7) the Federal statistical infrastructure should
23 be modernized to accommodate the increasingly com-
24 plex and ever changing American economy;

1 (8) Federal statistical agencies should utilize all
2 practical technologies to disseminate statistics to the
3 public; and

4 (9) the Federal statistical infrastructure should
5 maintain the privacy of individuals.

6 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

7 (a) **ESTABLISHMENT.**—There is established a com-
8 mission to be known as the Commission to Study the Fed-
9 eral Statistical System (hereafter in this Act referred to
10 as the “Commission”).

11 (b) **MEMBERSHIP.**—

12 (1) **COMPOSITION.**—The Commission shall be
13 composed of 13 members of whom—

14 (A) 5 shall be appointed by the President;

15 (B) 4 shall be appointed by the President
16 pro tempore of the Senate, in consultation with
17 the majority leader and minority leader of the
18 Senate; and

19 (C) 4 shall be appointed by the Speaker of
20 the House of Representatives, in consultation
21 with the majority leader and minority leader of
22 the House of Representatives.

23 (2) **POLITICAL PARTY LIMITATION.**—(A) Of the
24 5 members of the Commission appointed under

1 paragraph (1)(A), no more than 3 members may be
2 members of the same political party.

3 (B) Of the 4 members of the Commission ap-
4 pointed under subparagraphs (B) and (C) of para-
5 graph (1), respectively, no more than 2 members
6 may be members of the same political party.

7 (3) CONSULTATION BEFORE APPOINTMENTS.—
8 In making appointments under paragraph (1), the
9 President, the President pro tempore of the Senate,
10 and the Speaker of the House of Representatives
11 shall consult with the National Science Foundation
12 and appropriate professional organizations, such as
13 the American Economic Association and the Amer-
14 ican Statistical Association.

15 (4) QUALIFICATIONS.—An individual appointed
16 to serve on the Commission—

17 (A) shall have expertise in statistical policy
18 and a background in such disciplines as actuar-
19 ial science, demography, economics, and fi-
20 nance;

21 (B) may not be a Federal officer or em-
22 ployee; and

23 (C) should be an academician, a statistics
24 user in the private sector, or a former govern-
25 ment official with experience related to—

1 (i) the Bureau of Labor Statistics of
2 the Department of Labor; or

3 (ii) the Bureau of Economic Analysis
4 or the Bureau of the Census of the De-
5 partment of Commerce.

6 (5) DATE.—The appointments of the members
7 of the Commission shall be made no later than 150
8 days after the date of the enactment of this Act.

9 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
10 bers shall be appointed for the life of the Commission. Any
11 vacancy in the Commission shall not affect its powers, but
12 shall be filled in the same manner as the original appoint-
13 ment.

14 (d) INITIAL MEETING.—No later than 30 days after
15 the date on which all members of the Commission have
16 been appointed, the Commission shall hold its first meet-
17 ing.

18 (e) MEETINGS.—The Commission shall meet at the
19 call of the Chairman.

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

23 (g) CHAIRMAN.—The President shall designate a
24 Chairman of the Commission from among the members.

1 **SEC. 4. FUNCTIONS OF THE COMMISSION.**

2 (a) STUDY.—

3 (1) IN GENERAL.—The Commission shall con-
4 duct a comprehensive study of all matters relating to
5 the Federal statistical infrastructure, including lon-
6 gitudinal surveys conducted by private agencies and
7 partially funded by the Federal Government.

8 (2) STUDY AND RECOMMENDATIONS.—The
9 matters studied by and recommendations of the
10 Commission shall include—

11 (A) an examination of multipurpose statis-
12 tical agencies that collect and analyze data of
13 broad interest across department and function
14 areas, such as the Bureau of Economic Analysis
15 and the Bureau of the Census of the Commerce
16 Department, and the Bureau of Labor Statis-
17 tics of the Labor Department;

18 (B) a review and evaluation of the collec-
19 tion of data for purposes of administering such
20 programs as Old-Age, Survivors and Disability
21 Insurance and Unemployment Insurance under
22 the Social Security Act;

23 (C) a review and evaluation of the mission
24 and organization of various statistical agencies,
25 including—

- 1 (i) recommendations with respect to
2 statistical activities that should be ex-
3 panded or deleted;
- 4 (ii) the order of priority such activities
5 should be carried out;
- 6 (iii) a review of the advantages and
7 disadvantages of a centralized statistical
8 agency or a partial consolidation of the
9 agencies for the Federal Government; and
- 10 (iv) an assessment of which agencies
11 could be consolidated into such an agency;
- 12 (D) an examination of the methodology in-
13 volved in producing official data and rec-
14 ommendations for technical changes to improve
15 statistics;
- 16 (E) an evaluation of the accuracy and ap-
17 propriateness of key statistical indicators and
18 recommendations of ways to improve such accu-
19 racy and appropriateness;
- 20 (F) a review of interagency coordination of
21 statistical data and recommendations of meth-
22 ods to standardize collection procedures and
23 surveys, as appropriate, and presentation of
24 data throughout the Federal system;

1 (G) a review of information technology and
2 recommendations of appropriate methods for
3 disseminating statistical data, with special em-
4 phasis on resources, such as the Internet, that
5 allow the public to obtain information in a time-
6 ly and cost-effective manner;

7 (H) an examination of individual privacy in
8 the context of statistical data;

9 (I) a comparison of the United States sta-
10 tistical system to statistical systems of other
11 nations;

12 (J) a consideration of the coordination of
13 statistical data with other nations and inter-
14 national agencies, such as the Organization for
15 Economic Cooperation and Development; and

16 (K) a recommendation of a strategy for
17 maintaining a modern and efficient Federal sta-
18 tistical infrastructure as the needs of the Unit-
19 ed States change.

20 (b) REPORT.—

21 (1) INTERIM REPORT.—No later than June 1,
22 1998, the Commission shall submit an interim re-
23 port on the study conducted under subsection (a) to
24 the President and to the Congress.

1 (2) FINAL REPORT.—No later than January
2 15, 1999, the Commission shall submit a final re-
3 port to the President and the Congress which shall
4 contain a detailed statement of the findings and con-
5 clusions of the Commission, and recommendations
6 for such legislation and administrative actions as the
7 Commission considers appropriate.

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

9 (a) HEARINGS.—The Commission may hold such
10 hearings, sit and act at such times and places, take such
11 testimony, and receive such evidence as the Commission
12 considers advisable to carry out the purposes of this Act.

13 (b) INFORMATION FROM FEDERAL AGENCIES.—The
14 Commission may secure directly from any Federal depart-
15 ment or agency such information as the Commission con-
16 siders necessary to carry out the provisions of this Act.
17 Upon request of the Chairman of the Commission, the
18 head of such department or agency shall furnish such in-
19 formation to the Commission.

20 (c) POSTAL SERVICES.—The Commission may use
21 the United States mails in the same manner and under
22 the same conditions as other departments and agencies of
23 the Federal Government.

24 (d) GIFTS.—The Commission may accept, use, and
25 dispose of gifts or donations of services or property.

1 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

2 (a) **COMPENSATION OF MEMBERS.**—

3 (1) **IN GENERAL.**—Subject to paragraph (2),
4 each member of the Commission shall be com-
5 pensated at a rate equal to the daily equivalent of
6 the annual rate of basic pay prescribed for level IV
7 of the Executive Schedule under section 5315 of title
8 5, United States Code, for each day (including travel
9 time) during which such member is engaged in the
10 performance of the duties of the Commission.

11 (2) **CHAIRMAN.**—The Chairman shall be com-
12 pensated at a rate equal to the daily equivalent of
13 the annual rate of basic pay prescribed for level III
14 of the Executive Schedule under section 5315 of title
15 5, United States Code, for each day (including travel
16 time) during which such member is engaged in the
17 performance of the duties of the Commission.

18 (b) **TRAVEL EXPENSES.**—The members of the Com-
19 mission shall be allowed travel expenses, including per
20 diem in lieu of subsistence, at rates authorized for employ-
21 ees of agencies under subchapter I of chapter 57 of title
22 5, United States Code, while away from their homes or
23 regular places of business in the performance of services
24 for the Commission. Such travel may include travel out-
25 side the United States.

26 (c) **STAFF.**—

1 (1) IN GENERAL.—Subject to paragraph (2),
2 the Commission shall, without regard to the provi-
3 sions of title 5, United States Code, relating to the
4 competitive service, appoint an executive director
5 who shall be paid at a rate equivalent to a rate es-
6 tablished for the Senior Executive Service under sec-
7 tion 5382 of title 5, United States Code. The Com-
8 mission shall appoint such additional personnel as
9 the Commission determines to be necessary to pro-
10 vide support for the Commission, and may com-
11 pensate such additional personnel without regard to
12 the provisions of title 5, United States Code, relat-
13 ing to the competitive service.

14 (2) LIMITATION.—The total number of employ-
15 ees of the Commission (including the executive direc-
16 tor) may not exceed 30.

17 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any
18 Federal Government employee may be detailed to the
19 Commission without reimbursement, and such detail shall
20 be without interruption or loss of civil service status or
21 privilege.

22 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
23 TENT SERVICES.—The Chairman of the Commission may
24 procure temporary and intermittent services under section
25 3109(b) of title 5, United States Code, at rates for individ-

1 uals which do not exceed the daily equivalent of the annual
2 rate of basic pay prescribed for level V of the Executive
3 Schedule under section 5316 of such title.

4 **SEC. 7. TERMINATION OF THE COMMISSION.**

5 The Commission shall terminate 90 days after the
6 date on which the Commission submits the final report
7 of the Commission.

8 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

9 There are authorized to be appropriated \$2,500,000
10 for fiscal year 1997, \$5,000,000 for fiscal year 1998, and
11 \$2,500,000 for fiscal year 1999 to the Commission to
12 carry out the purposes of this Act.

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