

Union Calendar No. 284

105TH CONGRESS
2^D SESSION

H. R. 3546

[Report No. 105-493]

A BILL

To provide for a national dialogue on Social Security and to establish the Bipartisan Panel to Design Long-Range Social Security Reform.

APRIL 23, 1998

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 1998

Mr. ARCHER (for himself, Mr. KASICH, and Mr. BUNNING) introduced the following bill; which was referred to the Committee on Ways and Means

APRIL 23, 1998

Additional sponsors: Ms. DUNN, Mr. RAMSTAD, Mr. REDMOND, Mr. HERGER, and Mr. WELLER

APRIL 23, 1998

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[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 25, 1998]

A BILL

To provide for a national dialogue on Social Security and to establish the Bipartisan Panel to Design Long-Range Social Security Reform.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “National Dialogue on*
3 *Social Security Act of 1998”.*

4 **TITLE I—NATIONAL DIALOGUE**
5 **ON SOCIAL SECURITY**

6 **SEC. 101. ESTABLISHMENT OF NATIONAL DIALOGUE.**

7 *As soon as practicable after the date of the enactment*
8 *of this Act, the President, the Speaker of the House of Rep-*
9 *resentatives, and the Majority Leader of the Senate shall*
10 *jointly convene a National Dialogue on the old-age, sur-*
11 *vivors, and disability insurance program under title II of*
12 *the Social Security Act. The purpose of the National Dia-*
13 *logue shall be to engage, by means of regional conferences*
14 *and national Internet exchanges, the American public in*
15 *understanding the current program, the problems it faces,*
16 *and the need to find solutions that will be workable for all*
17 *generations and to generate comments, suggestions, and rec-*
18 *ommendations from the citizens for social security reform.*

19 **SEC. 102. FACILITATORS.**

20 *The National Dialogue conducted pursuant to section*
21 *101 shall operate under the administration and coordina-*
22 *tion of two Facilitators, one of whom shall be appointed*
23 *by the President, in consultation with the Minority Leader*
24 *of the House of Representatives and the Minority Leader*
25 *of the Senate, and one of whom shall be appointed jointly*
26 *by the Speaker of the House of Representatives and the Ma-*

1 jority Leader of the Senate. The Facilitators shall be ap-
2 pointed within 30 days after the date of the enactment of
3 this Act. The Facilitators shall be appointed from among
4 individuals known for their integrity, impartiality, and
5 good judgment, who are, by reason of their education, expe-
6 rience, and attainments, exceptionally qualified to perform
7 the duties of such office. The Facilitators may serve until
8 termination of the National Dialogue under section 108.

9 **SEC. 103. PLANS FOR NATIONAL DIALOGUE.**

10 *After consultation with the President, the Speaker of*
11 *the House of Representatives, the Minority Leader of the*
12 *House of Representatives, the Majority Leader of the Sen-*
13 *ate, and the Minority Leader of the Senate, the Facilitators*
14 *shall transmit the final plans for the development and oper-*
15 *ations of the National Dialogue to the President and each*
16 *House of the Congress not later than 60 days after the date*
17 *of the enactment of this Act.*

18 **SEC. 104. DIALOGUE COUNCIL.**

19 (a) *ESTABLISHMENT AND DUTIES.*—*There is estab-*
20 *lished a Dialogue Council. It shall be the duty of the Dia-*
21 *logue Council to advise the Facilitators in the development*
22 *and operations of the National Dialogue.*

23 (b) *MEMBERSHIP.*—

1 (1) *IN GENERAL.*—*The Dialogue Council shall be*
2 *composed of 36 of the individuals nominated pursu-*
3 *ant to paragraph (2), of whom—*

4 (A) *9 shall be appointed by the Speaker of*
5 *the House of Representatives,*

6 (B) *4 shall be appointed by the Minority*
7 *Leader of the House of Representatives,*

8 (C) *9 shall be appointed by the Majority*
9 *Leader of the Senate,*

10 (D) *4 shall be appointed by the Minority*
11 *Leader of the Senate, and*

12 (E) *10 shall be appointed by the President.*

13 *To the extent practicable, the members shall include*
14 *both men and women and shall be selected so as to*
15 *ensure that individuals born before 1946, individuals*
16 *born in or after 1946 and before 1961, and individ-*
17 *uals born in or after 1961 are equally represented*
18 *within the membership.*

19 (2) *NOMINATIONS.*—*Individuals shall be ap-*
20 *pointed under paragraph (1) from a group of 50 in-*
21 *dividuals, consisting of individuals nominated in sets*
22 *of 2 each, respectively, by each of the following 25 pri-*
23 *vate organizations:*

24 (A) *American Association of Retired Per-*
25 *sons;*

1 (B) *United Seniors Association;*

2 (C) *American Federation of Labor and*
3 *Congress of Industrial Organizations;*

4 (D) *The National Hispanic Council on*
5 *Aging;*

6 (E) *The Older Women's League;*

7 (F) *Association of Private Pension and Wel-*
8 *fare Plans;*

9 (G) *Cato Institute;*

10 (H) *Employee Benefit Research Institute;*

11 (I) *Americans Discuss Social Security;*

12 (J) *Third Millennium;*

13 (K) *The U.S. Junior Chamber of Commerce;*

14 (L) *Americans for Hope, Growth, and Op-*
15 *portunity;*

16 (M) *National Federation of Independent*
17 *Businesses;*

18 (N) *The Concord Coalition;*

19 (O) *National Caucus and Center on Black*
20 *Aged;*

21 (P) *Campaign for America's Future;*

22 (Q) *The Heritage Foundation;*

23 (R) *The Brookings Institution;*

24 (S) *The 2030 Center;*

25 (T) *National Council of Senior Citizens;*

1 (U) Center on Budget and Policy Priorities;
2 (V) National Committee to Preserve Social
3 Security and Medicare;
4 (W) United States Chamber of Commerce;
5 (X) Pension Rights Center; and
6 (Y) Consortium for Citizens with Disabil-
7 ities.

8 (c) ADMINISTRATION.—*The Dialogue Council shall*
9 *meet at the call of the Facilitators. The Dialogue Council*
10 *shall be subject to the Federal Advisory Committee Act.*
11 *Members of the Council shall receive no pay, allowances,*
12 *or benefits by reason of their service on the Council (other*
13 *than any private funding of costs pursuant to section 105).*

14 (d) TERMINATION.—*The Dialogue Council shall termi-*
15 *nate upon the termination of the National Dialogue under*
16 *section 108.*

17 **SEC. 105. PRIVATE SPONSORSHIP AND OTHER REQUIRE-**
18 **MENTS.**

19 *The National Dialogue conducted pursuant to section*
20 *101 shall operate by means of sponsorship by private, non-*
21 *partisan organizations of conferences which shall be con-*
22 *vened in localities across the Nation, which shall be geo-*
23 *graphically representative of the Nation as a whole, and*
24 *which shall provide for participation which is representa-*
25 *tive of all age groups in the population. The Facilitators*

1 shall encourage and coordinate the sponsorship by such or-
2 ganizations of the National Dialogue and shall ensure that
3 all costs relating to the functions of the Facilitators and
4 the Dialogue Council under sections 104 and 107 and not
5 referred to in section 109 are borne by such organizations
6 or, as appropriate, by other private contributions. The
7 source and amounts of contributions made pursuant to this
8 section shall be made available to the public.

9 **SEC. 106. CONSTITUENCY INPUT.**

10 (a) *IN GENERAL.*—In order to assure that the widest
11 possible degree of opinion is received by Members of Con-
12 gress regarding the future of the old-age, survivors, and dis-
13 ability insurance program under title II of the Social Secu-
14 rity Act, each Member shall, to the extent practicable, and
15 as soon as possible after the date of the enactment of this
16 Act, develop with grassroots organizations and other con-
17 stituency groups within the Member's district ongoing sys-
18 tems of communication through the use of the Internet and
19 other available electronic capabilities. Such groups shall in-
20 clude, but not be limited to, key opinion leaders, journalists,
21 business representatives, union members, and students of all
22 age groups.

23 (b) *INTERNET DIALOGUE COORDINATION.*—

24 (1) *INTERNET DIALOGUE COORDINATOR.*—The
25 Facilitators shall appoint an Internet Dialogue Coor-

1 *ordinator who shall assist Members of Congress in es-*
2 *tablishing systems of communication as required*
3 *under subsection (a). In carrying out the Coordina-*
4 *tor's duties, the Coordinator shall—*

5 *(A) establish a national dialogue web site,*

6 *(B) assist Members' offices in establishing*
7 *connections to the national dialogue web site,*
8 *moderated chat rooms, and threaded newsgroups,*

9 *(C) assist Members in coordinating a na-*
10 *tional electronic town hall meeting on the future*
11 *of social security,*

12 *(D) advise Members regarding the most ef-*
13 *fective technological means for reaching out to*
14 *constituent groups for purposes of this section,*
15 *and*

16 *(E) work with other Internet-oriented*
17 *groups to broaden the reach of Internet capabil-*
18 *ity for purposes of this section.*

19 *(2) INTERNET ADVISORY BOARD.—*

20 *(A) ESTABLISHMENT.—There is established*
21 *an Internet Advisory Board. It shall be the duty*
22 *of the Board to advise the Internet Dialogue Co-*
23 *ordinator in the most appropriate and effective*
24 *means of employing the Internet under this sec-*
25 *tion.*

1 (B) *MEMBERSHIP.*—*The Board shall consist*
2 *of 3 members appointed by the Facilitators from*
3 *among individuals recognized for their expertise*
4 *relating to the Internet.*

5 (C) *ADMINISTRATION.*—*The Board shall*
6 *meet at the call of the Internet Dialogue Coordi-*
7 *nator. The Board shall be subject to the Federal*
8 *Advisory Committee Act. Members of the Board*
9 *shall receive no pay, allowances, or benefits by*
10 *reason of their service on the Board, except that*
11 *any member of the Board who is not otherwise*
12 *an officer or employee of the Federal Government*
13 *shall receive travel expenses and per diem in lieu*
14 *of subsistence in accordance with sections 5702*
15 *and 5703 of title 5, United States Code.*

16 (c) *REPORTS.*—*The Internet Dialogue Coordinator*
17 *shall periodically report in writing to the Facilitators the*
18 *results of the systems of communication established pursu-*
19 *ant to this section.*

20 (d) *TERMINATION.*—*The provisions of this section shall*
21 *terminate upon the termination of the National Dialogue*
22 *under section 108.*

23 **SEC. 107. REPORTS.**

24 *From time to time during the National Dialogue, the*
25 *Facilitators shall catalog, summarize, and submit in writ-*

1 *ing to the Bipartisan Panel to Design Long-Range Social*
2 *Security Reform the comments, suggestions, and rec-*
3 *ommendations generated by the participants in conferences*
4 *conducted and constituent input received from Members' of-*
5 *fices under the National Dialogue.*

6 **SEC. 108. TERMINATION.**

7 *The National Dialogue conducted pursuant to section*
8 *101 shall terminate January 1, 1999.*

9 **SEC. 109. AUTHORIZATION OF APPROPRIATIONS.**

10 *There are authorized to be appropriated, from amounts*
11 *otherwise available in the general fund of the Treasury, such*
12 *sums as are necessary to provide for the compensation of*
13 *the Facilitators and to carry out the provisions of section*
14 *106.*

15 **TITLE II—BIPARTISAN PANEL TO**
16 **DESIGN LONG-RANGE SOCIAL**
17 **SECURITY REFORM**

18 **SEC. 201. ESTABLISHMENT OF PANEL.**

19 *There is established a panel to be known as the Bipar-*
20 *tisan Panel to Design Long-Range Social Security Reform*
21 *(in this title referred to as the "Panel").*

22 **SEC. 202. DUTIES OF PANEL.**

23 *The Panel shall design a single set of legislative and*
24 *administrative recommendations for long-range reforms for*
25 *restoring the solvency of the social security system and*

1 *maintaining retirement income security in the United*
2 *States.*

3 **SEC. 203. MEMBERSHIP OF THE PANEL.**

4 (a) *NUMBER AND APPOINTMENT.*—*The Panel shall be*
5 *composed of eight members, of whom—*

6 (1) *four shall be appointed jointly by the Speak-*
7 *er of the House of Representatives and the Majority*
8 *Leader of the Senate,*

9 (2) *two shall be appointed by the President, and*

10 (3) *two shall be appointed jointly by the Minor-*
11 *ity Leader of the House of Representatives and the*
12 *Minority Leader of the Senate.*

13 *The members of the Panel shall consist of individuals who*
14 *are of recognized standing and distinction, who can rep-*
15 *resent the multiple generations who have a stake in the via-*
16 *bility of the system, and who possess a demonstrated capac-*
17 *ity to discharge the duties imposed on the Panel. At least*
18 *one of the members shall be appointed from individuals rep-*
19 *resenting the interests of employees, and at least one of the*
20 *members shall be appointed from individuals representing*
21 *the interests of employers.*

22 (b) *CO-CHAIRS.*—*The officials referred to in para-*
23 *graphs (1) through (3) of subsection (a) shall designate two*
24 *of the members of the Panel to serve as Co-Chairs of the*

1 *Panel, who shall jointly chair the Panel, determine its du-*
2 *ties, and supervise its staff.*

3 (c) *TERMS OF APPOINTMENT.*—*The members of the*
4 *Panel shall serve for the life of the Panel.*

5 (d) *VACANCIES.*—*A vacancy in the Panel shall not af-*
6 *fect the power of the remaining members to execute the du-*
7 *ties of the Panel, but any such vacancy shall be filled in*
8 *the same manner in which the original appointment was*
9 *made.*

10 **SEC. 204. PROCEDURES.**

11 (a) *MEETINGS.*—*The Panel shall meet at the call of*
12 *its Co-Chairs or a majority of its members.*

13 (b) *QUORUM.*—*A quorum shall consist of 5 members*
14 *of the Panel, except that a lesser number may conduct a*
15 *hearing under subsection (c).*

16 (c) *HEARINGS AND OTHER ACTIVITIES.*—*For the pur-*
17 *pose of carrying out its duties, the Panel may hold such*
18 *hearings and undertake such other activities as the Panel*
19 *determines to be necessary to carry out its duties. Meetings*
20 *held by the Panel shall be conducted in accordance with*
21 *the Federal Advisory Committee Act.*

22 (d) *OBTAINING INFORMATION.*—*Upon request of the*
23 *Panel, the Commissioner of Social Security and the head*
24 *of any other agency or instrumentality of the Federal Gov-*

1 *ernment shall furnish information deemed necessary by the*
2 *Panel to enable it to carry out its duties.*

3 **SEC. 205. ADMINISTRATION.**

4 *(a) COMPENSATION.—Except as provided in subsection*
5 *(b), members of the Panel shall receive no additional pay,*
6 *allowances, or benefits by reason of their service on the*
7 *Panel.*

8 *(b) TRAVEL EXPENSES AND PER DIEM.—Each member*
9 *of the Panel who is not a present Member of the Congress*
10 *and who is not otherwise an officer or employee of the Fed-*
11 *eral Government shall receive travel expenses and per diem*
12 *in lieu of subsistence in accordance with sections 5702 and*
13 *5703 of title 5, United States Code.*

14 *(c) STAFF AND SUPPORT SERVICES.—*

15 *(1) STAFF DIRECTOR.—*

16 *(A) APPOINTMENT.—The Panel shall ap-*
17 *point a staff director of the Panel.*

18 *(B) COMPENSATION.—The staff director*
19 *shall be paid at a rate not to exceed the rate es-*
20 *tablished for level III of the Executive Schedule.*

21 *(2) STAFF.—The Panel shall appoint such addi-*
22 *tional personnel as the Panel determines to be nec-*
23 *essary.*

24 *(3) APPLICABILITY OF CIVIL SERVICE LAWS.—*

25 *The staff director and other members of the staff of*

1 *the Panel shall be appointed without regard to the*
2 *provisions of title 5, United States Code, governing*
3 *appointments in the competitive service, and shall be*
4 *paid without regard to the provisions of chapter 51*
5 *and subchapter III of chapter 53 of such title relating*
6 *to classification and General Schedule pay rates.*

7 (4) *EXPERTS AND CONSULTANTS.*—*With the ap-*
8 *proval of the Panel, the staff director may procure*
9 *temporary and intermittent services under section*
10 *3109(b) of title 5, United States Code.*

11 (d) *CONTRACT AUTHORITY.*—*The Panel may contract*
12 *with and compensate government and private agencies or*
13 *persons for items and services, without regard to section*
14 *3709 of the Revised Statutes (41 U.S.C. 5).*

15 (e) *PHYSICAL FACILITIES.*—*The Architect of the Cap-*
16 *itol, in consultation with the appropriate entities in the leg-*
17 *islative branch, shall locate and provide suitable office space*
18 *for the operation of the Panel on a reimbursable basis. The*
19 *facilities shall serve as the headquarters of the Panel and*
20 *shall include all necessary equipment and incidentals re-*
21 *quired for the proper functioning of the Panel.*

22 (f) *DETAIL OF FEDERAL EMPLOYEES.*—*Upon the re-*
23 *quest of the Panel, the head of any Federal agency may*
24 *detail, on a reimbursable basis, any of the personnel of such*

1 *agency to the Panel to assist the Panel in carrying out its*
2 *duties.*

3 (g) *USE OF MAILS.*—*The Panel may use the United*
4 *States mails in the same manner and under the same condi-*
5 *tions as Federal agencies and shall, for purposes of the*
6 *frank, be considered a commission of Congress as described*
7 *in section 3215 of title 39, United States Code.*

8 (h) *ADMINISTRATIVE SUPPORT SERVICES.*—*Upon the*
9 *request of the Panel, the Architect of the Capitol shall pro-*
10 *vide to the Panel on a reimbursable basis such administra-*
11 *tive support services as the Panel may request.*

12 (i) *PRINTING.*—*For purposes of costs relating to print-*
13 *ing and binding, including the cost of personnel detailed*
14 *from the Government Printing Office, the Panel shall be*
15 *deemed to be a committee of the Congress.*

16 **SEC. 206. REPORT.**

17 (a) *IN GENERAL.*—*Not later than February 1, 1999,*
18 *the Panel shall submit to the President, the Committee on*
19 *Ways and Means of the House of Representatives, and the*
20 *Committee on Finance of the Senate a report which shall*
21 *contain a detailed statement of the findings and conclusions*
22 *of the Panel, including the set of recommendations required*
23 *under section 202. The report shall include only those rec-*
24 *ommendations of the Panel that receive the approval of at*
25 *least 6 members of the Panel, including both Co-Chairs.*

1 **(b) SENSE OF THE CONGRESS.**—*It is the sense of the*
2 *Congress that, pending the report of the Panel under sub-*
3 *section (a), the Federal unified budget surplus should be*
4 *dedicated to reducing the Federal debt held by the public,*
5 *increasing the retirement income security of individuals*
6 *and insuring the solvency of the social security system.*

7 **SEC. 207. TERMINATION.**

8 *The Panel shall terminate March 31, 1999.*

9 **SEC. 208. AUTHORIZATION OF APPROPRIATIONS.**

10 *There are authorized to be appropriated from the Fed-*
11 *eral Old-Age and Survivors Insurance Trust Fund such*
12 *sums as are necessary to carry out the purposes of this title,*
13 *but not to exceed \$2,000,000.*