

110TH CONGRESS  
2D SESSION

# H. R. 5980

To establish the Commission on Securing the United States in the 21st  
Century.

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IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2008

Mr. SCHIFF introduced the following bill; which was referred to the Committee  
on Foreign Affairs

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## A BILL

To establish the Commission on Securing the United States  
in the 21st Century.

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 Secur-  
5 ing the United States in the 21st Century Act of 2008”.

6 **SEC. 2. ESTABLISHMENT OF COMMISSION.**

7 There is established a commission to be known as the  
8 “Commission on Securing the United States in the 21st  
9 Century” (in this Act referred to as the “Commission”).

1 **SEC. 3. DUTIES OF THE COMMISSION.**

2 The Commission shall—

3 (1) conduct a comprehensive review of the glob-  
4 al security environment that identifies the strategic  
5 interests and objectives of the United States for the  
6 security environment the United States may con-  
7 front during the next two decades and beyond;

8 (2) develop a national security strategy appro-  
9 priate for that future security environment and for  
10 the Nation's character;

11 (3) develop a detailed plan to achieve the na-  
12 tional security strategy by—

13 (A) defining security goals for the United  
14 States;

15 (B) describing the internal and external  
16 policy instruments required to best utilize the  
17 resources of the United States;

18 (C) identifying steps for implementation of  
19 the national security strategy including the or-  
20 ganization, coordination, planning, management  
21 arrangements, and procedures necessary for im-  
22 plementation; and

23 (D) reviewing budgetary and resource allo-  
24 cations for departments and agencies and rec-  
25 ommending changes to such allocations;

1           (4) recommend additional changes to the na-  
2           tional security system as necessary including agency,  
3           institutional, and other structural reforms; and

4           (5) submit to the President and Congress re-  
5           ports pursuant to section 8 containing detailed state-  
6           ments of the Commission findings, conclusions, and  
7           recommendations for corrective measures as deter-  
8           mined by a majority of the members of the Commis-  
9           sion.

10 **SEC. 4. MEMBERSHIP.**

11           (a) NUMBER AND APPOINTMENT.—The Commission  
12 shall be composed of 13 members, to be appointed as fol-  
13 lows:

14           (1) One member, who shall serve as chair-  
15           person, shall be appointed by the Speaker of the  
16           House of Representatives, in consultation with the  
17           majority leader of the Senate.

18           (2) One member, who shall serve as vice-chair-  
19           person, shall be appointed by the minority leader of  
20           the House of Representatives, in consultation with  
21           the minority leader of the Senate.

22           (3) One member shall be appointed by the Sec-  
23           retary of Defense.

24           (4) One member shall be appointed by the Sec-  
25           retary of State.

1           (5) One member shall be appointed by the Di-  
2           rector of National Intelligence.

3           (6) Two members shall be appointed by the ma-  
4           jority leader of the Senate.

5           (7) Two members shall be appointed by the  
6           Speaker of the House of Representatives.

7           (8) Two members shall be appointed by the mi-  
8           nority leader of the Senate.

9           (9) Two members shall be appointed by the mi-  
10          nority leader of the House of Representatives.

11         (b) PROHIBITED APPOINTMENTS.—

12           (1) An individual appointed to the Commission  
13           may not be an officer or employee of the Federal  
14           Government or any State or local government.

15           (2) If a member of the Commission becomes an  
16           officer or employee of the Federal Government or  
17           any State or local government, the member may con-  
18           tinue to serve as a member for not longer than the  
19           60-day period beginning on the date that member  
20           becomes such an officer or employee.

21         (c) POLITICAL AFFILIATION.—Not more than seven  
22         members appointed to the Commission may be of the same  
23         political party.

24         (d) CONSIDERATIONS FOR APPOINTMENT.—Individ-  
25         uals appointed to the Commission should be prominent

1 citizens of the United States, with national recognition  
2 and significant depth of experience in professions such as  
3 governmental service, law enforcement, the armed serv-  
4 ices, law, public administration, intelligence gathering,  
5 commerce, or foreign affairs.

6 (e) PERIOD OF APPOINTMENT.—Each member shall  
7 be appointed for the life of the Commission.

8 (f) VACANCIES.—A vacancy shall not affect the power  
9 and duties of the Commission but shall be filled in the  
10 same manner as the original appointment.

11 (g) DEADLINE FOR APPOINTMENT.—Members of the  
12 Commission shall be appointed not later than 60 days  
13 after the date of enactment of this Act.

14 **SEC. 5. ADMINISTRATION.**

15 (a) QUORUM.—Seven members of the Commission  
16 shall constitute a quorum but a lesser number may hold  
17 hearings.

18 (b) MEETINGS.—

19 (1) INITIAL MEETING.—The Commission shall  
20 meet and commence its duties not later than 15  
21 days after the deadline for appointment of members  
22 under section 4(g).

23 (2) REGULAR MEETINGS.—The Commission  
24 shall meet at the call of its chairperson or a majority  
25 of its members.

1 (c) BASIC PAY.—Members shall each be paid at a  
2 rate not to exceed the daily equivalent of the annual rate  
3 of basic pay for level IV of the Executive Schedule under  
4 section 5315 of title 5, United States Code, for each day  
5 (including travel time) during which that member is en-  
6 gaged in the actual performance of duties vested in the  
7 Commission.

8 (d) TRAVEL EXPENSES.—Members shall receive trav-  
9 el expenses, including per diem in lieu of subsistence, in  
10 accordance with applicable provisions under subchapter I  
11 of chapter 57 of title 5, United States Code, while away  
12 from their homes or regular places of business in perform-  
13 ance of services for the Commission.

14 **SEC. 6. STAFF OF COMMISSION; EXPERTS AND CONSULT-**  
15 **ANTS.**

16 (a) IN GENERAL.—

17 (1) APPOINTMENT.—The chairperson, in con-  
18 sultation with the vice-chairperson, in accordance  
19 with rules agreed upon by the Commission, may ap-  
20 point a staff director and such other personnel as  
21 may be necessary to enable the Commission to carry  
22 out its duties, without regard to the provisions of  
23 title 5, United States Code, governing appointments  
24 in the competitive service.

1           (2) COMPENSATION.—The staff director and  
2 other personnel shall be paid without regard to the  
3 provisions of chapter 51 and subchapter III of chap-  
4 ter 53 of title 5, United States Code, relating to  
5 classification and General Schedule pay rates, except  
6 that no rate of pay fixed under this paragraph may  
7 exceed the daily equivalent of the annual rate of  
8 basic pay for level V of the Executive Schedule  
9 under section 5316 of title 5, United States Code,  
10 for each day (including travel time) during which  
11 that staff member is engaged in work for the Com-  
12 mission.

13       (b) DETAIL OF GOVERNMENT EMPLOYEES.—Upon  
14 the request of the Commission, the head of any Federal  
15 agency may detail, without reimbursement, any of the per-  
16 sonnel of such agency to the Commission to assist in car-  
17 rying out the duties of the Commission.

18       (c) EXPERTS AND CONSULTANTS.—The Commission  
19 may procure temporary and intermittent services under  
20 section 3109(b) of title 5, United States Code, but at rates  
21 for individuals not to exceed the daily equivalent of the  
22 annual rate of basic pay for level IV of the Executive  
23 Schedule under section 5315 of title 5, United States  
24 Code.

1 **SEC. 7. POWERS OF THE COMMISSION.**

2 (a) HEARINGS.—The Commission may, for the pur-  
3 pose of carrying out this Act, hold hearings, sit and act  
4 at times and places, take testimony, and receive evidence  
5 as the Commission considers appropriate.

6 (b) NONAPPLICABILITY OF THE FEDERAL ADVISORY  
7 COMMITTEE ACT.—The Federal Advisory Committee Act  
8 (5 U.S.C. App.) shall not apply to the Commission.

9 (c) CONTRACTING.—The Commission may enter into  
10 contracts to enable the Commission to discharge its duties  
11 under this Act.

12 (d) OBTAINING OFFICIAL INFORMATION.—

13 (1) SECURING INFORMATION.—The Commis-  
14 sion may secure directly from any department or  
15 agency of the United States, information necessary  
16 to enable it to carry out this Act. Upon request of  
17 the chairperson of the Commission, the head of that  
18 department or agency shall furnish that information  
19 to the Commission.

20 (2) HANDLING INFORMATION.—Information  
21 shall only be received, handled, stored, and dissemi-  
22 nated by members of the Commission and its staff  
23 consistent with all applicable statutes and regula-  
24 tions.

25 (e) SECURITY CLEARANCE FOR COMMISSION MEM-  
26 BERS AND STAFF.—The appropriate Federal agencies or

1 departments shall cooperate with the Commission in expe-  
2 ditiously providing to the Commission members and staff  
3 appropriate security clearances to the extent possible pur-  
4 suant to existing procedures and requirements, except that  
5 no person shall be provided with access to classified infor-  
6 mation under this Act without the appropriate security  
7 clearances.

8 (f) ADMINISTRATIVE SUPPORT SERVICES.—

9 (1) GENERAL SERVICES ADMINISTRATION.—

10 Upon the request of the Commission, the Adminis-  
11 trator of General Services shall provide to the Com-  
12 mission, on a reimbursable basis, the administrative  
13 support services necessary for the Commission to  
14 carry out its responsibilities under this Act.

15 (2) OTHER DEPARTMENTS AND AGENCIES.—In

16 addition to the assistance referred to in paragraph  
17 (1), Federal departments and agencies may provide  
18 to the Commission such services as such depart-  
19 ments and agencies determine advisable and as au-  
20 thorized by law.

21 (g) GIFTS, BEQUESTS, AND DEVISES.—The Commis-

22 sion may accept, use, and dispose of gifts, bequests, or  
23 devises of services or property, both real and personal, for  
24 the purpose of aiding or facilitating the work of the Com-  
25 mission. Gifts, bequests, or devises of money and proceeds

1 from sales of other property received as gifts, bequests,  
2 or devises shall be deposited in the Treasury and shall be  
3 available for disbursement upon the order of the chair-  
4 person.

5 (h) **MAILS.**—The Commission may use the United  
6 States mails in the same manner and under the same con-  
7 ditions as other departments and agencies of the United  
8 States.

9 **SEC. 8. REPORTS.**

10 (a) **INTERIM REPORTS.**—The Commission may sub-  
11 mit to the President and Congress interim reports as the  
12 Commission considers appropriate.

13 (b) **FINAL REPORT.**—The Commission shall prepare  
14 and submit a final report to the President and Congress  
15 not later than 1 year after the Commission's initial meet-  
16 ing.

17 (c) **PUBLIC DISCLOSURE.**—The Commission shall  
18 make public copies of the reports required under sub-  
19 sections (a) and (b).

20 **SEC. 9. TERMINATION.**

21 (a) **IN GENERAL.**—The Commission shall terminate  
22 60 days after submitting its final report.

23 (b) **ADMINISTRATIVE ACTIVITIES BEFORE TERMI-**  
24 **NATION.**—During the 60-day period referred to in sub-  
25 section (a) the Commission may conclude its activities, in-

1 cluding providing testimony to committees of Congress  
2 concerning its reports and disseminating the final report.

3 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) IN GENERAL.—There is authorized to be appro-  
5 priated \$2,000,000 for the fiscal year 2008 to carry out  
6 this Act.

7 (b) AVAILABILITY.—Amounts appropriated pursuant  
8 to the authorization of appropriations under subsection (a)  
9 are authorized to remain available until expended.

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