

105TH CONGRESS  
2D SESSION

# H. R. 3546

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

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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

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## 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,*

3 **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “National Dialogue on  
5 Social Security Act of 1998”.

6        **TITLE I—NATIONAL DIALOGUE**  
7                    **ON SOCIAL SECURITY**

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

9        As soon as practicable after the date of the enactment  
10 of this Act, the President, the Speaker of the House of

1 Representatives, and the Majority Leader of the Senate  
2 shall jointly convene a National Dialogue on the old-age,  
3 survivors, and disability insurance program under title II  
4 of the Social Security Act. The purpose of the National  
5 Dialogue shall be to engage, by means of regional con-  
6 ferences and national Internet exchanges, the American  
7 public in understanding the current program, the prob-  
8 lems it faces, and the need to find solutions that will be  
9 workable for all generations and to generate comments,  
10 suggestions, and recommendations from the citizens for  
11 social security reform.

12 **SEC. 102. FACILITATORS.**

13       The National Dialogue conducted pursuant to section  
14 101 shall operate under the administration and coordina-  
15 tion of two Facilitators, one of whom shall be appointed  
16 by the President and one of whom shall be appointed joint-  
17 ly by the Speaker of the House of Representatives and  
18 the Majority Leader of the Senate. The Facilitators shall  
19 be appointed within 30 days after the date of the enact-  
20 ment of this Act. The Facilitators shall be appointed from  
21 among individuals known for their integrity, impartiality,  
22 and good judgment, who are, by reason of their education,  
23 experience, and attainments, exceptionally qualified to per-  
24 form the duties of such office. The Facilitators may serve

1 until termination of the National Dialogue under section  
2 108.

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

4 After consultation with the President, the Speaker of  
5 the House of Representatives, and the Majority Leader  
6 of the Senate, the Facilitators shall transmit the final  
7 plans for the development and operations of the National  
8 Dialogue to the President and each House of the Congress  
9 not later than 60 days after the date of the enactment  
10 of this Act.

11 **SEC. 104. DIALOGUE COUNCIL.**

12 (a) ESTABLISHMENT AND DUTIES.—There is estab-  
13 lished a Dialogue Council. It shall be the duty of the Dia-  
14 logue Council to advise the Facilitators in the development  
15 and operations of the National Dialogue.

16 (b) MEMBERSHIP.—

17 (1) IN GENERAL.—The Dialogue Council shall  
18 be composed of 36 of the individuals nominated pur-  
19 suant to paragraph (2), of whom—

20 (A) 9 shall be appointed by the Speaker of  
21 the House of Representatives,

22 (B) 9 shall be appointed by the Majority  
23 Leader of the Senate, and

24 (C) 18 shall be appointed by the President.

1 To the extent practicable, the members shall include  
2 both men and women and shall be selected so as to  
3 ensure that individuals born before 1946, individuals  
4 born in or after 1946 and before 1961, and individ-  
5 uals born in or after 1961 are equally represented  
6 within the membership.

7 (2) NOMINATIONS.—Individuals shall be ap-  
8 pointed under paragraph (1) from a group of 54 in-  
9 dividuals, consisting of individuals nominated in sets  
10 of 3 each, respectively, by each of the following 18  
11 private organizations:

12 (A) the American Association of Retired  
13 Persons;

14 (B) the United Seniors Association;

15 (C) the AFL–CIO;

16 (D) the National Hispanic Council on  
17 Aging;

18 (E) the Older Women’s League;

19 (F) the Association of Private Pension and  
20 Welfare Plans;

21 (G) the Cato Institute;

22 (H) the Employee Benefit Research Insti-  
23 tute;

24 (I) Americans Discuss Social Security;

25 (J) the Third Millennium;

1           (K) the U.S. Junior Chamber of Com-  
2 merce;

3           (L) Americans for Hope, Growth, and Op-  
4 portunity;

5           (M) the National Federation of Independ-  
6 ent Businesses;

7           (N) the Concord Coalition;

8           (O) the National Caucus and Center on  
9 Black Aged;

10           (P) the Campaign for America's Future;

11           (Q) the Heritage Foundation; and

12           (R) the Brookings Institution.

13       (c) ADMINISTRATION.—The Dialogue Council shall  
14 meet at the call of the Facilitators. The Dialogue Council  
15 shall not be subject to the Federal Advisory Committee  
16 Act. Members of the Council shall receive no pay, allow-  
17 ances, or benefits by reason of their service on the Council  
18 (other than any private funding of costs pursuant to sec-  
19 tion 105).

20       (d) TERMINATION.—The Dialogue Council shall ter-  
21minate upon the termination of the National Dialogue  
22 under section 108.

1 **SEC. 105. PRIVATE SPONSORSHIP AND OTHER REQUIRE-**  
2 **MENTS.**

3       The National Dialogue conducted pursuant to section  
4 101 shall operate by means of sponsorship by private, non-  
5 partisan organizations of conferences which shall be con-  
6 vened in localities across the Nation, which shall be geo-  
7 graphically representative of the Nation as a whole, and  
8 which shall provide for participation which is representa-  
9 tive of all age groups in the population. The Facilitators  
10 shall encourage and coordinate the sponsorship by such  
11 organizations of the National Dialogue and shall ensure  
12 that all costs relating to the functions of the Facilitators  
13 and the Dialogue Council under sections 104 and 107 and  
14 not referred to in section 109 are borne by such organiza-  
15 tions or, as appropriate, by other private contributions.

16 **SEC. 106. CONSTITUENCY INPUT.**

17       (a) IN GENERAL.—In order to assure that the widest  
18 possible degree of opinion is received by Members of Con-  
19 gress regarding the future of the old-age, survivors, and  
20 disability insurance program under title II of the Social  
21 Security Act, each Member shall, to the extent practicable,  
22 and as soon as possible after the date of the enactment  
23 of this Act, develop with grassroots organizations and  
24 other constituency groups within the Member's district on-  
25 going systems of communication through the use of the  
26 Internet and other available electronic capabilities. Such

1 groups shall include, but not be limited to, key opinion  
2 leaders, journalists, business representatives, union mem-  
3 bers, and students of all age groups.

4 (b) INTERNET DIALOGUE COORDINATION.—

5 (1) INTERNET DIALOGUE COORDINATOR.—The  
6 Facilitators shall appoint an Internet Dialogue Coor-  
7 dinator who shall assist Members of Congress in es-  
8 tablishing systems of communication in their Con-  
9 gressional districts as required under subsection (a).  
10 In carrying out the Coordinator’s duties, the Coordi-  
11 nator shall—

12 (A) assist Members’ offices in establishing  
13 local websites, moderated chat rooms, and  
14 threaded newsgroups,

15 (B) assist Members in coordinating a na-  
16 tional electronic town hall meeting on the fu-  
17 ture of social security,

18 (C) advise Members regarding the most ef-  
19 fective technological means for reaching out to  
20 constituent groups for purposes of this section,  
21 and

22 (D) work with other Internet-oriented  
23 groups to broaden the reach of Internet capabil-  
24 ity for purposes of this section.

25 (2) INTERNET ADVISORY BOARD.—

1           (A) ESTABLISHMENT.—There is estab-  
2           lished an Internet Advisory Board. It shall be  
3           the duty of the Board to advise the Internet  
4           Dialogue Coordinator in the most appropriate  
5           and effective means of employing the Internet  
6           under this section.

7           (B) MEMBERSHIP.—The Board shall con-  
8           sist of 3 members appointed by the Facilitators  
9           from among individuals recognized for their ex-  
10          pertise relating to the Internet.

11          (C) ADMINISTRATION.—The Board shall  
12          meet at the call of the Internet Dialogue Coor-  
13          dinator. The Board shall not be subject to the  
14          Federal Advisory Committee Act. Members of  
15          the Board shall receive no pay, allowances, or  
16          benefits by reason of their service on the Board,  
17          except that any member of the Board who is  
18          not otherwise an officer or employee of the Fed-  
19          eral Government shall receive travel expenses  
20          and per diem in lieu of subsistence in accord-  
21          ance with sections 5702 and 5703 of title 5,  
22          United States Code.

23          (D) TERMINATION.—The Board shall ter-  
24          minate upon the termination of the National  
25          Dialogue under section 108.

1           (c) REPORTS.—The Internet Dialogue Coordinator  
2 shall periodically report in writing to the Facilitators the  
3 results of the systems of communication established pur-  
4 suant to this section.

5 **SEC. 107. REPORTS.**

6           From time to time during the National Dialogue, the  
7 Facilitators shall catalog, summarize, and submit in writ-  
8 ing to the Bipartisan Panel to Design Long-Range Social  
9 Security Reform the comments, suggestions, and rec-  
10 ommendations generated by the participants in con-  
11 ferences conducted and constituent input received from  
12 Members' offices under the National Dialogue.

13 **SEC. 108. TERMINATION.**

14           The National Dialogue conducted pursuant to section  
15 101 shall terminate January 1, 1999.

16 **SEC. 109. AUTHORIZATION OF APPROPRIATIONS.**

17           There are authorized to be appropriated, from  
18 amounts otherwise available in the general fund of the  
19 Treasury, such sums as are necessary to provide for the  
20 compensation of the Facilitators and to carry out the pro-  
21 visions of section 106.

1 **TITLE II—BIPARTISAN PANEL TO**  
2 **DESIGN LONG-RANGE SOCIAL**  
3 **SECURITY REFORM**

4 **SEC. 201. ESTABLISHMENT OF PANEL.**

5 There is established a panel to be known as the Bi-  
6 partisan Panel to Design Long-Range Social Security Re-  
7 form (in this title referred to as the “Panel”).

8 **SEC. 202. DUTIES OF PANEL.**

9 The Panel shall design a single set of legislative  
10 and administrative recommendations for long-range re-  
11 forms for restoring the solvency of the social security sys-  
12 tem and maintaining retirement income security in the  
13 United States.

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

15 (a) NUMBER AND APPOINTMENT.—The Panel shall  
16 be composed of eight members, of whom—

17 (1) four shall be appointed jointly by the  
18 Speaker of the House of Representatives and the  
19 Majority Leader of the Senate,

20 (2) two shall be appointed by the President,  
21 and

22 (3) two shall be appointed jointly by the Minor-  
23 ity Leader of the House of Representatives and the  
24 Minority Leader of the Senate.

1 The members of the Panel shall consist of individuals who  
2 are of recognized standing and distinction, who can rep-  
3 resent the multiple generations who have a stake in the  
4 viability of the system, and who possess a demonstrated  
5 capacity to discharge the duties imposed on the Panel. At  
6 least one of the members shall be appointed from individ-  
7 uals representing the interests of employees, and at least  
8 one of the members shall be appointed from individuals  
9 representing the interests of employers.

10 (b) CO-CHAIRS.—The officials referred to in para-  
11 graphs (1) through (3) of subsection (a) shall designate  
12 two of the members of the Panel to serve as Co-Chairs  
13 of the Panel, who shall jointly chair the Panel, determine  
14 its duties, and supervise its staff.

15 (c) TERMS OF APPOINTMENT.—The members of the  
16 Panel shall serve for the life of the Panel.

17 (d) VACANCIES.—A vacancy in the Panel shall not  
18 affect the power of the remaining members to execute the  
19 duties of the Panel, but any such vacancy shall be filled  
20 in the same manner in which the original appointment was  
21 made.

22 **SEC. 204. PROCEDURES.**

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

1 (b) QUORUM.—A quorum shall consist of 5 members  
2 of the Panel, except that a lesser number may conduct  
3 a hearing under subsection (c).

4 (c) HEARINGS AND OTHER ACTIVITIES.—For the  
5 purpose of carrying out its duties, the Panel may hold  
6 such hearings and undertake such other activities as the  
7 Panel determines to be necessary to carry out its duties.  
8 Meetings held in order to conduct fact finding, as deter-  
9 mined by the Co-Chairs, shall be open to the public. Meet-  
10 ings held in order to develop policy, as determined by the  
11 Co-Chairs, may be held in executive session, notwithstand-  
12 ing the Federal Advisory Committee Act and any other  
13 provision of law.

14 (d) OBTAINING INFORMATION.—Upon request of the  
15 Panel, the Commissioner of Social Security and the head  
16 of any other agency or instrumentality of the Federal Gov-  
17 ernment shall furnish information deemed necessary by  
18 the Panel to enable it to carry out its duties.

19 **SEC. 205. ADMINISTRATION.**

20 (a) COMPENSATION.—Except as provided in sub-  
21 section (b), members of the Panel shall receive no addi-  
22 tional pay, allowances, or benefits by reason of their serv-  
23 ice on the Panel.

24 (b) TRAVEL EXPENSES AND PER DIEM.—Each mem-  
25 ber of the Panel who is not a present Member of the Con-

1 gress and who is not otherwise an officer or employee of  
2 the Federal Government shall receive travel expenses and  
3 per diem in lieu of subsistence in accordance with sections  
4 5702 and 5703 of title 5, United States Code.

5 (c) STAFF AND SUPPORT SERVICES.—

6 (1) STAFF DIRECTOR.—

7 (A) APPOINTMENT.—The Panel shall ap-  
8 point a staff director of the Panel.

9 (B) COMPENSATION.—The staff director  
10 shall be paid at a rate not to exceed the rate  
11 established for level III of the Executive Sched-  
12 ule.

13 (2) STAFF.—The Panel shall appoint such addi-  
14 tional personnel as the Panel determines to be nec-  
15 essary.

16 (3) APPLICABILITY OF CIVIL SERVICE LAWS.—  
17 The staff director and other members of the staff of  
18 the Panel shall be appointed without regard to the  
19 provisions of title 5, United States Code, governing  
20 appointments in the competitive service, and shall be  
21 paid without regard to the provisions of chapter 51  
22 and subchapter III of chapter 53 of such title relat-  
23 ing to classification and General Schedule pay rates.

24 (4) EXPERTS AND CONSULTANTS.—With the  
25 approval of the Panel, the staff director may procure

1 temporary and intermittent services under section  
2 3109(b) of title 5, United States Code.

3 (d) CONTRACT AUTHORITY.—The Panel may con-  
4 tract with and compensate government and private agen-  
5 cies or persons for items and services, without regard to  
6 section 3709 of the Revised Statutes (41 U.S.C. 5).

7 (e) PHYSICAL FACILITIES.—The Architect of the  
8 Capitol, in consultation with the appropriate entities in the  
9 legislative branch, shall locate and provide suitable office  
10 space for the operation of the Panel on a reimbursable  
11 basis. The facilities shall serve as the headquarters of the  
12 Panel and shall include all necessary equipment and  
13 incidentals required for the proper functioning of the  
14 Panel.

15 (f) DETAIL OF FEDERAL EMPLOYEES.—Upon the re-  
16 quest of the Panel, the head of any Federal agency may  
17 detail, on a reimbursable basis, any of the personnel of  
18 such agency to the Panel to assist the Panel in carrying  
19 out its duties.

20 (g) USE OF MAILS.—The Panel may use the United  
21 States mails in the same manner and under the same con-  
22 ditions as Federal agencies and shall, for purposes of the  
23 frank, be considered a commission of Congress as de-  
24 scribed in section 3215 of title 39, United States Code.

1 (h) ADMINISTRATIVE SUPPORT SERVICES.—Upon  
2 the request of the Panel, the Architect of the Capitol shall  
3 provide to the Panel on a reimbursable basis such adminis-  
4 trative support services as the Panel may request.

5 (i) PRINTING.—For purposes of costs relating to  
6 printing and binding, including the cost of personnel de-  
7 tailed from the Government Printing Office, the Panel  
8 shall be deemed to be a committee of the Congress.

9 **SEC. 206. REPORT.**

10 Not later than February 1, 1999, the Panel shall sub-  
11 mit to the President, the Committee on Ways and Means  
12 of the House of Representatives, and the Committee on  
13 Finance of the Senate a report which shall contain a de-  
14 tailed statement of the findings and conclusions of the  
15 Panel, including the set of recommendations required  
16 under section 202. The report shall include only those rec-  
17 ommendations of the Panel that receive the approval of  
18 at least 6 members of the Panel, including both Co-Chairs.

19 **SEC. 207. TERMINATION.**

20 The Panel shall terminate March 31, 1999.

21 **SEC. 208. AUTHORIZATION OF APPROPRIATIONS.**

22 There are authorized to be appropriated from the  
23 Federal Old-Age and Survivors Insurance Trust Fund

- 1 such sums as are necessary to carry out the purposes of
- 2 this title, but not to exceed \$2,000,000.

○