

104TH CONGRESS
2D SESSION

S. 1969

To establish a Commission on Retirement Income Policy.

IN THE SENATE OF THE UNITED STATES

JULY 17, 1996

Mr. JEFFORDS (for himself, Mr. BRADLEY, Mrs. KASSEBAUM, Mr. KERREY, Mr. COHEN, Mr. BINGAMAN, Mr. CHAFEE, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To establish a Commission on Retirement Income Policy.

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 Retire-
5 ment Income Policy Act of 1996”.

6 **SEC. 2. ESTABLISHMENT.**

7 There is established a commission to be known as the
8 Commission on Retirement Income Policy (in this Act re-
9 ferred to as the “Commission”).

1 **SEC. 3. DUTIES.**

2 (a) IN GENERAL.—The Commission shall conduct a
3 full and complete review and study of—

4 (1) trends in retirement savings in the United
5 States;

6 (2) existing Federal incentives and programs
7 that are established to encourage and protect such
8 savings; and

9 (3) new Federal incentives and programs that
10 are needed to encourage and protect such savings.

11 (b) SPECIFIC ISSUES.—In fulfilling the duty de-
12 scribed in subsection (a), the Commission shall address—

13 (1) the amount and sources of Federal and pri-
14 vate funds, including tax expenditures (as defined in
15 section 3 of the Congressional Budget Act of 1974
16 (2 U.S.C. 622)), needed to finance the incentives
17 and programs referred to in subsection (a)(2) and
18 any new Federal incentive or program that the Com-
19 mission recommends be established;

20 (2) the most efficient and effective manner,
21 considering the needs of retirement plan sponsors
22 for simplicity, reasonable cost, and appropriate in-
23 centives, of ensuring that individuals in the United
24 States will have adequate retirement savings;

25 (3) the amounts of retirement income that fu-
26 ture retirees will need to replace various levels of

1 preretirement income, including amounts necessary
 2 to pay for medical and long-term care;

3 (4) the workforce and demographic trends that
 4 affect the pensions of future retirees;

5 (5) the role of retirement savings in the econ-
 6 omy of the United States;

7 (6) sources of retirement income other than pri-
 8 vate pensions that are available to individuals in the
 9 United States; and

10 (7) the shift away from insured and qualified
 11 pension benefits in the United States.

12 (c) RECOMMENDATIONS.—

13 (1) IN GENERAL.—The Commission shall for-
 14 mulate recommendations based on the review and
 15 study conducted under subsection (a). The rec-
 16 ommendations shall include measures that address
 17 the needs of future retirees for—

18 (A) appropriate pension plan coverage and
 19 other mechanisms for saving for retirement;

20 (B) an adequate retirement income;

21 (C) preservation of benefits they accumu-
 22 late by participating in pension plans;

23 (D) information concerning pension plan
 24 benefits; and

1 (E) procedures to resolve disputes involv-
 2 ing such benefits.

3 (2) EFFECT ON FEDERAL BUDGET DEFICIT.—

4 A recommendation of the Commission for a new
 5 Federal incentive or program that would result in an
 6 increase in the Federal budget deficit shall not ap-
 7 pear in the report required under section 7 unless it
 8 is accompanied by a recommendation for offsetting
 9 the increase.

10 **SEC. 4. MEMBERSHIP.**

11 (a) NUMBER AND APPOINTMENT.—

12 (1) IN GENERAL.—The Commission shall be
 13 composed of 16 voting members appointed not later
 14 than 90 days after the date of the enactment of this
 15 Act. The Commission shall consist of the following
 16 members:

17 (A) Four members appointed by the Presi-
 18 dent, of which two shall be from the executive
 19 branch of the Government and two from private
 20 life.

21 (B) Three members appointed by the Ma-
 22 jority Leader of the Senate of which at least
 23 one shall be from private life.

1 (C) Three members appointed by the Mi-
2 nority Leader of the Senate of which at least
3 one shall be from private life.

4 (D) Three members appointed by the Ma-
5 jority Leader of the House of Representatives
6 of which at least one shall be from private life.

7 (E) Three members appointed by the Mi-
8 nority Leader of the House of Representatives
9 of which at least one shall be from private life.

10 (2) QUALIFICATIONS.—The individuals referred
11 to in paragraph (1) who are not Members of the
12 Congress shall be leaders of business or labor, dis-
13 tinguished academics, or other individuals with dis-
14 tinctive qualifications and experience in retirement
15 income policy.

16 (b) TERMS.—Each member shall be appointed for the
17 life of the Commission.

18 (c) VACANCIES.—A vacancy in the Commission shall
19 be filled not later than 90 days after the date of the cre-
20 ation of the vacancy in the manner in which the original
21 appointment was made.

22 (d) COMPENSATION.—

23 (1) RATES OF PAY.—Except as provided in
24 paragraph (2), members of the Commission shall
25 serve without pay.

1 (2) TRAVEL EXPENSES.—Each member of the
2 Commission shall receive travel expenses, including
3 per diem in lieu of subsistence, in accordance with
4 sections 5702 and 5703 of title 5, United States
5 Code.

6 (e) QUORUM.—10 members of the Commission shall
7 constitute a quorum, but 6 members may hold hearings,
8 take testimony, or receive evidence.

9 (f) CHAIRPERSON.—The chairperson of the Commis-
10 sion shall be elected by a majority vote of the members
11 of the Commission.

12 (g) MEETINGS.—The Commission shall meet at the
13 call of the chairperson of the Commission.

14 (h) DECISIONS.—Decisions of the Commission shall
15 be made according to the vote of not less than a majority
16 of the members who are present and voting at a meeting
17 called pursuant to subsection (g).

18 **SEC. 5. STAFF AND SUPPORT SERVICES.**

19 (a) EXECUTIVE DIRECTOR.—The Commission shall
20 have an executive director appointed by the Commission.
21 The Commission shall fix the pay of the executive director.

22 (b) STAFF.—The Commission may appoint and fix
23 the pay of additional personnel as it considers appropriate.

24 (c) APPLICABILITY OF CERTAIN CIVIL SERVICE
25 LAWS.—The executive director and staff of the Commis-

1 sion may be appointed without regard to the provisions
 2 of title 5, United States Code, governing appointments in
 3 the competitive service, and may be paid without regard
 4 to the provisions of chapter 51 and subchapter III of chap-
 5 ter 53 of that title relating to classification and General
 6 Schedule pay rates.

7 (d) EXPERTS AND CONSULTANTS.—The Commission
 8 may procure temporary and intermittent services under
 9 section 3109(b) of title 5, United States Code, at rates
 10 the Commission determines to be appropriate.

11 (e) STAFF OF FEDERAL AGENCIES.—Upon request
 12 of the Commission, the head of any Federal agency may
 13 detail, on a reimbursable basis, any of the personnel of
 14 the agency to the Commission to assist it in carrying out
 15 its duties under this Act.

16 (f) ADMINISTRATIVE SUPPORT SERVICES.—Upon the
 17 request of the Commission, the Administrator of General
 18 Services shall provide to the Commission, on a reimburs-
 19 able basis, the administrative support services necessary
 20 for the Commission to carry out its responsibilities under
 21 this Act.

22 **SEC. 6. POWERS.**

23 (a) HEARINGS AND SESSIONS.—

24 (1) IN GENERAL.—The Commission may, for
 25 the purpose of carrying out this Act, hold hearings,

1 sit and act at times and places, take testimony, and
2 receive evidence as the Commission considers appro-
3 priate. The Commission may administer oaths or af-
4 firmations to witnesses appearing before it.

5 (2) PUBLIC HEARINGS.—The Commission may
6 hold public hearings to receive the views of a broad
7 spectrum of the public on the status of the private
8 retirement system of the United States.

9 (b) DELEGATION OF AUTHORITY.—Any member,
10 committee, or agent of the Commission may, if authorized
11 by the Commission, take any action which the Commission
12 is authorized to take by this section.

13 (c) INFORMATION.—

14 (1) INFORMATION FROM FEDERAL AGENCIES.—

15 (A) IN GENERAL.—The Commission may
16 secure directly from any Federal agency infor-
17 mation necessary to enable it to carry out this
18 Act. Upon request of the Commission, the head
19 of the Federal agency shall furnish the informa-
20 tion to the Commission.

21 (B) EXCEPTION.—Subparagraph (A) shall
22 not apply to any information that the Commis-
23 sion is prohibited to secure or request by an-
24 other law.

1 (2) PUBLIC SURVEYS.—The Commission may
2 conduct the public surveys necessary to enable it to
3 carry out this Act. In conducting such surveys, the
4 Commission shall not be considered an agency for
5 purposes of chapter 35 of title 44, United States
6 Code.

7 (d) MAILS.—The Commission may use the United
8 States mails in the same manner and under the same con-
9 ditions as other Federal agencies.

10 (e) CONTRACT AND PROCUREMENT AUTHORITY.—
11 The Commission may make purchases, and may contract
12 with and compensate government and private agencies or
13 persons for property or services, without regard to—

14 (1) section 3709 of the Revised Statutes (41
15 U.S.C. 5); and

16 (2) title III of the Federal Property and Ad-
17 ministrative Services Act of 1949 (41 U.S.C. 251 et
18 seq.).

19 (f) GIFTS.—The Commission may accept, use, and
20 dispose of gifts of services or property, both real and per-
21 sonal, for the purpose of assisting the work of the Com-
22 mission. Gifts of money and proceeds from sales of prop-
23 erty received as gifts shall be deposited in the Treasury
24 and shall be available for disbursement upon order of the
25 Commission. For purposes of Federal income, estate, and

1 gift taxes, property accepted under this subsection shall
2 be considered as a gift to the United States.

3 (g) VOLUNTEER SERVICES.—Notwithstanding sec-
4 tion 1342 of title 31, United States Code, the Commission
5 may accept and use voluntary and uncompensated services
6 as the Commission determines necessary.

7 **SEC. 7. REPORT.**

8 Not later than 1 year after the first meeting of the
9 Commission, the Commission shall submit a report to the
10 President, the majority and minority leaders of the Sen-
11 ate, the Committee on Labor and Human Resources and
12 the Committee on Finance of the Senate, the majority and
13 minority leaders of the House of Representatives, and the
14 Committee on Ways and Means and the Committee on
15 Economic and Educational Opportunities of the House of
16 Representatives. The report shall review the matters that
17 the Commission is required to study under section 3 and
18 shall set forth the recommendations of the Commission.

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

20 There are authorized to be appropriated such sums
21 as may be necessary to carry out this Act.

1 **SEC. 9. TERMINATION.**

2 The Commission shall terminate not later than the
3 expiration of the 90-day period beginning on the date on
4 which the Commission submits its report under section 7.

