

113TH CONGRESS
1ST SESSION

H. R. 3642

To establish a commission to study employment and economic insecurity
in the United States workforce.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 3, 2013

Mr. HASTINGS of Florida (for himself, Mr. CONYERS, and Ms. LEE of California) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To establish a commission to study employment and
economic insecurity in the United States workforce.

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 Commission
5 on Employment and Economic Security Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Americans’ commitment to economic par-
9 ticipation has been a defining feature of the cultural
10 fabric of the United States, helping individuals feel

1 positive about themselves, develop independence, and
2 maintain hope for the future.

3 (2) During the recession that began in Decem-
4 ber 2007, more than 8.7 million jobs were lost. The
5 scope of the economic downturn was so large that its
6 impact was felt almost everywhere along the eco-
7 nomic spectrum, and continues to be felt in many
8 communities across the Nation.

9 (3) As Americans lose their jobs and their in-
10 comes shrink, too often, they also face the loss of
11 their family's health insurance and, subsequent to
12 the loss of income, even their housing.

13 (4) Research has shown that people who have
14 experienced home-foreclosure are at risk for severe
15 depressive symptoms and increased risk for mental
16 illness. In a 2009 study from the American Journal
17 of Public Health, more than 37 percent of people
18 going through foreclosure met criteria for "major
19 depression".

20 (5) The loss of a job and the subsequent loss
21 of income, insurance, and other benefits from that
22 job have been proven to not only lead to increased
23 stress but also be substantial triggers for mental
24 health disorders including depression and anxiety.

1 (6) Calls to the National Suicide Prevention
2 Lifeline increased by more than 72 percent from
3 2007 to 2010.

4 (7) According to the Bureau of Labor Statis-
5 tics, the unemployment rate hovered between 8.9
6 and 10 percent from April 2009 to October 2011,
7 peaking at 10.0 percent in October 2009. By Octo-
8 ber 2009, the number of unemployed persons had
9 reached nearly 15.4 million, and has yet to fall below
10 11 million.

11 (8) The number of long-term unemployed work-
12 ers (those jobless for 27 weeks or more) was 6.2 mil-
13 lion in September 2011, an increase of 426 percent
14 since the beginning of the recession in 2007. In Au-
15 gust 2013, 4.3 million Americans were classified as
16 long-term unemployed.

17 (9) According to an American Psychological As-
18 sociation September 2010 report, money (76 per-
19 cent), work (70 percent) and the economy (65 per-
20 cent) remained the most frequently cited sources of
21 stress for Americans at the height of the recession.
22 A recent report from February 2013 found that even
23 as the economy improves, these factors are relatively
24 unchanged. Money (69 percent), work (65 percent),

1 and the economy (61 percent) remain high sources
2 of stress for Americans.

3 (10) According to the same 2010 American
4 Psychological Association report, job stability rose as
5 a source of stress. Nearly half (49 percent) of adults
6 reported that job stability was a source of stress in
7 2010, compared to 44 percent in 2009. During the
8 same time period, fewer Americans were satisfied
9 with the ways their employer helped them balance
10 work and non-work demands (36 percent compared
11 to 42 percent in 2009).

12 (11) Research shows that time flexible work
13 policies are associated with less stress, fewer ab-
14 sences from work, and more employer loyalty.

15 (12) Since March 2010, 7.5 million private-sec-
16 tor jobs have been created in 42 straight months of
17 job growth. During the same time period, the unem-
18 ployment rate has fallen from 9.9 percent to 7.2 per-
19 cent. The Congressional Budget Office projects that
20 the unemployment rate will not fall below 6 percent
21 until the end of 2016, and will remain above 5 per-
22 cent through 2023.

1 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

2 There is established a commission to be known as the
3 “National Commission on Employment and Economic Se-
4 curity”.

5 **SEC. 4. DUTIES OF COMMISSION.**

6 The Commission shall—

7 (1) examine the issues of economic and psycho-
8 logical insecurity of members of the United States
9 workforce caused by employment displacement;

10 (2) gather data on the relationship between
11 psychological stress caused by employment insecurity
12 and economic insecurity, the increase in mental
13 health disorders including clinical depression and
14 anxiety in the United States, and increased violence
15 by employees and former employees in the workplace
16 and in their private lives;

17 (3) analyze the psychological impact of in-
18 creased workplace responsibilities and stress on cur-
19 rent workers due to downsizing, and the role of
20 workplace flexibility policies in alleviating stress on
21 these remaining workers;

22 (4) examine the economic and psychological ef-
23 fects of the decreasing number of well-paid jobs on
24 members of the United States workforce and their
25 families;

1 (5) analyze whether measures may be taken to
2 reduce said economic and psychological effects; and

3 (6) recommend potential solutions, including
4 recommendations for legislative and administrative
5 action, to alleviate the problems of economic and
6 psychological insecurity of members of the United
7 States workforce.

8 **SEC. 5. MEMBERSHIP OF COMMISSION.**

9 (a) NUMBER AND APPOINTMENT.—The Commission
10 shall be composed of 17 members, with expertise in re-
11 search methods or statistics, who shall be appointed as
12 follows:

13 (1) Nine individuals appointed by the President,
14 of which—

15 (A) 2 members shall be individuals who
16 represent labor organizations, as defined by sec-
17 tion 2(5) of the National Labor Relations Act
18 (29 U.S.C. 152(5));

19 (B) 2 members shall be individuals who
20 represent business interests;

21 (C) 2 members shall be individuals who
22 represent mental health interests; and

23 (D) 3 members shall be individuals who
24 represent relevant Federal agencies.

1 (2) Two individuals appointed by the Speaker
2 of the House of Representatives.

3 (3) Two individuals appointed by the minority
4 leader of the House of Representatives.

5 (4) Two individuals appointed by the majority
6 leader of the Senate.

7 (5) Two individuals appointed by the minority
8 leader of the Senate.

9 (b) QUALIFICATIONS.—

10 (1) IN GENERAL.—Members shall be experts in
11 the fields of labor, employment, economics, and psy-
12 chology.

13 (2) POLITICAL AFFILIATION.—Political affili-
14 ation shall not be a factor in the appointment of
15 members.

16 (c) DEADLINE FOR APPOINTMENT.—Each member
17 shall be appointed to the Commission not later than 90
18 days after the date of enactment of this Act.

19 (d) TERMS.—Each member shall be appointed for the
20 life of the Commission.

21 (e) VACANCIES.—A vacancy in the Commission shall
22 be filled in the manner in which the original appointment
23 was made.

24 (f) BASIC PAY.—Members shall serve without pay.

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

5 (h) QUORUM.—Eight members of the Commission
6 shall constitute a quorum but a lesser number may hold
7 hearings.

8 (i) CHAIRPERSON.—

9 (1) IN GENERAL.—The Chairperson of the
10 Commission shall be elected by the members not
11 later than 30 days after the date on which all of the
12 original members of the Commission have been ap-
13 pointed.

14 (2) PRESIDENTIAL APPOINTMENT.—If the
15 members of the Commission are unable to elect the
16 Chairperson in accordance with paragraph (1), the
17 President shall appoint a member of the Commission
18 to be the Chairperson.

19 (j) MEETINGS.—The Commission shall meet at the
20 call of the Chairperson.

21 **SEC. 6. STAFF OF COMMISSION.**

22 (a) STAFF.—The Chairperson may appoint and fix
23 the pay of the personnel of the Commission as the Chair-
24 person considers appropriate.

1 (b) APPLICABILITY OF CERTAIN CIVIL SERVICE
2 LAWS.—The staff of the Commission shall be appointed
3 subject to the provisions of title 5, United States Code,
4 governing appointments in the competitive service, and
5 shall be paid in accordance with the provisions of chapter
6 51 and subchapter III of chapter 53 of that title relating
7 to classification and General Schedule pay rates.

8 (c) STAFF OF FEDERAL AGENCIES.—Upon request
9 of the Chairperson, the head of any Federal department
10 or agency may detail, on a reimbursable basis, any of the
11 personnel of that department or agency to the Commission
12 to assist it in carrying out its duties under this Act.

13 **SEC. 7. POWERS OF COMMISSION.**

14 (a) HEARINGS AND SESSIONS.—The Commission
15 may, for the purpose of carrying out this Act, hold hear-
16 ings, sit and act at times and places, take testimony, and
17 receive evidence as the Commission considers appropriate.
18 The Commission may administer oaths or affirmations to
19 witnesses appearing before it.

20 (b) POWERS OF MEMBERS AND AGENTS.—Any mem-
21 ber or agent of the Commission may, if authorized by the
22 Commission, take any action which the Commission is au-
23 thorized to take by this section.

24 (c) OBTAINING OFFICIAL DATA.—The Commission
25 may secure directly from any Federal department or agen-

1 cy information necessary to enable it to carry out this Act.
2 Upon request of the Chairperson of the Commission, the
3 head of that department or agency shall provide that in-
4 formation to the Commission.

5 (d) MAIL.—The Commission may use the United
6 States mail in the same manner and under the same con-
7 ditions as other Federal departments and agencies.

8 (e) ADMINISTRATIVE SUPPORT SERVICES.—Upon
9 the request of the Commission, the Administrator of Gen-
10 eral Services shall provide to the Commission, on a reim-
11 bursable basis, the administrative support services nec-
12 essary for the Commission to carry out its responsibilities
13 under this Act.

14 (f) IMMUNITY.—The Commission is an agency of the
15 United States for purpose of part V of title 18, United
16 States Code (relating to immunity of witnesses).

17 (g) SUBPOENA POWER.—

18 (1) IN GENERAL.—The Commission may issue
19 a subpoena to require the attendance and testimony
20 of witnesses and the production of evidence relating
21 to any matter described in paragraphs (1) through
22 (3) of section 4.

23 (2) FAILURE TO OBEY AN ORDER OR SUB-
24 POENA.—If a person refuses to obey a subpoena
25 issued under paragraph (1), the Commission may

1 apply to a United States district court for an order
2 requiring that person to appear before the Commis-
3 sion to give testimony, produce evidence, or both, re-
4 lating to the matter under investigation. The appli-
5 cation may be made within the judicial district
6 where the hearing is conducted or where that person
7 is found, resides, or transacts business. Any failure
8 to obey the order of the court may be punished by
9 the court as civil contempt.

10 (3) SERVICE OF SUBPOENAS.—The subpoenas
11 of the Commission shall be served in the manner
12 provided for subpoenas issued by a United States
13 district court under the Federal Rules of Civil Pro-
14 cedure for the United States district courts.

15 (h) CONTRACT AUTHORITY.—The Commission may
16 contract with and compensate government and private
17 agencies or persons for supplies or services, without regard
18 to section 3709 of the Revised Statutes (41 U.S.C. 5).

19 **SEC. 8. REPORT OF COMMISSION.**

20 Not later than 1 year after the date on which all
21 original members have been appointed to the Commission,
22 the Commission shall transmit to the President and Con-
23 gress a report that contains a detailed statement of the
24 findings and recommendations of the Commission made
25 pursuant to section 4.

1 **SEC. 9. TERMINATION OF COMMISSION.**

2 (a) TERMINATION.—The Commission shall terminate
3 60 days after the date of submission of the report pursu-
4 ant to section 8.

5 (b) ADMINISTRATIVE ACTIVITIES BEFORE TERMI-
6 NATION.—The Commission may use the 60-day period re-
7 ferred to in subsection (a) for the purpose of concluding
8 its activities, including providing testimony to committees
9 of Congress concerning its reports and disseminating the
10 second report.

11 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) IN GENERAL.—There are authorized to be appro-
13 priated \$2,000,000 for fiscal year 2012 for use in the de-
14 velopment and implementation of plans under this Act.

15 (b) AVAILABILITY.—Amounts authorized to be appro-
16 priated by subsection (a) are authorized to remain avail-
17 able until expended.

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