

116TH CONGRESS
1ST SESSION

H. R. 1401

To establish the Commission on Long-Term Social Security Solvency, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2019

Mr. COLE introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Commission on Long-Term Social Security
Solvency, and for other purposes.

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 “Bipartisan Social Secu-
5 rity Commission Act of 2019”.

6 **SEC. 2. ESTABLISHMENT.**

7 There is established in the legislative branch a com-
8 mission to be known as the “Commission on Long-Term

1 Social Security Solvency” (in this Act referred to as the
2 “Commission”).

3 **SEC. 3. DUTY OF THE COMMISSION.**

4 Not later than 1 year after the initial meeting of the
5 Commission, the Commission shall transmit to Congress
6 a special message that includes recommendations and pro-
7 posed legislation for achieving solvency in each of the Fed-
8 eral Old-Age and Survivors Insurance Trust Fund and the
9 Federal Disability Insurance Trust Fund for a period of
10 at least 75 years beginning on the date that is 1 year after
11 the initial meeting of the Commission. Such message shall
12 be approved by at least 9 members of the Commission.

13 **SEC. 4. MEMBERS.**

14 (a) **NUMBER AND APPOINTMENT.**—The Commission
15 shall be composed of 13 members. Of the members of the
16 Commission—

17 (1) 1 shall be appointed by the President;

18 (2) 3 shall be appointed by the Speaker of the
19 House of Representatives;

20 (3) 3 shall be appointed by the minority leader
21 of the House of Representatives;

22 (4) 3 shall be appointed by the majority leader
23 of the Senate; and

24 (5) 3 shall be appointed by the minority leader
25 of the Senate.

1 (b) QUALIFICATIONS FOR CONGRESSIONAL AP-
2 PPOINTEES.—Of the members of the Commission appointed
3 by the Congress, at least 1 appointed by each political
4 party shall be an expert who is not an elected official or
5 an officer or employee of the Federal Government or of
6 any State.

7 (c) TIMING OF APPOINTMENTS.—Each of the ap-
8 pointments made under subsection (a) shall be made not
9 later than 45 days after the date of the enactment of this
10 Act.

11 (d) TERMS; VACANCIES.—Each member shall be ap-
12 pointed for the life of the Commission, and a vacancy in
13 the Commission shall be filled in the manner in which the
14 original appointment was made.

15 (e) COMPENSATION.—

16 (1) IN GENERAL.—Members of the Commission
17 shall serve without pay.

18 (2) TRAVEL EXPENSES.—Each member shall
19 receive travel expenses, including per diem in lieu of
20 subsistence, in accordance with applicable provisions
21 under subchapter I of chapter 57 of title 5, United
22 States Code.

23 **SEC. 5. OPERATION AND POWERS OF THE COMMISSION.**

24 (a) CHAIR AND CO-CHAIR.—The member of the
25 Commission appointed by the President under section 4(a)

1 shall serve as the chair of the Commission. A co-chair of
2 the Commission shall be designated by the Speaker of the
3 House of Representatives at the time of the appointment.

4 (b) MEETINGS.—The Commission shall meet not
5 later than 30 days after the members of the Commission
6 have been appointed, and at such times thereafter as the
7 chair or co-chair shall determine.

8 (c) RULES OF PROCEDURE.—The chair and co-chair
9 shall, with the approval of a majority of the members of
10 the Commission, establish written rules of procedure for
11 the Commission, which shall include a quorum require-
12 ment to conduct the business of the Commission.

13 (d) HEARINGS.—The Commission shall, for the pur-
14 pose of carrying out this Act, hold at least one hearing
15 that is open to the public and allows for public comment
16 and participation, and may hold such other hearings, sit
17 and act at times and places, take testimony, and receive
18 evidence as the Commission considers appropriate.

19 (e) OBTAINING OFFICIAL DATA.—The Commission
20 may secure directly from any department or agency of the
21 United States, including the Congressional Budget Office
22 and the Government Accountability Office, any informa-
23 tion or technical assistance necessary to enable it to carry
24 out this Act. Upon request of the chair or co-chair of the
25 Commission, the head of that department or agency shall

1 furnish that information or technical assistance to the
2 Commission.

3 (f) **CONTRACT AUTHORITY.**—The Commission may
4 contract with and compensate government and private
5 agencies or persons for any purpose necessary to enable
6 it to carry out this Act.

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

11 **SEC. 6. PERSONNEL.**

12 (a) **DIRECTOR.**—The Commission shall have a Direc-
13 tor who shall be appointed by the Commission. The Direc-
14 tor shall be paid at a rate of pay equivalent to the annual
15 rate of basic pay for a comparable position paid under the
16 Executive Schedule, subject to the approval of the chair
17 and the co-chair.

18 (b) **STAFF.**—The Director may appoint and fix the
19 pay of additional staff as the Director considers appro-
20 priate.

21 (c) **EXPERTS AND CONSULTANTS.**—The Commission
22 may procure temporary and intermittent services under
23 section 3109(b) of title 5, United States Code, but at rates
24 for individuals not to exceed the daily equivalent of the

1 annual rate of basic pay for a comparable position paid
2 under the Executive Schedule.

3 (d) STAFF OF FEDERAL AGENCIES.—Upon request
4 of the Commission, the head of any Federal department
5 or agency may detail, without reimbursement, any of the
6 personnel of that department or agency to the Commission
7 to assist it in carrying out its duties under this Act.

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) GIFTS, BEQUESTS, AND DEVISES.—The Commis-
15 sion may accept, use, and dispose of gifts, bequests, or
16 devises of services or property, both real and personal, for
17 the purpose of aiding or facilitating the work of the Com-
18 mission. Gifts, bequests, or devises of money and proceeds
19 from sales of other property received as gifts, bequests,
20 or devises shall be deposited in the Treasury and shall be
21 available for disbursement upon order of the Commission.

22 **SEC. 7. TERMINATION.**

23 The Commission shall terminate not later than 60
24 days after the submission of the report described in sec-
25 tion 3.

1 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

2 There is authorized to be appropriated not more than
3 \$2,000,000 to carry out this Act.

4 **SEC. 9. EXPEDITED CONSIDERATION OF COMMISSION REC-**
5 **COMMENDATIONS.**

6 (a) EXPEDITED CONSIDERATION.—

7 (1) INTRODUCTION OF APPROVAL BILL.—The
8 majority leader of each House or a designee shall
9 (by request) introduce an approval bill as described
10 in subsection (c) not later than the third day of ses-
11 sion of that House after the date of receipt of a spe-
12 cial message transmitted to the Congress under sec-
13 tion 3.

14 (2) CONSIDERATION IN THE HOUSE OF REP-
15 RESENTATIVES.—

16 (A) REFERRAL AND REPORTING.—Any
17 committee of the House of Representatives to
18 which an approval bill is referred shall report it
19 to the House without amendment not later than
20 the third legislative day after the date of its in-
21 troduction. If a committee fails to report the
22 bill within that period or the House has adopt-
23 ed a concurrent resolution providing for ad-
24 journment sine die at the end of a Congress,
25 such committee shall be automatically dis-
26 charged from further consideration of the bill

1 and it shall be placed on the appropriate cal-
2 endar.

3 (B) PROCEEDING TO CONSIDERATION.—

4 Not later than 3 legislative days after the ap-
5 proval bill is reported or a committee has been
6 discharged from further consideration thereof,
7 it shall be in order to move to proceed to con-
8 sider the approval bill in the House. Such a mo-
9 tion shall be in order only at a time designated
10 by the Speaker in the legislative schedule within
11 two legislative days after the day on which the
12 proponent announces an intention to the House
13 to offer the motion provided that such notice
14 may not be given until the approval bill is re-
15 ported or a committee has been discharged
16 from further consideration thereof. Such a mo-
17 tion shall not be in order after the House has
18 disposed of a motion to proceed with respect to
19 that special message. The previous question
20 shall be considered as ordered on the motion to
21 its adoption without intervening motion. A mo-
22 tion to reconsider the vote by which the motion
23 is disposed of shall not be in order.

24 (C) CONSIDERATION.—If the motion to
25 proceed is agreed to, the House shall imme-

1 diately proceed to consider the approval bill in
2 the House without intervening motion. The ap-
3 proval bill shall be considered as read. All
4 points of order against the approval bill and
5 against its consideration are waived. The pre-
6 vious question shall be considered as ordered on
7 the approval bill to its passage without inter-
8 vening motion except 4 hours of debate equally
9 divided and controlled by the proponent and an
10 opponent and one motion to limit debate on the
11 bill. A motion to reconsider the vote on passage
12 of the approval bill shall not be in order.

13 (3) CONSIDERATION IN THE SENATE.—

14 (A) COMMITTEE ACTION.—The appropriate
15 committee of the Senate shall report without
16 amendment the approval bill not later than the
17 third session day after introduction. If a com-
18 mittee fails to report the approval bill within
19 that period or the Senate has adopted a concur-
20 rent resolution providing for adjournment sine
21 die at the end of a Congress, the committee
22 shall be automatically discharged from further
23 consideration of the approval bill and it shall be
24 placed on the appropriate calendar.

1 (B) MOTION TO PROCEED.—Not later than
2 3 session days after the approval bill is reported
3 in the Senate or the committee has been dis-
4 charged thereof, it shall be in order for any
5 Senator to move to proceed to consider the ap-
6 proval bill in the Senate. The motion shall be
7 decided without debate and the motion to re-
8 consider shall be deemed to have been laid on
9 the table. Such a motion shall not be in order
10 after the Senate has disposed of a prior motion
11 to proceed with respect to the approval bill.

12 (C) CONSIDERATION.—If a motion to pro-
13 ceed to the consideration of the approval bill is
14 agreed to, the Senate shall immediately proceed
15 to consideration of the approval bill without in-
16 tervening motion, order, or other business, and
17 the approval bill shall remain the unfinished
18 business of the Senate until disposed of. Con-
19 sideration on the bill in the Senate under this
20 subsection, and all debatable motions and ap-
21 peals in connection therewith, shall not exceed
22 30 hours equally divided in the usual form. All
23 points of order against the approval bill or its
24 consideration are waived. Consideration in the
25 Senate on any debatable motion or appeal in

1 connection with the approval bill shall be lim-
2 ited to not more than 1 hour. A motion to post-
3 pone, or a motion to proceed to the consider-
4 ation of other business, or a motion to recom-
5 mit the approval bill is not in order. A motion
6 to reconsider the vote by which the approval bill
7 is agreed to or disagreed to is not in order.

8 (4) AMENDMENTS PROHIBITED.—No amend-
9 ment to, or motion to strike a provision from, an ap-
10 proval bill considered under this section shall be in
11 order in either the Senate or the House of Rep-
12 resentatives.

13 (5) COORDINATION WITH ACTION BY OTHER
14 HOUSE.—

15 (A) IN GENERAL.—If, before passing the
16 approval bill, one House receives from the other
17 a bill—

18 (i) the approval bill of the other
19 House shall not be referred to a com-
20 mittee; and

21 (ii) the procedure in the receiving
22 House shall be the same as if no approval
23 bill had been received from the other
24 House until the vote on passage, when the
25 bill received from the other House shall

1 supplant the approval bill of the receiving
2 House.

3 (B) EXCEPTION.—This paragraph shall
4 not apply to the House of Representatives.

5 (b) LIMITATION.—Subsection (a) shall apply only to
6 an approval bill described in subsection (c) and introduced
7 pursuant to subsection (a)(1).

8 (c) APPROVAL BILL DESCRIBED.—For purposes of
9 subsection (a), a bill described in this paragraph is a bill—

10 (1) which consists of the proposed legislation
11 which is included in such report to carry out the rec-
12 ommendations made by the Commission in the re-
13 port; and

14 (2) the title of which is as follows: “A bill to
15 carry out the recommendations of the Commission
16 on Long-Term Social Security Solvency.”.

17 (d) EXTENDED TIME PERIOD.—If Congress adjourns
18 at the end of a Congress and an approval bill was then
19 pending in either House of Congress or a committee there-
20 of, or an approval bill had not yet been introduced with
21 respect to a special message, then within the first 3 days
22 of session of the next Congress, the Commission shall
23 transmit to Congress an additional special message con-
24 taining all of the information in the previous, pending spe-
25 cial message. An approval bill may be introduced within

1 the first five days of session of such next Congress and
2 shall be treated as an approval bill under this section, and
3 the time periods described in paragraphs (2) and (3) of
4 subsection (a) shall commence on the day of introduction
5 of that approval bill.

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