

116TH CONGRESS
2D SESSION

H. R. 5672

To establish the Commission on Sustaining Medicare and Social Security,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2020

Mr. BILIRAKIS introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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 Sustaining Medicare and
Social Security, 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 “Commission on Sus-
5 taining Medicare and Social Security Act of 2020”.

6 **SEC. 2. ESTABLISHMENT.**

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

1 Medicare and Social Security” (in this Act referred to as
2 the “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 submit to Congress a
6 report on the Old-Age, Survivors, and Disability Insurance
7 program under title II of the Social Security Act and the
8 Medicare program under title XVIII of the Social Security
9 Act, including—

10 (1) the impact of using alternative indexes on
11 beneficiaries and the Trust Funds, including the
12 Consumer Price Index for the Elderly (CPI-E);

13 (2) the impact of using alternative premium
14 formulas for the Medicare program under title
15 XVIII of the Social Security Act on beneficiaries
16 and the Federal Supplementary Medical Insurance
17 Trust Fund, including premium formulas that con-
18 sider financial hardships and socioeconomic status;

19 (3) program reforms to increase the sustain-
20 ability of the Old-Age, Survivors, and Disability In-
21 surance program under title II of the Social Security
22 Act and the Medicare program under title XVIII of
23 the Social Security Act; and

24 (4) program reforms to prevent fraud, increase
25 integrity, and reduce improper payments.

1 **SEC. 4. MEMBERS.**

2 (a) NUMBER AND APPOINTMENT.—The Commission
3 shall be composed of 11 members. Of the members of the
4 Commission—

5 (1) 3 shall be appointed by the President, in-
6 cluding—

7 (A) the Commissioner of the Social Secu-
8 rity Administration or a designee of the Com-
9 missioner; and

10 (B) the Administrator of the Centers for
11 Medicare and Medicaid Services or a designee
12 of the Administrator;

13 (2) 2 shall be appointed by the Speaker of the
14 House of Representatives, consisting of—

15 (A) 1 nongovernmental expert in the Old-
16 Age, Survivors, and Disability Insurance pro-
17 gram under title II of the Social Security Act;
18 and

19 (B) 1 nongovernmental expert of the Medi-
20 care program under title XVIII of the Social
21 Security Act;

22 (3) 2 shall be appointed by the minority leader
23 of the House of Representatives; consisting of—

24 (A) 1 nongovernmental expert in the Old-
25 Age, Survivors, and Disability Insurance pro-

1 gram under title II of the Social Security Act;
2 and

3 (B) 1 nongovernmental expert of the Medi-
4 care program under title XVIII of the Social
5 Security Act;

6 (4) 2 shall be appointed by the majority leader
7 of the Senate, consisting of—

8 (A) 1 nongovernmental expert in the Old-
9 Age, Survivors, and Disability Insurance pro-
10 gram under title II of the Social Security Act;
11 and

12 (B) 1 nongovernmental expert of the Medi-
13 care program under title XVIII of the Social
14 Security Act; and

15 (5) 2 shall be appointed by the minority leader
16 of the Senate, consisting of—

17 (A) 1 nongovernmental expert in the Old-
18 Age, Survivors, and Disability Insurance pro-
19 gram under title II of the Social Security Act;
20 and

21 (B) 1 nongovernmental expert of the Medi-
22 care program under title XVIII of the Social
23 Security Act.

1 (b) TIMING OF APPOINTMENTS.—Each of the ap-
2 pointments under subsection (a) shall be made not later
3 than 60 days after the date of the enactment of this Act.

4 (c) TERMS; VACANCIES.—Each member shall be ap-
5 pointed for the life of the Commission, and a vacancy in
6 the Commission shall be filled in the manner in which the
7 original appointment was made.

8 (d) COMPENSATION.—

9 (1) IN GENERAL.—Members of the Commission
10 shall serve without pay.

11 (2) PROHIBITION ON COMPENSATION OF FED-
12 ERAL EMPLOYEES.—Members of the Commission
13 who are full-time officers or employees of the United
14 States may not receive additional pay, allowances, or
15 benefits by reason of their service on the Commis-
16 sion.

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

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

23 (a) CO-CHAIRS.—The Commission shall have two co-
24 chairs who shall be elected from the members of the Com-
25 mission during the first meeting of the Commission.

1 (b) MEETINGS.—The Commission shall meet not
2 later than 30 days after the members of the Commission
3 have been appointed, and at such times thereafter as the
4 co-chairs shall determine.

5 (c) RULES OF PROCEDURE.—The co-chairs shall,
6 with the approval of a majority of the members of the
7 Commission, establish written rules of procedure for the
8 Commission, which shall include a quorum requirement to
9 conduct the business of the Commission.

10 (d) HEARINGS.—The Commission may, for the pur-
11 pose of carrying out this Act, hold hearings, sit and act
12 at times and places, take testimony, and receive evidence
13 as the Commission considers appropriate.

14 (e) OBTAINING OFFICIAL DATA.—The Commission
15 may secure directly from any department or agency of the
16 United States, including the Congressional Budget Office
17 and the Government Accountability Office, any informa-
18 tion or technical assistance necessary to enable the Com-
19 mission to carry out this Act. Upon request of the co-
20 chairs of the Commission, the head of that department
21 or agency shall furnish that information or technical as-
22 sistance to the Commission.

23 (f) CONTRACT AUTHORITY.—To the extent or in the
24 amounts provided in advance in appropriation Acts, the
25 Commission may contract with and compensate govern-

1 ment and private agencies or persons for any purpose nec-
2 essary to enable the Commission to carry out this Act.

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

7 **SEC. 6. PERSONNEL.**

8 (a) **DIRECTOR.**—The Commission shall have a Direc-
9 tor who shall be appointed by the Commission. The Direc-
10 tor shall be paid at the rate of basic pay for level V of
11 the Executive Schedule under section 5316 of title 5,
12 United States Code.

13 (b) **STAFF.**—The Director may appoint and fix the
14 pay of additional staff as the Director considers appro-
15 priate.

16 (c) **EXPERTS AND CONSULTANTS.**—The Commission
17 may procure temporary and intermittent services under
18 section 3109(b) of title 5, United States Code, but at rates
19 for individuals not to exceed the maximum rate of basic
20 pay for GS–15 of the General Schedule.

21 (d) **STAFF OF FEDERAL AGENCIES.**—Upon request
22 of the Commission, the head of any Federal department
23 or agency may detail, without reimbursement, any of the
24 personnel of that department or agency to the Commission

1 to assist the Commission in carrying out its duties under
2 this Act.

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

9 **SEC. 7. TERMINATION.**

10 The Commission shall terminate not later than 60
11 days after the submission of the report required by section
12 3.

13 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

14 There is authorized to be appropriated \$2,000,000 to
15 carry out this Act.

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