

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3546

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IN THE SENATE OF THE UNITED STATES

APRIL 30, 1998

Received; read twice and referred to the Committee on Finance

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **TITLE I—NATIONAL DIALOGUE**  
5 **ON SOCIAL SECURITY**

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

7 As soon as practicable after the date of the enactment  
8 of this Act, the President, the Speaker of the House of  
9 Representatives, and the Majority Leader of the Senate  
10 shall jointly convene a National Dialogue on the old-age,  
11 survivors, and disability insurance program under title II  
12 of the Social Security Act. The purpose of the National  
13 Dialogue shall be to engage, by means of regional con-  
14 ferences and national Internet exchanges, the American  
15 public in understanding the current program, the prob-  
16 lems it faces, and the need to find solutions that will be  
17 workable for all generations and to generate comments,  
18 suggestions, and recommendations from the citizens for  
19 social security reform.

20 **SEC. 102. FACILITATORS.**

21 The National Dialogue conducted pursuant to section  
22 101 shall operate under the administration and coordina-  
23 tion of two Facilitators, one of whom shall be appointed  
24 by the President, in consultation with the Minority Leader  
25 of the House of Representatives and the Minority Leader  
26 of the Senate, and one of whom shall be appointed jointly

1 by the Speaker of the House of Representatives and the  
2 Majority Leader of the Senate. The Facilitators shall be  
3 appointed within 30 days after the date of the enactment  
4 of this Act. The Facilitators shall be appointed from  
5 among individuals known for their integrity, impartiality,  
6 and good judgment, who are, by reason of their education,  
7 experience, and attainments, exceptionally qualified to per-  
8 form the duties of such office. The Facilitators may serve  
9 until termination of the National Dialogue under section  
10 108.

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

12 After consultation with the President, the Speaker of  
13 the House of Representatives, the Minority Leader of the  
14 House of Representatives, the Majority Leader of the Sen-  
15 ate, and the Minority Leader of the Senate, the  
16 Facilitators shall transmit the final plans for the develop-  
17 ment and operations of the National Dialogue to the  
18 President and each House of the Congress not later than  
19 60 days after the date of the enactment of this Act.

20 **SEC. 104. DIALOGUE COUNCIL.**

21 (a) ESTABLISHMENT AND DUTIES.—There is estab-  
22 lished a Dialogue Council. It shall be the duty of the Dia-  
23 logue Council to advise the Facilitators in the development  
24 and operations of, and to promote nationwide participa-  
25 tion in, the National Dialogue.

1 (b) MEMBERSHIP.—

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

5 (A) nine shall be appointed by the Speaker  
6 of the House of Representatives;

7 (B) four shall be appointed by the Minority  
8 Leader of the House of Representatives;

9 (C) nine shall be appointed by the Majority  
10 Leader of the Senate;

11 (D) four shall be appointed by the Minor-  
12 ity Leader of the Senate; and

13 (E) ten shall be appointed by the Presi-  
14 dent.

15 To the extent practicable, the members shall include  
16 both men and women and shall be selected so as to  
17 ensure that individuals born before 1946, individuals  
18 born in or after 1946 and before 1961, and individ-  
19 uals born in or after 1961 are equally represented  
20 within the membership.

21 (2) NOMINATIONS.—Individuals shall be ap-  
22 pointed under paragraph (1) from a group of 54 in-  
23 dividuals, consisting of individuals nominated in sets  
24 of two each, respectively, by each of the following 27  
25 private organizations:

- 1 (A) American Association of Retired Per-  
2 sons;
- 3 (B) United Seniors Association;
- 4 (C) American Federation of Labor and  
5 Congress of Industrial Organizations;
- 6 (D) The National Hispanic Council on  
7 Aging;
- 8 (E) The Older Women's League;
- 9 (F) Association of Private Pension and  
10 Welfare Plans;
- 11 (G) Cato Institute;
- 12 (H) Employee Benefit Research Institute;
- 13 (I) Americans Discuss Social Security;
- 14 (J) Third Millennium;
- 15 (K) The U.S. Junior Chamber of Com-  
16 merce;
- 17 (L) Americans for Hope, Growth, and Op-  
18 portunity;
- 19 (M) National Federation of Independent  
20 Businesses;
- 21 (N) The Concord Coalition;
- 22 (O) National Caucus and Center on Black  
23 Aged;
- 24 (P) Campaign for America's Future;
- 25 (Q) The Heritage Foundation;

1 (R) The Brookings Institution;

2 (S) The 2030 Center;

3 (T) National Council of Senior Citizens;

4 (U) Center on Budget and Policy Prior-  
5 ities;

6 (V) National Committee to Preserve Social  
7 Security and Medicare;

8 (W) United States Chamber of Commerce;

9 (X) Pension Rights Center;

10 (Y) Consortium for Citizens with Disabil-  
11 ities;

12 (Z) National Association of Manufacturers;

13 and

14 (AA) National Association for the Self-Em-  
15 ployed.

16 (c) ADMINISTRATION.—The Dialogue Council shall  
17 meet at the call of the Facilitators. The Dialogue Council  
18 shall be subject to the Federal Advisory Committee Act.  
19 Members of the Council shall receive no pay, allowances,  
20 or benefits by reason of their service on the Council (other  
21 than any private funding of costs pursuant to section  
22 105).

23 (d) TERMINATION.—The Dialogue Council shall ter-  
24minate upon the termination of the National Dialogue  
25 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 The source and amounts of contributions made pursuant  
17 to this section shall be made available to the public.

18 **SEC. 106. CONSTITUENCY INPUT.**

19       (a) IN GENERAL.—In order to assure that the widest  
20 possible degree of opinion is received by Members of Con-  
21 gress regarding the future of the old-age, survivors, and  
22 disability insurance program under title II of the Social  
23 Security Act, each Member may, in connection with the  
24 National Dialogue, develop with grassroots organizations  
25 and other constituency groups within the Member's dis-  
26 trict ongoing systems of communication through the use

1 of the Internet and other available electronic capabilities.  
2 Such groups include, but are not limited to, key opinion  
3 leaders, journalists, business representatives, union mem-  
4 bers, and students of all age groups.

5 (b) INTERNET DIALOGUE COORDINATION.—

6 (1) INTERNET DIALOGUE COORDINATOR.—The  
7 Facilitators shall appoint an Internet Dialogue Coor-  
8 dinator who shall assist Members of Congress in es-  
9 tablishing systems of communication as described in  
10 subsection (a). In carrying out the Coordinator’s du-  
11 ties, the Coordinator shall—

12 (A) establish a national dialogue web site,  
13 which may include, but is not limited to, per-  
14 sonal financial planning, Federal budget impact  
15 exercises, ongoing public opinion tallies regard-  
16 ing legislative proposals, moderated chat rooms,  
17 and threaded newsgroups;

18 (B) assist Members’ offices in establishing  
19 connections to the national dialogue web site;

20 (C) assist Members in coordinating a na-  
21 tional electronic town hall meeting on the fu-  
22 ture of social security;

23 (D) advise Members regarding the most ef-  
24 fective technological means for reaching out to

1 constituent groups for purposes of this section;  
2 and

3 (E) work with other Internet-oriented  
4 groups to broaden the reach of Internet capabil-  
5 ity for purposes of this section.

6 (2) INTERNET ADVISORY BOARD.—

7 (A) ESTABLISHMENT.—There is estab-  
8 lished an Internet Advisory Board. It shall be  
9 the duty of the Board to advise the Internet  
10 Dialogue Coordinator in the most appropriate  
11 and effective means of employing the Internet  
12 under this section.

13 (B) MEMBERSHIP.—The Board shall con-  
14 sist of 3 members appointed by the Facilitators  
15 from among individuals recognized for their ex-  
16 pertise relating to the Internet.

17 (C) ADMINISTRATION.—The Board shall  
18 meet at the call of the Internet Dialogue Coor-  
19 dinator. The Board shall be subject to the Fed-  
20 eral Advisory Committee Act. Members of the  
21 Board shall receive no pay, allowances, or bene-  
22 fits by reason of their service on the Board, ex-  
23 cept that any member of the Board who is not  
24 otherwise an officer or employee of the Federal  
25 Government shall receive travel expenses and

1 per diem in lieu of subsistence in accordance  
2 with sections 5702 and 5703 of title 5, United  
3 States Code.

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

8 (d) TERMINATION.—The provisions of this section  
9 shall terminate upon the termination of the National Dia-  
10 logue under section 108.

11 **SEC. 107. REPORTS.**

12 From time to time during the National Dialogue, the  
13 Facilitators shall catalog, summarize, and submit to the  
14 Bipartisan Panel to Design Long-Range Social Security  
15 Reform the comments, suggestions, and recommendations  
16 generated under the National Dialogue.

17 **SEC. 108. TERMINATION.**

18 The National Dialogue conducted pursuant to section  
19 101 shall terminate January 1, 1999.

20 **SEC. 109. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated, from  
22 amounts otherwise available in the general fund of the  
23 Treasury, such sums as are necessary to provide for the  
24 compensation of the Facilitators and to carry out the pro-  
25 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 five mem-  
2 bers of the Panel, except that a lesser number may con-  
3 duct 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 by the Panel shall be conducted in accord-  
9 ance with the Federal Advisory Committee Act.

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

15 **SEC. 205. ADMINISTRATION.**

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

20 (b) TRAVEL EXPENSES AND PER DIEM.—Each mem-  
21 ber of the Panel who is not a present Member of the Con-  
22 gress and who is not otherwise an officer or employee of  
23 the Federal Government shall receive travel expenses and  
24 per diem in lieu of subsistence in accordance with sections  
25 5702 and 5703 of title 5, United States Code.

1 (c) STAFF AND SUPPORT SERVICES.—

2 (1) STAFF DIRECTOR.—

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

5 (B) COMPENSATION.—The staff director  
6 shall be paid at a rate not to exceed the rate  
7 established for level III of the Executive Sched-  
8 ule.

9 (2) STAFF.—The Panel shall appoint such addi-  
10 tional personnel as the Panel determines to be nec-  
11 essary.

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

20 (4) EXPERTS AND CONSULTANTS.—With the  
21 approval of the Panel, the staff director may procure  
22 temporary and intermittent services under section  
23 3109(b) of title 5, United States Code.

24 (d) CONTRACT AUTHORITY.—The Panel may con-  
25 tract with and compensate government and private agen-

1 cies or persons for items and services, without regard to  
2 section 3709 of the Revised Statutes (41 U.S.C. 5).

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

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

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

21 (h) ADMINISTRATIVE SUPPORT SERVICES.—Upon  
22 the request of the Panel, the Architect of the Capitol shall  
23 provide to the Panel on a reimbursable basis such adminis-  
24 trative support services as the Panel may request.

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

5 **SEC. 206. REPORT.**

6 (a) IN GENERAL.—Not later than February 1, 1999,  
7 the Panel shall submit to the President, the Committee  
8 on Ways and Means of the House of Representatives, and  
9 the Committee on Finance of the Senate a report which  
10 shall contain a detailed statement of the findings and con-  
11 clusions of the Panel, including the set of recommenda-  
12 tions required under section 202. The report shall include  
13 only those recommendations of the Panel that receive the  
14 approval of at least six members of the Panel, including  
15 both Co-Chairs.

16 (b) SENSE OF THE CONGRESS.—It is the sense of  
17 the Congress that, pending the report of the Panel under  
18 subsection (a), the Federal unified budget surplus should  
19 be dedicated to reducing the Federal debt held by the pub-  
20 lic, increasing the retirement income security of individ-  
21 uals and insuring the solvency of the Social Security sys-  
22 tem.

23 **SEC. 207. TERMINATION.**

24 The Panel shall terminate March 31, 1999.

1 **SEC. 208. AUTHORIZATION OF APPROPRIATIONS.**

2       There are authorized to be appropriated from the  
3 Federal Old-Age and Survivors Insurance Trust Fund  
4 such sums as are necessary to carry out the purposes of  
5 this title, but not to exceed \$2,000,000.

Passed the House of Representatives April 29, 1998.

Attest:

ROBIN H. CARLE,

*Clerk.*