

Public Law 96-14
96th Congress

An Act

To continue the work of the President's Commission on Pension Policy to develop a national retirement income policy in the United States, and for other purposes.

May 24, 1979

[S. 532]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Pension Policy Commission Act".

SEC. 2. (a) The President's Commission on Pension Policy (hereinafter in this Act referred to as the "Commission"), established by Executive Order Numbered 12071, effective September 21, 1978, is authorized to continue in operation for two years following the date of enactment of this Act.

(b) During the period the Commission continues in operation the Commission shall—

- (1) issue reports on problems facing the Nation's retirement systems,
- (2) formulate recommendations for a national retirement income policy, and
- (3) consult on a regular basis with committees of the Senate, the House of Representatives, and the Congress having jurisdiction over the Commission's work.

(c) The Commission shall submit a final report, including its recommendations and findings, to the President and the Congress. The Commission shall cease to exist ninety days after submission of its final report. All reports and papers of the Commission shall be delivered to the Administrator of General Services for deposit in the Archives of the United States.

(d) In carrying out its functions under this Act, and in making its findings and recommendations under subsection (c), the Commission shall seek to ensure that it maintains its independence from other officers and employees of the Government and any other person with special interest in its actions.

SEC. 3. (a)(1) The eleven members of the Commission appointed by the President before the date of the enactment of this Act, including the Chairman, may continue to serve for the duration of the Commission.

(2)(A) An appointment to a vacancy in the position of chairman of the Commission shall be made by the President, by and with the advice and consent of the Senate.

(B) An appointment to any other vacancy in the membership of the Commission shall be made by the President after consultation with the Congress.

(C) All appointments to vacancies in the membership of the Commission shall be made in such a manner as to ensure that the Commission remains balanced in terms of the points of view represented and the functions performed by it.

(3) A quorum of the Commission shall consist of six members, except that the Commission may establish a lower number as a quorum for the purpose of taking testimony. The Commission is

Pension Policy
Commission Act.
29 USC 1001
note.
President's
Commission on
Pension Policy,
term extension.
29 USC 1001
note.
Functions.

Final report to
President and
Congress.
Termination.
Reports and
papers to GSA.

Membership
duration.
29 USC 1001
note.

Chairmanship
vacancy,
appointment.

Quorum.

authorized to establish committees, and to delegate authority to them, when necessary to carry out its functions.

Compensation.

(4) Members of the Commission who are full-time officers or employees of the United States shall serve without additional compensation, but shall continue to receive the salary of their regular positions when engaged in the performance of duties of the Commission.

5 USC 5332 note.

(5) When engaged in the performance of duties of the Commission, members of the Commission who are not full-time officers or employees of the United States shall be compensated at the maximum daily rate for GS-18 of the General Schedule.

Travel expenses.

(6) All members of the Commission who are not otherwise employed by the Federal Government shall be reimbursed for travel expenses, including per diem in lieu of subsistence, incurred in the performance of duties of the Commission, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

5 USC 101 *et seq.*

5 USC 5101 *et seq.*, 5331, 5401 *et seq.*

(b) Subject to such rules as may be adopted by the Commission, the Chairman, without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service, and without regard to the provisions of chapter 51, subchapter III of chapter 53, and chapter 54 of that title, relating to classification and pay, is authorized to—

(1) appoint an Executive Director who shall be compensated at a rate not to exceed the rate in effect for level V of the Executive Schedule set forth in section 5316 of title 5, United States Code;

(2) appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this Act, except that in no case shall employees be compensated at a rate in excess of the rate provided for employees in GS-17 of the General Schedule; and

5 USC 5332 note.

(3) procure such temporary and intermittent services of experts and consultants as are necessary, as authorized by section 3109 of title 5, United States Code.

Travel expenses.

(c) The Commission is authorized to accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, but such personnel shall not be considered Federal employees for any purpose other than for purposes of chapter 81 of title 5, United States Code, and for purposes of sections 2671 through 2680 of title 28, United States Code.

5 USC 8101 *et seq.*

Employee detail.

(d) Upon request of the Commission, the head of any executive department, agency or independent establishment of the United States is authorized to detail on a nonreimbursable basis its employees to the Commission to assist it in carrying out its duties.

Financial and administrative services by GSA.

(e) Financial and administrative services (including those related to budget and accounting, financial reporting, personnel, and procurement) shall be provided to the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement, from funds of the Commission, in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services.

29 USC 1001 note.

SEC. 4. (a) Upon the request of the Commission, the head of each executive department, agency, or independent establishment of the United States that has an interest in or a responsibility with respect to the areas of the Commission's work shall appoint a liaison officer

who shall work closely with the Commission and its staff in matters relating to such areas.

(b) In carrying out its duties, the Commission may seek the advice of individuals and groups interested in retirement, survivor, and disability policies including, but not limited to, State and local governments and public and private organizations working on such matters.

Advice from individuals and certain groups.

(c)(1) The Commission or, on authorization of the Commission, any committee of two or more members, may hold hearings and sit and act at such times and places as the Commission or such authorized committee may find advisable, and the provisions of section 1321 of title 28, United States Code, shall apply to witnesses invited to appear at hearings, and per diem and mileage allowances to witnesses shall be paid from funds appropriated to the Commission.

Hearings.

(2) The Commission is authorized to secure from any executive department, agency or independent establishment of the United States, information necessary to carry out its functions. Upon request of the Commission, the head of any executive department, agency or independent establishment shall furnish such information to the extent provided by law.

Information from other departments or agencies.

(d) The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(e) The Commission is authorized to enter into contracts with Federal and State agencies, private firms, institutions, and individuals for the conduct of research and surveys, the preparation of reports, and other activities necessary for the carrying out of its duties and responsibilities.

Contracts with Federal and State agencies.

Sec. 5. There is authorized to be appropriated beginning with fiscal year 1980, \$2,000,000 to carry out the provisions of this Act, which shall remain available until expended.

Appropriation authorization. 29 USC 1001 note.

Approved May 24, 1979.

LEGISLATIVE HISTORY:

SENATE REPORT: No. 96-70 (Comm. on Governmental Affairs).
 CONGRESSIONAL RECORD, Vol. 125 (1979):
 Apr. 30, considered and passed Senate.
 May 14, considered and passed House.