

Area would not have been possible absent the tireless efforts of SCOTT MCINNIS. Recognizing the sizable McInnis legacy on behalf of all Coloradans, I think it only fitting and appropriate to introduce this lasting tribute to recognize SCOTT's hard work and abiding love of Colorado's public lands.

By Mr. LIEBERMAN:

S. 2747. A bill to establish a Commission on the Future of the United States Economy to make recommendations on public policy and the reorganization of the Federal Government to promote efficiency and economy of operation, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. LIEBERMAN. Mr. President, in the mid-1980's President Reagan joined with Democrats and Republicans to fashion an effective strategy to confront the challenges we then faced from the Japanese. It's time to reconsider our competitiveness strategy, this time in response to the Chinese and many other emerging free enterprise economies. The Reagan approach—appointing a bipartisan commission on industrial competitiveness, chaired by John A. Young, president of Hewlett Packard Co., and supported by the Democratic Congress—remains the most effective way to proceed, and today I am introducing legislation to do just that.

Still known as the Young Commission, this distinguished group of leaders from large and small businesses, labor, and academia led the nation in a dialog on ways to strengthen the competitiveness of the U.S. industry in both domestic and foreign markets. Its recommendations and remedies were widely adopted in the late 1980's and 1990's and account for the unprecedented growth we experienced—much coming from America's high tech sector. But our competitive circumstances have changed and the Young Commission vision needs to be reconsidered and refreshed.

The 2.7 million jobs we've lost since 2000 is a bitter reminder of the economic crisis we faced in the early 1980's. Back then Japan had emerged as a major competitor invading our markets with advanced products at lower prices. Sony, Hitachi, Nikon, Toyota, Honda and other rising Japanese industrial giants had cast a shadow of anxiety over the American public. Plant closings and layoffs became widespread as our trade deficit with Japan ballooned and production shrank with rising imports. And the Paul Volcker interest rates imposed to break the back of inflation had crushed the weaker American firms. We had two choices: succumb or fight.

Fortunately, led by the kind of practical vision espoused by the Young Commission, the United States learned how to fight and rose to the challenge with objective analysis of our strengths and weaknesses, hard decisions about government's role, and investments in entrepreneurs and high

technology fostering the longest expansionary period in our 200 year history. Wise decisions were made in the 1980s and we cashed in on them in the 1990's. The strategy that worked then is not sufficient now. World markets are now undergoing a momentous change that requires a re-assessment of our competitiveness strategy for this new century.

As the Japanese challenge developed in the early 1980s, the response of our two political parties became a polarized debate about "industrial policy." Republicans favored deeper and deeper tax cuts to stimulate job growth which—together with massive defense spending—sent the deficits through the roof. Some Democrats pushed for an Industrial Development Bank to rescue failing firms and protectionist policies. Neither side thought it could compromise without risking the support of its political base, and we faced a political deadlock on economic policy. Twenty years later, does all of this sound quite familiar?

The Young Commission brought all sides to the table and enabled each to acknowledge the hard facts that shaped the debate. It proposed the first generation of reforms that became a bipartisan competitiveness agenda. Public-private collaborations instead of industrial supports, and research and development investments in information technology became a foundation for the economic boom of the 1990's. Their recommendations provided the roadmap that led to the longest period of economic growth in our history.

Today, the challenges we face are exponentially larger and more complex. We've entered an information age where intangible assets such as innovation and knowledge are the new keys to competitive advantage. These intangibles—including worker skills and knowledge, informal relationships that feed creativity, new business methods, and intellectual property—are driving worldwide economic prosperity. According to a 1998 study by the Brookings Institution 85 percent of company assets are now considered intangible, a significant jump from 38 percent in 1982.

In an age where these knowledge-based assets are difficult to patent or copyright, intellectual property rights are difficult to enforce, and information crosses borders freely and instantaneously, the first Young Commission doesn't give us all the answers. We need a strategy where change is both inevitable and necessary, as companies leapfrog their own technology and continuously reap the rewards that go to innovators. This 21st century rat race—constant insecurity, constant competition, and constant change—presents an opportunity for all, yet it will be a nightmare for the unprepared.

This is our fate for a good reason—the United States won the cold war's battle of ideas. The outcome is what we wished for—free enterprise is on the march, socialist state planning is dis-

credited, and new competitors (principally China and India, but also Canada, Mexico, Ireland, Malaysia, and Taiwan) can deploy world class talent not fearful of international competition. American economic supremacy—our seeming birthright since the Second World War—has come to an end. Now we have to fight for every morsel on our economic table.

The competitors we now face have world class engineering and science talent as well as low wages. The challenge now extends beyond a concern over foreign competition on manufacturing to ominous trends in favor of global outsourcing of the services sector, including high end technology jobs. The drive for increased customization, speed, and responsiveness to customer needs has multiplied the pressures for productivity and quality. Our entire innovation ecosystem is under stress, including the ties between basic research and commercialization, competition for capital and technology, and adaptive business models. As we have done in building fighter aircraft that puts unheard of G force stress on pilots, we now need workers who can thrive on knowledge overload. Because our workforce no longer has the security of certainty and stability, we need to give it the confidence and tools to adapt continuously to innovation and change—in a global melee of shifting upstart competitors.

The American economy is the most adaptable in the world—with a well educated workforce, efficient capital markets, and the zeal of generations of entrepreneurial immigrants. But we seem not to have noticed that the rate of global change is accelerating. The warning signs are everywhere. We are not just losing some high wage jobs—we may be losing critical parts of our innovation infrastructure, and with them, our long-term competitive edge in the global marketplace. As long as emerging nations such as China and India continue to produce more and more science and engineering graduates, invest in their infrastructure, and implement targeted industrial and trade policies to strengthen their research and development and attract foreign investment, doing nothing will slowly and silently erode our economic and national security. As our own giants like GE, TI, Intel, HP, and Microsoft cast a shadow of anxiety over American workers by going offshore, we must proceed with a coordinated and sustainable vision to strengthen our innovation infrastructure. America's dependence on foreign capital to finance excessive government and consumer debt is an ominous trend which threatens our future innovation. The much higher savings rate of many of our competitors gives them ready access to capital necessary for investing in productivity-enhancing research and technologies.

To meet these challenges, we first need an injection of bipartisan political will and that's not easy to find in

Washington these days. It is time to unleash a new, bipartisan and updated Young Commission, charged with analyzing the impact of global economic changes on the American economy, including the offshore outsourcing problem, and offering nonpartisan proposals to preserve our innovation infrastructure and create more high-wage American jobs.

The legislation I am introducing today creates a 22-member bipartisan Commission on the Future of the U.S. Economy to make specific recommendations on a broad range of issues related to the development of our Nations' skill-base, innovation capacity and the other factors needed for the knowledge and information economy. The Commission is to report back to Congress within 18 months.

Numerous groups concerned about the future of the United States economy have begun to address the rising challenge of sustaining our competitive advantage in this new global economy. I first would like to thank Dr. Kenan Patrick Jarboe from Athena Alliance for helping to develop key ideas and providing invaluable advice as my office considered this legislation. I would also like to acknowledge the significant and thoughtful work the Electronic Industries Alliance has provided in formulating ideas for a new competitiveness agenda. I also trust that the major effort in progress under the National Innovation Initiative of the Council on Competitiveness will provide a creative groundwork for this important Commission.

I request unanimous consent that a section-by-section summary of the bill and the text of the bill itself appear in the RECORD following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE COMMISSION ON THE FUTURE OF THE U.S.
ECONOMY ACT
SECTION-BY-SECTION

SECTION 1. SHORT TITLE.

This section cites the title of the Act as the "Commission on the Future of the U.S. Economy Act of 2004".

SEC. 2. FINDINGS.

This section lays out a number of findings which include:

(1) The U.S. economy has entered an information age where innovation and knowledge are the new keys to competitive advantage and are creating new challenges for American workers and companies.

(2) In 1984, at the height of concerns over the condition of the manufacturing sector in the U.S., President Reagan appointed the bipartisan President's Commission on Industrial Competitiveness (the Young Commission) that addressed the issue of U.S. competitiveness in a new way and developed a framework that has guided policymaking for the past two decades.

(3) There is a need for an independent, bipartisan undertaking comparable to the Young Commission to review the new competitive challenges facing the United States and to recommend a framework to guide the making of responsive public policy.

SEC. 3. ESTABLISHMENT AND PURPOSE.

This section establishes the Commission on the Future of the U.S. Economy with the

purpose of undertaking an analysis of the competitive challenges to American companies and workers and making recommendations for public policy, including reorganization of the Federal government, to promote efficiency and economy of operation, to foster the skills and knowledge Americans need to prosper in the 21st century, strengthen the entire innovation system, and stimulate the creation of knowledge, inventions, partnerships and other intangibles so as to maintain economic growth, income generation and job creation.

SEC. 4. COMPOSITION AND MEETINGS.

This section sets the membership at 17 voting members; nine appointed by the President and two each appointed by the Senate Majority Leader, the Senate Minority Leader, the Speaker of the House and the House Minority Leader. In addition, the President shall appoint five non-voting ex officio members from among the following officials: the Secretaries of the Treasury, Commerce, Labor and Defense, the United States Trade Representative, the Chairman of the Council of Economic Advisers, and the Director of the Office of Science and Technology Policy. The President shall designate one regular appointee as Chairperson. The voting members shall elect a Vice Chairperson who is not affiliated with the same political party as the Chairman. Members shall be appointed not later than 60 days after the date of enactment of an Act making the appropriations, and any vacancies shall be filled in the same manner as the original appointment.

Regular members shall be persons who are leaders or recognized experts from industry, labor unions, research institutions, academia and other important social and economic institutions, and have expertise in economics, international trade, services, manufacturing, labor, science and technology, education, business, or have other pertinent qualifications or experience. Regular members may not be officers or employees of the United States. Every effort shall be made to ensure that the regular members are those who can provide new insights to analyzing the nature and consequences of a knowledge-based economy.

The Commission shall hold its first meeting no later than 30 days after all voting members have been appointed.

SEC. 5. DUTIES OF THE COMMISSION.

This section describes the duties of the Commission which shall—

(A) review the findings and recommendations of previous studies and commissions (including the Young Commission and the National Innovation Initiative of the Council on Competitiveness);

(B) analyze the current economic environment and competitive challenges facing the U.S. workers and companies;

(C) review the strategies of other nations for responding to the competitive challenges of the new economic environment, and analyze the impact of those strategies on the future of the U.S. economy;

(D) formulate specific recommendations on a broad range of issues related to the development of the nations' skill-base and innovative capacity within the private and public sectors of the U.S. economy. By March 1, 2006 or 18 months after appointment of members, whichever is later, the Commission shall submit to Congress and the President a report regarding the competitive challenges facing the United States, along with conclusions and specific recommendations for legislative and administrative actions for maintaining economic growth, income generation and job creation. The Commission may also submit an interim or any special reports it feels may be necessary.

SEC. 6. POWERS OF THE COMMISSION.

This section describes the powers of the Commission, which include holding hearings,

taking testimony, and receiving evidence. The Commission may request information from any Federal department or agency; may accept, use, and dispose of gifts or donations of services or property; may procure analysis, reports and studies from organizations or individuals other than Commission staff analysis; and may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government. The Commission may also receive administrative support from the Administrator of General Services on a reimbursable basis.

SEC. 7. COMMISSION PERSONNEL MATTERS.

This section describes personnel matters for the Commission. Regular members of the Commission shall be allowed travel expenses and shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule for each day of service. The Commission may hire an Executive Director and staff, without regard to the civil service laws and regulations, not to exceed the rate payable for level V of the Executive Schedule. Federal Government employees may be detailed to the Commission without reimbursement and the Commission may procure temporary and intermittent services to support and supplement Commission staff at a rate not to exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule. Regular members of the Commission do not lose any Federal retirement benefits by virtue of service on the Commission.

SEC. 8. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which it submits the final report.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

This section authorized \$10,000,000 to be appropriated to the Commission, to remain available until expended.

S. 2747

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Commission on the Future of the United States Economy Act of 2004".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The United States economy has entered an information age in which innovation and knowledge, including worker skills and creativity, are the keys to competitive advantage.

(2) The need for bold innovation and ever-increasing knowledge imposes increasingly demanding competitive challenges for United States workers and companies.

(3) In 1984, in response to concerns over the condition of the manufacturing sector in the United States, President Ronald Reagan appointed the bipartisan President's Commission on Industrial Competitiveness (hereafter in this Act referred to as the "Young Commission") that addressed the issue of United States competitiveness in a new way and developed a framework that has guided policymaking for the past 2 decades.

(4) The Young Commission proposed a reorganization of the performance of the economic and trade functions of the Federal Government, which was never implemented.

(5) The striking changes in world economic circumstances over the 20 years since reorganization was proposed by the Young Commission necessitate reevaluation of the proposal in light of those changes.

(6) Because the challenges facing the United States economy are different in many ways from those of 20 years ago, there is a need to renew the Young Commission's mandate to reexamine America's competitiveness.

(7) Many studies and reports by governmental and nongovernmental organizations, such as the National Innovation Initiative of the Council on Competitiveness, have laid the groundwork for this reexamination.

(8) The changed competitive challenges facing the United States today—

(A) extend beyond a concern over global competition in goods and the loss of domestic manufacturing to the challenges presented by the fusion of manufacturing and services into complex networks and the opening of more service sectors earlier to international competition;

(B) extend beyond concerns over productivity and quality to the challenges presented by the need for increased customization, speed, and responsiveness to customer needs;

(C) extend beyond issues of competitiveness of individual manufacturing firms and industries and to the challenges of ensuring robustness in the networks of manufacturing and service firms and development of new forms of business models;

(D) extend beyond a concern over high-technology research and development and to the challenges of nurturing the entire innovation system, including basic research, technological development, venture capital, new product development, design and aesthetics, new business models, and the development of new markets;

(E) shift attention from concern over raising awareness of trade to a refocusing on the problems of managing the increasing complexity of globalization;

(F) extend beyond the challenges of sustaining a flexible and educated workforce to the challenges of exploring new or better ways to foster the types of skills needed in a knowledge and information economy;

(G) extend beyond concern over cost of capital to the challenges of achieving the dual objectives of unlocking the value of underutilized knowledge assets and insuring the efficiency and stability of the global financial system;

(H) extend beyond a concern over competition from Japan and the Southeast Asian Newly Industrializing Countries (NICs) to the challenges of integrating many countries, such as India, China, and Eastern European nations, into the global economy; and

(I) include the challenges of new demographic dynamics, including the aging of the so-called "baby boom" generation, increased life expectancy, below replacement fertility rates in most of the developed world, and increasing populations in the developing world.

(9) In this information age, new ideas, business models, and technologies, including computer and telecommunications, the Internet, and the digital revolution, have combined to alter the economy structurally.

(10) Information, knowledge, and other intangible assets now power our innovation process, which is based both on science-based research and informal creativity and produces the productivity and improvement gains needed to maintain prosperity.

(11) The range of knowledge, information, and intellectual capital-based intangible assets driving economic prosperity include worker skills and know-how, informal relationships that feed creativity and new ideas, high-performance work organizations, new business methods, intellectual property such as patents and copyrights, brand names, and innovation and creativity skills.

(12) Economic statistics and accounting principles have not caught up with this new economic environment.

(13) All sectors of the economy are affected by this new economic environment.

(14) Small and medium-size firms are especially in need of ways to better develop and utilize their information, knowledge, and other intangible assets.

(15) It is vital to the future strength of the United States economy that, as new ideas, scientific discoveries, and knowledge pervade the domestic and international economies, United States firms be able to assess, absorb, and deploy these opportunities quickly for competitive advantage.

(16) While United States firms and workers lead the world in creating and using information, knowledge, and other intangible assets, increasing global competition means that the United States Government and the private sector must continue to develop the information economy in the United States in order to ensure that the people of the United States prosper in this new economic environment.

(17) There is a need for an independent, bipartisan undertaking comparable to the Young Commission to review the new competitive challenges facing the United States and to recommend a framework to guide the making of responsive public policy, including the reorganization of the Federal Government to promote efficiency and economy of operation, to promote private initiatives, and to guide individual decisionmaking about the future of the United States economy as governments, business, labor unions, and the people of the United States struggle with ways to utilize information, foster the development of intangible assets, and promote innovation and competitiveness in the new global information economy.

SEC. 3. ESTABLISHMENT AND PURPOSE.

(a) ESTABLISHMENT.—There is established the Commission on the Future of the United States Economy (hereafter referred to as the "Commission").

(b) PURPOSES.—The purpose of the Commission are as follows:

(1) To analyze the worldwide competitive challenges to United States companies and workers.

(2) To make recommendations in accordance with this Act, for the making of responsive public policy, including the reorganization of the Federal Government—

(A) to promote efficiency and economy of operation;

(B) to foster the skills and knowledge the people of the United States need to prosper in the 21st century;

(C) to strengthen the entire innovation system undergirding the United States economy; and

(D) to stimulate the creation of knowledge, inventions, partnerships, and other intangible assets in order to maintain economic growth, income generation, and job creation.

SEC. 4. COMPOSITION AND MEETINGS.

(a) COMPOSITION.—The Commission shall be composed of 22 members as follows:

(1) 17 voting members of whom—

(A) 9 members shall be appointed by the President;

(B) 2 members shall be appointed by the majority leader of the Senate;

(C) 2 members shall be appointed by the minority leader of the Senate;

(D) 2 members shall be appointed by the Speaker of the House of Representatives; and

(E) 2 members shall be appointed by the minority leader of the House of Representatives.

(2) 5 non-voting ex officio members appointed by the President from among the following officials:

(A) The Secretary of the Treasury.

(B) The Secretary of Commerce.

(C) The Secretary of Labor.

(D) The Secretary of Defense.

(E) The United States Trade Representative.

(F) The Chairman of the Council of Economic Advisors.

(G) The Director of the Office of Science and Technology Policy.

(b) QUALIFICATIONS FOR VOTING MEMBERS.—

(1) REQUIREMENTS.—Persons appointed as voting members under subsection (a)(1) shall be selected from among persons who—

(A) are leaders or recognized experts in industry, labor unions, research institutions, academia, and other important social and economic institutions;

(B) have expertise in economics, international trade, services, manufacturing, labor, science and technology, education, business, or have other qualifications or experience pertinent to the duties of the Commission; and

(C) are not officers or employees of the United States Government.

(2) ADDITIONAL CONSIDERATION.—To the maximum extent practicable, persons who are appointed as voting members shall be persons who can provide new insights into analysis of the nature and consequences of a knowledge-based economy.

(c) CHAIRPERSON AND VICE CHAIRPERSON.—The President shall designate one voting member of the Commission as Chairperson. The voting members of the Commission shall elect a Vice Chairperson from among the voting members of the Commission appointed by the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives. The Vice Chairman shall not be affiliated with the same political party as the Chairman.

(d) INITIAL APPOINTMENTS; VACANCIES.—

(1) INITIAL APPOINTMENTS.—Members shall be appointed not later than 60 days after the date of the enactment of an Act making appropriations authorized under section 9.

(2) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(e) MEETINGS.—

(1) IN GENERAL.—The Commission shall meet at the call of the Chairperson.

(2) INITIAL MEETING.—The Commission shall hold its first meeting not later than 30 days after all voting members of the Commission have been appointed under subsection (a).

(f) QUORUM.—A majority of the voting members of the Commission shall constitute a quorum.

(g) VOTING.—Each voting member of the Commission shall be entitled to 1 equal vote.

SEC. 5. DUTIES OF THE COMMISSION.

(a) STUDY.—

(1) IN GENERAL.—The Commission shall conduct a study of the United States economy and the competitiveness of United States companies and workers.

(2) SCOPE.—In conducting the study under this subsection, the Commission shall—

(A) review the findings and recommendations of previous commissions, including the Young Commission, and the studies (including resulting findings and recommendations) of others that are relevant to the work of the Commission, including the National Innovation Initiative of the Council on Competitiveness;

(B) analyze the current economic environment and competitive challenges facing United States workers and companies;

(C) review the strategies of other nations for responding to the competitive challenges

of the new economic environment, and analyze the impact of those strategies on the future of the United States economy;

(D) formulate specific recommendations on a broad range of issues related to the development of the skill-base and innovative capacity within the private and public sectors of the United States economy and other priorities related to the knowledge and information economy, including recommendations regarding—

(i) the reorganization of the Federal Government to promote efficiency and economy of operation;

(ii) education and training policy;

(iii) labor policy;

(iv) economic development;

(v) science and technology policy and organization;

(vi) intellectual property rights;

(vii) telecommunications policy;

(viii) international economic policy, including trade and finance and the management of globalization;

(ix) macroeconomic policy;

(x) financial regulation and accounting policy;

(xi) antitrust policy;

(xii) public and private infrastructure development and entrepreneurship; and

(xiii) small business development;

(E) formulate recommended policies and actions for—

(i) transforming the education and training process in the United States as necessary to ensure effectiveness for facilitating life-long learning;

(ii) upgrading the skills of the United States workforce to compete effectively in the new economic environment, including mathematics and science skills, critical thinking skills, communication skills, language and intercultural awareness, creativity, and interpersonal relations essential for success in the information age;

(iii) promoting a broad system of innovation and knowledge diffusion, including non-technological ingenuity and creativity as well as science-based research and development;

(iv) fostering the development of knowledge and information assets in all sectors of the United States economy, particularly those sectors of the economy in which rates of productivity and innovation have lagged, and in United States companies of all sizes, particularly small and medium-size companies;

(v) developing jobs that are rooted in local skills and local knowledge assets in order to lessen displacement resulting from ongoing global competition;

(vi) improving access to, and lowering the cost of, capital by unlocking the value to financial markets of underutilized knowledge assets;

(vii) strengthening the efficiency and stability of the international financial system (taking into account the roles of foreign capital and domestic savings in economic growth);

(viii) developing policies and mechanisms for managing the increasing complexity of globalization;

(ix) adjusting to the impacts of global demographic changes in the United States, other developed countries, and developing countries;

(x) improving economic statistics and accounting principles to adequately measure all sectors of the new economic environment, including the value of information, innovation, knowledge, and other intangible assets; and

(xi) improving understanding of how the Federal Government supports and invests in knowledge and other intangible assets;

(b) REPORTS.—

(1) REQUIRED REPORT.—

(A) IN GENERAL.—The Commission shall submit to Congress and the President a report regarding the competitive challenges facing the United States. The report shall include conclusions and specific recommendations for legislative and executive actions.

(B) TIME FOR REPORT.—The report under this paragraph shall be submitted not later than the later of—

(i) March 1, 2006; or

(ii) the date that is 18 months after the date of the initial meeting of the Commission.

(2) OPTIONAL REPORTS.—The Commission may submit to Congress and the President interim or special reports as the Commission determines appropriate.

SEC. 6. POWERS OF COMMISSION.

(a) HEARINGS.—The Commission or, at its direction, any panel or regular member of the Commission, may hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers advisable to carry out this Act.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this Act. Upon request of the Chairperson of the Commission, the head of such department or agency shall furnish such information to the Commission.

(c) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(d) ANALYSIS, REPORTS, AND STUDIES.—The Commission may procure analyses, reports, and studies from organizations or individuals other than Commission staff, notwithstanding the restrictions under section 7(e) of this Act.

(e) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(f) SUPPORT SERVICES.—Upon request of the Chairperson of the Commission, the Administrator of General Services shall provide to the Commission on a reimbursable basis the administrative support necessary for the Commission to carry out its duties under this Act.

SEC. 7. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive

director shall be subject to confirmation by the Commission.

(2) COMPENSATION.—The Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services to support and supplement Commission staff under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(f) APPLICABILITY OF CERTAIN PAY AUTHORITIES.—An individual who is a member of the Commission and is an annuitant or otherwise covered by section 8344 or 8468 of title 5, United States Code, by reason of membership on the Commission shall not be subject to the provisions of section 8344 or 8468, as the case may be, with respect to such membership.

SEC. 8. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which the Commission submits the report required under section 5(b)(1).

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Commission \$10,000,000 to carry out activities under this Act, to remain available until expended.

By Mrs. CLINTON:

S. 2748. A bill to prohibit the giving or acceptance of payment for the placement of a child, or obtaining consent to adoption; to the Committee on the Judiciary.

Mrs. CLINTON. Mr. President, I rise today to introduce legislation that will create a national penalty for baby selling and help ensure that all families experience safe and legal adoptions.

Although the majority of adoptions are handled by reputable and ethical agencies, each year around the world, hundreds of thousands of children are sold illegally. In these tragic instances, birth mothers and prospective adoptive families alike are victimized by individuals who treat children as commodities. Baby brokers exploit couples who are eager, if not desperate, to adopt a child, and vulnerable women who are unable or unwilling to raise their children. In too many States baby brokering constitutes only a misdemeanor offense. The Baby Selling Prohibition Act of 2004 will make this horrific crime a felony.

I am pleased to partner with Lifetime Television to help raise awareness about this issue and to change public policy. Lifetime's original movie, "Baby for Sale," which is based on the troubling true story of a couple who