

116TH CONGRESS  
1ST SESSION

# H. CON. RES. 54

Establishing the Joint Select Committee on Solvency of Mutiemployer Pension Plans.

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IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2019

Mr. STEIL submitted the following concurrent resolution; which was referred to the Committee on Rules

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## CONCURRENT RESOLUTION

Establishing the Joint Select Committee on Solvency of Mutiemployer Pension Plans.

1       *Resolved by the House of Representatives (the Senate*  
2       *concurring),*

3       **SECTION 1. DEFINITIONS.**

4       In this Act—

5               (1) the term “joint committee” means the Joint  
6       Select Committee on Solvency of Multiemployer Pen-  
7       sion Plans established under section 2(a); and

8               (2) the term “joint committee bill” means a bill  
9       consisting of the proposed legislative language of the  
10      joint committee recommended in accordance with

1 section 2(b)(2)(B)(ii) and introduced under section  
2 4(a).

3 **SEC. 2. ESTABLISHMENT OF JOINT SELECT COMMITTEE.**

4 (a) ESTABLISHMENT OF JOINT SELECT COM-  
5 MITTEE.—There is established a joint select committee of  
6 Congress to be known as the “Joint Select Committee on  
7 Solvency of Multiemployer Pension Plans”.

8 (b) IMPLEMENTATION.—

9 (1) GOAL.—The goal of the joint committee is  
10 to improve the solvency of multiemployer pension  
11 plans and the Pension Benefit Guaranty Corpora-  
12 tion.

13 (2) DUTIES.—

14 (A) IN GENERAL.—The joint committee  
15 shall provide recommendations and legislative  
16 language that will significantly improve the sol-  
17 vency of multiemployer pension plans and the  
18 Pension Benefit Guaranty Corporation.

19 (B) REPORT, RECOMMENDATIONS, AND  
20 LEGISLATIVE LANGUAGE.—

21 (i) IN GENERAL.—Not later than  
22 April 30, 2020, the joint committee shall  
23 vote on—

24 (I) a report that contains a de-  
25 tailed statement of the findings, con-

1 clusions, and recommendations of the  
2 joint committee; and

3 (II) proposed legislative language  
4 to carry out the recommendations de-  
5 scribed in subclause (I).

6 (ii) APPROVAL OF REPORT AND LEG-  
7 ISLATIVE LANGUAGE.—

8 (I) IN GENERAL.—The report of  
9 the joint committee and the proposed  
10 legislative language described in  
11 clause (i) shall only be approved upon  
12 receiving the votes of—

13 (aa) a majority of joint com-  
14 mittee members appointed by the  
15 Speaker of the House of Rep-  
16 resentatives and the majority  
17 leader of the Senate; and

18 (bb) a majority of joint com-  
19 mittee members appointed by the  
20 minority leader of the House of  
21 Representatives and the minority  
22 leader of the Senate.

23 (II) AVAILABILITY.—The text of  
24 any report and proposed legislative  
25 language shall be publicly available in

1 electronic form at least 24 hours prior  
2 to its consideration.

3 (iii) ADDITIONAL VIEWS.—A member  
4 of the joint committee who gives notice of  
5 an intention to file supplemental, minority,  
6 or additional views at the time of the final  
7 joint committee vote on the approval of the  
8 report and legislative language under  
9 clause (ii) shall be entitled to 2 calendar  
10 days after the day of such notice in which  
11 to file such views in writing with the co-  
12 chairs. Such views shall then be included  
13 in the joint committee report and printed  
14 in the same volume, or part thereof, and  
15 their inclusion shall be noted on the cover  
16 of the report. In the absence of timely no-  
17 tice, the joint committee report may be  
18 printed and transmitted immediately with-  
19 out such views.

20 (iv) TRANSMISSION OF REPORT AND  
21 LEGISLATIVE LANGUAGE.—If the report  
22 and legislative language are approved by  
23 the joint committee pursuant to clause (ii),  
24 the joint committee shall submit the joint  
25 committee report and legislative language

described in clause (i) to the President, the Vice President, the Speaker of the House of Representatives, and the majority and minority leaders of each House of Congress not later than 15 calendar days after such approval.

(v) REPORT AND LEGISLATIVE LANGUAGE TO BE MADE PUBLIC.—Upon the approval of the joint committee report and legislative language pursuant to clause (ii), the joint committee shall promptly make the full report and legislative language, and a record of any vote, available to the public.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The joint committee shall be composed of 16 members appointed pursuant to subparagraph (B).

(B) APPOINTMENT.—Members of the joint committee shall be appointed as follows:

(i) The Speaker of the House of Representatives shall appoint 4 members from among Members of the House of Representatives.

1 (ii) The minority leader of the House  
2 of Representatives shall appoint 4 mem-  
3 bers from among Members of the House of  
4 Representatives.

5 (iii) The majority leader of the Senate  
6 shall appoint 4 members from among  
7 Members of the Senate.

8 (iv) The minority leader of the Senate  
9 shall appoint 4 members from among  
10 Members of the Senate.

11 (C) CO-CHAIRS.—Two of the appointed  
12 members of the joint committee will serve as co-  
13 chairs. The Speaker of the House of Represent-  
14 atives and the majority leader of the Senate  
15 shall jointly appoint one co-chair, and the mi-  
16 nority leader of the House of Representatives  
17 and the minority leader of the Senate shall  
18 jointly appoint the second co-chair. The co-  
19 chairs shall be appointed not later than 14 cal-  
20 endar days after the date of enactment of this  
21 Act.

22 (D) DATE.—Members of the joint com-  
23 mittee shall be appointed not later than 14 cal-  
24 endar days after the date of enactment of this  
25 Act.

(E) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the joint committee. Any vacancy in the joint committee shall not affect its powers, but shall be filled not later than 14 calendar days after the date on which the vacancy occurs, in the same manner as the original appointment was made. If a member of the joint committee ceases to be a Member of the House of Representatives or the Senate, as the case may be, the member is no longer a member of the joint committee and a vacancy shall exist.

(4) ADMINISTRATION.—

(A) GENERAL AUTHORITY.—For purposes of enabling the joint committee to exercise its powers, functions, and duties under this Act, and consistent with the Standing Rules of the Senate, there is authorized from the date of enactment of this Act through June 30, 2020, \$500,000 to be allocated—

(i) in total during the period March 1, 2019 through September 30, 2019; and

(ii) any remaining amounts shall be carried forward for the period October 1, 2019 through September 30, 2020.

1 (B) EXPENSES.—Expenses of the joint  
 2 committee shall be paid from the contingent  
 3 fund of the Senate upon vouchers approved by  
 4 the co-chairs, subject to the rules and regula-  
 5 tions of the Senate.

6 (C) QUORUM.—Nine members of the joint  
 7 committee shall constitute a quorum for pur-  
 8 poses of voting and meeting, and 5 members of  
 9 the joint committee shall constitute a quorum  
 10 for holding hearings.

11 (D) VOTING.—No proxy voting shall be al-  
 12 lowed on behalf of the members of the joint  
 13 committee.

14 (E) MEETINGS.—

15 (i) INITIAL MEETING.—Not later than  
 16 30 calendar days after the date of enact-  
 17 ment of this Act, the joint committee shall  
 18 hold its first meeting.

19 (ii) AGENDA.—The co-chairs of the  
 20 joint committee shall provide an agenda to  
 21 the joint committee members not less than  
 22 48 hours in advance of any meeting.

23 (F) HEARINGS.—

24 (i) IN GENERAL.—The joint com-  
 25 mittee may, for the purpose of carrying



1 out this section, hold such hearings, sit  
 2 and act at such times and places, require  
 3 attendance of witnesses and production of  
 4 books, papers, and documents, take such  
 5 testimony, receive such evidence, and ad-  
 6 minister such oaths as the joint committee  
 7 considers advisable.

8 (ii) HEARING PROCEDURES AND RE-  
 9 SPONSIBILITIES OF CO-CHAIRS.—

10 (I) ANNOUNCEMENT.—The co-  
 11 chairs of the joint committee shall  
 12 make a public announcement of the  
 13 date, place, time, and subject matter  
 14 of any hearing to be conducted, not  
 15 less than 7 days in advance of such  
 16 hearing, unless the co-chairs deter-  
 17 mine that there is good cause to begin  
 18 such hearing at an earlier date.

19 (II) EQUAL REPRESENTATION OF  
 20 WITNESSES.—Each co-chair shall be  
 21 entitled to select an equal number of  
 22 witnesses for each hearing held by the  
 23 joint committee.

24 (III) WRITTEN STATEMENT.—A  
 25 witness appearing before the joint

1 committee shall file a written state-  
2 ment of proposed testimony at least 2  
3 calendar days before the appearance  
4 of the witness, unless the requirement  
5 is waived by the co-chairs, following  
6 their determination that there is good  
7 cause for failure to comply with such  
8 requirement.

9 (G) MINIMUM NUMBER OF PUBLIC MEET-  
10 INGS AND HEARINGS.—The joint committee  
11 shall hold—

12 (i) not less than a total of 5 public  
13 meetings or public hearings; and

14 (ii) not less than 3 public hearings,  
15 which may include field hearings.

16 (H) TECHNICAL ASSISTANCE.—Upon writ-  
17 ten request of the co-chairs, a Federal agency,  
18 including legislative branch agencies, shall pro-  
19 vide technical assistance to the joint committee  
20 in order for the joint committee to carry out its  
21 duties.

22 (I) STAFFING.—

23 (i) DETAILS.—Employees of the legis-  
24 lative branch may be detailed to the joint  
25 committee on a nonreimbursable basis,

1                   consistent with the rules and regulations of  
2                   the Senate.

3                   (ii) STAFF DIRECTOR.—The co-chairs,  
4                   acting jointly, may designate one such em-  
5                   ployee as staff director of the joint com-  
6                   mittee.

7           (c) ETHICAL STANDARDS.—Members on the joint  
8   committee who serve in the House of Representatives shall  
9   be governed by the ethics rules and requirements of the  
10   House. Members of the Senate who serve on the joint com-  
11   mittee shall comply with the ethics rules of the Senate.

12          (d) TERMINATION.—The joint committee shall termi-  
13   nate on April 30, 2020, or 30 days after submission of  
14   its report and legislative recommendations pursuant to  
15   this section whichever occurs first.

16   **SEC. 3. FUNDING.**

17          (a) SPECIAL RESERVE.—To enable the joint com-  
18   mittee to exercise its powers, functions, and duties under  
19   this Act, within the funds in the account for “Expenses  
20   of Inquiries and Investigations” of the Senate, not more  
21   than \$500,000 shall be allocated from the special reserve  
22   established in S. Res. 70, agreed to February 27, 2019  
23   (116th Congress), for use by the joint committee.

1 (b) EXPIRATION.—None of the funds made available  
 2 by this section may be available for obligation by the joint  
 3 committee after July 2, 2020.

4 (c) AVAILABILITY REQUIREMENTS.—For purposes of  
 5 the joint committee, section 20(b) of S. Res. 70, agreed  
 6 to February 27, 2019 (116th Congress), shall not apply.

7 **SEC. 4. CONSIDERATION OF JOINT COMMITTEE BILL IN**  
 8 **THE SENATE.**

9 (a) INTRODUCTION.—Upon receipt of proposed legis-  
 10 lative language approved in accordance with section  
 11 2(b)(2)(B)(ii), the language shall be introduced in the  
 12 Senate (by request) on the next day on which the Senate  
 13 is in session by the majority leader of the Senate or by  
 14 a Member of the Senate designated by the majority leader  
 15 of the Senate.

16 (b) COMMITTEE CONSIDERATION.—A joint com-  
 17 mittee bill introduced in the Senate under subsection (a)  
 18 shall be jointly referred to the Committee on Finance and  
 19 the Committee on Health, Education, Labor, and Pen-  
 20 sions, which committees shall report the bill without any  
 21 revision and with a favorable recommendation, an unfavor-  
 22 able recommendation, or without recommendation, no  
 23 later than 7 session days after introduction of the bill. If  
 24 either committee fails to report the bill within that period,  
 25 that committee shall be automatically discharged from

1 consideration of the bill, and the bill shall be placed on  
2 the appropriate calendar.

3 (c) MOTION TO PROCEED TO CONSIDERATION.—

4 (1) IN GENERAL.—Notwithstanding rule XXII  
5 of the Standing Rules of the Senate, it is in order,  
6 not later than 2 days of session after the date on  
7 which a joint committee bill is reported or dis-  
8 charged from the Committee on Finance and the  
9 Committee on Health, Education, Labor, and Pen-  
10 sions, for the majority leader of the Senate or the  
11 majority leader's designee to move to proceed to the  
12 consideration of the joint committee bill. It shall also  
13 be in order for any Member of the Senate to move  
14 to proceed to the consideration of the joint com-  
15 mittee bill at any time after the conclusion of such  
16 2-day period.

17 (2) CONSIDERATION OF MOTION.—Consider-  
18 ation of the motion to proceed to the consideration  
19 of the joint committee bill and all debatable motions  
20 and appeals in connection therewith shall not exceed  
21 10 hours, which shall be divided equally between the  
22 majority and minority leaders or their designees. A  
23 motion to further limit debate is in order, shall re-  
24 quire an affirmative vote of three-fifths of Members  
25 duly chosen and sworn, and is not debatable.

1           (3) VOTE THRESHOLD.—The motion to proceed  
2       to the consideration of the joint committee bill shall  
3       only be agreed to upon an affirmative vote of three-  
4       fifths of Members duly chosen and sworn.

5           (4) LIMITATIONS.—The motion is not subject  
6       to a motion to postpone. All points of order against  
7       the motion to proceed to the joint committee bill are  
8       waived. A motion to reconsider the vote by which the  
9       motion is agreed to or disagreed to shall not be in  
10      order.

11          (5) DEADLINE.—Not later than the last day of  
12      the 116th Congress, the Senate shall vote on a mo-  
13      tion to proceed to the joint committee bill.

14          (6) COMPANION MEASURES.—For purposes of  
15      this subsection, the term “joint committee bill” in-  
16      cludes a bill of the House of Representatives that is  
17      a companion measure to the joint committee bill in-  
18      troduced in the Senate.

19      (d) RULES OF SENATE.—This section is enacted by  
20      Congress—

21          (1) as an exercise of the rulemaking power of  
22      the Senate, and as such is deemed a part of the  
23      rules of the Senate, but applicable only with respect  
24      to the procedure to be followed in the Senate in the  
25      case of a joint committee bill, and supersede other

1 rules only to the extent that they are inconsistent  
2 with such rules; and

3 (2) with full recognition of the constitutional  
4 right of the Senate to change the rules (so far as re-  
5 lating to the procedure of the Senate) at any time,  
6 in the same manner, and to the same extent as in  
7 the case of any other rule of the Senate.

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