

116TH CONGRESS  
2D SESSION

# H. R. 7929

To establish a commission to review certain regulatory obstacles to preparedness for, response to, and recovery from the Coronavirus SARS-CoV-2 pandemic and other pandemics, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 2020

Ms. FOXX of North Carolina (for herself and Mr. COMER) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, Financial Services, and Rules, 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

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## A BILL

To establish a commission to review certain regulatory obstacles to preparedness for, response to, and recovery from the Coronavirus SARS-CoV-2 pandemic and other pandemics, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Pandemic Preparedness, Response, and Recovery Act of  
6 2020”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Establishment of Commission.
- Sec. 4. Duties of the Commission.
- Sec. 5. Powers of the Commission.
- Sec. 6. Commission personnel matters.
- Sec. 7. Termination of the Commission.
- Sec. 8. Authorization of appropriations.

3 **SEC. 2. DEFINITIONS.**

4 In this Act:

5 (1) COMMISSION.—The term “Commission”  
6 means the Pandemic Preparedness, Response, and  
7 Recovery Commission established under section 3.

8 (2) COMMISSION BILL.—The term “Commission  
9 bill” means a bill consisting of the proposed legisla-  
10 tive language of the Commission recommended  
11 under section 4(h)(2)(C) and introduced under sec-  
12 tion 4(i)(1).

13 (3) COVERED REGULATION.—The term “cov-  
14 ered regulation” means a regulation that has been  
15 finalized not later than the date on which the Com-  
16 mission is established.

17 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

18 (a) ESTABLISHMENT.—There is established in the  
19 legislative branch a commission to be known as the “Pan-  
20 demic Preparedness, Response, and Recovery Commis-  
21 sion”.

1 (b) MEMBERSHIP.—

2 (1) COMPOSITION.—The Commission shall be  
3 composed of 9 members, of whom—

4 (A) 1 member shall be appointed by the  
5 President, and shall serve as the Chair of the  
6 Commission;

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

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

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

13 (E) 2 members shall be appointed by the  
14 minority leader of the House of Representa-  
15 tives.

16 (2) DATE.—The appointment of the members  
17 of the Commission shall be made not later than 30  
18 days after the date of the enactment of this Act.

19 (3) QUALIFICATIONS.—

20 (A) CHAIR.—The Chair of the Commission  
21 shall be an individual with expertise and experi-  
22 ence in rulemaking, such as past Administra-  
23 tors of the Office of Information and Regu-  
24 latory Affairs, past chairmen of the Administra-  
25 tive Conference of the United States, and other

1 individuals with similar expertise and experi-  
2 ence in rulemaking affairs and the administra-  
3 tion of regulatory reviews.

4 (B) MEMBERS.—Members appointed to the  
5 Commission shall be prominent citizens of the  
6 United States with national recognition and a  
7 significant depth of experience and responsibil-  
8 ities in matters relating to government service,  
9 regulatory policy, public health, economics, Fed-  
10 eral agency management, public administration,  
11 and law.

12 (4) LIMITATION.—Not more than 5 members  
13 appointed to the Commission may be from the same  
14 political party.

15 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-  
16 bers shall be appointed for the life of the Commission. Any  
17 vacancy in the Commission shall not affect its powers, but  
18 shall be filled in the same manner as the original appoint-  
19 ment.

20 (d) INITIAL MEETING.—Not later than 15 days after  
21 the date on which all members of the Commission have  
22 been appointed, the Commission shall hold its first meet-  
23 ing.

24 (e) MEETINGS.—The Commission shall meet at the  
25 call of the Chairman.

1 (f) OPEN TO THE PUBLIC.—Each meeting of the  
2 Commission shall be open to the public.

3 (g) QUORUM.—Five members of the Commission  
4 shall constitute a quorum, but a lesser number of members  
5 may hold hearings.

6 (h) NONAPPLICABILITY OF THE FEDERAL ADVISORY  
7 COMMITTEE ACT.—The Federal Advisory Committee Act  
8 (5 U.S.C. App.) shall not apply to the Commission.

9 **SEC. 4. DUTIES OF THE COMMISSION.**

10 (a) PURPOSE.—The purpose of the Commission is to  
11 evaluate and provide recommendations for modification,  
12 consolidation, harmonization, or repeal of covered regula-  
13 tions with the primary aim of eliminating regulatory ob-  
14 stacles to the United States, the several States’, and the  
15 people’s preparedness for, response to, and recovery from  
16 the health and economic effects of the Coronavirus SARS-  
17 CoV-2 pandemic of 2019–2020 and future pandemics,  
18 while reducing compliance costs, encouraging growth and  
19 innovation, improving competitiveness, and protecting  
20 public health, safety, and welfare.

21 (b) REQUIREMENTS.—In carrying out subsection (a),  
22 the Commission shall—

23 (1) give priority in its analysis of covered regu-  
24 lations to those that—

1 (A) impeded preparedness for or response  
2 to the Coronavirus SARS-CoV-2 pandemic, in-  
3 cluding those that were suspended or for which  
4 enforcement was waived after the outbreak of  
5 the pandemic under the authority of Executive  
6 Order 13924 (85 Fed. Reg. 31353; relating to  
7 regulatory relief to support economic recovery)  
8 or any other authority;

9 (B) could impede preparedness for or re-  
10 sponse to a future pandemic;

11 (C) otherwise impeded or could impede  
12 health, economic performance, or the stability  
13 of wages or employment during the Coronavirus  
14 SARS-CoV-2 pandemic or a future pandemic,  
15 including those that were suspended or for  
16 which enforcement was waived after the out-  
17 break of the pandemic under the authority of  
18 Executive Order 13924 or any other authority;  
19 and

20 (D) impede or could impede the recovery of  
21 health, economic performance, or wages or em-  
22 ployment following the Coronavirus SARS-  
23 CoV-2 pandemic or a future pandemic, with a  
24 particular emphasis on impediments to recovery  
25 by persons infected by Coronavirus SARS-

1 CoV-2 or a future pandemic disease, individ-  
2 uals or entities that supported or support those  
3 persons, and entities that qualify as small enti-  
4 ties within the meaning of section 601(6) of  
5 title 5, United States Code, and those entities'  
6 employees, contractors, or investors, including  
7 by impeding—

8 (i) access to health care or health care  
9 equipment or supplies;

10 (ii) access to employment;

11 (iii) access to public or private assist-  
12 ance;

13 (iv) consumer or business spending,  
14 investment, or access to capital or credit;  
15 or

16 (v) other consumer or business activ-  
17 ity, including hiring and education or re-  
18 training;

19 (2) consider in its analysis of covered regula-  
20 tions the regulatory principles articulated in section  
21 1 of Executive Order 12866 (58 Fed. Reg. 51735;  
22 relating to regulatory planning and review);

23 (3) solicit and review comments from the public  
24 on the covered regulations described in this section;  
25 and

1           (4) develop a set of covered regulations to mod-  
2 ify, consolidate, or repeal, with input from each ap-  
3 propriate issuing agency involved, to be submitted to  
4 Congress for an up-or-down vote, with the goal of  
5 eliminating as many of the impediments described in  
6 this section as is reasonably possible.

7           (c) PUBLIC COMMENTS.—

8           (1) IN GENERAL.—Not later than 15 days after  
9 the date of the initial meeting of the Commission,  
10 the Commission shall initiate a process to solicit and  
11 collect written recommendations from the general  
12 public, interested parties, Federal agencies, and  
13 other relevant entities regarding which covered regu-  
14 lations should be examined.

15           (2) SUBMISSION OF PUBLIC COMMENTS.—The  
16 Commission shall ensure that the process initiated  
17 under paragraph (1) allows for recommendations to  
18 be submitted to the Commission through the website  
19 of the Commission, through regulations.gov, by mail,  
20 or through any other means determined to be appro-  
21 priate by the Commission.

22           (3) LENGTH OF PUBLIC COMMENT PERIOD.—  
23 The period for the submission of recommendations  
24 under this subsection shall end 60 days after the



1 date on which the process is initiated under para-  
2 graph (1).

3 (4) PUBLICATION.—At the end of the period for  
4 the submission of recommendations under this sub-  
5 section, all submitted recommendations shall be pub-  
6 lished in the Federal Register and on—

7 (A) the website of the Commission; or

8 (B) regulations.gov.

9 (d) COMMISSION OUTREACH.—

10 (1) IN GENERAL.—During the public comment  
11 period described in subsection (c), the Commission  
12 shall conduct public outreach and convene focus  
13 groups to better inform the commissioners of the  
14 public’s interest and possible contributions to the  
15 work of the Commission.

16 (2) FOCUS GROUPS.—The focus groups re-  
17 quired under paragraph (1) shall include individuals  
18 affiliated with the Office of Information and Regu-  
19 latory Affairs, the Administrative Conference of the  
20 United States, the offices within Federal agencies  
21 responsible for small business affairs and regulatory  
22 compliance, experts in pandemic preparedness and  
23 response, experts in public health, and, at the discre-  
24 tion of the Commission, relevant stakeholders from  
25 within or outside the regulatory entities.

1 (e) COMMISSION REVIEW OF PUBLIC COMMENTS.—

2 Not later than 15 days after the date on which the period  
3 for the submission of recommendations ends under sub-  
4 section (c), the Commission shall convene to review sub-  
5 mitted recommendations, prepare a work plan for comple-  
6 tion of the Commission’s further work, and to identify cov-  
7 ered regulations to modify, consolidate, or eliminate.

8 (f) EXAMINATION OF REGULATIONS.—

9 (1) PROCESS FOR EXAMINATION.—In exam-  
10 ining covered regulations under this section, the  
11 Commission shall determine the effectiveness of indi-  
12 vidual covered regulations, by using multiple re-  
13 sources, including the following:

14 (A) Quantitative metrics.

15 (B) Testimony from industry and agency  
16 experts, experts in pandemic preparedness and  
17 response, and experts in public health.

18 (C) Research from the staff of the Com-  
19 mission.

20 (2) DEADLINE.—Not later than 180 days after  
21 the date on which the Commission convenes under  
22 subsection (e), the Commission shall complete a sub-  
23 stantial examination of covered regulations.

24 (g) INITIAL REPORT.—

1           (1) IN GENERAL.—Not later than 90 days after  
2 the date on which the Commission convenes under  
3 subsection (e), the Commission shall publish, and  
4 make available to the public for comment, a report,  
5 which shall include—

6                   (A) the findings and conclusions of the  
7 Commission for the improvement of covered  
8 regulations examined by the Commission; and

9                   (B) a list of recommendations for changes  
10 to the covered regulations examined by the  
11 Commission, which may include recommenda-  
12 tions for modification, consolidation, harmoni-  
13 zation, or repeal of such covered regulations.

14           (2) REQUIREMENT.—The report required under  
15 paragraph (1) shall be approved by not fewer than  
16 5 members of the Commission.

17           (3) AVAILABILITY OF REPORT.—The Commis-  
18 sion shall make the report required under paragraph  
19 (1) available through the website of the Commission  
20 and in printed form.

21           (4) PUBLIC COMMENT PERIOD.—During the  
22 60-day period beginning on the date on which the  
23 report required under paragraph (1) is published,  
24 the Commission shall—

1 (A) solicit comments from the public on  
2 such report, using the same process established  
3 under subsection (c); and

4 (B) publish any comments received under  
5 subparagraph (A)—

6 (i) in the Federal Register; and

7 (ii) on—

8 (I) the website of the Commis-  
9 sion; or

10 (II) regulations.gov.

11 (5) CONSULTATION.—

12 (A) IN GENERAL.—Not later than 30 days  
13 after the date on which the report required  
14 under paragraph (1) is published, the Commis-  
15 sion shall complete a consultation with the chair  
16 and ranking minority member of the commit-  
17 tees of jurisdiction in the House of Representa-  
18 tives and Senate, and with the head of each  
19 agency that has enforcement jurisdiction with  
20 respect to rules recommended for modification,  
21 consolidation, harmonization, or repeal, regard-  
22 ing the contents of the report.

23 (B) REQUIREMENTS.—The consultation re-  
24 quired under subparagraph (A) shall provide—

1 (i) the opportunity for the chair and  
2 ranking minority member of the commit-  
3 tees of jurisdiction to provide substantive  
4 feedback or recommendations related to  
5 the regulatory changes contained in the re-  
6 port required under paragraph (1);

7 (ii) the opportunity for the chair and  
8 ranking minority member of the commit-  
9 tees of jurisdiction to provide recommenda-  
10 tions for alternative means of achieving a  
11 reduction in regulatory costs while main-  
12 taining the same level of benefits to soci-  
13 ety; and

14 (iii) the opportunity for the head of  
15 each agency potentially affected by the  
16 Commission's recommendations to provide  
17 substantive input into the reform process.

18 (h) REPORT TO CONGRESS.—

19 (1) IN GENERAL.—Not later than 90 days after  
20 the date on which the 60-day period described in  
21 subsection (g)(4) ends, the Commission shall—

22 (A) review any comments received under  
23 subsection (g)(4);

1 (B) incorporate any relevant comments re-  
2 ceived under subsection (g)(4) into the report  
3 required under subsection (g)(1); and

4 (C) submit the revised report to Congress.

5 (2) CONTENTS.—The revised report required to  
6 be submitted to Congress under paragraph (1) shall  
7 include—

8 (A) the findings and conclusions of the  
9 Commission for the improvement of covered  
10 regulations examined by the Commission;

11 (B) a list of recommendations for changes  
12 to the covered regulations examined by the  
13 Commission, which may include recommenda-  
14 tions for modification, consolidation, harmoni-  
15 zation, or repeal of such covered regulations;  
16 and

17 (C) recommended legislative language to  
18 implement the recommendations in subpara-  
19 graph (B).

20 (i) CONGRESSIONAL CONSIDERATION OF LEGISLA-  
21 TIVE LANGUAGE TO IMPLEMENT RECOMMENDATIONS.—

22 (1) COMMISSION BILL DESCRIBED.—In this  
23 subsection, the term “Commission bill” means, with  
24 respect to the Senate or the House of Representa-  
25 tives, a bill described as follows:

1           (A) The title of the bill is as follows: “A  
2 Bill to implement the recommendations of the  
3 Pandemic Preparedness, Response, and Rapid  
4 Recovery Commission.”.

5           (B) The bill is introduced in the House of  
6 Representatives or the Senate (as the case may  
7 be)—

8                   (i) not later than 3 days (excluding  
9 Saturdays, Sundays, and holidays, and any  
10 day on which the House or the Senate, as  
11 the case may be, is not in session because  
12 of an adjournment sine die, a recess of  
13 more than three days, or an adjournment  
14 of more than three days) after the date on  
15 which the Commission submits the revised  
16 report to Congress under subsection  
17 (h)(1); or

18                   (ii) if the Congress during which the  
19 Commission submits such report adjourns  
20 sine die prior to the expiration of the 60-  
21 day period which begins on the date the  
22 Commission submits the report (excluding  
23 Saturdays, Sundays, and holidays, and any  
24 day on which neither House is in session  
25 because of an adjournment sine die, a re-

1           cess of more than three days, or an ad-  
2           jourment of more than three days), on  
3           the first day of the next Congress.

4           (C) The text of the bill consists exclusively  
5           of the recommended legislative language to im-  
6           plement the recommendations of the Commis-  
7           sion which is included in the revised report sub-  
8           mitted to Congress under subsection (h)(1), as  
9           certified by the Chair of the Commission to the  
10          Speaker of the House of Representatives or the  
11          President pro tempore of the Senate (as the  
12          case may be).

13          (2) CONSIDERATION IN THE HOUSE OF REP-  
14          RESENTATIVES.—

15           (A) REFERRAL AND REPORTING.—Any  
16           committee of the House of Representatives to  
17           which the Commission bill is referred shall re-  
18           port it to the House without amendment not  
19           later than 30 days after the date on which the  
20           Commission bill is introduced under paragraph  
21           (1). If a committee fails to report the Commis-  
22           sion bill within that period, it shall be in order  
23           to move that the House discharge the com-  
24           mittee from further consideration of the Com-  
25           mission bill. Such a motion shall not be in order



1 after the last committee authorized to consider  
2 the Commission bill reports it to the House or  
3 after the House has disposed of a motion to  
4 discharge the Commission bill. The previous  
5 question shall be considered as ordered on the  
6 motion to its adoption without intervening mo-  
7 tion except 3 hours of debate equally divided  
8 and controlled by the proponent and an oppo-  
9 nent. If such a motion is adopted, the House  
10 shall proceed immediately to consider the Com-  
11 mission bill in accordance with subparagraphs  
12 (B) and (C). A motion to reconsider the vote by  
13 which the motion is disposed of shall not be in  
14 order.

15 (B) PROCEEDING TO CONSIDERATION.—  
16 After the last committee authorized to consider  
17 the Commission bill reports it to the House or  
18 has been discharged (other than by motion)  
19 from its consideration, it shall be in order to  
20 move to proceed to consider the Commission bill  
21 in the House. Such a motion shall not be in  
22 order after the House has disposed of a motion  
23 to proceed with respect to the Commission bill.  
24 The previous question shall be considered as or-  
25 dered on the motion to its adoption without in-

1           tervening motion. A motion to reconsider the  
2           vote by which the motion is disposed of shall  
3           not be in order.

4           (C) CONSIDERATION.—The Commission  
5           bill shall be considered as read. All points of  
6           order against the Commission bill and against  
7           its consideration are waived. The previous ques-  
8           tion shall be considered as ordered on the Com-  
9           mission bill to its passage without intervening  
10          motion except 10 hours of debate equally di-  
11          vided and controlled by the proponent and an  
12          opponent and one motion to limit debate on the  
13          Commission bill. A motion to reconsider the  
14          vote on passage of the Commission bill shall not  
15          be in order.

16          (D) VOTE ON PASSAGE.—The vote on pas-  
17          sage of the Commission bill shall occur not later  
18          than 60 days after the date on which the Com-  
19          mission bill is discharged from the last com-  
20          mittee authorized to consider the Commission  
21          bill.

22          (3) CONSIDERATION IN THE SENATE.—

23                 (A) COMMITTEE CONSIDERATION.—A  
24                 Commission bill introduced in the Senate under  
25                 paragraph (1) shall be jointly referred to the

1 committee or committees of jurisdiction, which  
2 committees shall report the bill without any re-  
3 vision and with a favorable recommendation, an  
4 unfavorable recommendation, or without rec-  
5 ommendation, not later than 30 days after the  
6 date on which the Commission bill is intro-  
7 duced. If any committee fails to report the bill  
8 within that period, that committee shall be  
9 automatically discharged from consideration of  
10 the bill, and the bill shall be placed on the ap-  
11 propriate calendar.

12 (B) MOTION TO PROCEED.—Notwith-  
13 standing Rule XXII of the Standing Rules of  
14 the Senate, it is in order, not later than 2 days  
15 of session after the date on which a Commis-  
16 sion bill is reported or discharged from all com-  
17 mittees to which it was referred, for the major-  
18 ity leader of the Senate or the majority leader's  
19 designee to move to proceed to the consider-  
20 ation of the Commission bill. It shall also be in  
21 order for any Member of the Senate to move to  
22 proceed to the consideration of the Commission  
23 bill at any time after the conclusion of such 2-  
24 day period. A motion to proceed is in order  
25 even though a previous motion to the same ef-

1           fect has been disagreed to. All points of order  
2           against the motion to proceed to the Commis-  
3           sion bill are waived. The motion to proceed is  
4           not debatable. The motion is not subject to a  
5           motion to postpone. A motion to reconsider the  
6           vote by which the motion is agreed to or dis-  
7           agreed to shall not be in order. If a motion to  
8           proceed to the consideration of the Commission  
9           bill is agreed to, the Commission bill shall re-  
10          main the unfinished business until disposed of.

11           (C) CONSIDERATION.—All points of order  
12          against the Commission bill and against consid-  
13          eration of the Commission bill are waived. Con-  
14          sideration of the Commission bill and of all de-  
15          batable motions and appeals in connection  
16          therewith shall not exceed a total of 10 hours  
17          which shall be divided equally between the ma-  
18          jority and minority leaders or their designees. A  
19          motion further to limit debate on the Commis-  
20          sion bill is in order, shall require an affirmative  
21          vote of a majority of the Members duly chosen  
22          and sworn, and is not debatable. Any debatable  
23          motion or appeal is debatable for not to exceed  
24          1 hour, to be divided equally between those fa-  
25          voring and those opposing the motion or appeal.

1 All time used for consideration of the Commis-  
2 sion bill, including time used for quorum calls  
3 and voting, shall be counted against the total  
4 10 hours of consideration.

5 (D) NO AMENDMENTS.—An amendment to  
6 the Commission bill, or a motion to postpone,  
7 or a motion to proceed to the consideration of  
8 other business, or a motion to recommit the  
9 Commission bill, is not in order.

10 (E) VOTE ON PASSAGE.—If the Senate has  
11 voted to proceed to the Commission bill, the  
12 vote on passage of the Commission bill shall  
13 occur immediately following the conclusion of  
14 the debate on a Commission bill, and a single  
15 quorum call at the conclusion of the debate if  
16 requested. The vote on passage of the Commis-  
17 sion bill shall occur not later than 60 days after  
18 the date on which the Commission bill is dis-  
19 charged from all committees to which the Com-  
20 mission bill was referred.

21 (F) RULINGS OF THE CHAIR ON PROCE-  
22 DURE.—Appeals from the decisions of the Chair  
23 relating to the application of the rules of the  
24 Senate, as the case may be, to the procedure re-

1           lating to a Commission bill shall be decided  
2           without debate.

3           (4) AMENDMENT.—The Commission bill shall  
4           not be subject to amendment in either the House of  
5           Representatives or the Senate.

6           (5) CONSIDERATION BY THE OTHER HOUSE.—

7           (A) IN GENERAL.—If, before passing the  
8           Commission bill, one House receives from the  
9           other a Commission bill—

10           (i) the Commission bill of the other  
11           House shall not be referred to a com-  
12           mittee; and

13           (ii) the procedure in the receiving  
14           House shall be the same as if no Commis-  
15           sion bill had been received from the other  
16           House until the vote on passage, when the  
17           Commission bill received from the other  
18           House shall supplant the Commission bill  
19           of the receiving House.

20           (B) REVENUE MEASURE.—This subsection  
21           shall not apply to the House of Representatives  
22           if the Commission bill received from the Senate  
23           is a revenue measure.

24           (6) RULES TO COORDINATE ACTION WITH  
25           OTHER HOUSE.—

1 (A) TREATMENT OF COMMISSION BILL OF  
2 OTHER HOUSE.—If the Senate fails to introduce  
3 or consider a Commission bill under this sec-  
4 tion, the Commission bill of the House shall be  
5 entitled to expedited floor procedures under this  
6 section.

7 (B) TREATMENT OF COMPANION MEAS-  
8 URES IN THE SENATE.—If following passage of  
9 the Commission bill in the Senate, the Senate  
10 then receives the Commission bill from the  
11 House of Representatives, the House-passed  
12 Commission bill shall not be debatable. The  
13 vote on passage of the Commission bill in the  
14 Senate shall be considered to be the vote on  
15 passage of the Commission bill received from  
16 the House of Representatives.

17 (C) VETOES.—If the President vetoes the  
18 Commission bill, debate on a veto message in  
19 the Senate under this section shall be 1 hour  
20 equally divided between the majority and minor-  
21 ity leaders or their designees.

22 (j) NOTICE TO REGULATORY AGENCIES.—

23 (1) ENACTMENT OF COMMISSION BILL.—If the  
24 Commission bill is enacted into law, the President  
25 shall—

1 (A) not later than 7 days after the date on  
2 which the Commission bill is enacted into law—

3 (i) provide notice to the affected regu-  
4 latory agencies; and

5 (ii) publish notice of enactment in the  
6 Federal Register and online; and

7 (B) require affected regulatory agencies to  
8 implement the Commission bill not later than  
9 60 days after the date on which the Commis-  
10 sion bill is enacted into law.

11 (2) FAILURE TO ENACT COMMISSION BILL.—If  
12 the Commission bill is not enacted into law, the  
13 President shall provide notice of such failure to  
14 enact the Commission bill in the Federal Register.

15 **SEC. 5. POWERS OF THE COMMISSION.**

16 (a) HEARINGS.—The Commission may hold such  
17 hearings, sit and act at such times and places, take such  
18 testimony, and receive such evidence as the Commission  
19 considers advisable to carry out this Act.

20 (b) INFORMATION FROM FEDERAL AGENCIES.—

21 (1) IN GENERAL.—The Commission is author-  
22 ized to secure directly from any executive depart-  
23 ment, bureau, agency, board, commission, office,  
24 independent establishment, or instrumentality of the  
25 Government, information, suggestions, estimates,



1 and statistics for the purpose of this Act. Each de-  
2 partment, bureau, agency, board, commission, office,  
3 independent establishment, or instrumentality shall,  
4 to the extent authorized by law, furnish such infor-  
5 mation, suggestions, estimates, and statistics di-  
6 rectly to the Commission, upon request made by the  
7 chair, the chair of any subcommittee created by the  
8 Commission, or any member designated by a major-  
9 ity of the Commission.

10 (2) RECEIPT, HANDLING, STORAGE, AND DIS-  
11 SEMINATION.—Information shall only be received,  
12 handled, stored, and disseminated by members of  
13 the Commission and its staff consistent with all ap-  
14 plicable statutes, regulations, and Executive orders.

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

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

21 (e) SPACE FOR USE OF COMMISSION.—Not later  
22 than the expiration of the 30-day period which begins on  
23 the date of the enactment of this Act, the Architect of  
24 the Capitol and the Administrator of General Services  
25 shall support on a reimbursable basis the operations of

1 the Commission, including the identification of suitable  
2 space to house the Commission. If the Architect and the  
3 Administrator are not able to make such suitable space  
4 available prior to the expiration of such 30-day period, the  
5 Commission shall lease space to the extent that funds are  
6 available.

7 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

8 (a) **COMPENSATION OF MEMBERS.**—Each member of  
9 the Commission shall be compensated at a rate equal to  
10 the daily equivalent of the annual rate of basic pay pre-  
11 scribed for level IV of the Executive Schedule under sec-  
12 tion 5315 of title 5, United States Code, for each day (in-  
13 cluding travel time) during which such member is engaged  
14 in the performance of the duties of the Commission.

15 (b) **TRAVEL EXPENSES.**—The members of the Com-  
16 mission shall be allowed travel expenses, including per  
17 diem in lieu of subsistence, at rates authorized for employ-  
18 ees of agencies under subchapter I of chapter 57 of title  
19 5, United States Code, while away from their homes or  
20 regular places of business in the performance of services  
21 for the Commission.

22 (c) **STAFF.**—

23 (1) **IN GENERAL.**—The Chairman of the Com-  
24 mission may, without regard to the civil service laws  
25 and regulations, appoint and terminate an executive

1 director and such other additional personnel as may  
2 be necessary to enable the Commission to perform  
3 its duties. The employment of an executive director  
4 shall be subject to confirmation by the Commission.

5 (2) COMPENSATION.—The Chairman of the  
6 Commission may fix the compensation of the execu-  
7 tive director and other personnel without regard to  
8 chapter 51 and subchapter III of chapter 53 of title  
9 5, United States Code, relating to classification of  
10 positions and General Schedule pay rates, except  
11 that the rate of pay for the executive director and  
12 other personnel may not exceed the rate payable for  
13 level V of the Executive Schedule under section 5316  
14 of such title.

15 (3) AGENCY ASSISTANCE.—Following consulta-  
16 tion with and upon the request of the Chairman of  
17 the Commission, the head of any agency may detail  
18 an employee of the agency to the Commission with-  
19 out reimbursement, and such detail shall be without  
20 interruption or loss of civil service status or privi-  
21 lege.

22 (4) GAO AND OIRA ASSISTANCE.—The Comp-  
23 troller General of the United States and the Admin-  
24 istrator of the Office of Information and Regulatory  
25 Affairs may, upon request, provide assistance, in-

1 including the detailing of employees, to the Commis-  
2 sion in accordance with an agreement entered into  
3 with the Commission.

4 (d) PROCUREMENT OF TEMPORARY AND INTERMIT-  
5 TENT SERVICES.—The Chairman of the Commission may  
6 procure temporary and intermittent services under section  
7 3109(b) of title 5, United States Code, at rates for individ-  
8 uals which do not exceed the daily equivalent of the annual  
9 rate of basic pay prescribed for level V of the Executive  
10 Schedule under section 5316 of such title.

11 (e) CONTRACTING AUTHORITY.—The Commission  
12 may acquire administrative supplies and equipment for  
13 Commission use to the extent funds are available.

14 (f) ADMINISTRATIVE SUPPORT.—The Administrator  
15 of General Services shall provide to the Commission, on  
16 a reimbursable basis, the administrative support services  
17 necessary for the Commission to carry out its responsibil-  
18 ities under this Act.

19 (g) APPLICATION OF CONGRESSIONAL ACCOUNT-  
20 ABILITY ACT OF 1995.—For purposes of the Congres-  
21 sional Accountability Act of 1995 (2 U.S.C. 1301 et  
22 seq.)—

23 (1) the Commission shall be considered an em-  
24 ploying office; and

1           (2) the employees of the Commission shall be  
2           considered covered employees.

3 **SEC. 7. TERMINATION OF THE COMMISSION.**

4           The Commission shall terminate 90 days after the  
5           date on which the Commission submits the report pursu-  
6           ant to section 4(h).

7 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

8           (a) IN GENERAL.—There are authorized to be appro-  
9           priated such sums as may be necessary to the Commission  
10          to carry out this Act.

11          (b) AVAILABILITY.—Any sums appropriated under  
12          the authorization contained in this section shall remain  
13          available, without fiscal year limitation, until expended.

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