

117TH CONGRESS
1ST SESSION

S. _____

To establish a commission to review certain regulatory obstacles to preparedness for, response to, and recovery from the COVID–19 pandemic and other pandemics, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. LANKFORD (for himself, Mr. JOHNSON, Mr. BRAUN, Mr. BARRASSO, and Mr. HAGERTY) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To establish a commission to review certain regulatory obstacles to preparedness for, response to, and recovery from the COVID–19 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 2021”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. Establishment of Commission.
- Sec. 5. Duties of the Commission.
- Sec. 6. Powers of the Commission.
- Sec. 7. Commission personnel matters.
- Sec. 8. Termination of the Commission.
- Sec. 9. Authorization of appropriations.

1 **SEC. 2. FINDINGS.**

2 Congress finds that:

3 (1) Federal regulation serves important goals
4 and has achieved important objectives. The accumu-
5 lation of Federal regulations over the decades, how-
6 ever, is of concern. The Code of Federal Regulations
7 currently contains over 180,000 pages of regula-
8 tions, many of which may be outdated, no longer
9 needed, or duplicative.

10 (2) Unneeded or inefficient regulation reduces
11 the ability of United States employers and workers
12 to generate and obtain more jobs and higher wages.
13 It also increases the expenses of United States
14 households and hinders the overall performance and
15 competitiveness of the United States economy in the
16 global marketplace.

17 (3) Unneeded or inefficient regulation is par-
18 ticularly problematic as United States employers,
19 workers, and households continue to respond to and
20 seek to recover from the COVID–19 pandemic.

1 (4) A timely and prioritized review of existing
2 regulations to identify those that can and should be
3 modified, consolidated, harmonized, or repealed to
4 promote higher jobs and wages, reduce household ex-
5 penses, and improve economic performance and com-
6 petitiveness in and by the United States is needed.

7 (5) Such a review, moreover, is needed to accel-
8 erate and strengthen the recovery of United States
9 employers, workers, and households from the
10 COVID–19 pandemic and ensure that Federal regu-
11 lations do not inhibit or impede preparedness for
12 and effective responses to future pandemics.

13 (6) The establishment of an expert commission,
14 charged to conduct such a review and recommend to
15 Congress legislation to effectuate a prioritized set of
16 regulatory modifications, consolidations, harmoni-
17 zations, and repeals, can ensure that such a review
18 will be completed in the timeliest possible way.

19 (7) In light of the adverse impacts of and cir-
20 cumstances caused by the COVID–19 pandemic, it
21 is particularly important that such a commission
22 prioritize in its review the elimination of regulatory
23 obstacles to the United States, the several States,
24 and the people’s preparedness for, response to, and
25 recovery from the health and economic effects of the

1 COVID–19 pandemic and possible future pandemics,
2 for example, regulations that—

3 (A) impeded preparedness for or response
4 to the COVID–19 pandemic, including those
5 that were suspended or for which enforcement
6 was waived after the outbreak of the pandemic
7 under the authority of Executive Order 13924
8 (85 Fed. Reg. 31353; relating to regulatory re-
9 lief to support economic recovery) or any other
10 authority;

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

13 (C) otherwise impeded or could impede
14 health, economic performance, or the stability
15 of wages or employment during the COVID–19
16 pandemic or a future pandemic, including those
17 that were suspended or for which enforcement
18 was waived after the outbreak of the pandemic
19 under the authority of Executive Order 13924
20 (85 Fed. Reg. 31353; relating to regulatory re-
21 lief to support economic recovery) or any other
22 authority; and

23 (D) impede or could impede the recovery of
24 health, economic performance, or wages or em-
25 ployment following the COVID–19 pandemic or

1 a future pandemic, with a particular emphasis
2 on impediments to recovery by persons infected
3 by COVID–19 or a future pandemic disease, in-
4 dividuals or entities that supported or support
5 those persons, and entities that qualify as small
6 entities within the meaning of section 601 of
7 title 5, United States Code, and those entities’
8 employees, contractors, or investors, including
9 by impeding—

10 (i) access to health care or health care
11 equipment or supplies;

12 (ii) access to employment;

13 (iii) access to public or private assist-
14 ance;

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

17 or

18 (v) other consumer or business activ-
19 ity, including hiring and education or re-
20 training.

21 **SEC. 3. DEFINITIONS.**

22 In this Act:

23 (1) COMMISSION.—The term “Commission”
24 means the Pandemic Preparedness, Response, and
25 Recovery Commission established under section 4.

1 (2) COMMISSION BILL.—The term “Commission
2 bill” means a bill consisting of the proposed legisla-
3 tive language of the Commission recommended
4 under section 5(h)(2)(C) and introduced under sec-
5 tion 5(i)(1).

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

10 **SEC. 4. ESTABLISHMENT OF COMMISSION.**

11 (a) ESTABLISHMENT.—There is established in the
12 legislative branch a commission to be known as the “Pan-
13 demic Preparedness, Response, and Recovery Commis-
14 sion”.

15 (b) MEMBERSHIP.—

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

18 (A) 1 member shall be appointed by the
19 President, and shall serve as the Chair of the
20 Commission;

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

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

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

3 (E) 2 members shall be appointed by the
4 minority leader of the House of Representa-
5 tives.

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

9 (3) QUALIFICATIONS.—

10 (A) CHAIR.—The Chair of the Commission
11 shall be an individual with expertise and experi-
12 ence in rulemaking, such as past Administra-
13 tors of the Office of Information and Regu-
14 latory Affairs, past chairs of the Administrative
15 Conference of the United States, and other in-
16 dividuals with similar expertise and experience
17 in rulemaking affairs and the administration of
18 regulatory reviews.

19 (B) MEMBERS.—Members appointed to the
20 Commission shall be prominent citizens of the
21 United States with national recognition and a
22 significant depth of experience and responsibil-
23 ities in matters relating to, generally and with
24 respect to the matters identified in section 2—

25 (i) government service;

- 1 (ii) regulatory policy;
- 2 (iii) public health;
- 3 (iv) economics;
- 4 (v) Federal agency management;
- 5 (vi) public administration; and
- 6 (vii) law.

7 (4) LIMITATION.—Not more than 5 members
8 appointed to the Commission may be from the same
9 political party.

10 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
11 bers shall be appointed for the life of the Commission. Any
12 vacancy in the Commission shall not affect its powers, but
13 shall be filled in the same manner as the original appoint-
14 ment.

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

19 (e) MEETINGS.—The Commission shall meet at the
20 call of the Chair.

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

23 (g) QUORUM.—Five members of the Commission
24 shall constitute a quorum, but a lesser number of members
25 may hold hearings.

1 (h) NONAPPLICABILITY OF THE FEDERAL ADVISORY
2 COMMITTEE ACT.—The Federal Advisory Committee Act
3 (5 U.S.C. App.) shall not apply to the Commission.

4 **SEC. 5. DUTIES OF THE COMMISSION.**

5 (a) PURPOSE.—The purpose of the Commission is to
6 evaluate and provide recommendations for modification,
7 consolidation, harmonization, or repeal of covered regula-
8 tions, while reducing compliance costs, encouraging
9 growth and innovation, improving competitiveness, and
10 protecting public health, safety, and welfare.

11 (b) REQUIREMENTS.—In carrying out subsection (a),
12 the Commission shall—

13 (1) prioritize in its analysis of covered regula-
14 tions, those covered regulations—

15 (A) for which modification, consolidation,
16 harmonization, or repeal could assist in the
17 United States—

18 (i) recovery from or continued re-
19 sponse to the adverse health and economic
20 impacts of the COVID–19 pandemic; or

21 (ii) preparedness for, response to, or
22 recovery from a future pandemic;

23 (B) that impose disproportionately high
24 costs on a small entity (as defined in section
25 601 of title 5, United States Code);

1 (C) that impose substantial paperwork
2 burdens; or

3 (D) that could be strengthened in their ef-
4 fectiveness while reducing regulatory costs;

5 (2) consider in its analysis of covered regula-
6 tions the regulatory principles articulated in section
7 1 of Executive Order 12866 (58 Fed. Reg. 51735;
8 relating to regulatory planning and review);

9 (3) solicit and review comments from the public
10 on the covered regulations described in this section;
11 and

12 (4) develop a set of covered regulations to mod-
13 ify, consolidate, harmonize, or repeal, with input
14 from each appropriate issuing agency involved, to be
15 submitted to Congress for an up-or-down vote, with
16 the goal of eliminating as many of the impediments
17 described in this section as is reasonably possible.

18 (c) PUBLIC COMMENTS.—

19 (1) IN GENERAL.—Not later than 15 days after
20 the date of the initial meeting of the Commission,
21 the Commission shall initiate a process to solicit and
22 collect written recommendations from the general
23 public, interested parties, Federal agencies, and
24 other relevant entities regarding which covered regu-
25 lations should be examined.

1 (2) SUBMISSION OF PUBLIC COMMENTS.—The
2 Commission shall ensure that the process initiated
3 under paragraph (1) allows for recommendations to
4 be submitted to the Commission through the website
5 of the Commission, through regulations.gov, by mail,
6 or through any other means determined to be appro-
7 priate by the Commission.

8 (3) LENGTH OF PUBLIC COMMENT PERIOD.—
9 The period for the submission of recommendations
10 under this subsection shall end 60 days after the
11 date on which the process is initiated under para-
12 graph (1).

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

17 (A) the website of the Commission; or

18 (B) regulations.gov.

19 (d) COMMISSION OUTREACH.—

20 (1) IN GENERAL.—During the public comment
21 period described in subsection (c), the Commission
22 shall conduct public outreach and convene focus
23 groups to better inform the commissioners of the
24 public's interest and possible contributions to the
25 work of the Commission.

1 (2) FOCUS GROUPS.—The focus groups re-
2 quired under paragraph (1) shall include individuals
3 affiliated with the Office of Information and Regu-
4 latory Affairs, the Administrative Conference of the
5 United States, the offices within Federal agencies
6 responsible for small business affairs and regulatory
7 compliance, experts in pandemic preparedness and
8 response, experts in public health, and, at the discre-
9 tion of the Commission, relevant stakeholders from
10 within or outside the regulatory entities.

11 (e) COMMISSION REVIEW OF PUBLIC COMMENTS.—
12 Not later than 15 days after the date on which the period
13 for the submission of recommendations ends under sub-
14 section (c), the Commission shall convene to review sub-
15 mitted recommendations, prepare a work plan for comple-
16 tion of the Commission’s further work, and to identify cov-
17 ered regulations to modify, consolidate, harmonize, or re-
18 peal.

19 (f) EXAMINATION OF REGULATIONS.—

20 (1) PROCESS FOR EXAMINATION.—In exam-
21 ining covered regulations under this section, the
22 Commission shall determine the effectiveness of indi-
23 vidual covered regulations, by using multiple re-
24 sources, including the following:

25 (A) Quantitative metrics.

1 (B) Testimony from industry and agency
2 experts, experts in pandemic preparedness and
3 response, and experts in public health.

4 (C) Research from the staff of the Com-
5 mission.

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

10 (g) INITIAL REPORT.—

11 (1) IN GENERAL.—Not later than 90 days after
12 the date on which the Commission convenes under
13 subsection (e), the Commission shall publish, and
14 make available to the public for comment, a report,
15 which shall include—

16 (A) the findings and conclusions of the
17 Commission for the improvement of covered
18 regulations examined by the Commission; and

19 (B) a list of recommendations for changes
20 to the covered regulations examined by the
21 Commission, which may include recommenda-
22 tions for modification, consolidation, harmoni-
23 zation, or repeal of those covered regulations.

1 (2) REQUIREMENT.—The report required under
2 paragraph (1) shall be approved by not fewer than
3 5 members of the Commission.

4 (3) AVAILABILITY OF REPORT.—The Commis-
5 sion shall make the report required under paragraph
6 (1) available through the website of the Commission
7 and in printed form.

8 (4) PUBLIC COMMENT PERIOD.—During the
9 60-day period beginning on the date on which the
10 report required under paragraph (1) is published,
11 the Commission shall—

12 (A) solicit comments from the public on
13 such report, using the same process established
14 under subsection (c); and

15 (B) publish any comments received under
16 subparagraph (A)—

17 (i) in the Federal Register; and

18 (ii) on—

19 (I) the website of the Commis-
20 sion; or

21 (II) regulations.gov.

22 (5) CONSULTATION.—

23 (A) IN GENERAL.—Not later than 30 days
24 after the date on which the report required
25 under paragraph (1) is published, the Commis-

1 sion shall complete a consultation with the chair
2 and ranking minority member of the commit-
3 tees of jurisdiction in the House of Representa-
4 tives and Senate, and with the head of each
5 agency that has enforcement jurisdiction with
6 respect to rules recommended for modification,
7 consolidation, harmonization, or repeal, regard-
8 ing the contents of the report.

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

11 (i) the opportunity for the chair and
12 ranking minority member of the commit-
13 tees of jurisdiction to provide substantive
14 feedback or recommendations related to
15 the regulatory changes contained in the re-
16 port required under paragraph (1);

17 (ii) the opportunity for the chair and
18 ranking minority member of the commit-
19 tees of jurisdiction to provide recommenda-
20 tions for alternative means of achieving a
21 reduction in regulatory costs while main-
22 taining the same level of benefits to soci-
23 ety; and

24 (iii) the opportunity for the head of
25 each agency potentially affected by the

1 Commission's recommendations to provide
2 substantive input into the reform process.

3 (h) REPORT TO CONGRESS.—

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

7 (A) review any comments received under
8 subsection (g)(4);

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

12 (C) submit the revised report to Congress.

13 (2) CONTENTS.—The revised report required to
14 be submitted to Congress under paragraph (1) shall
15 include—

16 (A) the findings and conclusions of the
17 Commission for the improvement of covered
18 regulations examined by the Commission;

19 (B) a list of recommendations for changes
20 to the covered regulations examined by the
21 Commission, which may include recommenda-
22 tions for modification, consolidation, harmoni-
23 zation, or repeal of such covered regulations;
24 and

1 (C) recommended legislative language to
2 implement the recommendations in subpara-
3 graph (B).

4 (i) CONGRESSIONAL CONSIDERATION OF LEGISLA-
5 TIVE LANGUAGE TO IMPLEMENT RECOMMENDATIONS.—

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

10 (A) The title of the bill is as follows: “A
11 Bill to implement the recommendations of the
12 Pandemic Preparedness, Response, and Rapid
13 Recovery Commission.”.

14 (B) The bill is introduced in the House of
15 Representatives or the Senate (as the case may
16 be)—

17 (i) not later than 3 days (excluding
18 Saturdays, Sundays, and holidays, and any
19 day on which the House or the Senate, as
20 the case may be, is not in session because
21 of an adjournment sine die, a recess of
22 more than three days, or an adjournment
23 of more than three days) after the date on
24 which the Commission submits the revised

1 report to Congress under subsection
2 (h)(1); or

3 (ii) if the Congress during which the
4 Commission submits such report adjourns
5 sine die prior to the expiration of the 60-
6 day period which begins on the date the
7 Commission submits the report (excluding
8 Saturdays, Sundays, and holidays, and any
9 day on which neither House is in session
10 because of an adjournment sine die, a re-
11 cess of more than three days, or an ad-
12 journment of more than three days), on
13 the first day of the next Congress.

14 (C) The text of the bill consists exclusively
15 of the recommended legislative language to im-
16 plement the recommendations of the Commis-
17 sion which is included in the revised report sub-
18 mitted to Congress under subsection (h)(1), as
19 certified by the Chair of the Commission to the
20 Speaker of the House of Representatives or the
21 President pro tempore of the Senate (as the
22 case may be).

23 (2) CONSIDERATION IN THE HOUSE OF REP-
24 RESENTATIVES.—

1 (A) REFERRAL AND REPORTING.—Any
2 committee of the House of Representatives to
3 which the Commission bill is referred shall re-
4 port it to the House without amendment not
5 later than 30 days after the date on which the
6 Commission bill is introduced under paragraph
7 (1). If a committee fails to report the Commis-
8 sion bill within that period, it shall be in order
9 to move that the House discharge the com-
10 mittee from further consideration of the Com-
11 mission bill. Such a motion shall not be in order
12 after the last committee authorized to consider
13 the Commission bill reports it to the House or
14 after the House has disposed of a motion to
15 discharge the Commission bill. The previous
16 question shall be considered as ordered on the
17 motion to its adoption without intervening mo-
18 tion except 3 hours of debate equally divided
19 and controlled by the proponent and an oppo-
20 nent. If such a motion is adopted, the House
21 shall proceed immediately to consider the Com-
22 mission bill in accordance with subparagraphs
23 (B) and (C). A motion to reconsider the vote by
24 which the motion is disposed of shall not be in
25 order.

1 (B) PROCEEDING TO CONSIDERATION.—
2 After the last committee authorized to consider
3 the Commission bill reports it to the House or
4 has been discharged (other than by motion)
5 from its consideration, it shall be in order to
6 move to proceed to consider the Commission bill
7 in the House. Such a motion shall not be in
8 order after the House has disposed of a motion
9 to proceed with respect to the Commission bill.
10 The previous question shall be considered as or-
11 dered on the motion to its adoption without in-
12 tervening motion. A motion to reconsider the
13 vote by which the motion is disposed of shall
14 not be in order.

15 (C) CONSIDERATION.—The Commission
16 bill shall be considered as read. All points of
17 order against the Commission bill and against
18 its consideration are waived. The previous ques-
19 tion shall be considered as ordered on the Com-
20 mission bill to its passage without intervening
21 motion except 10 hours of debate equally di-
22 vided and controlled by the proponent and an
23 opponent and one motion to limit debate on the
24 Commission bill. A motion to reconsider the

1 vote on passage of the Commission bill shall not
2 be in order.

3 (D) VOTE ON PASSAGE.—The vote on pas-
4 sage of the Commission bill shall occur not later
5 than 60 days after the date on which the Com-
6 mission bill is discharged from the last com-
7 mittee authorized to consider the Commission
8 bill.

9 (3) CONSIDERATION IN THE SENATE.—

10 (A) COMMITTEE CONSIDERATION.—A
11 Commission bill introduced in the Senate under
12 paragraph (1) shall be jointly referred to the
13 committee or committees of jurisdiction, which
14 committees shall report the bill without any re-
15 vision and with a favorable recommendation, an
16 unfavorable recommendation, or without rec-
17 ommendation, not later than 30 days after the
18 date on which the Commission bill is intro-
19 duced. If any committee fails to report the bill
20 within that period, that committee shall be
21 automatically discharged from consideration of
22 the bill, and the bill shall be placed on the ap-
23 propriate calendar.

24 (B) MOTION TO PROCEED.—Notwith-
25 standing Rule XXII of the Standing Rules of

1 the Senate, it is in order, not later than 2 days
2 of session after the date on which a Commis-
3 sion bill is reported or discharged from all com-
4 mittees to which it was referred, for the major-
5 ity leader of the Senate or the majority leader's
6 designee to move to proceed to the consider-
7 ation of the Commission bill. It shall also be in
8 order for any Member of the Senate to move to
9 proceed to the consideration of the Commission
10 bill at any time after the conclusion of such 2-
11 day period. A motion to proceed is in order
12 even though a previous motion to the same ef-
13 fect has been disagreed to. All points of order
14 against the motion to proceed to the Commis-
15 sion bill are waived. The motion to proceed is
16 not debatable. The motion is not subject to a
17 motion to postpone. A motion to reconsider the
18 vote by which the motion is agreed to or dis-
19 agreed to shall not be in order. If a motion to
20 proceed to the consideration of the Commission
21 bill is agreed to, the Commission bill shall re-
22 main the unfinished business until disposed of.

23 (C) CONSIDERATION.—All points of order
24 against the Commission bill and against consid-
25 eration of the Commission bill are waived. Con-

1 sideration of the Commission bill and of all de-
2 batable motions and appeals in connection
3 therewith shall not exceed a total of 10 hours
4 which shall be divided equally between the ma-
5 jority and minority leaders or their designees. A
6 motion further to limit debate on the Commis-
7 sion bill is in order, shall require an affirmative
8 vote of a majority of the Members duly chosen
9 and sworn, and is not debatable. Any debatable
10 motion or appeal is debatable for not to exceed
11 1 hour, to be divided equally between those fa-
12 voring and those opposing the motion or appeal.
13 All time used for consideration of the Commis-
14 sion bill, including time used for quorum calls
15 and voting, shall be counted against the total
16 10 hours of consideration.

17 (D) NO AMENDMENTS.—An amendment to
18 the Commission bill, or a motion to postpone,
19 or a motion to proceed to the consideration of
20 other business, or a motion to recommit the
21 Commission bill, is not in order.

22 (E) VOTE ON PASSAGE.—If the Senate has
23 voted to proceed to the Commission bill, the
24 vote on passage of the Commission bill shall
25 occur immediately following the conclusion of

1 the debate on a Commission bill, and a single
2 quorum call at the conclusion of the debate if
3 requested. The vote on passage of the Commis-
4 sion bill shall occur not later than 60 days after
5 the date on which the Commission bill is dis-
6 charged from all committees to which the Com-
7 mission bill was referred.

8 (F) RULINGS OF THE CHAIR ON PROCE-
9 DURE.—Appeals from the decisions of the Chair
10 relating to the application of the rules of the
11 Senate, as the case may be, to the procedure re-
12 lating to a Commission bill shall be decided
13 without debate.

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

17 (5) CONSIDERATION BY THE OTHER HOUSE.—

18 (A) IN GENERAL.—If, before passing the
19 Commission bill, one House receives from the
20 other a Commission bill—

21 (i) the Commission bill of the other
22 House shall not be referred to a com-
23 mittee; and

24 (ii) the procedure in the receiving
25 House shall be the same as if no Commis-

1 sion bill had been received from the other
2 House until the vote on passage, when the
3 Commission bill received from the other
4 House shall supplant the Commission bill
5 of the receiving House.

6 (B) REVENUE MEASURE.—This subsection
7 shall not apply to the House of Representatives
8 if the Commission bill received from the Senate
9 is a revenue measure.

10 (6) RULES TO COORDINATE ACTION WITH
11 OTHER HOUSE.—

12 (A) TREATMENT OF COMMISSION BILL OF
13 OTHER HOUSE.—If the Senate fails to introduce
14 or consider a Commission bill under this sec-
15 tion, the Commission bill of the House shall be
16 entitled to expedited floor procedures under this
17 section.

18 (B) TREATMENT OF COMPANION MEAS-
19 URES IN THE SENATE.—If following passage of
20 the Commission bill in the Senate, the Senate
21 then receives the Commission bill from the
22 House of Representatives, the House-passed
23 Commission bill shall not be debatable. The
24 vote on passage of the Commission bill in the
25 Senate shall be considered to be the vote on

1 passage of the Commission bill received from
2 the House of Representatives.

3 (C) VETOES.—If the President vetoes the
4 Commission bill, debate on a veto message in
5 the Senate under this section shall be 1 hour
6 equally divided between the majority and minor-
7 ity leaders or their designees.

8 (j) NOTICE TO REGULATORY AGENCIES.—

9 (1) ENACTMENT OF COMMISSION BILL.—If the
10 Commission bill is enacted into law, the President
11 shall—

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

14 (i) provide notice to the affected regu-
15 latory agencies; and

16 (ii) publish notice of enactment in the
17 Federal Register and online; and

18 (B) require affected regulatory agencies to
19 implement the Commission bill not later than
20 60 days after the date on which the Commis-
21 sion bill is enacted into law.

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

1 **SEC. 6. POWERS OF THE COMMISSION.**

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

6 (b) INFORMATION FROM FEDERAL AGENCIES.—

7 (1) IN GENERAL.—The Commission is author-
8 ized to secure directly from any executive depart-
9 ment, bureau, agency, board, commission, office,
10 independent establishment, or instrumentality of the
11 Government, information, suggestions, estimates,
12 and statistics for the purpose of this Act.

13 (2) PROVISION OF INFORMATION.—Each de-
14 partment, bureau, agency, board, commission, office,
15 independent establishment, or instrumentality shall,
16 to the extent authorized by law, furnish such infor-
17 mation, suggestions, estimates, and statistics di-
18 rectly to the Commission, upon request made by the
19 chair, the chair of any subcommittee created by the
20 Commission, or any member designated by a major-
21 ity of the Commission.

22 (3) RECEIPT, HANDLING, STORAGE, AND DIS-
23 SEMINATION.—Information described in this sub-
24 section shall only be received, handled, stored, and
25 disseminated by members of the Commission and its

1 staff consistent with all applicable statutes, regula-
2 tions, and Executive orders.

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

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

9 (e) SPACE FOR USE OF COMMISSION.—

10 (1) IN GENERAL.—Not later than 30 days after
11 the date of enactment of this Act, the Architect of
12 the Capitol and the Administrator of General Serv-
13 ices shall support on a reimbursable basis the oper-
14 ations of the Commission, including the identifica-
15 tion of suitable space to house the Commission.

16 (2) LEASE.—If the Architect and the Adminis-
17 trator are not able to make such suitable space
18 available prior to the expiration of the 30-day period
19 described in paragraph (1), the Commission shall
20 lease space to the extent that funds are available.

21 **SEC. 7. COMMISSION PERSONNEL MATTERS.**

22 (a) COMPENSATION OF MEMBERS.—Each member of
23 the Commission shall be compensated at a rate equal to
24 the daily equivalent of the annual rate of basic pay pre-
25 scribed for level IV of the Executive Schedule under sec-

1 tion 5315 of title 5, United States Code, for each day (in-
2 cluding travel time) during which such member is engaged
3 in the performance of the duties of the Commission.

4 (b) TRAVEL EXPENSES.—The members of the Com-
5 mission shall be allowed travel expenses, including per
6 diem in lieu of subsistence, at rates authorized for employ-
7 ees of agencies under subchapter I of chapter 57 of title
8 5, United States Code, while away from their homes or
9 regular places of business in the performance of services
10 for the Commission.

11 (c) STAFF.—

12 (1) IN GENERAL.—The Chair of the Commis-
13 sion may, without regard to the civil service laws
14 and regulations, appoint and terminate an executive
15 director and such other additional personnel as may
16 be necessary to enable the Commission to perform
17 its duties.

18 (2) CONFIRMATION OF EXECUTIVE DIREC-
19 TOR.—The employment of an executive director of
20 the Commission shall be subject to confirmation by
21 the Commission.

22 (3) COMPENSATION.—The Chair of the Com-
23 mission may fix the compensation of the executive
24 director and other personnel of the Commission
25 without regard to chapter 51 and subchapter III of

1 chapter 53 of title 5, United States Code, relating
2 to classification of positions and General Schedule
3 pay rates, except that the rate of pay for the execu-
4 tive director and other personnel may not exceed the
5 rate payable for level V of the Executive Schedule
6 under section 5316 of such title.

7 (4) AGENCY ASSISTANCE.—Following consulta-
8 tion with and upon the request of the Chair of the
9 Commission, the head of any agency may detail an
10 employee of the agency to the Commission without
11 reimbursement, and such detail shall be without
12 interruption or loss of civil service status or privi-
13 lege.

14 (5) GAO AND OIRA ASSISTANCE.—The Comp-
15 troller General of the United States and the Admin-
16 istrator of the Office of Information and Regulatory
17 Affairs may, upon request, provide assistance, in-
18 cluding the detailing of employees, to the Commis-
19 sion in accordance with an agreement entered into
20 with the Commission.

21 (d) PROCUREMENT OF TEMPORARY AND INTERMIT-
22 TENT SERVICES.—The Chair of the Commission may pro-
23 cure temporary and intermittent services under section
24 3109(b) of title 5, United States Code, at rates for individ-
25 uals which do not exceed the daily equivalent of the annual

1 rate of basic pay prescribed for level V of the Executive
2 Schedule under section 5316 of such title.

3 (e) CONTRACTING AUTHORITY.—The Commission
4 may acquire administrative supplies and equipment for
5 Commission use to the extent funds are available.

6 (f) ADMINISTRATIVE SUPPORT.—The Administrator
7 of General Services shall provide to the Commission, on
8 a reimbursable basis, the administrative support services
9 necessary for the Commission to carry out its responsibil-
10 ities under this Act.

11 (g) APPLICATION OF CONGRESSIONAL ACCOUNT-
12 ABILITY ACT OF 1995.—For purposes of the Congres-
13 sional Accountability Act of 1995 (2 U.S.C. 1301 et
14 seq.)—

15 (1) the Commission shall be considered an em-
16 ploying office; and

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

19 **SEC. 8. TERMINATION OF THE COMMISSION.**

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

1 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

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

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