H. R. ______

To establish the National Commission on the COVID–19 Pandemic.

IN THE HOUSE OF REPRESENTATIVES

Mr. RODNEY DAVIS of Illinois introduced the following bill; which was referred to the Committee on ____________

A BILL

To establish the National Commission on the COVID–19 Pandemic.

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.

4 This Act may be cited as the “Pandemic Rapid Re-
5 sponse Act”.

6 SEC. 2. ESTABLISHMENT OF COMMISSION.

7 There is established in the legislative branch the Na-
8 tional Commission on the COVID–19 Pandemic (in this
9 Act referred to as the “Commission”).
SEC. 3. MEMBERSHIP.

(a) IN GENERAL.—The Commission shall be composed of 10 members as follows:

(1) 1 member, who shall serve as the Chair of the Commission, shall be appointed by the Speaker of the House of Representatives in consultation with the Majority Leader of the Senate and the Minority Leader of the House.

(2) 1 member, who shall serve as Vice Chair of the Commission, shall be appointed by the Majority Leader of the Senate in consultation with the Speaker and the Minority Leader of the Senate.

(3) 2 members shall be appointed by the Majority Leader of the Senate.

(4) 2 members shall be appointed by the Minority Leader of the Senate.

(5) 2 members shall be appointed by the Speaker of the House of Representatives.

(6) 1 member shall be appointed by the Minority Leader of the House of Representatives.

(7) 1 member shall be appointed by the President.

(b) QUALIFICATIONS; INITIAL MEETING.—

(1) POLITICAL PARTY AFFILIATION.—Not more than 5 members of the Commission shall be from the same political party.
(2) NONGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be an officer or employee of the Federal Government or any State or local government.

(3) OTHER QUALIFICATIONS.—It is the sense of Congress that individuals appointed to the Commission should be prominent citizens of the United States, with national recognition and significant depth of experience in such professions as governmental service, biological science, and higher education, and that members should include individuals with expertise in the medical community, including hospital experts and administrators.

(4) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed on or before December 15, 2020.

(5) INITIAL MEETING.—The Commission shall hold its initial meeting and begin to carry out its duties as soon as practicable after the appointment of its members.

(e) QUORUM; VACANCIES.—After its initial meeting, the Commission shall meet upon the call of the Chair or a majority of its members. 6 members of the Commission shall constitute a quorum. Any vacancy in the Commission
shall not affect its powers, but shall be filled in the same
manner in which the original appointment was made.

(d) COMPENSATION.—Each member of the Commis-
sion may be compensated at not to exceed the daily equiva-
 lent of the annual rate of basic pay in effect for a position
at level IV of the Executive Schedule under section 5315
of title 5, United States Code, for each day during which
that member is engaged in the actual performance of the
duties of the Commission.

(e) ESTABLISHMENT OF SUBCOMMITTEES.—With
the approval of a majority of its members, the Commission
may establish and assign duties to a subcommittee within
the Commission.

SEC. 4. DUTIES.

(a) IN GENERAL.—The duties of the Commission are
to—

(1) conduct an investigation on the relevant
facts and circumstances relating to the COVID–19
pandemic;

(2) compile a comprehensive national plan to
respond to future global and national viral outbreaks
and medical emergencies in light of the COVID–19
pandemic;

(3) ascertain, evaluate, and report on the evi-
dence developed by all relevant governmental agen-
cies regarding the facts and circumstances sur-
rounding the COVID–19 pandemic, including the
cause and location of the original virus outbreak as
well as the documented testing shortages and testing
failures associated with the virus;

(4) make a full and complete accounting of the
circumstances surrounding the pandemic, and the
extent of the Nation’s preparedness for, and imme-
diate response to, the pandemic;

(5) examine the preparedness and adequacy of
the Strategic National Stockpile of medical equip-
ment, and develop and make recommendations for
implementing a national plan in partnership with
Federal, State, and local governments and private
industry to adequately respond in the event of a fu-
ture global or national pandemic;

(6) identify, review, and evaluate the lessons
learned from the COVID–19 pandemic regarding the
structure, coordination, management policies, and
procedures of the Federal Government, and, if ap-
propriate, State and local governments and non-
governmental entities, with respect to detecting, pre-
venting, and responding to the spread of infectious
disease; and
(7) submit to the President and Congress such reports as are required by this Act on its findings, conclusions, and recommendations for corrective measures that can be taken to prevent a similar outbreak from occurring in the future, including appropriate organization, coordination, planning, management arrangements, procedures, rules, and regulations.

(b) AVOIDING UNNECESSARY DUPLICATION OF WORK.—In carrying out its duties, the Commission shall avoid unnecessary duplication of work by—

(1) building upon and reviewing the findings, conclusions, and recommendations resulting from investigations of the COVID–19 pandemic by other government entities, including—

(A) investigations made by the Government Accountability Office under the Coronavirus Aid, Relief, and Economic Security Act;

(B) investigations made by committees of Congress with jurisdiction over issues relating to the pandemic; and

(C) investigations made by other executive branch offices, including independent commissions;
(2) including in its reports relevant facts and circumstances relating to any reports or investigations that have already been conducted by Federal agencies such as the Department of Health and Human Services, the Centers for Disease Control and Prevention, the Food and Drug Administration, and any other Federal agencies that may have compiled relevant information on the pandemic; and

(3) giving priority to pursuing areas of inquiry on the pandemic that the Commission determines are based on newly available information or that otherwise have not yet been investigated by the relevant Federal agencies and committees of Congress.

SEC. 5. POWERS OF COMMISSION.

(a) HEARINGS AND EVIDENCE.—The Commission may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission is authorized to secure directly from any department, agency, or office of the United States such information as the Commission determines to be necessary to carry
out this Act. The head of each such department, agency, or office shall furnish such information to the Commission upon request made by the chair of the Commission, the chair of any subcommittee established by the Commission, or any member designated to by a majority of the Commission to receive such information.

(2) **TREATMENT OF INFORMATION RECEIVED.**—
Any information obtained by the Commission under this subsection shall be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive orders.

(e) **ASSISTANCE FROM OTHER SOURCES.**—

(1) **GENERAL SERVICES ADMINISTRATION.**—
The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission’s duties.

(2) **OTHER DEPARTMENTS AND AGENCIES.**—In addition to the assistance prescribed in paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as they
may determine advisable and as may be authorized
by law.

(3) Consultation with other organizations.—In addition to assistance from Federal
agencies, departments, and congressional committees
of jurisdiction, the Commission shall consult the
World Health Organization and other global health
experts outside the United States.

(d) Public availability of hearings and reports.—

(1) In general.—To the extent appropriate,
the Commission shall—

(A) hold public hearings and meetings; and

(B) release public versions of its reports.

(2) Requirements for public hearings.—
Any public hearings of the Commission shall be con-
ducted in a manner consistent with the protection of
information provided to or developed for or by the
Commission as required by any applicable statute,
regulation, or Executive order.

(e) Application of Congressional Accountability Act of 1995.—For purposes of the Congres-
sional Accountability Act of 1995 (2 U.S.C. 1301 et
seq.)—
the Commission shall be considered an employing office; and

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

SEC. 6. STAFF OF COMMISSION.

(a) AUTHORIZING APPOINTMENT OF STAFF.—The Chair of the Commission, in consultation with the Vice Chair of the Commission and in accordance with rules adopted by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its duties.

(b) EXPERTS AND CONSULTANTS.—Subject to rules prescribed by the Commission, the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(c) STAFF OF FEDERAL AGENCIES.—Upon request of the Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this Act.

SEC. 7. REPORTS; TERMINATION.

(a) REPORTS.—

(1) INTERIM REPORTS.—The Commission may submit to the President and Congress interim re-
ports containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(2) FINAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Commission shall submit to the President and Congress a final report containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(b) TERMINATION.—The Commission shall terminate 60 days after the date on which the final report is submitted under this section.

SEC. 8. FUNDING.

There are authorized to be appropriated to the Commission such sums as may be necessary for the Commission to carry out its duties under this Act, of which—

(1) 50 percent shall be derived from the contingent fund of the Senate; and

(2) 50 percent shall be derived from the applicable accounts of the House of Representatives.