

117TH CONGRESS
1ST SESSION

S. 412

To establish the Commission on the Coronavirus Pandemic in the United States.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 24, 2021

Mr. MENENDEZ (for himself, Ms. COLLINS, Mr. WYDEN, and Mr. BROWN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish the Commission on the Coronavirus Pandemic in the United States.

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 “National Coronavirus
5 Commission Act of 2021”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) COVID–19.—The term “COVID–19”
9 means the 2019 novel coronavirus disease.

1 (2) RELEVANT COMMITTEES OF CONGRESS.—

2 The term “relevant committees of Congress”—

3 (A) means all committees for which infor-
4 mation in the report or plan being provided
5 might be relevant; and

6 (B) includes, at a minimum—

7 (i) the Committee on Health, Edu-
8 cation, Labor, and Pensions, the Com-
9 mittee on Finance, the Committee on For-
10 eign Relations, the Committee on Banking,
11 Housing, and Urban Affairs, the Com-
12 mittee on Homeland Security and Govern-
13 ment Affairs, the Committee on Appropria-
14 tions, and the Select Committee on Intel-
15 ligence of the Senate; and

16 (ii) the Committee on Energy and
17 Commerce, the Committee on Ways and
18 Means, the Committee on Foreign Affairs,
19 the Committee on Oversight and Reform,
20 the Committee on Homeland Security, the
21 Committee on Appropriations, and the
22 Permanent Select Committee on Intel-
23 ligence of the House of Representatives.

1 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

2 There is established in the legislative branch the
3 Commission on the Coronavirus Pandemic in the United
4 States (referred to in this Act as the “Commission”).

5 **SEC. 4. PURPOSES.**

6 The purposes of the Commission are to—

7 (1) examine and report on the facts and the
8 causes relating to the COVID–19 pandemic in the
9 United States, which may include investigating and
10 reporting on—

11 (A) the origins of COVID–19; and

12 (B) the spread of COVID–19 internation-
13 ally and within the United States;

14 (2) make a full and nonpartisan accounting of
15 the United States preparedness for, and response to,
16 the COVID–19 pandemic, to include investigating
17 and reporting on—

18 (A) medical intelligence;

19 (B) international public health surveil-
20 lance;

21 (C) domestic public health surveillance;

22 (D) communication and coordination be-
23 tween the Federal Government and foreign gov-
24 ernments, the private sector, nongovernmental
25 organizations, and international public health
26 organizations related to public health threats

1 and early warning, detection, and prevention
2 and response measures;

3 (E) communication and coordination re-
4 lated to public health threats and early warn-
5 ing, detection, and prevention and response
6 measures among the Federal national security
7 agencies, Federal public health agencies, other
8 relevant Federal agencies, and State, Tribal,
9 local, and territorial governments;

10 (F) Federal funding and support for, en-
11 gagement with, and management of, inter-
12 national prevention, preparedness, and response
13 efforts;

14 (G) Federal guidance, assistance, and re-
15 quirements for State, Tribal, local, and terri-
16 torial governments;

17 (H) Federal acquisition and financing ef-
18 forts and supply chain management, including
19 use of the authorities provided under the De-
20 fense Production Act of 1950 (50 U.S.C. 4501
21 et seq.), related to personal protective equip-
22 ment, testing supplies, ventilators and other
23 medical equipment or supplies, diagnostics,
24 therapeutics, vaccines, or other relevant items
25 for domestic and international use;

1 (I) management, allocation, and distribu-
2 tion of relevant resources (including resources
3 and assets for domestic use held by United
4 States agencies that provide foreign aid) be-
5 tween the Federal Government and State, Trib-
6 al, local, and territorial governments, hospitals
7 and health care organizations, and private sec-
8 tor entities, including personal protective equip-
9 ment, testing supplies, ventilators and other
10 medical equipment or supplies, diagnostics,
11 therapeutics, vaccines, or other relevant items;

12 (J) management, allocation, and distribu-
13 tion of personal protective equipment, testing
14 supplies, ventilators and other medical equip-
15 ment or supplies, diagnostics, therapeutics, vac-
16 cines, or other relevant items as aid to foreign
17 countries;

18 (K) domestic and global supply chain
19 vulnerabilities with respect to personal protec-
20 tive equipment, testing supplies, ventilators and
21 other medical equipment or supplies, diagnos-
22 tics, therapeutics, vaccines, or other relevant
23 items;

24 (L) the operation of government-main-
25 tained stockpiles;

1 (M) scams and profiteering;

2 (N) misinformation and disinformation;

3 (O) the readiness of Federal, State, Tribal,
4 local, and territorial public health departments
5 and agencies and relevant regional entities;

6 (P) testing and contact tracing operations;

7 (Q) emergency management;

8 (R) military engagement, including the Na-
9 tional Guard Bureau;

10 (S) Federal, State, Tribal, local, and terri-
11 torial orders and guidance to reduce disease
12 transmission, including travel restrictions, stay-
13 at-home orders, in-person school and institution
14 of higher education closures or modifications,
15 workplace protections or closures, or business
16 closures or modifications;

17 (T) Federal, State, Tribal, local, and terri-
18 torial guidance, public health education, and re-
19 source provision related to masking, social
20 distancing, hygiene, therapeutics, testing, quar-
21 antining, vaccination, or other relevant topics;

22 (U) scientific and technological prepared-
23 ness and response, which may include—

24 (i) the Federal role in executing, sup-
25 porting, and coordinating domestic and

global research on diagnostics, therapeutics, and vaccines;

(ii) the efficacy and scientific integrity of the Federal authorization and approval processes for vaccines, therapeutics, and diagnostics; and

(iii) the use of technology to detect and prevent contagion, including privacy concerns;

(V) the preparedness and response of specific types of institutions that experienced high rates of COVID–19 infection or that are critical to national security, which may include—

(i) hospitals;

(ii) skilled nursing facilities and nursing facilities;

(iii) assisted living facilities;

(iv) prisons, jails, and immigration detention centers;

(v) elementary and secondary schools and institutions of higher education;

(vi) food production, processing, and distribution facilities;

(vii) other congregate settings and confined or high-density workplaces; and

1 (viii) other critical infrastructure fa-
2 cilities;

3 (W) Federal economic relief programs, in-
4 cluding—

5 (i) loan, grant, and other financial as-
6 sistance;

7 (ii) unemployment insurance;

8 (iii) tax and loan deferment;

9 (iv) direct payments;

10 (v) rental and mortgage assistance,
11 eviction moratoria, and foreclosure relief;
12 and

13 (vi) fiscal relief to States, Tribes, lo-
14 calities, and territories;

15 (X) health and economic impacts on under-
16 served communities, rural populations, racial
17 and ethnic minority populations, older adults,
18 and all other populations with relevant health
19 or economic disparities, which may include—

20 (i) immigrant populations;

21 (ii) lesbian, gay, bisexual, transgen-
22 der, and queer individuals;

23 (iii) people with disabilities;

24 (iv) people who live on or near Indian
25 reservations or in Alaska Native villages;

1 (v) residents of territories of the
2 United States; and

3 (vi) veterans;

4 (Y) the division of authority and respon-
5 sibilities between the Federal Government and
6 State, Tribal, local, and territorial governments;

7 (Z) any other aspect of Federal, State,
8 Tribal, local, and territorial government pre-
9 paredness and response; and

10 (AA) other areas as determined relevant
11 and appropriate by the Commission (by agree-
12 ment of the chair and vice chair of the Commis-
13 sion); and

14 (3) investigate and report to the President and
15 Congress on its findings, conclusions, and rec-
16 ommendations to improve the ability of the Federal
17 Government, State, Tribal, local, and territorial gov-
18 ernments, and the private sector to—

19 (A) prevent, detect, respond to, and pre-
20 pare for future epidemics and pandemics,
21 whether naturally occurring or caused by State
22 or non-State actors, and other public health
23 emergencies;

24 (B) protect the health security of the
25 United States; and

1 (C) reestablish the role of the United
2 States as a global leader in epidemic and pan-
3 demic preparedness and response.

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

5 (a) MEMBERS.—The Commission shall be comprised
6 of 10 members, of whom—

7 (1) 1 member shall be appointed by the Presi-
8 dent, who shall serve as the chair of the Commis-
9 sion;

10 (2) 1 member shall—

11 (A) be appointed by the leader of the Sen-
12 ate who represents the major political party
13 that the President does not represent, in con-
14 sultation with the leader of the House of Rep-
15 resentatives from the same political party; and

16 (B) serve as the vice chair of the Commis-
17 sion;

18 (3) 2 members shall be appointed by the senior
19 member of the Senate leadership of the Democratic
20 Party;

21 (4) 2 members shall be appointed by the senior
22 member of the Senate leadership of the Republican
23 Party;

1 (5) 2 members shall be appointed by the senior
2 member of the leadership of the House of Represent-
3 atives of the Republican Party; and

4 (6) 2 members shall be appointed by the senior
5 member of the leadership of the House of Represent-
6 atives of the Democratic Party.

7 (b) QUALIFICATIONS.—

8 (1) POLITICAL PARTY AFFILIATION.—Not more
9 than 5 members of the Commission shall be from
10 the same political party.

11 (2) NONGOVERNMENTAL APPOINTEES.—An in-
12 dividual appointed to the Commission shall not—

13 (A) be an officer or employee of the Fed-
14 eral Government or any State, Tribal, local, or
15 territorial government, except in the case of a
16 State employee who works at a public institu-
17 tion of higher education or State-funded re-
18 search institution; or

19 (B) have held a position in any agency, of-
20 fice, or other establishment in the executive,
21 legislative, or judicial branch of the Federal
22 Government, the functions and duties of which
23 included planning, coordinating, or imple-
24 menting any aspect of the Federal Government
25 response to the public health emergency de-

1 clared by the Secretary of Health and Human
 2 Services under section 319 of the Public Health
 3 Service Act (42 U.S.C. 247d) on January 31,
 4 2020, with respect to COVID–19, including a
 5 position that required the individual holding the
 6 position to attend meetings relating to that re-
 7 sponse.

8 (3) ETHICS AND CONFLICTS REPORT.—The
 9 Commission shall hire an ethics counsel, and not
 10 later than 30 days after the initial meeting of the
 11 Commission, the ethics counsel shall submit a de-
 12 tailed plan for identifying and resolving potential
 13 and actual conflicts of interest by any member of the
 14 Commission, including of an ethical, financial, or
 15 personal nature, or that could lead a reasonable per-
 16 son to conclude a conflict may exist, to the relevant
 17 committees of Congress

18 (4) OTHER QUALIFICATIONS.—

19 (A) GOVERNORS, PUBLIC HEALTH EX-
 20 PERTS, AND ECONOMIC POLICY EXPERTS.—In
 21 appointing members to the Commission, the ap-
 22 pointing individuals described in subsection (a)
 23 of the same political party shall coordinate to
 24 ensure that the members appointed by each po-
 25 litical party include—

- 1 (i) at least 1 former governor of a
- 2 State;
- 3 (ii) at least 1 public health expert;
- 4 and
- 5 (iii) at least 1 economic policy expert.

6 (B) SENSE OF CONGRESS.—It is the sense
 7 of Congress that individuals appointed to the
 8 Commission should be prominent United States
 9 citizens, with national recognition and signifi-
 10 cant depth of experience in such professions as
 11 governmental service, public health, global
 12 health, infectious diseases, pandemic prepared-
 13 ness and response, humanitarian response and
 14 relief, scientific research, public administration,
 15 intelligence gathering, commerce, national secu-
 16 rity, and foreign affairs.

17 (5) TIMELINE FOR APPOINTMENT.—All mem-
 18 bers of the Commission shall be appointed not later
 19 than 60 days after the date of enactment of this
 20 Act.

21 (6) VACANCIES.—Any vacancy in the Commis-
 22 sion shall not affect its powers, but shall be filled in
 23 the same manner in which the original appointment
 24 was made.

25 (c) MEETINGS.—

1 (1) INITIAL MEETING.—The Commission shall
 2 meet and begin the operations of the Commission
 3 within 45 days after the appointment of all Commis-
 4 sion members.

5 (2) ADDITIONAL MEETINGS.—After the initial
 6 meeting of the Commission, the Commission shall
 7 meet upon the call of the chair or a majority of the
 8 members of the Commission.

9 (3) QUORUM.—Six members of the Commission
 10 shall constitute a quorum. If required for public
 11 health reasons, Commission members may attend
 12 meetings virtually and virtual attendance shall count
 13 towards constituting a quorum.

14 **SEC. 6. FUNCTIONS OF THE COMMISSION.**

15 The functions of the Commission are to—

16 (1) conduct an investigation that—

17 (A) addresses the purposes described in
 18 section 4;

19 (B) investigates relevant facts and cir-
 20 cumstances relating to the COVID–19 pan-
 21 demic in the United States, including prepared-
 22 ness for, and the response to, the COVID–19
 23 pandemic by the Federal Government and, as
 24 appropriate, State, Tribal, territorial, and local
 25 governments, including any relevant legislation,

1 Executive order, regulation, plan, policy, prac-
2 tice, or procedure;

3 (C) includes relevant facts and cir-
4 cumstances relating to—

5 (i) domestic and international public
6 health agencies;

7 (ii) health care agencies;

8 (iii) financial, labor and housing agen-
9 cies;

10 (iv) education agencies;

11 (v) intelligence agencies;

12 (vi) defense and national security
13 agencies;

14 (vii) diplomacy and development agen-
15 cies;

16 (viii) White House offices and coun-
17 cils;

18 (ix) health care organizations;

19 (x) private sector entities;

20 (xi) scientific research agencies;

21 (xii) immigration and border control
22 agencies;

23 (xiii) international trade organiza-
24 tions;

25 (xiv) Congress;

1 (xv) State, Tribal, local, and terri-
2 torial government agencies;

3 (xvi) the role of congressional and
4 State government oversight and resource
5 allocation; and

6 (xvii) other areas of the public and
7 private sectors determined relevant by the
8 Commission for its inquiry;

9 (D) coordinates with and reviews the find-
10 ings, conclusions, and recommendations of
11 other relevant international, executive branch,
12 congressional, State, or independent commission
13 investigations into the COVID–19 pandemic, to
14 the extent determined appropriate by Commis-
15 sion members; and

16 (E) may include a comparative analysis of
17 relevant domestic or international best prac-
18 tices;

19 (2) identify, review, and evaluate the lessons
20 learned from the COVID–19 pandemic regarding the
21 structure, coordination, management policies, and
22 procedures of the Federal Government, State, Trib-
23 al, local, and territorial governments, and non-
24 governmental entities relative to detecting, pre-
25 venting, and responding to—

1 (A) epidemics and pandemics, whether nat-
 2 urally occurring or caused by State or non-
 3 State actors; and

4 (B) other public health emergencies; and

5 (3) submit to the President and Congress such
 6 reports as are required by this Act containing such
 7 findings, conclusions, and legislative, regulatory, and
 8 policy recommendations as the Commission shall de-
 9 termine, including proposing organization, coordina-
 10 tion, planning, management arrangements, proce-
 11 dures, rules, and regulations.

12 **SEC. 7. POWERS OF THE COMMISSION.**

13 (a) IN GENERAL.—

14 (1) HEARINGS AND EVIDENCE.—The Commis-
 15 sion or, on the authority of the Commission, any
 16 subcommittee or member thereof, may, for the pur-
 17 pose of carrying out this Act—

18 (A) hold such hearings, sit and act at such
 19 times and places, take such testimony, receive
 20 such evidence, and administer such oaths as the
 21 Commission or such designated subcommittee
 22 or designated member may determine advisable;
 23 and

24 (B) subject to paragraph (2)(A), require,
 25 by subpoena or otherwise, the attendance and

1 testimony of such witnesses and the production
 2 of such written, recorded, and electronic mate-
 3 rials as the Commission or such designated sub-
 4 committee or designated member may deter-
 5 mine advisable, including correspondence,
 6 memoranda, diplomatic cables, papers, docu-
 7 ments, reports, books, notes, records, text mes-
 8 sages, emails, voicemails, and communications,
 9 including communications sent from or received
 10 on both official and personal accounts and de-
 11 vices.

12 (2) SUBPOENAS.—

13 (A) ISSUANCE.—

14 (i) IN GENERAL.—A subpoena may be
 15 issued under this subsection only—

16 (I) by the agreement of the chair
 17 and the vice chair; or

18 (II) by the affirmative vote of a
 19 majority of the members of the Com-
 20 mission.

21 (ii) SIGNATURE.—Subject to clause
 22 (i), subpoenas issued under this subsection
 23 may be issued under the signature of the
 24 chair or any member designated by a ma-
 25 jority of the Commission, and may be

1 served by any person designated by the
2 chair or by a member designated by a ma-
3 jority of the Commission.

4 (B) ENFORCEMENT.—

5 (i) IN GENERAL.—In the case of con-
6 tumacy or failure to obey a subpoena
7 issued under this subsection, the United
8 States district court for the judicial district
9 in which the subpoenaed person resides, is
10 served, or may be found, or where the sub-
11 poena is returnable, may issue an order re-
12 quiring such person to appear at any des-
13 ignated place to testify or to produce docu-
14 mentary or other evidence. Any failure to
15 obey the order of the court may be pun-
16 ished by the court as a contempt of that
17 court.

18 (ii) ADDITIONAL ENFORCEMENT.—In
19 the case of any failure of any witness to
20 comply with any subpoena or to testify
21 when summoned under authority of this
22 section, the Commission may, by majority
23 vote, certify a statement of fact consti-
24 tuting such failure to the appropriate
25 United States attorney, who may bring the

1 matter before the grand jury for its action,
2 under the same statutory authority and
3 procedures as if the United States attorney
4 had received a certification under sections
5 102 through 104 of the Revised Statutes
6 of the United States (2 U.S.C. 192
7 through 194).

8 (b) CONTRACTING.—The Commission may, to such
9 extent and in such amounts as are provided in appropria-
10 tion Acts, enter into contracts to enable the Commission
11 to discharge its duties under this Act.

12 (c) INFORMATION FROM FEDERAL AGENCIES.—

13 (1) IN GENERAL.—The Commission is author-
14 ized to secure directly from any executive depart-
15 ment, bureau, agency, board, commission, office,
16 independent establishment, or instrumentality of the
17 Government, information, suggestions, estimates,
18 and statistics for the purposes of this Act. Notwith-
19 standing any other law or any assertion of privilege,
20 each department, bureau, agency, board, commis-
21 sion, office, independent establishment, or instru-
22 mentality shall furnish, without redaction, such
23 records, information, suggestions, estimates, and
24 statistics directly to the Commission, upon request
25 made by the chair, the chair of any subcommittee

1 created by a majority of the Commission, or any
2 member designated by a majority of the Commis-
3 sion.

4 (2) RECEIPT, HANDLING, STORAGE, AND DIS-
5 SEMINATION.—Information shall only be received,
6 handled, stored, and disseminated by members of
7 the Commission and its staff consistent with all ap-
8 plicable statutes, regulations, and Executive orders.

9 (d) ASSISTANCE FROM FEDERAL AGENCIES.—

10 (1) GENERAL SERVICES ADMINISTRATION.—
11 The Administrator of General Services shall provide
12 to the Commission on a reimbursable basis adminis-
13 trative support and other services for the perform-
14 ance of the Commission's functions.

15 (2) OTHER DEPARTMENTS AND AGENCIES.—In
16 addition to the assistance prescribed in paragraph
17 (1), departments and agencies of the United States
18 may provide to the Commission such services, funds,
19 facilities, staff, and other support services as the de-
20 partments and agencies may determine advisable
21 and as may be authorized by law.

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

24 (f) POSTAL SERVICES.—The Commission may use
25 the United States mails in the same manner and under

1 the same conditions as departments and agencies of the
2 United States.

3 **SEC. 8. NONAPPLICABILITY OF THE FEDERAL ADVISORY**
4 **COMMISSION ACT.**

5 (a) IN GENERAL.—The Federal Advisory Committee
6 Act (5 U.S.C. App.) shall not apply to the Commission.

7 (b) PUBLIC MEETINGS AND RELEASE OF PUBLIC
8 VERSIONS OF REPORTS.—The Commission shall—

9 (1) hold public hearings and meetings to the ex-
10 tent appropriate; and

11 (2) release public versions of the reports re-
12 quired under subsections (a) and (b) of section 13.

13 (c) PUBLIC HEARINGS.—Any public hearings of the
14 Commission shall be conducted in a manner consistent
15 with the protection of information provided to or developed
16 for or by the Commission as required by any applicable
17 statute, regulation, or Executive order.

18 **SEC. 9. RECORD RETENTION.**

19 (a) COMMISSION RECORDS.—The Commission
20 shall—

21 (1) preserve the records and documents of the
22 Commission; and

23 (2) make such records and documents available
24 to the National Archives not later than 120 days fol-

1 lowing the submission of the Commission's final re-
2 port.

3 (b) FUTURE ACCESS.—Following the termination of
4 the Commission, the Secretary of the Senate shall be re-
5 sponsible for facilitating access to the publicly available
6 records and documents of the Commission, as if they were
7 Senate records, for researchers, interested parties, and the
8 general public.

9 (c) OFFICIAL ELECTRONIC ACCOUNTS FOR COMMIS-
10 SION BUSINESS.—When conducting any Commission busi-
11 ness on electronic accounts, members and staff of the
12 Commission shall use official Commission electronic ac-
13 counts.

14 **SEC. 10. STAFF OF THE COMMISSION.**

15 (a) IN GENERAL.—

16 (1) APPOINTMENT AND COMPENSATION.—The
17 chair, in consultation with the vice chair and in ac-
18 cordance with rules agreed upon by the Commission,
19 may appoint and fix the compensation of a staff di-
20 rector and such other personnel as may be necessary
21 to enable the Commission to carry out its functions,
22 without regard to the provisions of title 5, United
23 States Code, governing appointments in the competi-
24 tive service, and without regard to the provisions of
25 chapter 51 and subchapter III of chapter 53 of such

1 title relating to classification and General Schedule
2 pay rates, except that no rate of pay fixed under this
3 subsection may exceed the equivalent of that payable
4 for a position at level V of the Executive Schedule
5 under section 5316 of such title.

6 (2) NONPARTISAN STAFF.—The staff director
7 shall be responsible for the day-to-day authority over
8 the activities of the personnel of the Commission,
9 and the staff director and any other personnel of the
10 Commission shall be hired without regard to political
11 affiliation.

12 (3) PERSONNEL AS FEDERAL EMPLOYEES.—

13 (A) IN GENERAL.—The staff director and
14 any personnel of the Commission who are em-
15 ployees shall be employees under section 2105
16 of title 5, United States Code, for purposes of
17 chapters 63, 81, 83, 84, 85, 87, 89, and 90 of
18 that title.

19 (B) MEMBERS OF COMMISSION.—Subpara-
20 graph (A) shall not be construed to apply to
21 members of the Commission.

22 (b) DETAILEES.—Any Federal Government employee
23 may be detailed to the Commission without reimbursement
24 from the Commission, and such detailee shall retain the

1 rights, status, and privileges of his or her regular employ-
2 ment without interruption.

3 (c) CONSULTANT SERVICES.—The Commission is au-
4 thorized to procure the services of experts and consultants
5 in accordance with section 3109 of title 5, United States
6 Code, but at rates not to exceed the daily rate paid a per-
7 son occupying a position at level IV of the Executive
8 Schedule under section 5315 of title 5, United States
9 Code.

10 **SEC. 11. COMPENSATION AND TRAVEL EXPENSES.**

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

18 (b) TRAVEL EXPENSES.—While away from their
19 homes or regular places of business in the performance
20 of services for the Commission, members of the Commis-
21 sion shall be allowed travel expenses, including per diem
22 in lieu of subsistence, in the same manner as persons em-
23 ployed intermittently in the Government service are al-
24 lowed expenses under section 5703 of title 5, United
25 States Code.

1 **SEC. 12. SECURITY CLEARANCES FOR COMMISSION MEM-**
2 **BERS AND STAFF.**

3 The appropriate Federal agencies or departments
4 shall cooperate with the Commission in expeditiously pro-
5 viding to the Commission members and staff appropriate
6 security clearances to the extent possible pursuant to ex-
7 isting procedures and requirements, except that no person
8 shall be provided with access to classified information
9 under this Act without the appropriate security clearances.

10 **SEC. 13. REPORTS OF THE COMMISSION; TERMINATION.**

11 (a) INTERIM REPORTS.—The Commission may sub-
12 mit to the President and Congress interim reports con-
13 taining such findings, conclusions, and recommendations
14 for corrective measures as have been agreed to by a major-
15 ity of Commission members.

16 (b) FINAL REPORT.—

17 (1) IN GENERAL.—Not later than 18 months
18 after the date of appointment of all members of the
19 Commission, the Commission shall submit to the
20 President and the relevant committees of Congress
21 a final report containing such findings, conclusions,
22 and recommendations for corrective measures and
23 reforms as have been agreed to by a majority of the
24 members of the Commission.

25 (2) SENSE OF CONGRESS.—It is the sense of
26 Congress that the members of the Commission

1 should make the utmost effort to produce a com-
2 prehensive, fact-based, evidentiary, nonpartisan, and
3 actionable final report.

4 (c) ACCESSIBILITY.—The final report shall—

5 (1) simultaneously be made publicly available
6 on an internet website;

7 (2) be written in plain language, to the extent
8 deemed practicable by the Commission; and

9 (3) be made available in accessible formats and
10 multiple languages, to the extent determined prac-
11 ticable by the Commission.

12 (d) ALTERNATIVE MEDIUMS.—The Commission may
13 use alternative mediums to communicate key findings
14 from the final report to as many people of the United
15 States as possible.

16 (e) EXTENSIONS.—The submission and publication of
17 the final report, as described in subsection (b), may be
18 delayed by 90 days upon the agreement of a majority of
19 the members of the Commission. The Commission may
20 make not more than three 90-day extensions. The Com-
21 mission shall notify the President, Congress, and the pub-
22 lic of each such extension.

23 (f) TERMINATION.—

24 (1) IN GENERAL.—The Commission, and all the
25 authorities of this Act, shall terminate 120 days

1 after the date on which the final report is submitted
2 under subsection (b).

3 (2) ADMINISTRATIVE ACTIVITIES BEFORE TER-
4 MINATION.—The Commission may use the 120-day
5 period referred to in paragraph (1) for the purpose
6 of concluding its activities, including providing testi-
7 mony to committees of Congress concerning its re-
8 ports and disseminating the final report.

9 (g) GOVERNMENT ACCOUNTABILITY OFFICE RE-
10 PORT.—

11 (1) MONITORING.—The Comptroller General of
12 the United States shall monitor the implementation
13 of any Commission recommendations included in the
14 final report.

15 (2) REPORTS.—

16 (A) IN GENERAL.—One year after the final
17 Commission report is submitted under sub-
18 section (b), and each year thereafter for the fol-
19 lowing 3 years, the Comptroller General shall
20 submit to Congress a report regarding the sta-
21 tus of the Commission recommendations that—

22 (i) identifies each recommendation as
23 open or closed; and

24 (ii) provides a description of actions
25 taken in response to each recommendation.

1 (B) SCOPE OF REPORTS.—Each report re-
2 quired under subparagraph (A) shall not pro-
3 vide a critical assessment of the merit or value
4 of any Commission recommendation included in
5 the final Commission report.

6 **SEC. 14. FUNDING.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated to carry out this Act
9 \$50,000,000.

10 (b) DURATION OF AVAILABILITY.—Amounts made
11 available to the Commission under subsection (a) shall re-
12 main available until the termination of the Commission.

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