

116TH CONGRESS
2D SESSION

S. 3699

To establish the America Forward Commission to create a strategy to re-open the economy, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 12, 2020

Mr. SCHATZ (for himself, Ms. HARRIS, Mr. BOOKER, Mr. BENNET, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish the America Forward Commission to create a strategy to re-open the economy, 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.**

4 This Act may be cited as the “America Forward Act
5 of 2020”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) the coronavirus disease 2019 (referred to in
9 this Act as “COVID-19”) pandemic is a public
10 health and economic crisis;

1 (2) most of the Nation and the economy are
2 currently shut down to mitigate and prevent the
3 spread of COVID-19;

4 (3) the response to the pandemic and steps to
5 reopen the United States should be based on public
6 health and other expert guidelines;

7 (4) to restore the full functioning of the Nation,
8 an official advisory body to the Federal Government
9 to provide external, expert guidance and real-time
10 recommendations is necessary; and

11 (5) such recommendations should be available
12 to the public.

13 **SEC. 3. PURPOSE.**

14 The purpose of this Act is to establish an America
15 Forward Commission to create a strategy to re-open the
16 economy in light of the coronavirus disease pandemic.

17 **SEC. 4. AMERICA FORWARD COMMISSION.**

18 (a) ESTABLISHMENT.—There is established an inde-
19 pendent commission to be known as the America Forward
20 Commission (referred to in this Act as the “Commis-
21 sion”).

22 (b) MEMBERSHIP.—

23 (1) SELECTION.—The Comptroller General of
24 the United States is authorized to enter into a con-
25 tract with the National Academies of Science, Engi-

1 neering, and Medicine to appoint the members of the
2 Commission, in accordance with the requirements of
3 this subsection.

4 (2) NUMBER OF MEMBERS.—The Commission
5 shall consist of not less than 10 nor more than 15
6 members.

7 (3) QUALIFICATIONS.—

8 (A) IN GENERAL.—The Commission shall
9 include—

10 (i) not less than 1 expert in each of
11 the fields of economics, transportation,
12 medicine, and national security; and

13 (ii) not less than 1 officer (which may
14 include an elected official) or employee of
15 a State or local government.

16 (B) NO FEDERAL EMPLOYEES.—No em-
17 ployee of the Federal Government may serve on
18 the Commission.

19 (4) APPOINTMENT.—The appointments of the
20 members of the Commission shall be made not later
21 than 7 days after the date of enactment of this Act.

22 (5) PERIOD OF APPOINTMENT.—A member of
23 the Commission shall be appointed for the life of the
24 Commission.

1 (6) CHAIRPERSON AND VICE CHAIRPERSON.—

2 The Commission shall select a Chairperson and Vice
3 Chairperson from among the members of the Com-
4 mission.

5 (7) VACANCIES.—A vacancy in the Commis-
6 sion—

7 (A) shall not affect the powers of the Com-
8 mission; and

9 (B) shall be filled in the same manner, and
10 subject to all requirements, as described in this
11 section.

12 (c) MEETINGS.—

13 (1) INITIAL MEETING.—Not later than 14 days
14 after the date of enactment of this Act, the Commis-
15 sion shall hold the first meeting of the Commission.

16 (2) FREQUENCY.—The Commission shall meet
17 at the call of the Chairperson.

18 **SEC. 5. DUTIES.**

19 (a) IN GENERAL.—The Commission shall—

20 (1) examine the tools and techniques necessary
21 to ensure that Federal, State, and local governments
22 can diagnose, isolate, and mitigate the public health
23 and economic impacts of the coronavirus, including
24 seasonal reoccurrence;

1 (2) evaluate information-sharing policies and
2 practices for essential information between Federal,
3 State, and local stakeholders;

4 (3) develop recommendations for necessary
5 medical supplies, personal protective equipment, and
6 other materials;

7 (4) evaluate proposals to strengthen the resil-
8 ience of economic sectors and protect workers of the
9 United States who are most vulnerable to disruption
10 from viral pandemics;

11 (5) advise on best practices for strengthening
12 international trade, business, and tourism in a man-
13 ner that reduces the risk of foreign traveler-related
14 transmission of viral disease; and

15 (6) perform other advisory and research activi-
16 ties as determined necessary by the Commission.

17 (b) FINDINGS AND RECOMMENDATIONS.—On a roll-
18 ing basis as the Commission completes its findings or rec-
19 ommendations regarding any paragraph of subsection (a),
20 the Commission shall—

21 (1) submit such findings or recommendations to
22 the White House Coronavirus Task Force and Con-
23 gress; and

24 (2) make such findings or recommendations
25 available to the public.

1 (c) RESPONSE BY WHITE HOUSE.—Not later than
 2 7 days after receiving any findings or recommendations
 3 by the Commission under subsection (b), the White House
 4 Coronavirus Task Force shall—

5 (1) respond, in writing, to the Commission’s
 6 recommendations or findings; and

7 (2) make the Task Force’s response publicly
 8 available through the internet website of the White
 9 House.

10 (d) TRANSFERENCE OF DUTIES.—If, before the ter-
 11 mination of the Commission, the White House Coronavi-
 12 rus Task Force ceases to be in existence—

13 (1) any submissions to the Task Force required
 14 under subsection (b)(1) shall be made to the Presi-
 15 dent; and

16 (2) the President shall carry out the actions re-
 17 quired under subsection (c).

18 **SEC. 6. POWERS OF COMMISSION.**

19 (a) INFORMATION FROM FEDERAL AGENCIES.—

20 (1) IN GENERAL.—The Commission may secure
 21 directly from a Federal department or agency such
 22 information as the Commission considers necessary
 23 to carry out this Act.

24 (2) FURNISHING INFORMATION.—On request of
 25 the Chairperson of the Commission, the head of the

1 department or agency shall furnish the information
2 to the Commission.

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

9 **SEC. 7. COMMISSION PERSONNEL MATTERS.**

10 (a) COMPENSATION AND TRAVEL EXPENSES.—A
11 member of the Commission shall not be compensated, but
12 shall be allowed travel expenses, including per diem in lieu
13 of subsistence, at rates authorized for employees of agen-
14 cies under subchapter I of chapter 57 of title 5, United
15 States Code, while away from their homes or regular
16 places of business in the performance of services for the
17 Commission.

18 (b) ADMINISTRATIVE AND OPERATIONAL SUP-
19 PORT.—The Comptroller General of the United States is
20 authorized to enter into a contract with the National
21 Academies of Science, Engineering, and Medicine to pro-
22 vide administrative and operational support, including as-
23 sistance in procuring meeting space, for the Commission.

24 (c) STAFF.—The Commission may, without regard to
25 the civil service laws (including regulations), appoint such

1 personnel as may be necessary to enable the Commission
2 to perform its duties. The annual rate of basic pay for
3 an individual appointed under this subsection shall be
4 comparable to the annual rate of basic pay for an em-
5 ployee who occupies a position within the General Sched-
6 ule under subchapter III of chapter 53 of title 5, United
7 States Code, and has a similar level of experience as that
8 individual.

9 (d) DETAIL OF GOVERNMENT EMPLOYEES.—A Fed-
10 eral Government employee may, upon the request of the
11 Commission, be detailed to the Commission without reim-
12 bursement in order to provide technical and operational
13 support, and such detail shall be without interruption or
14 loss of civil service status or privilege.

15 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
16 TENT SERVICES.—The Chairperson of the Commission
17 may procure temporary and intermittent services under
18 section 3109(b) of title 5, United States Code, at rates
19 for individuals that do not exceed the daily equivalent of
20 the annual rate of basic pay prescribed for level V of the
21 Executive Schedule under section 5316 of that title.

22 (f) CONFLICTS OF INTEREST.—Notwithstanding sec-
23 tion 8(a), the Chairperson shall ensure that the interests
24 and affiliations of members of the Commission conform
25 with the conflict of interest statutes, regulations issued by

1 the Director of Office of Government Ethics including any
2 supplemental agency requirements, and other Federal eth-
3 ics rules that apply to members of advisory committees.

4 **SEC. 8. GENERAL RULES; TERMINATION.**

5 (a) INAPPLICABILITY OF FACA.—The Federal Advi-
6 sory Committee Act (5 U.S.C. App.) shall not apply with
7 respect to the Commission or the activities of the Commis-
8 sion.

9 (b) TERMINATION OF COMMISSION.—The Commis-
10 sion shall terminate not later than 1 year after the expira-
11 tion of the public health emergency declared by the Sec-
12 retary of Health and Human Service under section 319
13 of the Public Health Service Act (42 U.S.C. 247d) on Jan-
14 uary 31, 2020, with respect to COVID–19.

15 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated to carry out
17 this Act such sums as may be necessary.

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