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1 SEC. 5605. KEY NATIONAL INDICATORS.

(a) DEFINITIONS.—In this section:

(1) ACADEMY.—The term “Academy” means the National Academy of Sciences.

(2) COMMISSION.—The term “Commission” means the Commission on Key National Indicators established under subsection (b).

(3) INSTITUTE.—The term “Institute” means a Key National Indicators Institute as designated under subsection (c)(3).

(b) COMMISSION ON KEY NATIONAL INDICATORS.—

(1) ESTABLISHMENT.—There is established a “Commission on Key National Indicators”.

(2) MEMBERSHIP.—

(A) NUMBER AND APPOINTMENT.—The Commission shall be composed of 8 members, to be appointed equally by the majority and minority leaders of the Senate and the Speaker and minority leader of the House of Representatives.

(B) PROHIBITED APPOINTMENTS.—Members of the Commission shall not include Members of Congress or other elected Federal, State, or local government officials.

(C) QUALIFICATIONS.—In making appointments under subparagraph (A), the majority
and minority leaders of the Senate and the 
Speaker and minority leader of the House of 
Representatives shall appoint individuals who 
have shown a dedication to improving civic dia-
logue and decision-making through the wide use 
of scientific evidence and factual information.

(D) PERIOD OF APPOINTMENT.—Each 
member of the Commission shall be appointed 
for a 2-year term, except that 1 initial appoint-
ment shall be for 3 years. Any vacancies shall 
not affect the power and duties of the Commiss-
ion but shall be filled in the same manner as 
the original appointment and shall last only for 
the remainder of that term.

(E) DATE.—Members of the Commission 
shall be appointed by not later than 30 days 
after the date of enactment of this Act.

(F) INITIAL ORGANIZING PERIOD.—Not 
later than 60 days after the date of enactment 
of this Act, the Commission shall develop and 
implement a schedule for completion of the re-
view and reports required under subsection (d).

(G) CO-CHAIRPERSONS.—The Commission 
shall select 2 Co-Chairpersons from among its 
members.
(c) Duties of the Commission.—

(1) In general.—The Commission shall—

(A) conduct comprehensive oversight of a newly established key national indicators system consistent with the purpose described in this subsection;

(B) make recommendations on how to improve the key national indicators system;

(C) coordinate with Federal Government users and information providers to assure access to relevant and quality data; and

(D) enter into contracts with the Academy.

(2) Reports.—

(A) Annual report to Congress.—Not later than 1 year after the selection of the 2 Co-Chairpersons of the Commission, and each subsequent year thereafter, the Commission shall prepare and submit to the appropriate Committees of Congress and the President a report that contains a detailed statement of the recommendations, findings, and conclusions of the Commission on the activities of the Academy and a designated Institute related to the establishment of a Key National Indicator System.
(B) **ANNUAL REPORT TO THE ACADEMY.**—

(i) **IN GENERAL.**—Not later than 6 months after the selection of the 2 Co-Chairpersons of the Commission, and each subsequent year thereafter, the Commission shall prepare and submit to the Academy and a designated Institute a report making recommendations concerning potential issue areas and key indicators to be included in the Key National Indicators.

(ii) **LIMITATION.**—The Commission shall not have the authority to direct the Academy or, if established, the Institute, to adopt, modify, or delete any key indicators.

(3) **CONTRACT WITH THE NATIONAL ACADEMY OF SCIENCES.**—

(A) **IN GENERAL.**—As soon as practicable after the selection of the 2 Co-Chairpersons of the Commission, the Co-Chairpersons shall enter into an arrangement with the National Academy of Sciences under which the Academy shall—
(i) review available public and private sector research on the selection of a set of key national indicators;

(ii) determine how best to establish a key national indicator system for the United States, by either creating its own institutional capability or designating an independent private nonprofit organization as an Institute to implement a key national indicator system;

(iii) if the Academy designates an independent Institute under clause (ii), provide scientific and technical advice to the Institute and create an appropriate governance mechanism that balances Academy involvement and the independence of the Institute; and

(iv) provide an annual report to the Commission addressing scientific and technical issues related to the key national indicator system and, if established, the Institute, and governance of the Institute’s budget and operations.

(B) PARTICIPATION.—In executing the arrangement under subparagraph (A), the Na-
national Academy of Sciences shall convene a
multi-sector, multi-disciplinary process to define
major scientific and technical issues associated
with developing, maintaining, and evolving a
Key National Indicator System and, if an Insti-
tute is established, to provide it with scientific
and technical advice.

(C) Establishment of a Key National
Indicator System.—

(i) In General.—In executing the ar-
range ment under subparagraph (A), the
National Academy of Sciences shall enable
the establishment of a key national indi-
cator system by—

(I) creating its own institutional
capability; or

(II) partnering with an inde-
dependent private nonprofit organization
as an Institute to implement a key na-
tional indicator system.

(ii) Institute.—If the Academy des-
ignates an Institute under clause (i)(II),
such Institute shall be a non-profit entity
(as defined for purposes of section
501(c)(3) of the Internal Revenue Code of
1986) with an educational mission, a governance structure that emphasizes independence, and characteristics that make such entity appropriate for establishing a key national indicator system.

(iii) Responsibilities.—Either the Academy or the Institute designated under clause (i)(II) shall be responsible for the following:

(I) Identifying and selecting issue areas to be represented by the key national indicators.

(II) Identifying and selecting the measures used for key national indicators within the issue areas under subclause (I).

(III) Identifying and selecting data to populate the key national indicators described under subclause (II).

(IV) Designing, publishing, and maintaining a public website that contains a freely accessible database allowing public access to the key national indicators.
(V) Developing a quality assurance framework to ensure rigorous and independent processes and the selection of quality data.

(VI) Developing a budget for the construction and management of a sustainable, adaptable, and evolving key national indicator system that reflects all Commission funding of Academy and, if an Institute is established, Institute activities.

(VII) Reporting annually to the Commission regarding its selection of issue areas, key indicators, data, and progress toward establishing a web-accessible database.

(VIII) Responding directly to the Commission in response to any Commission recommendations and to the Academy regarding any inquiries by the Academy.

(iv) GOVERNANCE.—Upon the establishment of a key national indicator system, the Academy shall create an appropriate governance mechanism that incor-
porates advisory and control functions. If
an Institute is designated under clause
(i)(II), the governance mechanism shall
balance appropriate Academy involvement
and the independence of the Institute.

(v) MODIFICATION AND CHANGES.—
The Academy shall retain the sole discre-
tion, at any time, to alter its approach to
the establishment of a key national indi-
cator system or, if an Institute is des-
ignated under clause (i)(II), to alter any
aspect of its relationship with the Institute
or to designate a different non-profit entity
to serve as the Institute.

(vi) CONSTRUCTION.—Nothing in this
section shall be construed to limit the abil-
ity of the Academy or the Institute des-
ignated under clause (i)(II) to receive pri-
vate funding for activities related to the es-
tablishment of a key national indicator sys-
tem.

(D) ANNUAL REPORT.—As part of the ar-
rangement under subparagraph (A), the Na-
tional Academy of Sciences shall, not later than
270 days after the date of enactment of this
Act, and annually thereafter, submit to the Co-
Chairpersons of the Commission a report that
contains the findings and recommendations of
the Academy.

(d) GOVERNMENT ACCOUNTABILITY OFFICE STUDY
AND REPORT.—

(1) GAO STUDY.—The Comptroller General of
the United States shall conduct a study of previous
work conducted by all public agencies, private orga-
nizations, or foreign countries with respect to best
practices for a key national indicator system. The
study shall be submitted to the appropriate author-
izing committees of Congress.

(2) GAO FINANCIAL AUDIT.—If an Institute is
established under this section, the Comptroller Gen-
eral shall conduct an annual audit of the financial
statements of the Institute, in accordance with gen-
erally accepted government auditing standards and
submit a report on such audit to the Commission
and the appropriate authorizing committees of Con-
gress.

(3) GAO PROGRAMMATIC REVIEW.—The Com-
troller General of the United States shall conduct
programmatic assessments of the Institute estab-
lished under this section as determined necessary by
1 the Comptroller General and report the findings to
2 the Commission and to the appropriate authorizing
3 committees of Congress.
4 (c) AUTHORIZATION OF APPROPRIATIONS.—
5 (1) IN GENERAL.—There are authorized to be
6 appropriated to carry out the purposes of this sec-
7 tion, $10,000,000 for fiscal year 2010, and
8 $7,500,000 for each of fiscal year 2011 through
9 2018.
10 (2) AVAILABILITY.—Amounts appropriated
11 under paragraph (1) shall remain available until ex-
12 pended.

Subtitle H—General Provisions

SEC. 5701. REPORTS.

(a) REPORTS BY SECRETARY OF HEALTH AND
16 HUMAN SERVICES.—On an annual basis, the Secretary of
17 Health and Human Services shall submit to the appro-
18 priate Committees of Congress a report on the activities
19 carried out under the amendments made by this title, and
20 the effectiveness of such activities.

(b) REPORTS BY RECIPIENTS OF FUNDS.—The Sec-
22 retary of Health and Human Services may require, as a
23 condition of receiving funds under the amendments made
24 by this title, that the entity receiving such award submit
25 to such Secretary such reports as the such Secretary may