

1 **SEC. 5605. KEY NATIONAL INDICATORS.**

2 (a) DEFINITIONS.—In this section:

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

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

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

11 (b) COMMISSION ON KEY NATIONAL INDICATORS.—

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

14 (2) MEMBERSHIP.—

15 (A) NUMBER AND APPOINTMENT.—The
16 Commission shall be composed of 8 members, to
17 be appointed equally by the majority and mi-
18 nority leaders of the Senate and the Speaker
19 and minority leader of the House of Represent-
20 atives.

21 (B) PROHIBITED APPOINTMENTS.—Mem-
22 bers of the Commission shall not include Mem-
23 bers of Congress or other elected Federal,
24 State, or local government officials.

25 (C) QUALIFICATIONS.—In making appoint-
26 ments under subparagraph (A), the majority

1 and minority leaders of the Senate and the
2 Speaker and minority leader of the House of
3 Representatives shall appoint individuals who
4 have shown a dedication to improving civic dia-
5 logue and decision-making through the wide use
6 of scientific evidence and factual information.

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

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

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

23 (G) CO-CHAIRPERSONS.—The Commission
24 shall select 2 Co-Chairpersons from among its
25 members.

1 (c) DUTIES OF THE COMMISSION.—

2 (1) IN GENERAL.—The Commission shall—

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

7 (B) make recommendations on how to im-
8 prove the key national indicators system;

9 (C) coordinate with Federal Government
10 users and information providers to assure ac-
11 cess to relevant and quality data; and

12 (D) enter into contracts with the Academy.

13 (2) REPORTS.—

14 (A) ANNUAL REPORT TO CONGRESS.—Not
15 later than 1 year after the selection of the 2
16 Co-Chairpersons of the Commission, and each
17 subsequent year thereafter, the Commission
18 shall prepare and submit to the appropriate
19 Committees of Congress and the President a re-
20 port that contains a detailed statement of the
21 recommendations, findings, and conclusions of
22 the Commission on the activities of the Acad-
23 emy and a designated Institute related to the
24 establishment of a Key National Indicator Sys-
25 tem.

1 (B) ANNUAL REPORT TO THE ACADEMY.—

2 (i) IN GENERAL.—Not later than 6
3 months after the selection of the 2 Co-
4 Chairpersons of the Commission, and each
5 subsequent year thereafter, the Commis-
6 sion shall prepare and submit to the Acad-
7 emy and a designated Institute a report
8 making recommendations concerning po-
9 tential issue areas and key indicators to be
10 included in the Key National Indicators.

11 (ii) LIMITATION.—The Commission
12 shall not have the authority to direct the
13 Academy or, if established, the Institute,
14 to adopt, modify, or delete any key indica-
15 tors.

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

18 (A) IN GENERAL.—As soon as practicable
19 after the selection of the 2 Co-Chairpersons of
20 the Commission, the Co-Chairpersons shall
21 enter into an arrangement with the National
22 Academy of Sciences under which the Academy
23 shall—

1 (i) review available public and private
2 sector research on the selection of a set of
3 key national indicators;

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

11 (iii) if the Academy designates an
12 independent Institute under clause (ii),
13 provide scientific and technical advice to
14 the Institute and create an appropriate
15 governance mechanism that balances Acad-
16 emy involvement and the independence of
17 the Institute; and

18 (iv) provide an annual report to the
19 Commission addressing scientific and tech-
20 nical issues related to the key national in-
21 dicator system and, if established, the In-
22 stitute, and governance of the Institute's
23 budget and operations.

24 (B) PARTICIPATION.—In executing the ar-
25 rangement under subparagraph (A), the Na-

1 tional Academy of Sciences shall convene a
2 multi-sector, multi-disciplinary process to define
3 major scientific and technical issues associated
4 with developing, maintaining, and evolving a
5 Key National Indicator System and, if an Insti-
6 tute is established, to provide it with scientific
7 and technical advice.

8 (C) ESTABLISHMENT OF A KEY NATIONAL
9 INDICATOR SYSTEM.—

10 (i) IN GENERAL.—In executing the ar-
11 rangement under subparagraph (A), the
12 National Academy of Sciences shall enable
13 the establishment of a key national indi-
14 cator system by—

15 (I) creating its own institutional
16 capability; or

17 (II) partnering with an inde-
18 pendent private nonprofit organization
19 as an Institute to implement a key na-
20 tional indicator system.

21 (ii) INSTITUTE.—If the Academy des-
22 ignates an Institute under clause (i)(II),
23 such Institute shall be a non-profit entity
24 (as defined for purposes of section
25 501(c)(3) of the Internal Revenue Code of

1 1986) with an educational mission, a gov-
2 ernance structure that emphasizes inde-
3 pendence, and characteristics that make
4 such entity appropriate for establishing a
5 key national indicator system.

6 (iii) RESPONSIBILITIES.—Either the
7 Academy or the Institute designated under
8 clause (i)(II) shall be responsible for the
9 following:

10 (I) Identifying and selecting issue
11 areas to be represented by the key na-
12 tional indicators.

13 (II) Identifying and selecting the
14 measures used for key national indica-
15 tors within the issue areas under sub-
16 clause (I).

17 (III) Identifying and selecting
18 data to populate the key national indi-
19 cators described under subclause (II).

20 (IV) Designing, publishing, and
21 maintaining a public website that con-
22 tains a freely accessible database al-
23 lowing public access to the key na-
24 tional indicators.

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1 (V) Developing a quality assur-
2 ance framework to ensure rigorous
3 and independent processes and the se-
4 lection of quality data.

5 (VI) Developing a budget for the
6 construction and management of a
7 sustainable, adaptable, and evolving
8 key national indicator system that re-
9 flects all Commission funding of
10 Academy and, if an Institute is estab-
11 lished, Institute activities.

12 (VII) Reporting annually to the
13 Commission regarding its selection of
14 issue areas, key indicators, data, and
15 progress toward establishing a web-ac-
16 cessible database.

17 (VIII) Responding directly to the
18 Commission in response to any Com-
19 mission recommendations and to the
20 Academy regarding any inquiries by
21 the Academy.

22 (iv) GOVERNANCE.—Upon the estab-
23 lishment of a key national indicator sys-
24 tem, the Academy shall create an appro-
25 priate governance mechanism that incor-

1 porates advisory and control functions. If
2 an Institute is designated under clause
3 (i)(II), the governance mechanism shall
4 balance appropriate Academy involvement
5 and the independence of the Institute.

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

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

22 (D) ANNUAL REPORT.—As part of the ar-
23 rangement under subparagraph (A), the Na-
24 tional Academy of Sciences shall, not later than
25 270 days after the date of enactment of this

1 Act, and annually thereafter, submit to the Co-
2 Chairpersons of the Commission a report that
3 contains the findings and recommendations of
4 the Academy.

5 (d) GOVERNMENT ACCOUNTABILITY OFFICE STUDY
6 AND REPORT.—

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

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

22 (3) GAO PROGRAMMATIC REVIEW.—The Comp-
23 troller General of the United States shall conduct
24 programmatic assessments of the Institute estab-
25 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 (e) 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.

13 **Subtitle H—General Provisions**

14 **SEC. 5701. REPORTS.**

15 (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.

21 (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