

116TH CONGRESS 2D SESSION

H. R. 6763

To provide for the establishment of a COVID-19 Racial and Ethnic Disparities Task Force to gather data about disproportionately affected communities and provide recommendations to combat the racial and ethnic disparities in the COVID-19 response.

IN THE HOUSE OF REPRESENTATIVES

May 8, 2020

Ms. Kelly of Illinois (for herself, Ms. Clarke of New York, Ms. Lee of California, Mr. Butterfield, Mr. Richmond, Ms. Blunt Rochester, Mr. Ruiz, Mr. García of Illinois, and Mr. Espaillat) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Small Business, Education and Labor, and Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the establishment of a COVID-19 Racial and Ethnic Disparities Task Force to gather data about disproportionately affected communities and provide recommendations to combat the racial and ethnic disparities in the COVID-19 response.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,

1 SECTION 1. SHORT TITLE.

2	This Act may	be cited	as the	"COVID-	-19	Racial	and

- 3 Ethnic Disparities Task Force Act of 2020".
- 4 SEC. 2. COVID-19 RACIAL AND ETHNIC DISPARITIES TASK
- 5 FORCE.
- 6 (a) IN GENERAL.—The Secretary of Health and
- 7 Human Services (referred to in this section as the "Sec-
- 8 retary") shall establish an interagency task force, to be
- 9 known as the "COVID-19 Racial and Ethnic Disparities
- 10 Task Force" (referred to in this section as the "task
- 11 force"), to gather data about disproportionately affected
- 12 communities and provide recommendations to combat the
- 13 racial and ethnic disparities in the COVID-19 response
- 14 throughout the United States and in response to future
- 15 public health crises.
- 16 (b) Membership.—The task force shall be composed
- 17 of the following:
- 18 (1) The Secretary of Health and Human Serv-
- ices.
- 20 (2) The Assistant Secretary for Planning and
- 21 Evaluation of the Department of Health and Human
- 22 Services.
- 23 (3) The Assistant Secretary for Preparedness
- and Response of the Department of Health and
- 25 Human Services.

1	(4) The Director of the Centers for Disease
2	Control and Prevention.
3	(5) The Director of the National Institutes of
4	Health.
5	(6) The Commissioner of Food and Drugs.
6	(7) The Administrator of the Federal Emer-
7	gency Management Agency.
8	(8) The Director of the National Institute on
9	Minority Health and Health Disparities.
10	(9) The Director of the Indian Health Service.
11	(10) The Administrator of the Centers for
12	Medicare & Medicaid Services.
13	(11) The Director of the Agency for Healthcare
14	Research and Quality.
15	(12) The Surgeon General.
16	(13) The Administrator of the Health Re-
17	sources and Services Administration.
18	(14) The Director of the Office of Minority
19	Health.
20	(15) The Secretary of Housing and Urban De-
21	velopment.
22	(16) The Secretary of Education.
23	(17) The Secretary of Labor.
24	(18) The Secretary of Defense.
25	(19) The Secretary of Transportation.

1 (20) The Secretary of the Treasury.

- (21) The Administrator of the Small Business
 Administration.
 - (22) The Administrator of the Environmental Protection Agency.
 - (23) Five health care professionals with expertise in addressing racial and ethnic disparities, with at least one representative from a rural area, to be appointed by the Secretary.
 - (24) Five policy experts specializing in addressing racial and ethnic disparities in education or racial and ethnic economic inequality to be appointed by the Secretary.
 - (25) Six representatives from community-based organizations specializing in providing culturally competent care or services and addressing racial and ethnic disparities, to be appointed by the Secretary, with at least one representative from an urban Indian organization and one representative from a national organization that represents Tribal governments with expertise in Tribal public health.
 - (26) Six State, local, territorial, or Tribal public health officials representing departments of public health, who shall represent jurisdictions from different regions of the United States with relatively

high concentrations of historically marginalized populations, to be appointed by the Secretary, with at least one territorial representative and one representative of a Tribal public health department.

(c) Administrative Provisions.—

- (1) APPOINTMENT OF NON-GOVERNMENT MEMBERS.—Notwithstanding any other provision of law, the Secretary shall appoint all non-government members of the task force within 30 days of the date enactment of this section.
- (2) Chairperson.—The Secretary shall serve as the chairperson of the task force. The Director of the Office of Minority Health shall serve as the vice chairperson.
- (3) STAFF.—The task force shall have 10 full-time staff members.
- (4) MEETINGS.—Not later than 45 days after the date of enactment of this section, the full task force shall have its first meeting. The task force shall convene at least once a month thereafter.
- (5) Subcommittees.—The chairperson and vice chairperson of the task force are authorized to establish subcommittees to consider specific issues related to the broader mission of addressing racial and ethnic disparities.

1	(d) Federal Emergency Management Agency
2	RESOURCE ALLOCATION REPORTING AND RECOMMENDA-
3	TIONS.—
4	(1) Weekly reports.—Not later than 7 days
5	after the task force first meets, and weekly there-
6	after, the task force shall submit to Congress and
7	the Federal Emergency Management Agency a re-
8	port that includes—
9	(A) a description of COVID-19 patient
10	outcomes, including cases, hospitalizations, pa-
11	tients on ventilation, and mortality,
12	disaggregated by race and ethnicity (where such
13	data is missing, the task force shall utilize ap-
14	propriate authorities to improve data collec-
15	tion);
16	(B) the identification of communities that
17	lack resources to combat the COVID-19 pan-
18	demic, including personal protective equipment,
19	ventilators, hospital beds, testing kits, testing
20	supplies, vaccinations (when available), re-
21	sources to conduct surveillance and contact
22	tracing, funding, staffing, and other resources
23	the task force deems essential as needs arise;
24	(C) the identification of communities where
25	racial and ethnic disparities in COVID-19 in-

1	fection, hospitalization, and death rates are out
2	of proportion to the community's population by
3	a certain threshold, to be determined by the
4	task force based on available public health data;
5	(D) recommendations about how to best al-
6	locate critical COVID-19 resources to—
7	(i) communities with disproportion-
8	ately high COVID-19 infection, hos-
9	pitalization, and death rates; and
10	(ii) communities identified in subpara-
11	graph (C);
12	(E) with respect to communities that are
13	able to reduce racial and ethnic disparities ef-
14	fectively, a description of best practices in-
15	volved; and
16	(F) an update with respect to the response
17	of the Federal Emergency Management Agency
18	to the task force's previous weeks' recommenda-
19	tions under this section.
20	(2) General consultation.—In submitting
21	weekly reports and recommendations under this sub-
22	section, the task force shall consult with and notify
23	State, local, territorial, and Tribal officials and com-
24	munity-based organizations from communities iden-
25	tified as disproportionately impacted by COVID-19.

- 1 (3) Consultation with indian tribes.—In 2 submitting weekly reports and recommendations 3 under this subsection, the Director of Indian Health 4 Service shall, in coordination with the task force, 5 consult with Indian Tribes and Tribal organizations 6 that are disproportionately affected by COVID-19 7 on a government to government basis to identify 8 specific needs and recommendations.
 - (4) DISSEMINATION.—Reports under this subsection shall be disseminated to all relevant stakeholders, including State, local, territorial, and Tribal officials, and public health departments.
- 13 (5) TRIBAL DATA.—The task force, in consulta-14 tion with Indian Tribes and Tribal organizations, 15 shall ensure that an Indian Tribe consents to any 16 public reporting of health data.
- 17 (e) COVID-19 RELIEF OVERSIGHT AND IMPLEMEN18 TATION REPORTS.—Not later than 14 days after the task
 19 force first meets, and not later than every 14 days there20 after, the task force shall submit to Congress and the rel21 evant Federal agencies a report that includes—
- 22 (1) an examination of funds distributed under 23 COVID-19-related relief and stimulus laws (enacted 24 prior to and after the date of enactment of this Act), 25 including the Coronavirus Preparedness and Re-

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- 1 sponse Emergency Supplemental Appropriations Act, 2 2020 (Public Law 116–123), the Families First 3 Coronavirus Response Act (Public Law 116–127), the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136), and the Paycheck Pro-6 tection Program and Health Care Enhancement Act 7 (Public Law 116–139), and how that distribution 8 impacted racial and ethnic disparities with respect to 9 the COVID-19 pandemic; and 10 (2) recommendations to relevant Federal agen-11 cies about how to disburse any undisbursed funding 12 from COVID-19-related relief and stimulus laws 13 (enacted prior to and after the date of enactment of 14 this Act), including those laws described in para-15 graph (1), to address racial and ethnic disparities 16 with respect to the COVID-19 pandemic, including 17 recommendations to— 18 (A) the Department of Health and Human
 - (A) the Department of Health and Human Services about disbursement of funds under the Public Health and Social Service Emergency Fund;
 - (B) the Small Business Administration about disbursement of funds under the Paycheck Protection Program and the Economic Injury Disaster Loan Program; and

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1	(C) the Department of Education about
2	disbursement of funds under the Education
3	Stabilization Fund.
4	(f) Final COVID-19 Reports.—Not later than 90
5	days after the date on which the President declares the
6	end of the COVID-19 public health emergency first de-
7	clared by the Secretary on January 31, 2020, the task
8	force shall submit to Congress a report that—
9	(1) describes inequities within the health care
10	system, implicit bias, structural racism, and social
11	determinants of health (including housing, nutrition,
12	education, economic, and environmental factors) that
13	contributed to racial and ethnic health disparities
14	with respect to the COVID-19 pandemic and how
15	these factors contributed to such disparities;
16	(2) examines the initial Federal response to the
17	COVID-19 pandemic and its impact on the racial
18	and ethnic disparities in COVID-19 infection, hos-
19	pitalization, and death rates; and
20	(3) contains recommendations to combat racial
21	and ethnic disparities in future infectious disease re-
22	sponses, including future COVID-19 outbreaks.
23	(g) Sunset and Successor Task Force.—
24	(1) Sunset.—The task force shall terminate on
25	the date that is 90 days after the date on which the

- President declares the end of the COVID-19 public health emergency first declared by the Secretary on January 31, 2020.
- 4 (2) Successor.—Upon the termination of the
 5 task force under paragraph (1), the Secretary shall
 6 establish a permanent Infectious Disease Racial and
 7 Ethnic Disparities Task Force based on the mem8 bership, convening, and reporting requirements rec9 ommended by the task force in reports submitted
 10 under this section.
- 11 (h) AUTHORIZATION OF APPROPRIATIONS.—There is 12 authorized to be appropriated, such sums as may be nec-13 essary to carry out this section.

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