

116TH CONGRESS
2D SESSION

H. R. 7923

To authorize the President to suspend or waive civil enforcement of any rule for certain purposes during the coronavirus pandemic, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 2020

Mr. COMER (for himself, Mr. HIGGINS of Louisiana, Mr. ARMSTRONG, Mr. CLOUD, Ms. FOXX of North Carolina, Mr. NORMAN, Mr. GREEN of Tennessee, and Mr. KELLER) introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To authorize the President to suspend or waive civil enforcement of any rule for certain purposes during the coronavirus pandemic, 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 “Pandemic Recovery
5 Enforcement Flexibility Act of 2020”.

6 **SEC. 2. PRESIDENTIAL WAIVER.**

7 (a) IN GENERAL.—During the covered period, the
8 President may order the suspension or waiver of civil en-

1 enforcement of any rule for any of the following reasons re-
2 lated to the response to the coronavirus pandemic or
3 strengthening recovery from the pandemic:

4 (1) Enforcement of the rule would unreasonably
5 inhibit or impede efforts to respond to SARS-CoV-
6 2.

7 (2) Enforcement of the rule would unreasonably
8 inhibit or impede health or economic recovery by—

9 (A) persons infected by SARS-CoV-2;

10 (B) individuals or entities that supported
11 or support persons infected by SARS-CoV-2;
12 or

13 (C) entities that qualify as small entities
14 within the meaning of section 601(6) of title 5,
15 United States Code, and the employees, con-
16 tractors, or investors of those small entities.

17 (3) Enforcement of the rule would otherwise
18 unreasonably inhibit or impede health, economic per-
19 formance, or the stability of wages or employment
20 during the covered period, including by inhibiting or
21 impeding—

22 (A) access to health care or health care
23 equipment or supplies;

24 (B) access to employment;

25 (C) access to public or private assistance;

1 (D) consumer or business spending, invest-
2 ment, or access to capital or credit; or

3 (E) other consumer or business activity,
4 including hiring and education or retraining.

5 (b) DEFINITIONS.—In this section:

6 (1) CORONAVIRUS PANDEMIC.—The term
7 “coronavirus pandemic” means the SARS-CoV-2
8 pandemic of 2019–2020.

9 (2) COVERED PERIOD.—The term “covered pe-
10 riod” means the period that—

11 (A) begins on the date of the enactment of
12 this section; and

13 (B) ends on the date that is 1 year after
14 the date on which the public health emergency
15 declared under section 319 of the Public Health
16 Service Act (42 U.S.C. 247d) as a result of the
17 coronavirus pandemic expires, or any renewal
18 thereof.

19 (3) RULE.—The term “rule” has the meaning
20 given that term in section 551 of title 5, United
21 States Code.

22 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
23 tion may be construed to mean that the President lacks

- 1 any other authority to suspend or waive enforcement of
- 2 any rule.

