

**AMENDMENT TO H.R. \_\_\_\_\_**

**OFFERED BY MRS. BROOKS OF INDIANA**

**[Page/line number refer to posted draft dated May 31, 2018]**

Page 7, line 21, to page 10, line 23, amend subsection (a) to read as follows:

1       (a) RESPONSE FUND.—Section 319 of the Public  
2 Health Service Act (42 U.S.C. 247d) is amended—

3               (1) in subsection (b)—

4                       (A) in paragraph (1)—

5                               (i) in the first sentence, by inserting  
6                               “or if the Secretary determines there is the  
7                               significant potential for a public health  
8                               emergency, to allow the Secretary to rap-  
9                               idly respond to the immediate needs result-  
10                              ing from such public health emergency or  
11                              potential public health emergency” before  
12                              the period; and

13                             (ii) by inserting “The Secretary shall  
14                             plan for the expedited distribution of  
15                             amounts in the Fund to appropriate agen-  
16                             cies and entities.” after the first sentence;

17                             (B) by redesignating paragraph (2) as  
18                             paragraph (3);

1 (C) by inserting after paragraph (1) the  
2 following:

3 “(2) USES.—The Secretary may use amounts  
4 in the Fund established under paragraph (1), to—

5 “(A) facilitate coordination between and  
6 among Federal, State, local, Tribal, and terri-  
7 torial entities and public and private health  
8 care entities which the Secretary determines  
9 may be affected by a public health emergency  
10 or potential public health emergency referred to  
11 in paragraph (1) (including communication of  
12 such entities with relevant international enti-  
13 ties, as applicable);

14 “(B) make grants, provide for awards,  
15 enter into contracts, and conduct supportive in-  
16 vestigations pertaining to such a public health  
17 emergency or potential public health emergency,  
18 including further supporting programs under  
19 section 319C–1 and 319C–2;

20 “(C) facilitate and accelerate, as applica-  
21 ble, advanced research and development of secu-  
22 rity countermeasures (as defined in section  
23 319F–2), qualified countermeasures (as defined  
24 in section 319F–1), or qualified pandemic or  
25 epidemic products (as defined in section 319F–

1           3), that are applicable to such a public health  
2           emergency or potential public health emergency;

3           “(D) strengthen biosurveillance capabilities  
4           and laboratory capacity to identify, collect, and  
5           analyze information regarding such a public  
6           health emergency or potential public health  
7           emergency, including the systems under section  
8           319D;

9           “(E) support initial emergency operations  
10          and assets related to preparation and deploy-  
11          ment of intermittent disaster response per-  
12          sonnel under section 2812, and the Medical Re-  
13          serve Corps under section 2813; and

14          “(F) other activities, as the Secretary de-  
15          termines applicable and appropriate.”; and

16          (D) by inserting after paragraph (3), as so  
17          redesignated, the following:

18          “(4) REVIEW.—Not later than 2 years after the  
19          date of enactment of the Pandemic and All-Hazards  
20          Preparedness Reauthorization Act of 2018, the Sec-  
21          retary, in coordination with the Assistant Secretary  
22          for Preparedness and Response, shall conduct a re-  
23          view of the Fund under this subsection, and provide  
24          recommendations to the Committee on Health, Edu-  
25          cation, Labor, and Pensions and the Committee on

1 Appropriations of the Senate and the Committee on  
2 Energy and Commerce and the Committee on Ap-  
3 propriations of the House of Representatives on poli-  
4 cies to improve such Fund for the uses described in  
5 paragraph (2).

6 “(5) GAO REPORT.—Not later than 4 years  
7 after the date of enactment of the Pandemic and  
8 All-Hazards Preparedness Reauthorization Act of  
9 2018, the Comptroller General of the United States  
10 shall conduct a review of the Fund under this sub-  
11 section, including the uses and the resources avail-  
12 able in the Fund.”; and

13 (2) in subsection (c), by striking “section.” and  
14 inserting “Act or funds otherwise provided for emer-  
15 gency response.”.

Page 14, lines 1 through 7, amend paragraph (1) to  
read as follows:

16 (1) COORDINATION WITH THE ASPR.—Sub-  
17 section (a)(1) of section 319F–2 of the Public  
18 Health Service Act (42 U.S.C. 247d–6b) is amended  
19 by inserting “the Assistant Secretary for Prepared-  
20 ness and Response and” before “the Director of the  
21 Centers for Disease Control and Prevention”.

Page 20, line 10, through page 23, line 13, amend section 401 to read as follows:

1 **SEC. 401. CYBERSECURITY.**

2 (a) NATIONAL HEALTH SECURITY STRATEGY.—Sec-  
3 tion 2802(a) of the Public Health Service Act (42 U.S.C.  
4 300h–1(a)) is amended by adding at the end the following:

5 “(4) CYBERSECURITY THREATS.—In the next  
6 version of the National Health Security Strategy  
7 prepared after the enactment of this paragraph, the  
8 Secretary shall include a strategy focused on cyber-  
9 security threats for establishing an effective and pre-  
10 pared public health and health care system, includ-  
11 ing—

12 “(A) defining the functions, capabilities,  
13 and gaps in the system; and

14 “(B) identifying strategies to strengthen  
15 the preparedness and response of such system  
16 to cybersecurity threats and incidents, including  
17 with regard to continuity of care and risk miti-  
18 gation to prevent harm to human health in case  
19 of a cybersecurity incident.”.

20 (b) COORDINATION OF PREPAREDNESS FOR AND RE-  
21 SPONSE TO ALL-HAZARDS PUBLIC HEALTH EMER-  
22 GENCIES.—Section 2811(c) of the Public Health Service

1 Act (42 U.S.C. 300hh–10), as amended by sections 101  
2 and 301, is further amended—

3 (1) by redesignating paragraph (4) as para-  
4 graph (5); and

5 (2) by inserting after paragraph (3) the fol-  
6 lowing:

7 “(4) have lead responsibility within the Depart-  
8 ment of Health and Human Services for ensuring  
9 the ability of the public health and healthcare sector  
10 to provide continuity of care during a public health  
11 emergency caused by a cybersecurity incident; and”.

