

118TH CONGRESS
1ST SESSION

H. R. _____

To reauthorize certain programs under the Public Health Service Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M_____. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To reauthorize certain programs under the Public Health Service Act with respect to public health security and all-hazards preparedness and response, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “_____ Act of 2023”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—STRENGTHENING THE NATIONAL HEALTH SECURITY
STRATEGY

Sec. 101. National Health Security Strategy.

TITLE II—IMPROVING PREPAREDNESS AND RESPONSE

Sec. 201. Strengthening and supporting the public health emergency rapid response fund.

Sec. 202. Improving benchmarks and standards for preparedness and response.

Sec. 203. Partnerships for State and regional hospital preparedness to improve surge capacity.

Sec. 204. Guidelines for regional health care emergency preparedness and response systems.

Sec. 205. Facilities and capacities of the centers for disease control and prevention.

Sec. 206. Emergency system for advance registration of volunteer health professional.

Sec. 207. Military and civilian partnership for trauma readiness grant program.

Sec. 208. Protection of national security from threats.

TITLE III—REACHING ALL COMMUNITIES

Sec. 301. Epidemic Intelligence Service.

Sec. 302. National advisory committees on disasters.

Sec. 303. National Disaster Medical System.

Sec. 304. Volunteer medical reserve corps.

TITLE IV—PRIORITIZING A THREAT-BASED APPROACH

Sec. 401. Strategic National Stockpile.

Sec. 402. Enhanced control of dangerous biological agents and toxins.

Sec. 403. The Biomedical Advanced Research and Development Authority.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Mosquito abatement for safety and health program.

Sec. 502. Monitoring and distribution of certain medical countermeasures.

Sec. 503. Limited antitrust exemption sunset.

Sec. 504. Epidemiology-Laboratory capacity.

1 **TITLE I—STRENGTHENING THE**
2 **NATIONAL HEALTH SECURITY**
3 **STRATEGY**

4 **SEC. 101. NATIONAL HEALTH SECURITY STRATEGY.**

5 Section 2802(a)(3) of the Public Health Service Act
6 (42 U.S.C. 300hh–1(a)(3)) is amended by striking “In
7 2022, the” and inserting “The”.

1 **TITLE II—IMPROVING**
2 **PREPAREDNESS AND RESPONSE**

3 **SEC. 201. STRENGTHENING AND SUPPORTING THE PUBLIC**
4 **HEALTH EMERGENCY RAPID RESPONSE**
5 **FUND.**

6 (a) REPORT TO CONGRESS.—Section 319(e)(6) of the
7 Public Health Service Act (42 U.S.C. 247d(e)(4)) is
8 amended by striking “Not later than 4 years after the date
9 of enactment of the Pandemic and All-Hazards Prepared-
10 ness Reauthorization Act of 2013, the Comptroller Gen-
11 eral of the United States shall” and inserting “Not later
12 than 4 years after the date of enactment of the _____
13 Act of 2023, the Comptroller General of the United States
14 shall”.

15 (b) SUNSET.—Section 319(e)(8) of the Public Health
16 Service Act (42 U.S.C. 247d(e)(8)) is amended by striking
17 “2023” and inserting “2028”.

18 **SEC. 202. IMPROVING BENCHMARKS AND STANDARDS FOR**
19 **PREPAREDNESS AND RESPONSE.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
21 319C–1(h)(1)(A) of the Public Health Service Act (42
22 U.S.C. 247d–3a(h)(1)(A)) is amended by striking
23 “\$685,000,000 for each of fiscal years 2019 through
24 2023” and inserting “\$735,000,000 for each of fiscal
25 years 2024 through 2028”.

1 (b) ELIMINATION OF DEADWOOD.—Section 319C–
2 1(h) of the Public Health Service Act (42 U.S.C. 247d–
3 3a(h)) is amended—

4 (1) by striking paragraphs (4) and (5); and

5 (2) by redesignating paragraphs (6) and (7) as
6 paragraphs (4) and (5).

7 **SEC. 203. PARTNERSHIPS FOR STATE AND REGIONAL HOS-**
8 **PITAL PREPAREDNESS TO IMPROVE SURGE**
9 **CAPACITY.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
11 319C–2(j)(1)(A) of the Public Health Service Act (42
12 U.S.C. 247d–3b(j)(1)(A)) is amended by striking “2019
13 through 2023” and inserting “2024 through 2028”.

14 (b) SUNSET.—Section 319C–2(j)(1)(B)(iii) of the
15 Public Health Service Act (42 U.S.C. 247d–
16 3b(j)(1)(B)(iii)) is amended by striking “2023” and in-
17 serting “2028”.

18 **SEC. 204. GUIDELINES FOR REGIONAL HEALTH CARE**
19 **EMERGENCY PREPAREDNESS AND RESPONSE**
20 **SYSTEMS.**

21 (a) GUIDELINES.—Section 319C–3(b)(3) of the Pub-
22 lic Health Service Act (42 U.S.C. 247d–3e(b)(3)) is
23 amended by striking “the Pandemic and All-Hazards Pre-
24 paredness and Advancing Innovation Act of 2019 (includ-
25 ing any amendments made by such Act)” and inserting

1 “the Pandemic and All-Hazards Preparedness and Ad-
2 vancing Innovation Act of 2019, the PREVENT
3 Pandemics Act (title II of division FF of Public Law 117–
4 328), and the _____ Act of 2023”.

5 (b) DEMONSTRATION PROJECT FOR REGIONAL
6 HEALTH CARE PREPAREDNESS AND RESPONSE SYS-
7 TEMS.—Section 319C–3(e)(2) of the Public Health Serv-
8 ice Act (42 U.S.C. 247d–3c(e)(2)) is amended by striking
9 “2023” and inserting “2028”.

10 **SEC. 205. FACILITIES AND CAPACITIES OF THE CENTERS**
11 **FOR DISEASE CONTROL AND PREVENTION.**

12 (a) STUDY.—Section 319D(a)(4) of the Public
13 Health Service Act (42 U.S.C. 247d–4(a)(4)) is amended
14 by striking “Not later than June 1, 2022, the Comptroller
15 General of the United States shall conduct a study on
16 Federal spending in fiscal years 2013 through 2018” and
17 inserting “Not later than June 1, 2027, the Comptroller
18 General of the United States shall conduct a study on
19 Federal spending in fiscal years 2021 through 2026”.

20 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
21 319D(h) of the Public Health Service Act (42 U.S.C.
22 247d–4(h)) is amended—

23 (1) in paragraph (1), by striking “\$25,000,000
24 for each of fiscal years 2022 and 2023” and insert-

1 ing “\$40,000,000 for each of fiscal years 2024
2 through 2028”; and

3 (2) in paragraph (2), by striking “2022 and
4 2023” and inserting “2024 through 2028”.

5 **SEC. 206. EMERGENCY SYSTEM FOR ADVANCE REGISTRA-**
6 **TION OF VOLUNTEER HEALTH PROFES-**
7 **SIONAL.**

8 (a) IN GENERAL.—Section 319I(a) of the Public
9 Health Service Act (42 U.S.C. 247d–7b) is amended by
10 striking “Not later than 12 months after the date of en-
11 actment of the Pandemic and All-Hazards Preparedness
12 Act, the Secretary shall link existing State verification sys-
13 tems to maintain” and inserting “The Secretary shall con-
14 tinue to maintain”.

15 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
16 319I(k) of the Public Health Service Act (42 U.S.C.
17 247d–7b(k)) is amended by striking “2019 through 2023”
18 and inserting “2024 through 2028”.

19 **SEC. 207. MILITARY AND CIVILIAN PARTNERSHIP FOR**
20 **TRAUMA READINESS GRANT PROGRAM.**

21 Section 1291(g) of the Public Health Service Act (42
22 U.S.C. 300d–91(g)) is amended by striking “2019
23 through 2023” and inserting “2024 through 2028”.

1 **SEC. 208. PROTECTION OF NATIONAL SECURITY FROM**
2 **THREATS.**

3 Section 2811(f)(2)(A) of the Public Health Service
4 Act (42 U.S.C. 300hh–10(f)(2)(A)) is amended by strik-
5 ing “\$250,000,000 for each of fiscal years 2019 through
6 2023” and inserting “\$327,991,000 for each of fiscal
7 years 2024 through 2028”.

8 **TITLE III—REACHING ALL**
9 **COMMUNITIES**

10 **SEC. 301. EPIDEMIC INTELLIGENCE SERVICE.**

11 Section 317F(c)(2) of the Public Health Service Act
12 (42 U.S.C. Sec. 247b–7(c)(2)) is amended by striking
13 “2019 through 2023” and inserting “2024 through
14 2028”.

15 **SEC. 302. NATIONAL ADVISORY COMMITTEES ON DISAS-**
16 **TERS.**

17 (a) NATIONAL ADVISORY COMMITTEE ON CHILDREN
18 AND DISASTERS.—Subsection (g) of section 2811A of the
19 Public Health Service Act (42 U.S.C. 300hh–10b) is
20 amended to read as follows:

21 “(g) SUNSET.—

22 “(1) IN GENERAL.—The Advisory Committee
23 shall terminate on September 30, 2028.

24 “(2) EXTENSION OF COMMITTEE.—Not later
25 than October 1, 2027, the Secretary shall submit to

1 Congress a recommendation on whether the Advisory
2 Committee should be extended.”.

3 (b) NATIONAL ADVISORY COMMITTEE ON SENIORS
4 AND DISASTERS.—Section 2811B of the Public Health
5 Service Act (42 U.S.C. 300hh–10c) is amended—

6 (1) in subsection (d)—

7 (A) in paragraph (1), by striking “in con-
8 sultation with such other heads of agencies as
9 appropriate, shall appoint not more than 17
10 members” and inserting “in consultation with
11 such other Secretaries as may be appropriate,
12 shall appoint not more than 23 members”

13 (B) by redesignating paragraph (2) as
14 paragraph (3);

15 (C) by amending paragraph (3), as so re-
16 designated—

17 (i) by striking “REQUIRED MEMBERS”
18 and inserting “REQUIRED FEDERAL MEM-
19 BERS”;

20 (ii) by striking “and non-Federal
21 members,”;

22 (iii) by striking subparagraphs (J)
23 and (K); and

24 (iv) by redesignating subparagraph
25 (L) as subparagraph (J);

1 (D) by inserting after paragraph (1) the
2 following new paragraph:

3 “(2) REQUIRED NON-FEDERAL MEMBERS.—The
4 Secretary, in consultation with such other heads of
5 Federal agencies as may be appropriate, shall ap-
6 point to the Advisory Committee under paragraph
7 (1) at least 13 individuals, including—

8 “(A) at least 4 non-Federal health care
9 providers with expertise in geriatric medical dis-
10 aster planning, preparedness, response, or re-
11 covery;

12 “(B) at least 3 representatives of State,
13 local, Tribal, or territorial agencies with exper-
14 tise in geriatric disaster planning, preparedness,
15 response, or recovery; and

16 “(C) at least 4 non-Federal professionals
17 with training in gerontology, including social
18 workers, scientists, human services specialists,
19 or other non-medical professionals, with experi-
20 ence in disaster planning, preparedness, re-
21 sponse, or recovery among other adults.”;

22 (E) by adding at the end the following new
23 paragraphs:

24 “(4) TERM OF APPOINTMENT.—Each member
25 of the Advisory Committee appointed under para-

1 graph (2) shall serve for a term of 3 years, except
2 that the Secretary may adjust the terms of the Advi-
3 sory Committee appointees serving on the date of
4 enactment of the _____ Act of 2023, or ap-
5 pointees who are initially appointed after such date
6 of enactment, in order to provide for a staggered
7 term of appointment for all members.

8 “(5) CONSECUTIVE APPOINTMENTS; MAXIMUM
9 TERMS.—A member appointed under paragraph (2)
10 may serve not more than 3 terms on the Advisory
11 Committee, and not more than 2 of such terms may
12 be served consecutively.”; and

13 (2) in subsection (g)—

14 (A) in paragraph (1), by striking “2023”
15 and inserting “2028”; and

16 (B) in paragraph (2), by striking “2022”
17 and inserting “2027”.

18 (c) NATIONAL ADVISORY COMMITTEE ON INDIVID-
19 UALS WITH DISABILITIES.—Section 2811C of the Public
20 Health Service Act (42 U.S.C. 300hh–10d) is amended—

21 (1) by redesignating subsections (c) through (g)
22 as subsections (d) through (h), respectively;

23 (2) by inserting after subsection (b) the fol-
24 lowing new subsection:

1 “(c) ADDITIONAL DUTIES.—The Advisory Committee
2 may provide advice and recommendations to the Secretary
3 with respect to individuals with disabilities, and medical
4 and public health grants and cooperative agreements, as
5 applicable to preparedness and response activities under
6 this title and title III.”;

7 (3) in subsection (d), as redesignated—

8 (A) in paragraph (1), by striking “in con-
9 sultation with such other heads of agencies and
10 departments as appropriate, shall appoint not
11 more than 17 members” and inserting “in con-
12 sultation with such other Secretaries as may be
13 appropriate, shall appoint not more than 23
14 members”;

15 (B) by redesignating paragraph (2) as
16 paragraph (3);

17 (C) by amending paragraph (3), as red-
18 igned—

19 (i) by striking “REQUIRED MEMBERS”
20 and inserting “REQUIRED FEDERAL MEM-
21 BERS”;

22 (ii) by striking “and non-Federal
23 members,”;

24 (iii) by striking subparagraph (K) and
25 inserting the following:

1 “(K) Representatives of such other Federal
2 agencies as the Secretary determines necessary
3 to fulfill the duties of the Advisory Com-
4 mittee.”; and

5 (iv) by striking subparagraphs (L)
6 and (M);

7 (D) by inserting after paragraph (1) the
8 following new paragraph:

9 “(2) REQUIRED NON-FEDERAL MEMBERS.—The
10 Secretary, in consultation with such other heads of
11 Federal agencies as may be appropriate, shall ap-
12 point to the Advisory Committee under paragraph
13 (1) at least 13 individuals, including—

14 “(A) at least 4 non-Federal health care
15 professionals with expertise in disability accessi-
16 bility before, during, and after disasters, med-
17 ical and mass care disaster planning, prepared-
18 ness, response, or recovery;

19 “(B) at least 3 representatives from State,
20 local, Tribal, or territorial agencies with exper-
21 tise in disaster planning, preparedness, re-
22 sponse, or recovery for individuals with disabil-
23 ities; and

24 “(C) at least 4 individuals with a disability
25 with expertise in disaster planning, prepared-

1 ness, response, or recovery for individuals with
2 disabilities.”;

3 (E) by adding at the end the following new
4 paragraphs:

5 “(4) TERM OF APPOINTMENT.—Each member
6 of the Advisory Committee appointed under para-
7 graph (2) shall serve for a term of 3 years, except
8 that the Secretary may adjust the terms of the Advi-
9 sory Committee appointees serving on the date of
10 enactment of the _____ Act of 2023, or ap-
11 pointees who are initially appointed after such date
12 of enactment, in order to provide for a staggered
13 term of appointment for all members.

14 “(5) CONSECUTIVE APPOINTMENTS; MAXIMUM
15 TERMS.—A member appointed under paragraph (2)
16 may serve not more than 3 terms on the Advisory
17 Committee, and not more than 2 of such terms may
18 be served consecutively.”; and

19 (4) in subsection (g)—

20 (A) in paragraph (1), by striking “2023”
21 and inserting “2028”; and

22 (B) in paragraph (2), by striking “2022”
23 and inserting “2027”.

1 **SEC. 303. NATIONAL DISASTER MEDICAL SYSTEM.**

2 (a) INTERMITTENT DISASTER-RESPONSE PER-
3 SONNEL.—

4 (1) SUNSET.—Section 2812(c)(4) of the Public
5 Health Service Act (42 U.S.C.300hh–11(c)(4)) is
6 amended by striking subparagraph (B).

7 (2) CONFORMING CHANGE.—Section 2812(c)(4)
8 of the Public Health Service Act (42 U.S.C. 300hh–
9 11(c)(4)) is amended by striking “CERTAIN AP-
10 POINTMENTS” and all that follows through “If the
11 Secretary” and inserting “CERTAIN APPOINT-
12 MENTS.—If the Secretary”.

13 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
14 2812(g) of the Public Health Service Act (42 U.S.C.
15 300hh–11(g)) is amended by striking “\$57,400,000 for
16 each of fiscal years 2019 through 2023” and inserting
17 “\$96,904,000 for each of fiscal years 2024 through
18 2028”.

19 **SEC. 304. VOLUNTEER MEDICAL RESERVE CORPS.**

20 Section 2813(i) of the Public Health Service Act (42
21 U.S.C. 300hh–15(i)) is amended by striking “2019
22 through 2023” and inserting “2024 through 2028”.

1 **TITLE IV—PRIORITIZING A**
2 **THREAT-BASED APPROACH**

3 **SEC. 401. STRATEGIC NATIONAL STOCKPILE.**

4 Section 319F–2(f) of the Public Health Service Act
5 (42 U.S.C. 247d–6b(f)) is amended—

6 (1) in paragraph (1), by striking
7 “\$610,000,000 for each of fiscal years 2019 through
8 2021, and \$750,000,000 for each of fiscal years
9 2022 and 2023” and inserting “\$965,000,000 for
10 each of fiscal years 2024 through 2028”;

11 (2) by striking paragraph (2); and

12 (3) by striking “AUTHORIZATION OF APPRO-
13 PRIATIONS” and all that follows through “For the
14 purpose of carrying out subsection (a), there are au-
15 thorized to be appropriated” and inserting “AU-
16 THORIZATION OF APPROPRIATIONS.—For the pur-
17 pose of carrying out subsection (a), there is author-
18 ized to be appropriated”.

19 **SEC. 402. ENHANCED CONTROL OF DANGEROUS BIOLOGI-**
20 **CAL AGENTS AND TOXINS.**

21 Section 351A(m) of the Public Health Service Act
22 (42 U.S.C. 262a(m)) is amended by striking “2027” and
23 inserting “2028”.

1 **SEC. 403. THE BIOMEDICAL ADVANCED RESEARCH AND DE-**
2 **VELOPMENT AUTHORITY.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
4 319L(d)(2) of the Public Health Service Act (42 U.S.C.
5 247d–7e(d)(2)) is amended by striking “\$611,700,000 for
6 each of fiscal years 2019 through 2023” and inserting
7 “\$950,000,000 for each of fiscal years 2024 through
8 2028”.

9 (b) INAPPLICABILITY OF CERTAIN PROVISIONS SUN-
10 SET.—Section 319L(e)(1)(D) of the Public Health Service
11 Act (42 U.S.C. 247d–7e(e)(1)) is amended by striking “on
12 the date that is 17 years after the date of enactment of
13 the Pandemic and All-Hazards Preparedness Act” and in-
14 serting “on October 1, 2028”.

15 **TITLE V—MISCELLANEOUS**
16 **PROVISIONS**

17 **SEC. 501. MOSQUITO ABATEMENT FOR SAFETY AND**
18 **HEALTH PROGRAM.**

19 Section 317S(f) of the Public Health Service Act (42
20 U.S.C. 247b–21(f)) is amended—

21 (1) in paragraph (1), by striking “2019
22 through 2023” and inserting “2024 through 2028”;
23 and

24 (2) by striking paragraph (3).

1 **SEC. 502. MONITORING AND DISTRIBUTION OF CERTAIN**
2 **MEDICAL COUNTERMEASURES.**

3 Section 319A(e) of the Public Health Service Act (42
4 U.S.C. 247d–1(e)) is amended by striking “2019 through
5 2023” and inserting “2024 through 2028”.

6 **SEC. 503. LIMITED ANTITRUST EXEMPTION SUNSET.**

7 Section 319L–1(b) of the Public Health Service Act
8 (42 U.S.C. 274d–7f(b)) is amended by striking “at the
9 end of the 17-year period that begins on the date of enact-
10 ment of this Act” and inserting “on October 1, 2028”.

11 **SEC. 504. EPIDEMIOLOGY-LABORATORY CAPACITY.**

12 Section 2821(b) (42 U.S.C. 300hh–31(b)) is amend-
13 ed by striking “2019 through 2023” and inserting “2024
14 through 2028”.