

Union Calendar No. 32

117TH CONGRESS
1ST SESSION

H. R. 3263

[Report No. 117-49]

To amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a medical countermeasures program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2021

Mrs. MILLER-MEEKS (for herself, Mr. VAN DREW, and Mr. GIMENEZ) introduced the following bill; which was referred to the Committee on Homeland Security

JUNE 1, 2021

Additional sponsor: Mr. GUEST

JUNE 1, 2021

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a medical countermeasures program, 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 “DHS Medical Counter-
5 measures Act”.

6 **SEC. 2. MEDICAL COUNTERMEASURES PROGRAM.**

7 (a) IN GENERAL.—Subtitle C of title XIX of the
8 Homeland Security Act of 2002 (6 U.S.C. 311 et seq.)
9 is amended by adding at the end the following new section:

10 **“SEC. 1932. MEDICAL COUNTERMEASURES.**

11 “(a) IN GENERAL.—The Secretary shall establish a
12 medical countermeasures program to facilitate personnel
13 readiness, and protection for the Department’s employees
14 and working animals in the event of a chemical, biological,
15 radiological, nuclear, or explosives attack, naturally occur-
16 ring disease outbreak, or pandemic, and to support De-
17 partment mission continuity.

18 “(b) OVERSIGHT.—The Chief Medical Officer of the
19 Department shall provide programmatic oversight of the
20 medical countermeasures program established pursuant to
21 subsection (a), and shall—

22 “(1) develop Department-wide standards for
23 medical countermeasure storage, security, dis-
24 pensing, and documentation;

1 “(2) maintain a stockpile of medical counter-
2 measures, including antibiotics, antivirals, and radio-
3 logical countermeasures, as appropriate;

4 “(3) preposition appropriate medical counter-
5 measures in strategic locations nationwide, based on
6 threat and employee density, in accordance with ap-
7 plicable Federal statutes and regulations;

8 “(4) provide oversight and guidance regarding
9 the dispensing of stockpiled medical counter-
10 measures;

11 “(5) ensure rapid deployment and dispensing of
12 medical countermeasures in a chemical, biological,
13 radiological, nuclear, or explosives attack, naturally
14 occurring disease outbreak, or pandemic;

15 “(6) provide training to Department employees
16 on medical countermeasure dispensing; and

17 “(7) support dispensing exercises.

18 “(c) MEDICAL COUNTERMEASURES WORKING
19 GROUP.—The Chief Medical Officer shall establish a med-
20 ical countermeasures working group comprised of rep-
21 resentatives from appropriate components and offices of
22 the Department to ensure that medical countermeasures
23 standards are maintained and guidance is consistent.

24 “(d) MEDICAL COUNTERMEASURES MANAGE-
25 MENT.—Not later than 120 days after the date of the en-

1 actment of this section, the Chief Medical Officer shall de-
2 velop and submit to the Secretary an integrated logistics
3 support plan for medical countermeasures, including—

4 “(1) a methodology for determining the ideal
5 types and quantities of medical countermeasures to
6 stockpile and how frequently such methodology shall
7 be reevaluated;

8 “(2) a replenishment plan; and

9 “(3) inventory tracking, reporting, and rec-
10 onciliation procedures for existing stockpiles and
11 new medical countermeasure purchases.

12 “(e) STOCKPILE ELEMENTS.—In determining the
13 types and quantities of medical countermeasures to stock-
14 pile under subsection (d), the Chief Medical Officer shall
15 utilize, if available—

16 “(1) Department chemical, biological, radio-
17 logical, and nuclear risk assessments; and

18 “(2) Centers for Disease Control and Preven-
19 tion guidance on medical countermeasures.

20 “(f) REPORT.—Not later than 180 days after the
21 date of the enactment of this section, the Secretary shall
22 submit to the Committee on Homeland Security of the
23 House of Representatives and the Committee on Home-
24 land Security and Governmental Affairs of the Senate the
25 plan developed in accordance with subsection (d) and brief

1 such Committees regarding implementing the require-
2 ments of this section.

3 “(g) DEFINITION.—In this section, the term ‘medical
4 countermeasures’ means antibiotics, antivirals, radio-
5 logical countermeasures, and other countermeasures that
6 may be deployed to protect the Department’s employees
7 and working animals in the event of a chemical, biological,
8 radiological, nuclear, or explosives attack, naturally occur-
9 ring disease outbreak, or pandemic.”.

10 (b) CLERICAL AMENDMENT.—The table of contents
11 in section 1(b) of the Homeland Security Act of 2002 is
12 amended by adding after the item relating to section 1931
13 the following new item:

“Sec. 1932. Medical countermeasures.”.

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