

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1300
OFFERED BY MR. KING OF NEW YORK**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “First Responder An-
3 thrax Preparedness Act”.

**4 SEC. 2. PRE-EVENT ANTHRAX VACCINATION PROGRAM FOR
5 EMERGENCY RESPONSE PROVIDERS.**

6 (a) ANTHRAX PREPAREDNESS.—

7 (1) IN GENERAL.—Title V of the Homeland Se-
8 curity Act of 2002 (Public Law 107–296; 6 U.S.C.
9 311 et seq.) is amended by adding at the end the
10 following new section:

11 “SEC. 526. ANTHRAX PREPAREDNESS.

12 “(a) PRE-EVENT ANTHRAX VACCINATION PROGRAM
13 FOR EMERGENCY RESPONSE PROVIDERS.—For the pur-
14 pose of domestic preparedness for and collective response
15 to terrorism, the Secretary, in consultation with the Sec-
16 retary of Health and Human Services, shall establish a
17 program to provide surplus anthrax vaccines from the
18 strategic national stockpile under section 319F–2(a) of

1 the Public Health Service Act (42 U.S.C. 247d–6b(a)) to
2 emergency response providers for administration to such
3 providers who voluntarily consent to such administration,
4 and shall—

5 “(1) establish any necessary logistical and
6 tracking systems to facilitate making such vaccines
7 so available;

8 “(2) distribute disclosures regarding associated
9 benefits and risks to end users; and

10 “(3) conduct outreach to educate emergency re-
11 sponse providers about the voluntary program.

12 “(b) THREAT ASSESSMENT.—The Secretary shall—

13 “(1) support homeland security-focused risk
14 analysis and risk assessments of the threats posed
15 by anthrax from an act of terror;

16 “(2) leverage existing and emerging homeland
17 security intelligence capabilities and structures to
18 enhance prevention, protection, response, and recov-
19 ery efforts with respect to an anthrax terror attack;
20 and

21 “(3) share information and provide tailored an-
22 alytical support on threats posed by anthrax to
23 State, local, and tribal authorities, as well as other
24 national biosecurity and biodefense stakeholders.”.

1 (2) CLERICAL AMENDMENT.—The table of con-
2 tents in section 1(b) of such Act is amended by in-
3 serting at the end of the items relating to title V the
4 following new item:

“Sec. 526. Anthrax preparedness.”.

5 (b) PILOT PROGRAM.—

6 (1) IN GENERAL.—In carrying out the pre-
7 event vaccination program authorized in section
8 526(a) of the Homeland Security Act of 2002, as
9 added by subsection (a), the Secretary of Homeland
10 Security, in coordination with the Secretary of
11 Health and Human Services, shall carry out a pilot
12 program to provide anthrax vaccines to emergency
13 response providers as so authorized. The duration of
14 the pilot program shall be at least 18 months.

15 (2) PRELIMINARY REQUIREMENTS.—By not
16 later than one year after the date of the enactment
17 of this Act, and prior to implementing the pilot pro-
18 gram under paragraph (1), the Secretary of Home-
19 land Security shall—

20 (A) establish a communication platform for
21 the pilot program;

22 (B) establish education and training mod-
23 ules for the pilot program;

24 (C) conduct economic analysis of the pilot
25 program; and

1 (D) create a logistical platform for the an-
2 thrax vaccine request process under the pilot
3 program.

4 (3) LOCATION.—In carrying out the pilot pro-
5 gram under this subsection, the Secretary of Home-
6 land Security shall select emergency response pro-
7 viders based in at least two States for participation
8 in the pilot program.

9 (4) DISTRIBUTION OF INFORMATION.—The
10 Secretary of Homeland Security shall provide to
11 each emergency response provider who participates
12 in the pilot program under this subsection disclo-
13 sures and educational materials regarding the asso-
14 ciated benefits and risks of any vaccine provided
15 under the pilot program and of exposure to anthrax.

16 (5) REPORT.—Not later than one year after the
17 date of the enactment of this Act, and annually
18 thereafter until the completion of the pilot program,
19 the Secretary of Homeland Security shall submit to
20 the Committee on Homeland Security of the House
21 of Representatives and the Committee on Homeland
22 Security and Governmental Affairs of the Senate a
23 report on the progress and results of the pilot pro-
24 gram, including the degree to which participants ob-
25 tain necessary vaccinations, as appropriate, and rec-

1 ommendations to improve initial and recurrent par-
2 ticipation in the pilot program. The report shall in-
3 clude a plan under which the Secretary plans to con-
4 tinue the program to provide vaccines to emergency
5 response providers under section 526(a) of the
6 Homeland Security Act of 2002, as added by sub-
7 section (a).

8 (6) DEADLINE FOR IMPLEMENTATION.—The
9 Secretary of Homeland Security shall begin imple-
10 menting the pilot program under this subsection by
11 not later than the date that is one year after the
12 date of the enactment of this Act.

