

117TH CONGRESS  
1ST SESSION

# H. R. 1538

To amend the United States-Mexico Border Health Commission Act, with respect to preparedness for COVID–19 and other infectious diseases in the border region, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2021

Ms. ESCOBAR (for herself, Mr. CUELLAR, Ms. JACKSON LEE, Mr. GRIJALVA, Mr. VELA, Mr. VICENTE GONZALEZ of Texas, Mr. VARGAS, Mrs. KIRKPATRICK, Mr. TONY GONZALES of Texas, and Mr. CARBAJAL) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the United States-Mexico Border Health Commission Act, with respect to preparedness for COVID–19 and other infectious diseases in the border region, 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 “Binational Health  
5 Strategies Act of 2021”.

1 **SEC. 2. UNITED STATES-MEXICO BORDER HEALTH COMMIS-**  
2 **SION INFECTIOUS DISEASE PREPAREDNESS.**

3 The United States-Mexico Border Health Commis-  
4 sion Act (22 U.S.C. 290n et seq.) is amended by inserting  
5 after section 4 (22 U.S.C. 290n–2) the following:

6 **“SEC. 4A. INFECTIOUS DISEASE PREPAREDNESS.**

7 “(a) PRESIDENTIAL NEGOTIATIONS.—The President  
8 is authorized and directed to, not later than 30 days after  
9 the date of the enactment of this section, seek to begin  
10 negotiations with Mexico to amend the agreement entered  
11 into pursuant to section 2, addressing infectious disease  
12 preparedness in the United States-Mexico Border Area,  
13 with respect to—

14 “(1) COVID–19, including the development of  
15 the report specified in subsection (b) and the plan  
16 specified in subsection (c); and

17 “(2) other infectious diseases, including the de-  
18 velopment and implementation of the plan specified  
19 in subsection (d).

20 “(b) COVID–19 RESPONSE.—Not later than 120  
21 days after the date on which negotiations referred to in  
22 subsection (a) begin, and annually thereafter (for as long  
23 as the Commission, acting with the participation of mem-  
24 bers representing both the United States and Mexican sec-  
25 tions, determines is necessary), the Commission shall sub-  
26 mit to Congress a report on the United States-Mexico Bor-

1 der Area’s response (beginning on February 1, 2020) to  
2 COVID–19, including with respect to testing, contact trac-  
3 ing, and other infection prevention and control measures  
4 carried out in the United States-Mexico Border Area, in  
5 both the United States and Mexico.

6 “(c) COVID–19 BINATIONAL PLAN.—

7 “(1) IN GENERAL.—Not later than 60 days  
8 after the date on which negotiations referred to in  
9 subsection (a) begin, the Commission (acting with  
10 the participation of members representing both the  
11 United States and Mexican sections) shall develop,  
12 and publish on a public website of the Commission,  
13 a binational strategic plan that addresses, with re-  
14 spect to COVID–19, how—

15 “(A) the United States-Mexico Border  
16 Area should strengthen its response to COVID–  
17 19, with a focus on testing, contact tracing, and  
18 other infection prevention and control measures;

19 “(B) the effect of COVID–19 on the eco-  
20 nomic conditions in the United States-Mexico  
21 Border Area may be mitigated;

22 “(C) the sharing of relevant health data,  
23 with respect to COVID–19, including testing  
24 and positivity rates, between health agencies

1           within the United States-Mexico Border Area  
2           can be strengthened; and

3           “(D) a COVID–19 vaccine should be dis-  
4           bursed throughout the United States-Mexico  
5           Border Area, taking into account the various  
6           vulnerable populations in the region.

7           “(2) IMPLEMENTATION.—Not later than 90  
8           days after the date on which negotiations referred to  
9           in subsection (a) begin, the Commission (acting with  
10          the participation of members representing both the  
11          United States and Mexican sections) shall develop,  
12          and publish on a public website of the Commission,  
13          what actions Federal agencies will take within the  
14          United States section and agencies of the Govern-  
15          ment of Mexico will take within the Mexican section  
16          of the United States-Mexico Border Area to facili-  
17          tate implementation of the plan under paragraph  
18          (1). At least once each year after the publication of  
19          such information, the Commission shall submit to  
20          Congress a report on actions taken by Federal agen-  
21          cies and agencies of the Government of Mexico to fa-  
22          cilitate that implementation during the year covered  
23          by the report.

24          “(d) FUTURE INFECTIOUS DISEASE PLAN.—

1           “(1) IN GENERAL.—Not later than 180 days  
2 after the date on which negotiations referred to in  
3 subsection (a) begin, the Commission shall develop  
4 and publish a plan to prepare and respond to infec-  
5 tious diseases (other than COVID–19) within the  
6 United States-Mexico Border Area. Such plan shall  
7 address how—

8           “(A) the United States-Mexico Border  
9 Area should strengthen its response to such in-  
10 fectionous diseases, with a focus on testing, con-  
11 tact tracing, and other infection prevention and  
12 control measures;

13           “(B) the effect of such infectious diseases  
14 on the economic conditions in the United  
15 States-Mexico Border Area may be mitigated;

16           “(C) the sharing of relevant health data,  
17 with respect to such infectious diseases, includ-  
18 ing testing and positivity rates, between health  
19 agencies within the United States-Mexico Bor-  
20 der Area can be strengthened; and

21           “(D) a vaccine for such infectious diseases  
22 should be disbursed throughout the United  
23 States-Mexico Border Area, taking into account  
24 the various vulnerable populations in the region.

1           “(2) UPDATES.—The Commission shall update  
2           the plan published under paragraph (1) at least once  
3           every 3 years for as long as the Commission, acting  
4           with the participation of members representing both  
5           the United States and Mexican sections, determines  
6           is necessary.

7           “(3) IMPLEMENTATION.—Not later than 210  
8           days after the date on which negotiations referred to  
9           in subsection (a) begin, the Commission (acting with  
10          the participation of members representing both the  
11          United States and Mexican sections) shall develop,  
12          and publish on a public website of the Commission,  
13          what actions Federal agencies will take within the  
14          United States section and agencies of the Govern-  
15          ment of Mexico will take within the Mexican section  
16          of the United States-Mexico Border Area to facili-  
17          tate implementation of the plan under paragraph  
18          (1). At least once a year after the publication of  
19          such information, the Commission shall submit to  
20          Congress a report on actions taken by Federal agen-  
21          cies and agencies of the Government of Mexico to fa-  
22          cilitate that implementation during the year covered  
23          by the report.

24          “(e) DEFINITIONS.—In this section:

1           “(1) COVID–19.—The term ‘COVID–19’ re-  
2           fers to the 2019 coronavirus disease caused by  
3           SARS–CoV–2.

4           “(2) SARS–CoV–2.—The term ‘SARS–CoV–2’  
5           refers to the severe acute respiratory syndrome  
6           coronavirus 2 virus responsible for COVID–19 and  
7           includes any viral variant mutating therefrom with  
8           pandemic potential.”.

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