

118TH CONGRESS
1ST SESSION

H. R. 4516

To amend the Public Health Service Act to provide for the inclusion of a biological attribution strategy, and an early warning strategy and implementation plan, in the National Health Security Strategy, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2023

Mr. CRENSHAW introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to provide for the inclusion of a biological attribution strategy, and an early warning strategy and implementation plan, in the National Health Security Strategy, 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. BIOLOGICAL ATTRIBUTION STRATEGY.**

4 (a) PREPAREDNESS GOAL.—Section 2802(b) of the
5 Public Health Service Act (42 U.S.C. 300hh–1(b)) is
6 amended by adding at the end the following:

1 “(11) BIOLOGICAL ATTRIBUTION STRATEGY.—
2 Developing a biological attribution strategy to im-
3 prove Federal coordination of duties and activities
4 related to biological attribution of biological hazards
5 and pathogens of pandemic potential, which shall in-
6 clude developing a strategy in accordance with sub-
7 section (c).”.

8 (b) DETAILS OF STRATEGY.—Section 2802 of the
9 Public Health Service Act (42 U.S.C. 300hh–1) is amend-
10 ed by adding at the end the following:

11 “(c) BIOLOGICAL ATTRIBUTION STRATEGY.—

12 “(1) CONTENTS.—The biological attribution
13 strategy under subsection (b)(11) shall include the
14 following:

15 “(A) A description of the biological attri-
16 bution duties of each appropriate Federal agen-
17 cy, including—

18 “(i) the nature of routine bioattribu-
19 tion activities;

20 “(ii) the level and type of biological
21 events that may trigger an attribution de-
22 termination by the appropriate Federal
23 agencies regarding the source, cause, or or-
24 igin of such events; and

1 “(iii) the Federal agency’s routine ex-
2 ercise of the capabilities to perform bio-
3 attribution activities.

4 “(B) The process by which a bioattribution
5 determination is made by each such Federal
6 agency, including how such process may ad-
7 dress national security considerations.

8 “(C) Development of assignments, mile-
9 stones, and timelines necessary to establish the
10 strongest possible national capacity for bio-
11 attribution.

12 “(D) A plan for the identification, develop-
13 ment, and implementation of new technologies,
14 through both internal and public-private initia-
15 tives, with an emphasis on diagnostic, sequenc-
16 ing, and safe collection capabilities.

17 “(2) COORDINATION.—In developing the bio-
18 logical attribution strategy under subsection (b)(11),
19 the Secretary shall coordinate with the relevant Fed-
20 eral agencies, including the Administration for Stra-
21 tegic Preparedness and Response, the Office of
22 Science and Technology Policy, and the Office of the
23 Director of National Intelligence.”.

1 **SEC. 2. EARLY WARNING STRATEGY AND IMPLEMENTATION**

2 **PLAN.**

3 (a) **PREPAREDNESS GOAL.**—Section 2802(b) of the
4 Public Health Service Act (42 U.S.C. 300hh–1(b)), as
5 amended by section 1, is further amended by adding at
6 the end the following:

7 “(12) **EARLY WARNING STRATEGY AND IMPLE-**
8 **MENTATION PLAN.**—Developing and implementing
9 an early warning strategy and implementation plan
10 for biological, chemical, and radiological threats, in
11 accordance with subsection (d).”.

12 (b) **DETAILS OF STRATEGY AND PLAN.**—Section
13 2802 of the Public Health Service Act (42 U.S.C. 300hh–
14 1), as amended by section 1, is further amended by adding
15 at the end the following:

16 “(d) **EARLY WARNING STRATEGY AND IMPLEMENTA-**
17 **TION PLAN.**—

18 “(1) **OBJECTIVES.**—The objectives of the early
19 warning strategy and implementation plan under
20 subsection (b)(12) shall include—

21 “(A) development of a robust early warn-
22 ing function for the United States which incor-
23 porates new technologies, with an emphasis on
24 diagnostic, sequencing, and safe collection capa-
25 bilities;

1 “(B) identification of new biological
2 threats at the earliest time to inform response
3 strategies;

4 “(C) understanding of the prevalence of
5 current and recurring threats;

6 “(D) the ability to adapt technologies to
7 emerging chemical and radiological threats, in-
8 cluding synthetic drugs and fentanyl;

9 “(E) ongoing detection from broad sources
10 including wastewater, airports, and transpor-
11 tation hubs; and

12 “(F) the ability to rapidly deploy tech-
13 nologies at scale during a public health event.

14 “(2) COORDINATION AND ELIMINATING DUPLI-
15 CATION.—

16 “(A) CONSULTATION.—In developing the
17 early warning strategy and implementation plan
18 under subsection (b)(12), the Secretary shall
19 consult with—

20 “(i) State and local public health enti-
21 ties;

22 “(ii) private sector and academic part-
23 ners; and

24 “(iii) Federal officials as appropriate,
25 including—

1 “(I) the Assistant Secretary for
2 Strategic Preparedness and Response;
3 and

4 “(II) the Director of the Centers
5 for Disease Control and Prevention.

6 “(B) PURPOSES.—The purposes of con-
7 sultation under paragraph (1) shall be to co-
8 ordinate activities, streamline Federal pro-
9 grams, and eliminate waste and duplication.

10 “(C) MEETINGS.—The Secretary, on a
11 periodic basis as applicable and appropriate,
12 shall meet with the Director of National Intel-
13 ligence to inform the development and capabili-
14 ties of the early warning strategy and imple-
15 mentation plan under subsection (b)(12) for
16 foreign and cross-border threats.”.

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