

117TH CONGRESS
2D SESSION

H. R. 7577

To improve State, local, and Tribal public health security.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2022

Mr. GALLEGRO (for himself and Mr. COLE) introduced the following bill; which
was referred to the Committee on Energy and Commerce

A BILL

To improve State, local, and Tribal public health security.

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 “CDC Tribal Public
5 Health Security and Preparedness Act”.

6 **SEC. 2. IMPROVING STATE, LOCAL, AND TRIBAL PUBLIC**
7 **HEALTH SECURITY.**

8 Section 319C–1 of the Public Health Service Act (42
9 U.S.C. 247d–3a) is amended—

10 (1) in the section heading, by striking “**AND**
11 **LOCAL**” and inserting “**, LOCAL, AND TRIBAL**”;

12 (2) in subsection (b)—

1 (A) in paragraph (1)—

2 (i) in subparagraph (B), by striking
3 “or” at the end;

4 (ii) in subparagraph (C), by striking
5 “and” at the end and inserting “or”; and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(D) be an Indian Tribe, a Tribal organization,
9 or a consortium of Indian Tribes or Tribal organiza-
10 tions; and”; and

11 (B) in paragraph (2)—

12 (i) in subparagraph (A)(viii)—

13 (I) by inserting “and Tribal”
14 after “with State”;

15 (II) by striking “(as defined in
16 section 8101 of the Elementary and
17 Secondary Education Act of 1965)”
18 and inserting “and Tribal educational
19 agencies (as defined in sections 8101
20 and 6132, respectively, of the Elemen-
21 tary and Secondary Education Act of
22 1965)”;

23 (III) by inserting “and Tribal”
24 after “and State”;

1 (ii) in subparagraph (G), by inserting
2 “(including Tribes, Tribal organizations,
3 and urban Indian organizations)” after
4 “stakeholders”; and

5 (iii) in subparagraph (H), by inserting
6 “, Indian Tribes, and urban Indian organi-
7 zations” after “public health”;

8 (3) in subsection (e), by inserting “Indian
9 Tribes, Tribal organizations, urban Indian organiza-
10 tions,” after “local emergency plans,”;

11 (4) in subsection (h)—

12 (A) in paragraph (1)(A), by striking
13 “\$685,000,000 for each of fiscal years 2019
14 through 2023 for awards pursuant to para-
15 graph (3) (subject to the authority of the Sec-
16 retary to make awards pursuant to paragraphs
17 (4) and (5))” and inserting “\$750,000,000 for
18 each of fiscal years 2023 through 2025 for
19 awards pursuant to paragraph (3) (subject to
20 the authority of the Secretary to make awards
21 pursuant to paragraphs (4) and (5)) and para-
22 graph (8), of which not less than 5 percent
23 shall be reserved each fiscal year for awards
24 under paragraph (8)”;

1 (B) in the heading of paragraph (3), by in-
2 serting “FOR STATES” after “AMOUNT”; and

3 (C) by adding at the end the following:

4 “(8) TRIBAL ELIGIBLE ENTITIES.—

5 “(A) DETERMINATION OF FUNDING
6 AMOUNT.—

7 “(i) IN GENERAL.—The Secretary
8 shall award at least 10 cooperative agree-
9 ments under this section, in amounts not
10 less than the minimum amount determined
11 under clause (ii), to eligible entities de-
12 scribed in subsection (b)(1)(D) that submit
13 to the Secretary an application that meets
14 the criteria of the Secretary for the receipt
15 of such an award and that meets other
16 reasonable implementation conditions es-
17 tablished by the Secretary, in consultation
18 with Indian Tribes, for such awards.

19 “(ii) MINIMUM AMOUNT.—In deter-
20 mining the minimum amount of an award
21 pursuant to clause (i), the Secretary, in
22 consultation with Indian Tribes, shall first
23 determine an amount the Secretary con-
24 siders appropriate for the eligible entity.

1 “(B) AVAILABLE UNTIL EXPENDED.—
2 Amounts provided to a Tribal eligible entity
3 under a cooperative agreement under this sec-
4 tion for a fiscal year and remaining unobligated
5 at the end of such year shall remain available
6 to such entity during the entirety of the per-
7 formance period, for the purposes for which
8 said funds were provided.

9 “(C) NO MATCHING REQUIREMENT.—Sub-
10 paragraphs (B) and (C) of paragraph (1) shall
11 not apply with respect to cooperative agree-
12 ments awarded under this section to eligible en-
13 tities described in subsection (b)(1)(D).”; and
14 (5) by adding at the end the following:

15 “(1) SPECIAL RULES RELATED TO TRIBAL ELIGIBLE
16 ENTITIES.—

17 “(1) MODIFICATIONS.—After consultation with
18 Indian Tribes, the Secretary may make necessary
19 and appropriate modifications to the program under
20 subsections (b)(2), (g), and (i) to facilitate the use
21 of the cooperative agreement program by eligible en-
22 tities described in subsection (b)(1)(D).

23 “(2) WAIVERS.—

24 “(A) IN GENERAL.—Except as provided in
25 subparagraph (B), the Secretary shall waive or

1 specify alternative requirements for any provi-
2 sion of this section (including regulations) that
3 the Secretary administers in connection with
4 this section if the Secretary, after consultation
5 with Indian Tribes, finds that the waiver or al-
6 ternative requirement is appropriate for the ef-
7 fective delivery and administration of this pro-
8 gram with respect to eligible entities described
9 in subsection (b)(1)(D).

10 “(B) EXCEPTION.—The Secretary may not
11 waive or specify alternative requirements under
12 subparagraph (A) relating to labor standards or
13 the environment.

14 “(3) CONSULTATION.—The Secretary shall con-
15 sult with Indian Tribes and Tribal organizations on
16 the design of this program with respect to such
17 Tribes and organizations to ensure the effectiveness
18 of the program in enhancing the security of Indian
19 Tribes with respect to public health emergencies.

20 “(4) REPORTING.—

21 “(A) IN GENERAL.—Not later than 2 years
22 after the date of enactment of this subsection,
23 and as an addendum to the biennial evaluations
24 required under subsection (k), the Secretary, in

1 coordination with the Director of the Indian
2 Health Service, shall—

3 “(i) conduct a review of the implemen-
4 tation of this section with respect to eligi-
5 ble entities described in subsection
6 (b)(1)(D), including any factors that may
7 have limited its success;

8 “(ii) compile a report containing—

9 “(I) a description of the results
10 of the review described in clause (i);

11 “(II) a breakdown of the eligible
12 entities described in subsection
13 (b)(1)(D) that—

14 “(aa) received an award
15 under this section;

16 “(bb) received an award
17 under this section and a waiver
18 as described in paragraph (2);
19 and

20 “(cc) applied under this sec-
21 tion but did not receive an
22 award;

23 “(III) a list of any waived or al-
24 ternative requirements of this section

1 and the reasoning for issuing a waiver
2 or alternative requirement; and

3 “(IV) recommendations to the
4 Congress for program modifications
5 necessary to improve the implementa-
6 tion of the program with respect to el-
7 igible entities described in subsection
8 (b)(1)(D); and

9 “(iii) submit the report described in
10 clause (ii) to—

11 “(I) the Committee on Indian Af-
12 fairs, the Committee on Health, Edu-
13 cation, Labor, and Pensions, and the
14 Committee on Appropriations of the
15 Senate; and

16 “(II) the Subcommittee on Indig-
17 enous People of the Committee on
18 Natural Resources, the Committee on
19 Energy and Commerce, and the Com-
20 mittee on Appropriations of the House
21 of Representatives.

22 “(B) ANALYSIS OF TRIBAL PUBLIC
23 HEALTH EMERGENCY INFRASTRUCTURE LIM-
24 TATION.—The Secretary shall include in the
25 initial report submitted under subparagraph (A)

1 a description of any public health emergency in-
2 frastructure limitation encountered by eligible
3 entities described in subsection (b)(1)(D).”.

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