

115TH CONGRESS
2D SESSION

S. 3161

To establish the Centers for Disease Control and Prevention Emergency Response Fund to provide assistance with respect to a public health emergency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 28, 2018

Mr. BROWN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish the Centers for Disease Control and Prevention Emergency Response Fund to provide assistance with respect to a public health emergency, 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 “Centers for Disease
5 Control and Prevention Emergency Response Act of
6 2018”.

1 **SEC. 2. CENTERS FOR DISEASE CONTROL AND PREVEN-**
2 **TION EMERGENCY RESPONSE FUND.**

3 (a) ESTABLISHMENT.—There is established in the
4 Treasury of the United States a fund to be known as the
5 “Centers for Disease Control and Prevention Emergency
6 Response Fund” (referred to in this Act as the “Fund”).

7 (b) OBLIGATIONS AND EXPENDITURES.—Subject to
8 subsection (d), the Director of the Centers for Disease
9 Control and Prevention (referred to in this Act as the “Di-
10 rector”) may obligate and expend amounts in the Fund
11 in the event the Director activates Level 1 emergency op-
12 erations, as necessary to detect, prepare for, or respond
13 to a natural or manmade disaster, disease outbreak, or
14 other public health emergency, domestically or abroad.

15 (c) COORDINATION.—In obligating and expending
16 amounts in the Fund, the Director may coordinate with
17 other Federal and State entities, as appropriate, including
18 through the transfer of amounts in the Fund to such other
19 entities.

20 (d) CONGRESSIONAL OVERSIGHT.—

21 (1) NOTICE.—The Director shall submit to the
22 President, the Committee on Appropriations of the
23 Senate, and the Committee on Appropriations of the
24 House of Representatives, and any other relevant
25 committee, notice of any plan to obligate or expend
26 amounts in the Fund.

1 (2) REPORTING.—Not less frequently than
 2 every 60 days, the Director shall provide regular
 3 briefings and submit a written report, to the Com-
 4 mittee on Appropriations of the Senate, the Com-
 5 mittee on Appropriations of the House of Represent-
 6 atives, and any other relevant committee, detailing
 7 the use of any amounts obligated or expended from
 8 the Fund during the applicable 60-day period.

9 (3) REQUIREMENTS FOR AMOUNTS GREATER
 10 THAN \$1,000,000,000.—The Director may obligate or
 11 expend amounts in the Fund that are greater than
 12 \$1,000,000,000 in any fiscal year in accordance with
 13 a plan submitted under paragraph (1) only if a joint
 14 resolution of disapproval of such plan is not enacted
 15 within 30 days of such submission.

16 (e) APPROPRIATIONS.—

17 (1) IN GENERAL.—There is appropriated to the
 18 Fund, out of any monies in the Treasury not other-
 19 wise appropriated, to remain available until ex-
 20 pended—

21 (A) for fiscal year 2019, \$2,000,000,000;

22 and

23 (B) for fiscal year 2020 and each fiscal
 24 year thereafter, if the unobligated amount re-
 25 maining in the Fund on the first day of the ap-

1 plicable fiscal year is less than \$2,000,000,000,
2 the amount equal to the difference between
3 \$2,000,000,000 and the unobligated amount re-
4 maining in the Fund on the first day of such
5 fiscal year.

6 (2) EMERGENCY DESIGNATION.—

7 (A) STATUTORY PAYGO.—This subsection
8 is designated as an emergency requirement pur-
9 suant to section 4(g) of the Statutory Pay-As-
10 You-Go Act of 2010 (2 U.S.C. 933(g)).

11 (B) SENATE DESIGNATION.—In the Sen-
12 ate, this subsection is designated as an emer-
13 gency requirement pursuant to section 4112(a)
14 of H. Con. Res. 71 (115th Congress), the con-
15 current resolution on the budget for fiscal year
16 2018.

17 (3) LIMITATION.—Amounts appropriated under
18 this Act shall supplement, and not supplant other
19 Federal, State, and local governmental amounts pro-
20 vided for public health response activities, including
21 amounts provided through any emergency supple-
22 mental appropriations Act.

23 (f) GAO REPORTS.—Not later than 1 year after the
24 date of enactment of this Act and annually thereafter for
25 4 years, the Comptroller General of the United States

1 shall submit a report to Congress on the Federal response
2 to infectious disease outbreaks during the reporting pe-
3 riod, best practices for emergency public health response
4 and interagency coordination, the use of funding sources
5 in public health emergency response, and the use of the
6 Fund established by this Act.

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