

110TH CONGRESS
1ST SESSION

H. R. 1290

To amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to establish a National Biosurveillance Integration Center.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2007

Mr. LANGEVIN (for himself, Mr. McCAUL of Texas, Mr. THOMPSON of Mississippi, Mr. KING of New York, Ms. ZOE LOFGREN of California, Mr. DENT, Ms. JACKSON-LEE of Texas, Mr. DAVID DAVIS of Tennessee, and Mrs. CHRISTENSEN) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, 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

A BILL

To amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to establish a National Biosurveillance Integration Center.

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 “Biosurveillance En-
5 hancement Act of 2007”.

1 **SEC. 2. NATIONAL BIOSURVEILLANCE INTEGRATION CEN-**
2 **TER.**

3 (a) IN GENERAL.—Title III of the Homeland Secu-
4 rity Act of 2002 (6 U.S.C. 181 et seq.) is amended by
5 adding at the end the following new section:

6 **“SEC. 316. NATIONAL BIOSURVEILLANCE INTEGRATION**
7 **CENTER.**

8 “(a) ESTABLISHMENT.—The Secretary shall estab-
9 lish a National Biosurveillance Integration Center (re-
10 ferred to in this section as the ‘NBIC’) to enhance the
11 capability of the Federal Government to rapidly identify,
12 characterize, and localize a biological event by integrating
13 and analyzing data related to human health, animals,
14 plants, food, and the environment. The NBIC shall be
15 headed by a Director.

16 “(b) INTEGRATED BIOSURVEILLANCE NETWORK.—
17 As part of the NBIC, the Director shall develop, operate,
18 and maintain an integrated network to detect, as early as
19 possible, a biological event that presents a risk to the
20 United States or the infrastructure or key assets of the
21 United States. The network shall—

22 “(1) consolidate data from all relevant surveil-
23 lance systems maintained by the Department and
24 other governmental and private sources, both foreign
25 and domestic, to the extent practicable; and

1 “(2) use an information technology system that
2 uses the best available statistical and other analyt-
3 ical tools to identify and characterize biological
4 events in as close to real-time as possible.

5 “(c) RESPONSIBILITIES.—

6 “(1) IN GENERAL.—The Director shall—

7 “(A) monitor on an ongoing basis the
8 availability and appropriateness of candidate
9 data feeds and solicit new surveillance systems
10 with data that would enhance biological situa-
11 tional awareness or overall performance of the
12 NBIC;

13 “(B) review and seek to improve on an on-
14 going basis the statistical and other analytical
15 methods used by the NBIC;

16 “(C) establish a procedure to enable Fed-
17 eral, State and local government, and private
18 sector entities to report suspicious events that
19 could warrant further assessments by the
20 NBIC;

21 “(D) receive and consider all relevant
22 homeland security information; and

23 “(E) provide technical assistance, as ap-
24 propriate, to all Federal, State, and local gov-
25 ernment entities and private sector entities that

1 contribute data relevant to the operation of the
2 NBIC.

3 “(2) ASSESSMENTS.—The Director shall—

4 “(A) continuously evaluate available data
5 for evidence of a biological event; and

6 “(B) integrate homeland security informa-
7 tion with NBIC data to provide overall biologi-
8 cal situational awareness and determine wheth-
9 er a biological event has occurred.

10 “(3) INFORMATION SHARING.—The Director
11 shall—

12 “(A) establish a mechanism for real-time
13 communication with the National Operations
14 Center;

15 “(B) provide integrated information to the
16 heads of the departments and agencies with
17 which the Director has entered into an agree-
18 ment under subsection (d);

19 “(C) notify the Secretary, the head of the
20 National Operations Center, and the heads of
21 appropriate Federal, State, tribal, and local en-
22 tities of any significant biological event identi-
23 fied by the NBIC;

24 “(D) provide reports on NBIC assessments
25 to Federal, State, and local government entities,

1 including departments and agencies with which
2 the Director has entered into an agreement
3 under subsection (d), and any private sector en-
4 tities, as considered appropriate by the Direc-
5 tor; and

6 “(E) use information sharing networks
7 available to the Department, including such
8 networks of the Office of Information Analysis
9 and the National Operations Center, for distrib-
10 uting NBIC incident or situational awareness
11 reports.

12 “(d) INTERAGENCY AGREEMENTS.—

13 “(1) IN GENERAL.—The Secretary shall seek to
14 enter into agreements with the heads of appropriate
15 Federal departments and agencies, including the De-
16 partment of Health and Human Services, Depart-
17 ment of Defense, the Department of Agriculture, the
18 Department of State, the Department of Interior,
19 and the Intelligence Community.

20 “(2) CONTENT OF AGREEMENTS.—Under an
21 agreement entered into under paragraph (1), the
22 head of a Federal department or agency shall agree
23 to—

1 “(A) use the best efforts of the department
2 or agency to integrate biosurveillance informa-
3 tion capabilities through NBIC;

4 “(B) provide timely, evaluated information
5 to assist the NBIC in maintaining biological sit-
6 uational awareness for timely and accurate de-
7 tection and response purposes;

8 “(C) provide connectivity for the bio-
9 surveillance data systems of the department or
10 agency to the NBIC network under mutually
11 agreed protocols;

12 “(D) detail, if practicable, to the NBIC de-
13 partment or agency personnel with relevant ex-
14 pertise in human, animal, plant, food, or envi-
15 ronmental disease analysis and interpretation;

16 “(E) retain responsibility for the surveil-
17 lance and intelligence systems of that depart-
18 ment or agency, if applicable; and

19 “(F) participate in forming the strategy
20 and policy for the operation and information
21 sharing practices of the NBIC.

22 “(e) NOTIFICATION OF DIRECTOR.—The Secretary
23 shall ensure that the Director is notified of homeland secu-
24 rity information relating to any significant biological

1 threat and receives all classified and unclassified reports
2 related to such a threat in a timely manner.

3 “(f) ADMINISTRATIVE AUTHORITIES.—

4 “(1) PRIVACY.—The Secretary shall—

5 “(A) designate the NBIC as a public
6 health authority;

7 “(B) ensure that the NBIC complies with
8 any applicable requirements of the Health In-
9 surance Portability and Accountability Act of
10 1996; and

11 “(C) ensure that all applicable privacy reg-
12 ulations are strictly adhered to in the operation
13 of the NBIC and the sharing of any informa-
14 tion related to the NBIC.

15 “(2) COLLECTION OF INFORMATION.—The
16 NBIC, as a public health authority with a public
17 health mission, is authorized to collect or receive
18 health information, including such information pro-
19 tected under the Health Insurance Portability and
20 Accountability Act of 1996, for the purpose of pre-
21 venting or controlling disease, injury, or disability.

22 “(g) NBIC INTERAGENCY WORKING GROUP.—The
23 Director shall—

24 “(1) establish an interagency working group to
25 facilitate interagency cooperation to advise the Di-

1 rector on recommendations to enhance the bio-
2 surveillance capabilities of the Department; and

3 “(2) invite officials of Federal agencies that
4 conduct biosurveillance programs, including officials
5 of the departments and agencies with which the Sec-
6 retary has entered into an agreement under sub-
7 section (d), to participate in the working group.

8 “(h) ANNUAL REPORT REQUIRED.—Not later than
9 December 31 of each year, the Secretary shall submit to
10 Congress a report that contains each of the following:

11 “(1) A list of departments, agencies, and pri-
12 vate or nonprofit entities participating in the NBIC
13 and a description of the data that each entity has
14 contributed to the NBIC during the preceding fiscal
15 year.

16 “(2) The schedule for obtaining access to any
17 relevant biosurveillance information not received by
18 the NBIC as of the date on which the report is sub-
19 mitted.

20 “(3) A list of Federal, State, and local govern-
21 ment entities and private sector entities that have
22 direct or indirect access to the information that is
23 integrated by the NBIC.

24 “(4) For any year before the NBIC is fully im-
25 plemented or any year in which any major structural

1 or institutional change is made to the NBIC, an im-
2 plementation plan for the NBIC that includes cost,
3 schedule, key milestones, and the status of such
4 milestones.

5 “(i) RELATIONSHIP TO OTHER DEPARTMENTS AND
6 AGENCIES.—The authority of the Secretary under this
7 section shall not affect an authority or responsibility of
8 any other Federal department or agency with respect to
9 biosurveillance activities under any program administered
10 by that department or agency.

11 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated to carry out this section
13 such sums as may be necessary for each fiscal year.

14 “(k) BIOLOGICAL EVENT.—For purposes of this sec-
15 tion, the term ‘biological event’ means—

16 “(1) an act of terrorism involving biological
17 agents or toxins of known or unknown origin; or

18 “(2) a naturally occurring outbreak of an infec-
19 tious disease that may be of potential national sig-
20 nificance.”.

21 (b) CLERICAL AMENDMENT.—The table of contents
22 in section 1(b) of such Act is amended by inserting after
23 the items relating to such title the following:

“Sec. 316. National Biosurveillance Integration Center.”.

24 (c) DEADLINE FOR IMPLEMENTATION.—The Na-
25 tional Biosurveillance Integration Center required under

1 section 316 of the Homeland Security Act of 2002, as
2 added by subsection (a), shall be fully operational by not
3 later than September 30, 2008.

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