

117TH CONGRESS
1ST SESSION

H. R. 3263

To amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a medical countermeasures program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2021

Mrs. MILLER-MEEKS (for herself, Mr. VAN DREW, and Mr. GIMENEZ) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a medical countermeasures program, 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 “DHS Medical Counter-
5 measures Act”.

6 **SEC. 2. MEDICAL COUNTERMEASURES PROGRAM.**

7 (a) IN GENERAL.—Subtitle C of title XIX of the
8 Homeland Security Act of 2002 (6 U.S.C. 311 et seq.)
9 is amended by adding at the end the following new section:

1 **“SEC. 1932. MEDICAL COUNTERMEASURES.**

2 “(a) IN GENERAL.—The Secretary shall establish a
3 medical countermeasures program to facilitate personnel
4 readiness, and protection for the Department’s employees
5 and working animals in the event of a chemical, biological,
6 radiological, nuclear, or explosives attack, naturally occur-
7 ring disease outbreak, or pandemic, and to support De-
8 partment mission continuity.

9 “(b) OVERSIGHT.—The Chief Medical Officer of the
10 Department shall provide programmatic oversight of the
11 medical countermeasures program established pursuant to
12 subsection (a), and shall—

13 “(1) develop Department-wide standards for
14 medical countermeasure storage, security, dis-
15 pensing, and documentation;

16 “(2) maintain a stockpile of medical counter-
17 measures, including antibiotics, antivirals, and radio-
18 logical countermeasures, as appropriate;

19 “(3) preposition appropriate medical counter-
20 measures in strategic locations nationwide, based on
21 threat and employee density, in accordance with ap-
22 plicable Federal statutes and regulations;

23 “(4) provide oversight and guidance regarding
24 the dispensing of stockpiled medical counter-
25 measures;

1 “(5) ensure rapid deployment and dispensing of
2 medical countermeasures in a chemical, biological,
3 radiological, nuclear, or explosives attack, naturally
4 occurring disease outbreak, or pandemic;

5 “(6) provide training to Department employees
6 on medical countermeasure dispensing; and

7 “(7) support dispensing exercises.

8 “(c) MEDICAL COUNTERMEASURES WORKING
9 GROUP.—The Chief Medical Officer shall establish a med-
10 ical countermeasures working group comprised of rep-
11 resentatives from appropriate components and offices of
12 the Department to ensure that medical countermeasures
13 standards are maintained and guidance is consistent.

14 “(d) MEDICAL COUNTERMEASURES MANAGE-
15 MENT.—Not later than 120 days after the date of the en-
16 actment of this section, the Chief Medical Officer shall de-
17 velop and submit to the Secretary an integrated logistics
18 support plan for medical countermeasures, including—

19 “(1) a methodology for determining the ideal
20 types and quantities of medical countermeasures to
21 stockpile and how frequently such methodology shall
22 be reevaluated;

23 “(2) a replenishment plan; and

1 “(3) inventory tracking, reporting, and rec-
2 conciliation procedures for existing stockpiles and
3 new medical countermeasure purchases.

4 “(e) STOCKPILE ELEMENTS.—In determining the
5 types and quantities of medical countermeasures to stock-
6 pile under subsection (d), the Chief Medical Officer shall
7 utilize, if available—

8 “(1) Department chemical, biological, radio-
9 logical, and nuclear risk assessments; and

10 “(2) Centers for Disease Control and Preven-
11 tion guidance on medical countermeasures.

12 “(f) REPORT.—Not later than 180 days after the
13 date of the enactment of this section, the Secretary shall
14 submit to the Committee on Homeland Security of the
15 House of Representatives and the Committee on Home-
16 land Security and Governmental Affairs of the Senate the
17 plan developed in accordance with subsection (d) and brief
18 such Committees regarding implementing the require-
19 ments of this section.

20 “(g) DEFINITION.—In this section, the term ‘medical
21 countermeasures’ means antibiotics, antivirals, radio-
22 logical countermeasures, and other countermeasures that
23 may be deployed to protect the Department’s employees
24 and working animals in the event of a chemical, biological,

1 radiological, nuclear, or explosives attack, naturally occur-
2 ring disease outbreak, or pandemic.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 in section 1(b) of the Homeland Security Act of 2002 is
5 amended by adding after the item relating to section 1931
6 the following new item:

“Sec. 1932. Medical countermeasures.”.

