

117TH CONGRESS
1ST SESSION

H. R. 3263

IN THE SENATE OF THE UNITED STATES

JULY 21, 2021

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To amend the Homeland Security Act of 2002 to establish
in the Department of Homeland Security a medical coun-
termeasures 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “DHS Medical Counter-
3 measures Act”.

4 **SEC. 2. MEDICAL COUNTERMEASURES PROGRAM.**

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

8 **“SEC. 1932. MEDICAL COUNTERMEASURES.**

9 “(a) IN GENERAL.—The Secretary shall establish a
10 medical countermeasures program to facilitate personnel
11 readiness, and protection for the Department’s employees
12 and working animals in the event of a chemical, biological,
13 radiological, nuclear, or explosives attack, naturally occur-
14 ring disease outbreak, or pandemic, and to support De-
15 partment mission continuity.

16 “(b) OVERSIGHT.—The Chief Medical Officer of the
17 Department shall provide programmatic oversight of the
18 medical countermeasures program established pursuant to
19 subsection (a), and shall—

20 “(1) develop Department-wide standards for
21 medical countermeasure storage, security, dis-
22 pensing, and documentation;

23 “(2) maintain a stockpile of medical counter-
24 measures, including antibiotics, antivirals, and radio-
25 logical countermeasures, as appropriate;

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

5 “(4) provide oversight and guidance regarding
6 the dispensing of stockpiled medical counter-
7 measures;

8 “(5) ensure rapid deployment and dispensing of
9 medical countermeasures in a chemical, biological,
10 radiological, nuclear, or explosives attack, naturally
11 occurring disease outbreak, or pandemic;

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

14 “(7) support dispensing exercises.

15 “(c) MEDICAL COUNTERMEASURES WORKING
16 GROUP.—The Chief Medical Officer shall establish a med-
17 ical countermeasures working group comprised of rep-
18 resentatives from appropriate components and offices of
19 the Department to ensure that medical countermeasures
20 standards are maintained and guidance is consistent.

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

1 “(1) a methodology for determining the ideal
2 types and quantities of medical countermeasures to
3 stockpile and how frequently such methodology shall
4 be reevaluated;

5 “(2) a replenishment plan; and

6 “(3) inventory tracking, reporting, and rec-
7 onciliation procedures for existing stockpiles and
8 new medical countermeasure purchases.

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

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

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

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

1 “(g) DEFINITION.—In this section, the term ‘medical
2 countermeasures’ means antibiotics, antivirals, radio-
3 logical countermeasures, and other countermeasures that
4 may be deployed to protect 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.”.

8 (b) CLERICAL AMENDMENT.—The table of contents
9 in section 1(b) of the Homeland Security Act of 2002 is
10 amended by adding after the item relating to section 1931
11 the following new item:

“Sec. 1932. Medical countermeasures.”.

Passed the House of Representatives July 20, 2021.

Attest: CHERYL L. JOHNSON,
Clerk.