

116TH CONGRESS  
2D SESSION

# H. R. 6610

To establish the Cabinet-level position of Director of Pandemic and Biodefense Preparedness and Response in the executive branch with the responsibility of developing a National Pandemic and Biodefense Preparedness and Response Strategy, to prepare for and coordinate the response to future pandemics, biological attacks, and other major health crises, including coordinating the work of multiple government agencies, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2020

Mr. ROSE of New York (for himself, Ms. SCANLON, Ms. NORTON, and Ms. JACKSON LEE) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Armed Services, Foreign Affairs, and Intelligence (Permanent Select), 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

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## A BILL

To establish the Cabinet-level position of Director of Pandemic and Biodefense Preparedness and Response in the executive branch with the responsibility of developing a National Pandemic and Biodefense Preparedness and Response Strategy, to prepare for and coordinate the response to future pandemics, biological attacks, and other major health crises, including coordinating the work of multiple government agencies, 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 “Director of Pandemic  
5 and Biodefense Preparedness and Response Act”.

6 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

7       (a) FINDINGS.—The Congress finds the following:

8           (1) The United States could have, and should  
9 have, been significantly more prepared to combat the  
10 COVID–19 pandemic.

11           (2) Examples of this are numerous but include  
12 the loss of stockpiled ventilators to breakage because  
13 the Federal Government let maintenance contracts  
14 lapse in 2018, the reuse of personal protective equip-  
15 ment that is only sanitary for single-patient use due  
16 to shortages, and the scarcity of available testing  
17 compared to other nations.

18           (3) The loss of life and harm to the national  
19 economy is already staggering yet its extent will not  
20 be known for some time.

21           (4) As in previous pandemics and other major  
22 health crises, confusion during the COVID–19 pan-  
23 demic about which agency was in charge of what  
24 and who would coordinate the response of multiple

1 agencies lead to calls for a “czar” to be named, as  
2 well as a task force to be created.

3 (5) The Federal Government currently supports  
4 pandemic and biodefense preparedness and response  
5 in several ways through a myriad of agencies, each  
6 responsible for disparate programs and responsibil-  
7 ities related to pandemics, biological attacks, and  
8 other major health crises.

9 (6) Following the attack on our homeland on  
10 September 11, 2001, the Director of National Intel-  
11 ligence position was created to ensure the coopera-  
12 tion of several agencies in the Intelligence Commu-  
13 nity through one Cabinet-level official coordinating  
14 between and among multiple Federal agencies  
15 charged with breaking down silos while keeping the  
16 Nation safe.

17 (7) Preparing the United States for and re-  
18 sponding to a future pandemic, biological attack, or  
19 other major health crisis should be a top priority  
20 across agencies of the Federal Government, yet the  
21 COVID–19 pandemic exposed the need for greater  
22 cohesion and speed in both preparedness and re-  
23 sponse.

24 (8) Various Federal agencies report on rec-  
25 ommendations for preparation and response to

1       pandemics, biological attacks, and other major  
2       health crises, but no one Federal official can produce  
3       and speak with authority on a national pandemic  
4       and biodefense preparedness and response strategy  
5       or execute such a strategy.

6               (9) A key element for success during response  
7       activities will be “staying ahead of the emergency”—  
8       in other words, being more proactive than reactive.  
9       This will require elements including—

10               (A) timely, accurate assessments of newly  
11       emerged risks and vulnerabilities;

12               (B) a streamlined, unified effort to lead all  
13       Federal Government efforts, coordinate State  
14       and local government activities, and provide  
15       clear guidance to assets in the private sector;

16               (C) a coordinated national communications  
17       program to inform, educate, and gain the trust  
18       and support of the American public; and

19               (D) a national leader with the authority,  
20       responsibility, and accountability to ensure the  
21       most effective coordination of Federal agencies  
22       and best use of national assets.

23       (b) SENSE OF CONGRESS.—It is the sense of Con-  
24       gress that the creation of the Cabinet-level position of the  
25       Director of Pandemic and Biodefense Preparedness and

1 Response and a well-designed National Pandemic and Bio-  
2 defense Preparedness and Response Strategy would ben-  
3 efit the United States in several important ways, including  
4 by ending silos between and among various Federal agen-  
5 cies charged with parts of pandemic and biodefense pre-  
6 paredness and response, including the Federal Emergency  
7 Management Agency, the Centers for Disease Control and  
8 Prevention, and the Department of Health and Human  
9 Services.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) AGENCY.—The term “agency” has the  
13 meaning given that term in section 551 of title 5,  
14 United States Code.

15 (2) NATIONAL PANDEMIC AND BIODEFENSE  
16 PREPAREDNESS AND RESPONSE STRATEGY; STRAT-  
17 EGY.—Each of the terms “Pandemic and Biodefense  
18 Preparedness and Response Strategy” and “Strat-  
19 egy” means the strategy developed and submitted to  
20 the Congress under section 5, including any report,  
21 plan, or strategy required to be incorporated into or  
22 issued concurrently with such strategy.

1 **SEC. 4. REORGANIZATION AND IMPROVEMENT OF MANAGE-**  
2 **MENT OF FEDERAL PANDEMIC AND BIO-**  
3 **DEFENSE RESPONSE AGENCIES.**

4 (a) **DIRECTOR OF PANDEMIC AND BIODEFENSE PRE-**  
5 **PAREDNESS AND RESPONSE.**—

6 (1) **IN GENERAL.**—There is a Director of Pan-  
7 demic and Biodefense Preparedness and Response  
8 who shall be appointed by the President, by and  
9 with the advice and consent of the Senate. Any indi-  
10 vidual nominated for appointment as Director of  
11 Pandemic and Biodefense Preparedness and Re-  
12 sponse shall have extensive pandemic and biodefense  
13 preparedness and response expertise.

14 (2) **LOCATION.**—The Director of Pandemic and  
15 Biodefense Preparedness and Response shall not be  
16 located within the Executive Office of the President.

17 (3) **DEADLINE FOR APPOINTMENT.**—Not later  
18 than 3 months after the date of the enactment of  
19 this Act, the President shall appoint a Director of  
20 Pandemic and Biodefense Preparedness and Re-  
21 sponse.

22 (b) **PRINCIPAL RESPONSIBILITIES.**—Subject to the  
23 authority, direction, and control of the President, the Di-  
24 rector of Pandemic and Biodefense Preparedness and Re-  
25 sponse shall—

1           (1) serve as head of the Federal national pan-  
2           demic and biodefense preparedness and response  
3           community;

4           (2) act as the principal adviser to the Presi-  
5           dent, the National Security Council, and the Home-  
6           land Security Council for pandemic and biodefense  
7           preparedness and response;

8           (3) oversee and direct the implementation of  
9           the National Pandemic and Biodefense Preparedness  
10          and Response Strategy and its execution through the  
11          coordination of Federal agencies and through the  
12          United States participation in the World Health Or-  
13          ganization and other Intergovernmental Organiza-  
14          tions;

15          (4) act as the principal adviser to the President  
16          in a time of pandemic, biological attack, or other  
17          major health crisis;

18          (5) to coordinate the Nation's response to such  
19          a crisis;

20          (6) conduct a simulation exercise at least once  
21          each year of the response to a fictional pandemic, bi-  
22          ological attack, or other serious health crisis of high-  
23          level current and former government and nongovern-  
24          mental officials in order to prepare for these poten-  
25          tial events;

1           (7) address the organizational structure and  
2 chain of command, both in the Federal Government  
3 and at the State level;

4           (8) ensure adequate laboratory surveillance of  
5 viruses, including the ability to isolate and subtype  
6 viruses year-round;

7           (9) improve vaccine research, development, and  
8 production;

9           (10) procure adequate doses of antivirals for  
10 treatment;

11           (11) develop systems for tracking and distrib-  
12 uting antiviral medication and vaccines;

13           (12) prioritize who would receive antivirals and  
14 vaccines based on limited supplies;

15           (13) stockpile medical and safety equipment for  
16 health care workers and first responders;

17           (14) assure surge capacity capabilities for  
18 health care providers and institutions;

19           (15) secure a backup health care workforce in  
20 the event of a major health crisis;

21           (16) ensure the availability of food, water, and  
22 other essential items during a major health crisis;

23           (17) provide guidance on needed State and local  
24 authority to implement public health measures such  
25 as isolation or quarantine;

1           (18) maintain core public functions, including  
2           public utilities, refuse disposal, mortuary services,  
3           transportation, police and firefighter services, and  
4           other critical services;

5           (19) establish networks that provide alerts and  
6           other information for health care providers;

7           (20) communicate with the public with respect  
8           to prevention and obtaining care during a pandemic;

9           (21) provide security for first responders and  
10          other medical personnel and volunteers, hospitals,  
11          treatment centers, isolation and quarantine areas,  
12          and transportation and delivery of resources; and

13          (22) work with established agencies and per-  
14          form such other functions or activities as the Presi-  
15          dent may assign.

16          (c) PROHIBITION ON DUAL SERVICE.—The indi-  
17          vidual serving in the position of Director of Pandemic and  
18          Biodefense Preparedness and Response shall not, while so  
19          serving, also serve as the head of any other agency of the  
20          Federal Government.

21          (d) NATIONAL SECURITY COUNCIL.—The Director of  
22          Pandemic and Biodefense Preparedness and Response  
23          shall be a member of the National Security Council.

24          (e) EXISTING FEDERAL AGENCIES.—Not later than  
25          90 days after the date of the enactment of this Act the

1 Director of Pandemic and Biodefense Preparedness and  
2 Response shall—

3 (1) identify existing Federal agencies charged  
4 with elements of pandemic and biodefense prepared-  
5 ness and response; and

6 (2) report to the Congress recommendations for  
7 reorganizing such agencies under the Office of the  
8 Director of Pandemic and Biodefense Preparedness  
9 and Response to ensure full coordination among  
10 such agencies, including changes to existing law that  
11 are necessary to carry out such recommendations.

12 (f) PAY.—The Director of Pandemic and Biodefense  
13 Preparedness and Response shall be paid at the rate of  
14 basic pay for level II of the Executive Schedule under sub-  
15 chapter II of chapter 53 of title 5, United States Code.

16 **SEC. 5. NATIONAL PANDEMIC AND BIODEFENSE PRE-**  
17 **PAREDNESS AND RESPONSE STRATEGY.**

18 (a) IN GENERAL.—Not later than 1 year after the  
19 date of the enactment of this Act, and every year there-  
20 after, the Director of Pandemic and Biodefense Prepared-  
21 ness and Response shall submit a National Pandemic and  
22 Biodefense Preparedness and Response Strategy to the  
23 President and the Congress. The Strategy shall contain  
24 a summary of the current state of pandemic and bio-

1 defense preparedness and response in the United States,  
2 and a comprehensive strategy to—

3 (1) work across Federal and State government  
4 agencies to implement a coherent integrated Strat-  
5 egy and associated plans;

6 (2) prepare for and execute interagency plan-  
7 ning and coordination to implement the Strategy;

8 (3) provide for departmental and agency re-  
9 sponsibility and accountability for each component of  
10 the Strategy;

11 (4) budget for and fund requirements and  
12 sources under the Strategy;

13 (5) ensure international collaboration and co-  
14 ordination efforts to implement the Strategy; and

15 (6) provide recommendations and a timeline for  
16 implementation of the Strategy.

17 (b) APPLICATION OF FACA.—Notwithstanding the  
18 Federal Advisory Committee Act (5 U.S.C. App.), non-  
19 government individuals and entities may participate in the  
20 preparation of the National Pandemic and Biodefense  
21 Preparedness and Response Strategy.

22 **SEC. 6. HEALTH PROFESSIONAL TRAINING.**

23 The Director, in consultation with professional health  
24 and medical societies, shall develop and disseminate pan-  
25 demic and biodefense training curricula—

1           (1) to educate and train health professionals,  
2 including physicians, nurses, public health practi-  
3 tioners, virologists and epidemiologists, veterinar-  
4 ians, mental health providers, allied health profes-  
5 sionals, and paramedics and other first responders;

6           (2) to educate and train volunteer, nonmedical  
7 personnel whose assistance may be required during  
8 a pandemic, biological attack, or other major health  
9 crisis;

10          (3) that address prevention, including use of  
11 quarantine and other isolation precautions, pan-  
12 demic diagnosis, medical guidelines for use of  
13 antivirals and vaccines, and professional require-  
14 ments and responsibilities, as appropriate;

15          (4) targeting distribution to high-risk groups,  
16 including health professionals and relief personnel  
17 and other individuals determined to be most suscep-  
18 tible to illness or death from a pandemic, biological  
19 attack, or other major health crisis;

20          (5) ensuring equitable distribution of healthcare  
21 resources, particularly across low-income and other  
22 underserved groups; and

23          (6) that integrate with existing State and local  
24 systems as appropriate.

1 **SEC. 7. REPORTING.**

2 Not later than 2 years after the date of the enact-  
3 ment of this Act, and every 2 years thereafter, the Direc-  
4 tor of Pandemic and Biodefense Preparedness and Re-  
5 sponse, in consultation with the Director of the Office of  
6 Management and Budget, shall submit to the President  
7 and the Congress a report that describes progress made  
8 in the implementation of the National Pandemic and Bio-  
9 defense Preparedness and Response Strategy and in fulfil-  
10 ment of its objectives.

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