

§ 105. Biodefense analysis and budget submission**(a) Annual analysis**

For each fiscal year, beginning in fiscal year 2023, the Director of the Office of Management and Budget, in consultation with the Secretary of Health and Human Services shall—

- (1) conduct a detailed and comprehensive analysis of Federal biodefense programs; and
- (2) develop an integrated biodefense budget submission.

(b) Definition of biodefense

In accordance with the National Biodefense Strategy, the Director shall develop and disseminate to all Federal departments and agencies a unified definition of the term “biodefense” to identify which programs and activities are included in the annual budget submission required under subsection (a).

(c) Requirements for analysis

The analysis required under subsection (a) shall include—

- (1) the display of all funds requested for biodefense activities, both mandatory and discretionary, by agency and categorized by biodefense enterprise element, such as threat awareness, prevention, deterrence, preparedness, surveillance and detection, response, attribution (including bioforensic capabilities), recovery, and mitigation; and
- (2) detailed explanations of how each program and activity included aligns with biodefense goals and objectives as part of the National Biodefense Strategy required under section 104 of this title.

(d) Submittal to Congress

The Director, in consultation with the Secretary of Health and Human Services, shall submit to Congress the analysis required under subsection (a) for a fiscal year concurrently with the President’s annual budget request for that fiscal year.

(Pub. L. 116–283, div. A, title III, §363, Jan. 1, 2021, 134 Stat. 3547.)

Editorial Notes**CODIFICATION**

Section was enacted as part of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

§ 106. Update of national biodefense implementation plan**(a) In general**

The Secretaries of Health and Human Services, Defense, Agriculture, Homeland Security, and all other Departments and agencies with responsibilities for biodefense, such as the Department of State, in consultation with the Assistant to the President for National Security Affairs and the Director of the Office of Management and Budget, as appropriate, shall jointly, after reviewing the biodefense threat assessment described in subsection (d) and any relevant input from external stakeholders, as appropriate, update the National Biodefense Imple-

mentation Plan developed under section 104 of this title to clearly document established processes, roles, and responsibilities related to the National Biodefense Strategy.

(b) Specific updates

The updated National Biodefense Implementation Plan shall—

- (1) describe the roles and responsibilities of the Federal departments and agencies, including internal and external coordination procedures, in identifying and sharing information between and among Federal departments and agencies, as described in section 104(b)(4) of this title and consistent with the statutory roles and authorities of such departments and agencies;
- (2) describe roles, responsibilities, and processes for decisionmaking, including decisions regarding use of resources for effective risk management across the enterprise;
- (3) describe resource plans for each department and agency with responsibility for biodefense to support implementation of the strategy within the jurisdiction of such department or agency, including for the Biodefense Coordination Team, as appropriate;
- (4) describe guidance and methods for analyzing the data collected from agencies to include non-Federal resources and capabilities to the extent practicable; and
- (5) describe and update, as appropriate, short-, medium-, and long-term goals for executing the National Biodefense Strategy and metrics for meeting each objective of the Strategy.

(c) Submittal to Congress

The Secretary of Health and Human Services, the Secretary of Defense, the Secretary of Agriculture, and the Secretary of Homeland Security shall, not later than 6 months after the date of the completion of the assessment in subsection (d)(1)(A), submit the updated Implementation Plan to the appropriate congressional committees.

(d) Updated biodefense threat assessment**(1) In general**

The Secretaries of Health and Human Services, Defense, Agriculture, and Homeland Security, shall jointly, and in consultation with the Director of National Intelligence, and other agency heads as appropriate—

- (A) conduct an assessment of current and potential biological threats against the United States, both naturally occurring and man-made, either accidental or deliberate, including the potential for catastrophic biological threats, such as a pandemic;
- (B) not later than 1 year after January 1, 2021, submit the findings of the assessment conducted under subparagraph (A) to the Federal officials described in subsection (d)(1) and¹ the appropriate congressional committees described in subsection (e);
- (C) not later than 30 days after the date on which the assessment is submitted under subparagraph (B), conduct a briefing for the appropriate congressional committees on the findings of the assessment;

¹ So in original.