



Legislative Bulletin.....January 22, 2013

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H.R. 307—Pandemic and All-Hazards Preparedness Reauthorization Act of 2013

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Order of Business: The bill is scheduled to be considered on Tuesday, January 22, 2013, under a motion to suspend the rules requiring two thirds majority vote for passage.

Summary: H.R. 307 amends the Public Health Service Act by reauthorizing funding for agencies and offices within the Department of Health and Human Services (HHS) that support activities related to public health readiness and medical emergencies in order to defend against and respond to public pandemics. Specifically, it reauthorizes activities to improve medical system capacity and care coordination in the event of a public health emergency administered by the Centers for Disease Control and Prevention (CDC), the Food and Drug Administration (FDA), the Office of the Assistant Secretary for Health, and the Office of the Assistant Secretary for Preparedness and Response. The bill reauthorizes approximately \$12 billion for such programs and activities subject to appropriations from fiscal year 2013 through fiscal year 2018.

Two similar bills passed the House in the 112th Congress. H.R. 2405 passed the House in December 2011 by a voice vote, and H.R. 6672 passed the House in December 2012 by a vote of [383-16](#). The RSC Legislative Bulletins for H.R. 2405 is [here](#) and H.R. 6672 is [here](#). Also, the Senate last cycle passed a similar bill, S. 1855, by unanimous consent.

H.R. 307 makes two changes to the most recent House-passed H.R. 6672. First, the year of the bill title is changed from 2012 to 2013. Secondly, it retroactively reauthorizes for five additional years an antitrust exemption for persons engaged in the development of a security countermeasure, a qualified countermeasure, or a qualified pandemic or epidemic product for the purpose of the development, manufacture, distribution, purchase, or storage of a countermeasure or product. This authority expired on December 19, 2012. H.R. 307 states that this antitrust exemption shall take effect as if enacted on December 17, 2012.

Committee Action: Representative Mike Rogers (R-MI) introduced H.R. 307 on January 18, 2013 with a referral to the House Committees on Energy and Commerce and Veterans Affairs. No further committee action has occurred on the bill.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No Congressional Budget Office (CBO) cost estimate for H.R. 307 has been released.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. The bill expands the HHS Secretary's authority to issue public health emergency threat determinations and the emergency-use authority for certain medical products. It also establishes an advisory committee to oversee the current work being conducted by the Children's HHS Interagency Leadership on Disasters (CHILD) Working Group and the National Commission on Children and Disasters to address the country's ability to care for children affected by disasters. However, any reauthorized amounts for public health provisions are reauthorized at FY2012 appropriated levels.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A Committee report citing compliance with Clause 9 of Rule XXI regarding earmarks is not available. The Committee report for the similar, House-passed H.R. 2405 from the 112th Congress explains that H.R. 2405 contains "...no earmarks, limited tax benefits, or tax expenditures."

Constitutional Authority: The Constitutional Authority Statement accompanying the bill upon introduction states, "This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution."

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