

# Union Calendar No. 168

114<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1300

**[Report No. 114–222, Part I]**

To direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 2015

Mr. KING of New York (for himself, Mr. PASCRELL, Mr. ROONEY of Florida, and Mr. KATKO) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, 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

JULY 22, 2015

Additional sponsors: Mr. BYRNE, Mr. BISHOP of Michigan, Mr. PAYNE, Mr. CRENSHAW, Mr. SIMPSON, Mr. WITTMAN, Mr. AMODEI, Mr. CARTER of Texas, Mrs. MIMI WALTERS of California, Mr. NUNES, Mr. TURNER, Mr. KLINE, Mr. WESTMORELAND, Mrs. BROOKS of Indiana, Ms. MCSALLY, Mr. ADERHOLT, Mr. SMITH of Texas, Mr. VALADAO, Mr. HOLDING, Mr. CALVERT, Mr. LONG, Mr. ISSA, Mr. CARTER of Georgia, Mr. THOMPSON of California, Mr. RYAN of Ohio, Mr. WALKER, Mr. BARLETTA, Mr. WENSTRUP, Mr. BOUSTANY, Mr. MACARTHUR, Mrs. WATSON COLEMAN, Mr. KEATING, Mr. CAPUANO, Mr. COLE, Mr. MCCAUL, Mr. VARGAS, Mr. MOOLENAAR, Mr. LOBIONDO, Mr. GALLEGO, Mr. GOODLATTE, Mr. MILLER of Florida, Mr. VISCLOSKY, Ms. STEFANIK, Mr. BENISHEK, Mr. GRAVES of Georgia, Mr. DELANEY, and Mr. BRADY of Pennsylvania

JULY 22, 2015

Reported from the Committee on Homeland Security with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

JULY 22, 2015

The Committee on Energy and Commerce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on March 4, 2015]

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## **A BILL**

To direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, 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 “First Responder Anthrax*  
5 *Preparedness Act”.*

6 **SEC. 2. PRE-EVENT ANTHRAX VACCINATION PROGRAM FOR**  
7 **EMERGENCY RESPONSE PROVIDERS.**

8 *(a) ANTHRAX PREPAREDNESS.—*

9 *(1) IN GENERAL.—Title V of the Homeland Se-*  
10 *curity Act of 2002 (Public Law 107–296; 6 U.S.C.*  
11 *311 et seq.) is amended by adding at the end the fol-*  
12 *lowing new section:*

13 **“SEC. 526. ANTHRAX PREPAREDNESS.**

14 **“(a) PRE-EVENT ANTHRAX VACCINATION PROGRAM**  
15 **FOR EMERGENCY RESPONSE PROVIDERS.—***For the purpose*  
16 *of domestic preparedness for and collective response to ter-*  
17 *rorism, the Secretary, in consultation with the Secretary*  
18 *of Health and Human Services, shall establish a program*  
19 *to provide surplus anthrax vaccines from the strategic na-*  
20 *tional stockpile under section 319F–2(a) of the Public*  
21 *Health Service Act (42 U.S.C. 247d–6b(a)) to emergency*  
22 *response providers for administration to such providers who*  
23 *voluntarily consent to such administration, and shall—*

1           “(1) *establish any necessary logistical and track-*  
2           *ing systems to facilitate making such vaccines so*  
3           *available;*

4           “(2) *distribute disclosures regarding associated*  
5           *benefits and risks to end users; and*

6           “(3) *conduct outreach to educate emergency re-*  
7           *sponse providers about the voluntary program.*

8           “(b) *THREAT ASSESSMENT.—The Secretary shall—*

9           “(1) *support homeland security-focused risk*  
10           *analysis and risk assessments of the threats posed by*  
11           *anthrax from an act of terror;*

12           “(2) *leverage existing and emerging homeland se-*  
13           *curity intelligence capabilities and structures to en-*  
14           *hance prevention, protection, response, and recovery*  
15           *efforts with respect to an anthrax terror attack; and*

16           “(3) *share information and provide tailored ana-*  
17           *lytical support on threats posed by anthrax to State,*  
18           *local, and tribal authorities, as well as other national*  
19           *biosecurity and biodefense stakeholders.”.*

20           “(2) *CLERICAL AMENDMENT.—The table of con-*  
21           *tents in section 1(b) of such Act is amended by insert-*  
22           *ing at the end of the items relating to title V the fol-*  
23           *lowing new item:*

          “Sec. 526. *Anthrax preparedness.*”.

24           “(b) *PILOT PROGRAM.—*

1           (1) *IN GENERAL.*—*In carrying out the pre-event*  
2 *vaccination program authorized in section 526(a) of*  
3 *the Homeland Security Act of 2002, as added by sub-*  
4 *section (a), the Secretary of Homeland Security, in*  
5 *coordination with the Secretary of Health and*  
6 *Human Services, shall carry out a pilot program to*  
7 *provide anthrax vaccines to emergency response pro-*  
8 *viders as so authorized. The duration of the pilot pro-*  
9 *gram shall be at least 18 months.*

10           (2) *PRELIMINARY REQUIREMENTS.*—*By not later*  
11 *than one year after the date of the enactment of this*  
12 *Act, and prior to implementing the pilot program*  
13 *under paragraph (1), the Secretary of Homeland Se-*  
14 *curity shall—*

15                   (A) *establish a communication platform for*  
16 *the pilot program;*

17                   (B) *establish education and training mod-*  
18 *ules for the pilot program;*

19                   (C) *conduct economic analysis of the pilot*  
20 *program; and*

21                   (D) *create a logistical platform for the an-*  
22 *thrax vaccine request process under the pilot pro-*  
23 *gram.*

24           (3) *LOCATION.*—*In carrying out the pilot pro-*  
25 *gram under this subsection, the Secretary of Home-*

1 *land Security shall select emergency response pro-*  
2 *viders based in at least two States for participation*  
3 *in the pilot program.*

4 (4) *DISTRIBUTION OF INFORMATION.—The Sec-*  
5 *retary of Homeland Security shall provide to each*  
6 *emergency response provider who participates in the*  
7 *pilot program under this subsection disclosures and*  
8 *educational materials regarding the associated bene-*  
9 *fits and risks of any vaccine provided under the pilot*  
10 *program and of exposure to anthrax.*

11 (5) *REPORT.—Not later than one year after the*  
12 *date of the enactment of this Act, and annually there-*  
13 *after until the completion of the pilot program, the*  
14 *Secretary of Homeland Security shall submit to the*  
15 *Committee on Homeland Security of the House of*  
16 *Representatives and the Committee on Homeland Se-*  
17 *curity and Governmental Affairs of the Senate a re-*  
18 *port on the progress and results of the pilot program,*  
19 *including the percentage of eligible emergency re-*  
20 *sponse providers, as determined by each pilot loca-*  
21 *tion, that volunteer to participate, the degree to which*  
22 *participants obtain necessary vaccinations, as appro-*  
23 *priate, and recommendations to improve initial and*  
24 *recurrent participation in the pilot program. The re-*  
25 *port shall include a plan under which the Secretary*

1       *plans to continue the program to provide vaccines to*  
2       *emergency response providers under section 526(a) of*  
3       *the Homeland Security Act of 2002, as added by sub-*  
4       *section (a).*

5               (6) *DEADLINE FOR IMPLEMENTATION.*—*The Sec-*  
6       *retary of Homeland Security shall begin imple-*  
7       *menting the pilot program under this subsection by*  
8       *not later than the date that is one year after the date*  
9       *of the enactment of this Act.*

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