

117TH CONGRESS
1ST SESSION

H. R. 5488

To amend the Public Health Service Act to clarify that the Secretary of Health and Human Services shall lead all Federal public health and medical response to emergencies and disasters declared by the President pursuant to the National Emergencies Act or the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 2021

Mr. HUDSON (for himself, Ms. ESHOO, Mr. TONKO, and Mr. CRENSHAW) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Homeland Security, 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

A BILL

To amend the Public Health Service Act to clarify that the Secretary of Health and Human Services shall lead all Federal public health and medical response to emergencies and disasters declared by the President pursuant to the National Emergencies Act or the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 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 “Health Emergencies
3 Are Literally Tenets of HHS Act of 2021” or the
4 “HEALTH Act of 2021”.

5 **SEC. 2. LEAD AGENCY FOR FEDERAL PUBLIC HEALTH AND**
6 **MEDICAL RESPONSE TO PUBLIC HEALTH**
7 **EMERGENCIES.**

8 Section 2801 of the Public Health Service Act (42
9 U.S.C. 300hh) is amended—

10 (1) in subsection (a), by inserting after “shall
11 lead all Federal public health and medical response
12 to public health emergencies and incidents” the fol-
13 lowing: “(including emergencies and disasters de-
14 clared by the President pursuant to the National
15 Emergencies Act or the Robert T. Stafford Disaster
16 Relief and Emergency Assistance Act)”; and

17 (2) in subsection (b), by inserting after “shall
18 assume operational control of emergency public
19 health and medical response assets, as necessary, in
20 the event of a public health emergency” the fol-
21 lowing: “or in the event of an emergency or disaster
22 declared by the President under the National Emer-
23 gencies Act or the Robert T. Stafford Disaster Re-
24 lief and Emergency Assistance Act”.

1 **SEC. 3. DEPLOYMENT BY THE SECRETARY OF HEALTH AND**
2 **HUMAN SERVICES OF NATIONAL STRATEGIC**
3 **STOCKPILE.**

4 Section 319F–2(a)(3)(F) of the Public Health Serv-
5 ice Act (42 U.S.C. 247d–6b(a)(3)(F)) is amended by
6 striking “as required by” and inserting “in consultation
7 with”.

8 **SEC. 4. AUTHORITY AND RESPONSIBILITIES OF THE FED-**
9 **ERAL EMERGENCY MANAGEMENT AGENCY**
10 **REGARDING THE STRATEGIC NATIONAL**
11 **STOCKPILE.**

12 The Homeland Security Act of 2002 is amended—

13 (1) in subparagraph (A) of section 503(b)(2) (6
14 U.S.C. 313(b)(2)), by inserting “, in coordination
15 with relevant Federal agencies,” after “lead”; and

16 (2) in subparagraph (D) of section 504(a)(3) (6
17 U.S.C. 314(a)(3)), by striking “requiring” and in-
18 serting “, at the direction of the Secretary of Health
19 and Human Services, assisting in”.

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