

S. 11

To protect against the threats of A/Patras/05/21 and A/Thessaloniki/03/21,
and for other purposes.

IN THE SENATE OF THE UNITED STATES
JANUARY 23, 2021

Mr. LOULOU, (for himself, Mr. GRAVES, Mr.
STEWART, Mr. MORALES, Mr. WALKER, Mr.
SCHLORP, Mr. WAYNE, Mr. SOLOMON, Mr.
SOMEONE, Mr. MILLER, Mr. DIAZ, Mr. SANDERS
and the MARK Administration)

A BILL

To protect against the threats of A/Patras/05/21 and A/Thessaloniki/03/21,
and for other purposes.

*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,*

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS

- (a) SHORT TITLE — This Act may be cited as the —
 - (i) “Virus Prevention Act”.
 - (ii) “V.P. Act”.
- (b) TABLE OF CONTENTS —
 - SEC. 1 — SHORT TITLE AND TABLE OF CONTENTS
 - SEC. 2 — SEVERABILITY

SEC. 3 — DEFINITIONS

SEC. 4 — SENSE OF CONGRESS REGARDING THE VIRUS

SEC. 5 — COMMITMENT TO MAINTAINING HHS FUNDING

SEC. 6 — PERSONAL PROTECTIVE EQUIPMENT MANDATE

SEC. 7 — VACCINE RESEARCH AND DEVELOPMENT

SEC. 8 — TESTING ON ARRIVAL PROGRAM

SEC. 9 — ENACTMENT

SECTION 2. SEVERABILITY

- (a) SEVERABILITY — Should any provision of this Act be deemed invalid or unconstitutional for any reason in a court with relevant jurisdiction, the rest of the Act, and the application of the remaining provisions, shall not be affected.

SECTION 3. DEFINITIONS

- (a) DEFINITIONS — Congress defines —
 - (i) VIRUS — The A/Patras/05/21 (H2N3) and A/Thessaloniki/03/21 (H7N9) viruses.
 - (ii) VACCINE — Any type of inoculation which provides for raising immunitary defences within the body and as such partial or total immunity from a virus.

SECTION 4. SENSE OF CONGRESS REGARDING THE VIRUS

- (a) SENSE OF CONGRESS — It is the Sense of Congress that —
 - (i) The virus is a danger to the health and safety of the American people.
 - (ii) The virus will cause major damage to the national and international economy if it spreads further.
 - (iii) The virus can be contained by effective measures such as mask mandates.
 - (iv) The virus may only be contained with effective development, testing, and mass production of a vaccine.
 - (v) The virus may impact the education and psychological health of children.

SECTION 5. COMMITMENT TO MAINTAINING HHS FUNDING

- (a) COMMITMENT — Congress commits to not lowering the funding of the Health and Human Services department for the next 3 months, nor blocking an increase in inflation spending.

- (b) RENEWAL — Congress shall have the power to extend this by appropriate legislation.

SECTION 6. PERSONAL PROTECTIVE EQUIPMENT MANDATE

- (a) IN GENERAL — Departments and Agencies shall be encouraged to require personal protective equipment to be worn in their purview and the public shall be encouraged to wear personal protective equipment.
- (b) FEDERAL AGENCIES — The Secretaries of each Department and Agency are recommended to rapidly take action, as appropriate and consistent with applicable law, to require compliance with Center for Disease Control and Prevention guidelines and recommendations for on-duty or on-site Federal employees, on-site Federal contractors, and all persons in Federal buildings or on Federal lands. Federal Agencies are also encouraged to provide necessary Personal Protective Equipment to their employees.
- (c) EXEMPTION — Secretaries of each Department and Agency may make categorical or case-by-case exceptions in implementing Subsection (b) of this Section to the extent that doing so is necessary or required by law, and consistent with applicable law. If said exceptions are made, they shall require appropriate alternative safeguards, consistent with applicable law. All exceptions shall be made in writing and communicated to Congress.
- (d) PUBLIC ENGAGEMENT — The Secretary of Health and Human Services shall engage with officials from every level of government as well as community leaders, regarding mask-wearing and other public health measures, with the ultimate goal of maximizing public compliance with, and addressing any obstacles to, mask-wearing and Center for Disease Control and Prevention guidelines.
- (e) CONSTRUCTION — Nothing in this Section shall be construed to impair or otherwise affect —
 - (i) The authority granted by law to an executive Department or Agency, or leadership thereof.
 - (ii) This Section shall be implemented consistent with applicable law.
- (f) APPROPRIATIONS — There shall be authorized, under the jurisdiction of the Health and Human Services Department, for the

programs established within this Section, \$1,000,000,000 for combined Fiscal Months February to December 2021.

- (g) ENACTMENT — The provisions laid out within this Section shall be enacted by —
 - (i) A data release from the Center for Disease Control and Prevention indicating total cases of the virus in the United States have exceeded fifty thousand.

SECTION 7. VACCINE RESEARCH AND DEVELOPMENT

- (a) IN GENERAL — There shall be a program initiated to develop and stimulate production of the vaccine against the virus of the H2N3 subtype and the virus of the H7N9 subtype under the purview of the Department of Health and Human Services.
- (b) INITIATION OF DEVELOPMENT — The Secretary of Health and Human Services shall, no longer than 7 days after the enactment of the act, initiate the development of a vaccine to fit criteria and objective pursuant to this Section.
- (c) OBJECTIVE — It shall be the objective of the program initiated to develop, produce and distribute an effective vaccine for the virus of the H2N3 subtype, and produce the proven vaccine for the virus of the H7N9 subtype.
- (d) MINIMUM REQUIREMENTS — The vaccine developed pursuant to this Section shall be designed to be able to, at a minimum, provide immunitary defences to the receiver. It shall additionally be the goal to achieve preliminary testing of the vaccines developed pursuant to this Section by not later than June 31, 2021,
- (e) REPORT ON VACCINE — The Secretary of Health and Human Services shall, no longer than 10 days after the enactment of the act, provide a detailed report to the appropriate committees of Congress, and the Senate and the House of Representatives of the United States, a report comprising of information pertaining to the planned organization of the program for vaccination, and the measures planned by the Administration for containing the virus.
- (f) APPROPRIATIONS — There shall be authorized, under the jurisdiction of the Health and Human Services Department, for the programs established within this Section, \$11,000,000,000 for combined Fiscal Months February to December 2021.

SECTION 8. TESTING ON ARRIVAL PROGRAM

- (a) IN GENERAL — There shall be a program initiated to test all persons arriving in the United States.
- (b) INITIATION OF DEVELOPMENT — The Secretary of Health and Human Services shall, no longer than 7 days after the enactment of the act, initiate the program developed pursuant to this Section.
- (c) OBJECTIVE — It shall be the objective of the program initiated to fabricate testing kits and test all persons entering into the United States by any means, and to send the results of the test within forty-eight hours, whether they are infected with the virus or not.
- (d) REPORT ON TEST — The Secretary of Health and Human Services shall, no longer than 10 days after the enactment of the act, provide a detailed report to the appropriate committees of Congress, and the Senate and the House of Representatives of the United States, a report comprising of information pertaining to the effectiveness of the testing measures and the general effectiveness of the test; and shall, no longer than 30 days after the enactment of the Act, initiate production stimulus of the developed test as a result of the program.
- (e) APPROPRIATIONS — There shall be authorized, under the jurisdiction of the Health and Human Services Department, for the programs established within this Section, \$100,000,000 for combined Fiscal Months February to December 2021.

SECTION 9. ENACTMENT

- (a) ENACTMENT — The provisions laid out within this act shall be enacted forty-eight hours after passage unless otherwise indicated in Sections of the bill.

(Written by Sen. Loulou, based off the C.A.R.E.S. Act, the Executive Order on Protecting the Federal Workforce and Requiring Mask Wearing.

Amended by President Mark and Sen. Loulou)