116TH CONGRESS  
2D SESSION 

H. R. ___

To improve State, local, and tribal public health security.

IN THE HOUSE OF REPRESENTATIVES

Ms. HAALAND introduced the following bill; which was referred to the Committee on ___

A BILL

To improve State, local, and tribal public health security.

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 “CDC Tribal Public
5 Health Security and Preparedness Act”.

6 SEC. 2. IMPROVING STATE, LOCAL, AND TRIBAL PUBLIC
7 HEALTH SECURITY.

8 Section 319C–1 of the Public Health Service Act (42
9 U.S.C. 247d–3a) is amended—
(1) in the section heading, by striking “AND LOCAL” and inserting “, LOCAL, AND TRIBAL”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking “or” at the end;

(ii) in subparagraph (C), by striking “and” at the end and inserting “or”; and

(iii) by adding at the end the following:

“(D) be an Indian tribe, tribal organization, or a consortium of Indian tribes or tribal organizations; and”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “, as applicable” after “including”;

(ii) in subparagraph (A)(viii)—

(I) by inserting “and tribal” after “with State”; (II) by striking “(as defined in section 8101 of the Elementary and Secondary Education Act of 1965)” and inserting “and tribal educational agencies (as defined in sections 8101
and 6132, respectively, of the Elementary and Secondary Education Act of 1965’’; and

(III) by inserting ‘‘and tribal’’ after ‘‘and State’’;

(iii) in subparagraph (G), by striking ‘‘and tribal’’ and inserting ‘‘tribal, and urban Indian organization’’; and

(iv) in subparagraph (H), by inserting ‘‘, Indian tribes, and urban Indian organizations’’ after ‘‘public health’’;

(3) in subsection (e), by inserting ‘‘Indian tribes, tribal organizations, urban Indian organizations,’’ after ‘‘local emergency plans,’’;

(4) in subsection (h)—

(A) in paragraph (1)(A)—

(i) by striking ‘‘through 2023’’ and inserting ‘‘and 2020’’; and

(ii) by inserting before the period ‘‘; and $690,000,000 for each of fiscal years 2021 through 2023 for awards pursuant to paragraph (3) (subject to the authority of the Secretary to make awards pursuant to paragraphs (4) and (5)) and paragraph (8), of which not less than $5,000,000
shall be reserved each fiscal year for
awards under paragraph (8)”;

(B) in the heading of paragraph (3), by in-
serting “FOR STATES” after “AMOUNT”; and

(C) by adding at the end the following:

“(8) **Tribal Eligible Entities.—**

“(A) **Determination of Funding Amount.—**

“(i) **In General.—** The Secretary shall award at least 10 cooperative agree-
ments under this section, in amounts not less than the minimum amount determined under clause (ii), to eligible entities de-
described in subsection (b)(1)(D) that sub-
mits to the Secretary an application that meets the criteria of the Secretary for the receipt of such an award and that meets other reasonable implementation conditions established by the Secretary, in consulta-
tion with Indian tribes, for such awards. If the Secretary receives more than 10 appli-
cations under this section from eligible en-
tities described in subsection (b)(1)(D) that meet the criteria and conditions de-
scribed in the previous sentence, the Sec-
retary, in consultation with Indian tribes, may make additional awards under this section to such entities.

“(ii) MINIMUM AMOUNT.—In determining the minimum amount of an award pursuant to clause (i), the Secretary, in consultation with Indian tribes, shall first determine an amount the Secretary considers appropriate for the eligible entity.

“(B) AVAILABLE UNTIL EXPENDED.—Amounts provided to a tribal eligible entity under a cooperative agreement under this section for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity during the entirety of the performance period, for the purposes for which said funds were provided.

“(C) NO MATCHING REQUIREMENT.—Subparagraphs (B), (C), and (D) of paragraph (1) shall not apply with respect to cooperative agreements awarded under this section to eligible entities described in subsection (b)(1)(D).”;

and

(5) by adding at the end the following:
“(1) SPECIAL RULES RELATED TO TRIBAL ELIGIBLE ENTITIES.—

“(1) MODIFICATIONS.—After consultation with Indian tribes, the Secretary may make necessary and appropriate modifications to the program under this section to facilitate the use of the cooperative agreement program by eligible entities described in subsection (b)(1)(D).

“(2) WAIVERS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may waive or specify alternative requirements for any provision of this section (including regulations) that the Secretary administers in connection with this section if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of this program with respect to eligible entities described in subsection (b)(1)(D).

“(B) EXCEPTION.—The Secretary may not waive or specify alternative requirements under subparagraph (A) relating to labor standards or the environment.

“(3) CONSULTATION.—The Secretary shall consult with Indian tribes and tribal organizations on
the design of this program with respect to such tribes and organizations to ensure the effectiveness of the program in enhancing the security of Indian tribes with respect to public health emergencies.

“(4) REPORTING.—

“(A) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, and as [as an addendum to the biennial evaluations required under subsection (k)], the Secretary, in coordination with the Director of the Indian Health Service, shall—

“(i) conduct a review of the implementation of this section with respect to eligible entities described in subsection (b)(1)(D), including any factors that may have limited its success; and

“(ii) submit a report describing the results of the review described in clause (i) to—

“(I) the Committee on Indian Affairs, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate; and
“(II) the Subcommittee on Indigenous People of the Committee on Natural Resources, the Committee on Energy and Commerce, and the Committee on Appropriations of the House of Representatives.

“(B) Analysis of tribal public health emergency infrastructure limitation.—The Secretary shall include in the initial report submitted under subparagraph (A) a description of any public health emergency infrastructure limitation encountered by eligible entities described in subsection (b)(1)(D).”.