

119TH CONGRESS
2D SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Ms. WARREN (for herself, Mr. HEINRICH, Ms. SMITH, Ms. KLOBUCHAR, Mr. SANDERS, Ms. BALDWIN, Mr. WYDEN, and Mr. BOOKER) introduced the following bill; which was read twice and 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—

10 (1) in the section heading, by striking “**AND**
11 **LOCAL**” and inserting “, **LOCAL, AND TRIBAL**”;

1 (2) in subsection (b)—

2 (A) in paragraph (1)—

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

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

7 (iii) by adding at the end the fol-
8 lowing:

9 “(D) be an Indian Tribe, a Tribal organi-
10 zation, or a consortium of Indian Tribes or
11 Tribal organizations; and”; and

12 (B) in paragraph (2)—

13 (i) in subparagraph (A)(viii)—

14 (I) by inserting “and Tribal”
15 after “with State”;

16 (II) by striking “(as defined in
17 section 8101 of the Elementary and
18 Secondary Education Act of 1965)”
19 and inserting “and Tribal educational
20 agencies (as defined in sections 8101
21 and 6132, respectively, of the Elemen-
22 tary and Secondary Education Act of
23 1965)”; and

1 (III) by striking “State agencies”
2 and inserting “State and Tribal agen-
3 cies;”;

4 (ii) in subparagraph (H), by inserting
5 “(including Indian Tribes, Tribal organiza-
6 tions, and urban Indian organizations)”
7 after “stakeholders”; and

8 (iii) in subparagraph (I), by inserting
9 “, Indian Tribes, and urban Indian organi-
10 zations” after “public health”;

11 (3) in subsection (e), by inserting “Indian
12 Tribes, Tribal organizations, urban Indian organiza-
13 tions,” after “local emergency plans,”;

14 (4) in subsection (h)—

15 (A) by amending subparagraph (A) of
16 paragraph (1) to read as follows:

17 “(A) IN GENERAL.—For the purpose of
18 carrying out this section, there is authorized to
19 be appropriated \$750,000,000 for each of fiscal
20 years 2027 through 2029 for awards pursuant
21 to paragraph (3) (subject to the authority of
22 the Secretary to make awards pursuant to
23 paragraphs (4) and (5)) and paragraph (8), of
24 which not less than 5 percent shall be reserved

1 each fiscal year for awards under paragraph
2 (8).”;

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

5 (C) by adding at the end the following:

6 “(8) TRIBAL ELIGIBLE ENTITIES.—

7 “(A) DETERMINATION OF FUNDING
8 AMOUNT.—

9 “(i) IN GENERAL.—The Secretary
10 shall award at least 10 cooperative agree-
11 ments under this section, in amounts not
12 less than the minimum amount determined
13 under clause (ii), to eligible entities de-
14 scribed in subsection (b)(1)(D) that submit
15 to the Secretary an application that meets
16 the criteria of the Secretary for the receipt
17 of such an award and that meets other
18 reasonable implementation conditions es-
19 tablished by the Secretary, in consultation
20 with Indian Tribes, for such awards.

21 “(ii) MINIMUM AMOUNT.—In deter-
22 mining the minimum amount of an award
23 pursuant to clause (i), the Secretary, in
24 consultation with Indian Tribes, shall first

1 determine an amount the Secretary con-
2 siders appropriate for the eligible entity.

3 “(B) AVAILABLE UNTIL EXPENDED.—
4 Amounts provided to a Tribal eligible entity
5 under a cooperative agreement under this sec-
6 tion for a fiscal year and remaining unobligated
7 at the end of such year shall remain available
8 to such entity during the entirety of the per-
9 formance period, for the purposes for which
10 said funds were provided.

11 “(C) NO MATCHING REQUIREMENT.—Sub-
12 paragraphs (B) and (C) of paragraph (1) shall
13 not apply with respect to cooperative agree-
14 ments awarded under this section to eligible en-
15 tities described in subsection (b)(1)(D).”; and
16 (5) by adding at the end the following:

17 “(1) SPECIAL RULES RELATED TO TRIBAL ELIGIBLE
18 ENTITIES.—

19 “(1) MODIFICATIONS.—After consultation with
20 Indian Tribes, the Secretary may make necessary
21 and appropriate modifications with respect to sub-
22 sections (b)(2), (g), and (i) to facilitate the use of
23 the cooperative agreement program by eligible enti-
24 ties described in subsection (b)(1)(D).

25 “(2) WAIVERS.—

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B), the Secretary shall waive or
3 specify alternative requirements for any provi-
4 sion of this section (including regulations) that
5 the Secretary administers in connection with
6 this section if the Secretary, after consultation
7 with Indian Tribes, finds that the waiver or al-
8 ternative requirement is appropriate for the ef-
9 fective delivery and administration of this pro-
10 gram with respect to eligible entities described
11 in subsection (b)(1)(D).

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

16 “(3) CONSULTATION.—The Secretary shall con-
17 sult with Indian Tribes and Tribal organizations on
18 the design of the program under this section with re-
19 spect to such Tribes and organizations to ensure the
20 effectiveness of the program in enhancing the secu-
21 rity of Indian Tribes with respect to public health
22 emergencies.

23 “(4) REPORTING.—

24 “(A) IN GENERAL.—Not later than 2 years
25 after the date of enactment of this subsection,

1 and as an addendum to the biennial evaluations
2 required under subsection (k), the Secretary, in
3 coordination with the Director of the Indian
4 Health Service, shall—

5 “(i) conduct a review of the implemen-
6 tation of this section with respect to eligi-
7 ble entities described in subsection
8 (b)(1)(D), including any factors that may
9 have limited its success;

10 “(ii) compile a report containing—

11 “(I) a description of the results
12 of the review described in clause (i);

13 “(II) a breakdown of the eligible
14 entities described in subsection
15 (b)(1)(D) that—

16 “(aa) received an award
17 under this section;

18 “(bb) received an award
19 under this section and a waiver
20 as described in paragraph (2);
21 and

22 “(cc) applied under this sec-
23 tion but did not receive an
24 award;

1 “(III) a list of any requirements
2 of this section for which the Secretary
3 provided a waiver or alternative re-
4 quirement, and the reasoning for
5 issuing a waiver or alternative re-
6 quirement; and

7 “(IV) recommendations to Con-
8 gress for program modifications nec-
9 essary to improve the implementation
10 of the program with respect to eligible
11 entities described in subsection
12 (b)(1)(D); and

13 “(iii) submit the report described in
14 clause (ii) to—

15 “(I) the Committee on Indian Af-
16 fairs, the Committee on Health, Edu-
17 cation, Labor, and Pensions, and the
18 Committee on Appropriations of the
19 Senate; and

20 “(II) the Subcommittee on Indig-
21 enous People of the Committee on
22 Natural Resources, the Committee on
23 Energy and Commerce, and the Com-
24 mittee on Appropriations of the House
25 of Representatives.

1 “(B) ANALYSIS OF TRIBAL PUBLIC
2 HEALTH EMERGENCY INFRASTRUCTURE LIM-
3 TATION.—The Secretary shall include in the
4 initial report submitted under subparagraph (A)
5 a description of any public health emergency in-
6 frastructure limitation encountered by eligible
7 entities described in subsection (b)(1)(D).”.