

Congress of the United States

House of Representatives

SELECT SUBCOMMITTEE ON THE CORONAVIRUS PANDEMIC

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Majority (202) 225-5074
Minority (202) 225-5051

September 11, 2023

The Honorable Xavier Becerra
Secretary
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Becerra:

We write to request information regarding ongoing efforts by the Department of Health and Human Services (HHS) to strengthen our nation's public health preparedness and response, including the implementation of provisions to prevent and prepare for future pandemics passed by Congressional Democrats as part of the Consolidated Appropriations Act of 2023 (CAA) and recommendations issued by the National Science Advisory Board for Biosecurity (NSABB) to reduce biosafety and biosecurity risks associated with research involving pathogens.¹

The CAA included historic reforms to fortify our nation's public health infrastructure and to enhance biosafety and biosecurity. The law strengthened our nation's surveillance of current and emerging threats, including by establishing the One Health framework to prevent, control, and respond to zoonotic diseases, as well as by authorizing the continued work of the Center for Forecasting and Outbreak Analytics at the Centers for Disease Control and Prevention (CDC).² The CAA also included provisions directing HHS to examine avenues to improve the safety of biomedical research involving pathogens of pandemic potential and to address potential national security threats in biomedical research.³ These provisions, coupled with initiatives to grow our

¹ Consolidated Appropriations Act of 2023, Pub. L. No. 117-382; National Science Advisory Board for Biosecurity, *Proposed Biosecurity Oversight Framework for the Future of Science* (Mar. 2023) (online at www.osp.od.nih.gov/wp-content/uploads/2023/03/NSABB-Final-Report-Proposed-Biosecurity-Oversight-Framework-for-the-Future-of-Science.pdf).

² Consolidated Appropriations Act of 2023, Pub. L. No. 117-382.

³ *Id.*

nation's public health workforce,⁴ secure our supply chains,⁵ and improve coordination across our public health system, laid the groundwork for strengthening our nation's future pandemic preparedness and response.

The CAA built on President Biden's *National Biodefense Strategy and Implementation Plan for Countering Biological Threats Enhancing Pandemic Preparedness and Achieving Global Health Security*, which put in motion a coordinated whole-of-government approach to strengthening our nation's health security. The Department has outlined its implementation of this plan, which includes enhancing early detection and reporting of disease outbreaks, data collection, and diagnostic capabilities to improve overall biosecurity.⁶ President Biden's plan also supports ongoing work at HHS to strengthen the country's biodefense through international cooperation⁷ and domestic programs, such as the Antiviral Program for Pandemics, to develop oral anti-viral medications against pathogens of pandemic concern.⁸

In addition, in February 2022, your Department tasked the National Science Advisory Board for Biosecurity (NSABB) with conducting a comprehensive evaluation of United States biosecurity policy frameworks for research with enhanced potential pandemic pathogens (ePPP)—including the *Recommended Policy Guidance for Departmental Development of Review Mechanisms for Potential Pandemic Pathogen Care and Oversight* (P3CO) and the *HHS Framework for Guiding Funding Decisions about Proposed Research Involving Enhanced Potential Pandemic Pathogens*—and Dual Use Research of Concern (DURC)—including the

⁴ Consolidated Appropriations Act of 2023, Pub. L. No. 117-382. Provisions in the Consolidated Appropriations Act of 2023 to grow America's public health workforce include Sec. 2221, which establishes a Bio-Preparedness Workforce Pilot program to provide loan repayment for health professionals with expertise in infectious diseases and emergency preparedness; Sec. 2222, which reauthorizes a community health worker program to promote healthy behaviors and outcomes in medically underserved communities with community health workers; and Sec. 2227, which supports health professionals serving rural communities.

⁵ Consolidated Appropriations Act of 2023, Pub. L. No. 117-382. Among other provisions, Sec. 2405 of the Consolidated Appropriations Act enhances domestic supply chains by allowing the Strategic National Stockpile (SNS) to enter into contracts through vendor-managed inventory and warm-base domestic manufacturing arrangements.

⁶ Department of Health and Human Services, *HHS Announces Actions to Counter Biological Threats, Enhance Pandemic Preparedness, and Achieve Health Security* (Oct. 18, 2022) (online at www.hhs.gov/about/news/2022/10/18/hhs-announces-actions-to-counter-biological-threats-enhance-pandemic-preparedness-and-achieve-health-security.html).

⁷ Department of Health and Human Services, *HHS Announces Actions to Counter Biological Threats, Enhance Pandemic Preparedness, and Achieve Health Security* (Oct. 18, 2022) (online at www.hhs.gov/about/news/2022/10/18/hhs-announces-actions-to-counter-biological-threats-enhance-pandemic-preparedness-and-achieve-health-security.html). The HHS Office of Global Affairs is leading negotiations of a new global pandemic accord while also facilitating engagement with the Group of 7, Group of 20, and World Health Organization on international pandemic prevention and preparedness. HHS, along with other international partners, also spearheaded the Financial Intermediary Fund for Pandemic Prevention, Preparedness, and Response at the World Bank and is working with local health ministries around the world to bolster emergency preparedness.

⁸ Department of Health and Human Services, *HHS Announces Actions to Counter Biological Threats, Enhance Pandemic Preparedness, and Achieve Health Security* (Oct. 18, 2022) (online at www.hhs.gov/about/news/2022/10/18/hhs-announces-actions-to-counter-biological-threats-enhance-pandemic-preparedness-and-achieve-health-security.html)

USG Policy for Oversight of Life Sciences DURC and the USG Policy for Institutional Oversight of Life Sciences DURC.

In March 2023, NSABB released its findings and recommendations to strengthen the United States government's existing oversight of research that could pose biosafety and biosecurity risks.⁹ These recommendations included the development of a more integrated and streamlined approach to overseeing research that raises significant biosafety and biosecurity concerns, including ePPP research and DURC; clarifications to the federal department-level review process, including a more clear delineation of roles, responsibilities, and expectations for participating investigators and institutions; increased transparency in research review processes; improved information sharing; and more.

Pandemic prevention and preparedness are vital to our nation's public health, and Select Subcommittee Democrats stand ready to partner with you and your Administration colleagues in advancing these crucial objectives. To continue the important work of developing and implementing forward-looking policy solutions that enhance pandemic prevention and preparedness, we request the following information by October 9, 2023:

1. Please provide a written update on the Department's progress in implementing provisions contained in Section 2101 through Section 2411 of the CAA.
2. Please provide a written update on the Department's progress in implementing the *National Biodefense Strategy and Implementation Plan for Countering Biological Threats Enhancing Pandemic Preparedness and Achieving Global Health Security*.
3. Please provide a written update on the Department's progress in implementing the March 2023 NSABB recommendations.
4. What steps are being taken across the Department to improve the United States's capacity to detect and identify emerging viruses with pandemic potential?
5. What steps are being taken across the Department to improve the United States's capacity to contain and mitigate emerging viruses with pandemic potential?
6. What steps are being taken across the Department to facilitate the recruitment, retainment, and training of a robust public health workforce prepared to identify, respond to, and contain emerging threats?
7. What steps are being taken across the Department to enhance and modernize public health data collection?

⁹ National Science Advisory Board for Biosecurity, *Proposed Biosecurity Oversight Framework for the Future of Science* (Mar. 2023) (online at www.osp.od.nih.gov/wp-content/uploads/2023/03/NSABB-Final-Report-Proposed-Biosecurity-Oversight-Framework-for-the-Future-of-Science.pdf).

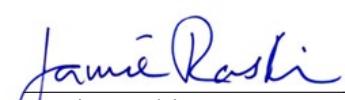
8. What steps are being taken across the Department to strengthen biosafety and biosecurity standards for research involving pathogens both domestically and abroad?
9. What steps are the Department taking to improve coordination of pandemic preparedness and readiness efforts across the federal government?
10. What additional resources and authorities should Congress consider to further equip the Department to prevent and prepare for future pandemics?

The Select Subcommittee on the Coronavirus Pandemic is authorized to investigate “the implementation or effectiveness of any Federal law or regulation applied, enacted, or under consideration to address the coronavirus pandemic and prepare for future pandemic” under H. Res. 5. If you have questions regarding this request, please contact Democratic Select Subcommittee staff at (202) 225-5051.

Sincerely,



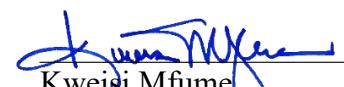
Raul Ruiz, M.D.
Ranking Member
Select Subcommittee on the
Coronavirus Pandemic



Jamie Raskin
Ranking Member
Committee on Oversight and
Accountability



Debbie Dingell
Member of Congress



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Ami Bera, M.D.
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Jill Tokuda
Member of Congress

The Honorable Xavier Becerra

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cc: The Honorable Brad Wenstrup, M.D., Chairman
Select Subcommittee on the Coronavirus Pandemic

The Honorable James Comer, Chairman
Committee on Oversight and Accountability