

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To require a briefing on pharmaceutical-based agent threats.

**IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.**

**H. R. 2825**

To amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. PORTMAN (for himself and Ms. HASSAN)

Viz:

1 On page 175, between lines 19 and 20, insert the following:  
2

3 **SEC. 1309. BRIEFING ON PHARMACEUTICAL-BASED AGENT**  
4 **THREATS.**

5 (a) BRIEFING REQUIRED.—Not later than 120 days  
6 after the date of enactment of this Act, the Assistant Secretary for the Countering Weapons of Mass Destruction  
7 Office, in consultation with other departments and agencies of the Federal Government as the Assistant Secretary  
8 considers appropriate, shall brief the appropriate congressional  
9 committees on threats related to pharmaceutical-  
10  
11

1 based agents. The briefing shall incorporate, and the As-  
2 sistant Secretary shall update as necessary, any related  
3 Terrorism Risk Assessments or Material Threat Assess-  
4 ments related to the threat.

5 (b) ELEMENTS.—The briefing under subsection (a)  
6 shall include—

7 (1) an assessment of threats from individuals or  
8 organizations using pharmaceutical-based agents to  
9 carry out activities in furtherance of any act of ter-  
10 rorism;

11 (2) an assessment of materiel and non-materiel  
12 capabilities within the Federal Government to deter  
13 and manage the consequences of such an attack; and

14 (3) a strategy to address any identified capa-  
15 bility gaps to deter and manage the consequences of  
16 any act of terrorism using pharmaceutical-based  
17 agents.

18 (c) FORM OF BRIEFING.—The briefing under sub-  
19 section (a) may be provided in classified form.

20 (d) DEFINITIONS.—In this section:

21 (1) APPROPRIATE CONGRESSIONAL COM-  
22 MITTEE.—The term “appropriate congressional com-  
23 mittee” has the meaning given that term under sec-  
24 tion 2 of the Homeland Security Act of 2002 (2  
25 U.S.C. 101).

1           (2) PHARMACEUTICAL-BASED AGENT.—The  
2 term “pharmaceutical-based agent” means a chem-  
3 ical, including fentanyl, carfentanil, and related ana-  
4 logues, which affects the central nervous system and  
5 has the potential to be used as a chemical weapon.