

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:
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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-
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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.