

119TH CONGRESS
1ST SESSION

S. _____

To reform the Centers for Disease Control and Prevention, limit the scope of public health authorities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SCHMITT (for himself and Mr. LEE) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To reform the Centers for Disease Control and Prevention, limit the scope of public health authorities, and for other purposes.

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 “Public Health Im-
5 provement Act”.

6 **SEC. 2. TERMS OF CDC AND NIH DIRECTORS.**

7 (a) **TERM OF CDC DIRECTOR.**—Section 305(a) of
8 the Public Health Service Act (42 U.S.C. 242c(a)) is
9 amended by adding at the end the following: “No indi-

1 vidual may serve as Director for a total period of more
2 than 12 years.”.

3 (b) **TERM OF NIH DIRECTOR.**—Section 402(a) of the
4 Public Health Service Act (42 U.S.C. 282(a)) is amended
5 by adding at the end the following: “No individual may
6 serve as Director of NIH for a total period of more than
7 12 years.”.

8 **SEC. 3. LIMITING THE CDC STRATEGIC PLAN.**

9 Section 305(c)(2)(A) of the Public Health Service Act
10 (42 U.S.C. 242c(e)(2)(A)) is amended—

11 (1) in clause (i), by striking “and noncommu-
12 nicable diseases or conditions, and addressing inju-
13 ries, and occupational and environmental hazards”
14 and inserting “diseases”;

15 (2) in clause (ii), by striking “or conditions”;

16 (3) in clause (iii), by adding “and” at the end;

17 (4) in clause (iv), by striking “; and” and in-
18 serting a semicolon; and

19 (5) by striking clause (v).

20 **SEC. 4. ADVISORY COMMITTEE TO THE CDC DIRECTOR.**

21 Section 305A(c) of the Public Health Service Act (42
22 U.S.C. 242c–1(c)) is amended—

23 (1) in paragraph (1), by striking “by the Sec-
24 retary under” and inserting “as described in”; and

1 (2) in paragraph (3), by striking subparagraphs
2 (A) and (B) and inserting the following:

3 “(A) Three members shall be appointed by
4 the Secretary of Health and Human Services—

5 “(i) 1 of whom shall be appointed to
6 represent the Department of Health and
7 Human Services; and

8 “(ii) 1 of whom shall be a public
9 health official.

10 “(B) Two members shall be appointed by
11 the majority leader of the Senate.

12 “(C) Two members shall be appointed by
13 the minority leader of the Senate.

14 “(D) Two members shall be appointed by
15 the Speaker of the House of Representatives.

16 “(E) Two members shall be appointed by
17 the minority leader of the House of Representa-
18 tives.

19 “(F) Four members shall be appointed by
20 the Comptroller General of the United States.”.

1 **SEC. 5. LIMITING THE SCOPE OF REGULATIONS OF THE DE-**
2 **PARTMENT OF HEALTH AND HUMAN SERV-**
3 **ICES TO CONTROL COMMUNICABLE DIS-**
4 **EASES.**

5 Section 361(a) of the Public Health Service Act (42
6 U.S.C. 264(a)) is amended to read as follows:

7 “(a) To prevent the introduction, transmission, or
8 spread of communicable diseases from foreign countries
9 into the States or possessions, or from one State or posses-
10 sion into any other State or possession, the Secretary may
11 make and enforce regulations for the inspection, fumiga-
12 tion, disinfection, sanitation, pest extermination, or de-
13 struction of animals or articles found to be so infected or
14 contaminated as to be sources of dangerous infection to
15 human beings.”.

16 **SEC. 6. CONGRESSIONAL APPROVAL FOR PUBLIC HEALTH**
17 **EMERGENCIES.**

18 Section 319(a) of the Public Health Service Act (42
19 U.S.C. 247d(a)) is amended by striking the third and
20 fourth sentences and inserting the following: “Determina-
21 tions that terminate under the preceding sentence may be
22 renewed by a majority vote in both chambers of Congress,
23 and such a renewal period terminates upon the Secretary
24 declaring that the emergency no longer exists or the expi-
25 ration of the 90-day period beginning on the date on which
26 both chambers of Congress have voted in favor of such

1 renewal, whichever occurs first. Not later than 48 hours
2 after making a determination under this subsection of a
3 public health emergency, the Secretary shall submit to the
4 Congress written notification of the determination.”.

5 **SEC. 7. TRANSFER OF OFFICES TO NIH.**

6 (a) IN GENERAL.—Effective on the date that is 2
7 years after the date of enactment of this Act, notwith-
8 standing any other provision of law, the authorities, func-
9 tions, personnel, and assets of the offices described in sub-
10 section (b) shall be transferred from the Centers for Dis-
11 ease Control and Prevention to the National Institutes of
12 Health.

13 (b) OFFICES DESCRIBED.—The offices described in
14 this subsection are the following:

15 (1) The National Center on Birth Defects and
16 Developmental Disabilities.

17 (2) The National Center for Chronic Disease
18 Prevention and Health Promotion.

19 (3) The National Center for Environmental
20 Health.

21 (4) The Agency for Toxic Substances and Dis-
22 ease Registry.

23 (5) The National Center for Health Statistics.

24 (6) The National Center for HIV, Viral Hepa-
25 titis, STD, and Tuberculosis Prevention.

1 (7) The National Center for Injury Prevention
2 and Control.

3 (8) The National Institute for Occupational
4 Safety and Health.

5 **SEC. 8. REGULATIONS.**

6 Not later than 90 days after the date of enactment
7 of this Act, the Secretary of Health and Human Services
8 shall issue such new or revised regulations as are nec-
9 essary to carry out this Act (including the amendments
10 made by this Act).

11 **SEC. 9. PREEMPTION.**

12 The provisions of this Act (including the amendments
13 made by this Act) shall supersede any provision of Fed-
14 eral, State, Tribal, territorial, or local law, declaration,
15 guidance, or directive to the extent that such law, declara-
16 tion, guidance, or directive is inconsistent with this Act
17 (including such amendments).