

117TH CONGRESS  
1ST SESSION

# S. 2640

To establish a program for developing medical countermeasures for unknown viral threats.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2021

Ms. BALDWIN (for herself, Mr. CASEY, Mr. KING, and Ms. SMITH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To establish a program for developing medical countermeasures for unknown viral threats.

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 “Disease X Act”.

5 **SEC. 2. MEDICAL COUNTERMEASURES FOR UNKNOWN**  
6 **VIRAL THREATS.**

7 (a) IN GENERAL.—The Secretary of Health and  
8 Human Services (referred to in this section as the “Sec-  
9 retary”), acting through the Director of the Biomedical  
10 Advanced Research and Development Authority, in coordi-

1 nation and consultation with the relevant offices and agen-  
2 cies participating in the Public Health Emergency Medical  
3 Countermeasures Enterprise, shall establish a Disease X  
4 Medical Countermeasures program for purposes of devel-  
5 oping medical countermeasures, including therapeutics,  
6 diagnostics, and vaccines, for unknown viral threats.

7 (b) CONSULTATION.—Pursuant to the program es-  
8 tablished under subsection (a)—

9 (1) the Secretary shall consult with the Public  
10 Health Emergency Medical Countermeasures Enter-  
11 prise regarding any investment strategies;

12 (2) the Department of Health and Human  
13 Services shall be the agency with primary responsi-  
14 bility concerning medical countermeasures needed to  
15 protect the diverse public of the United States, in-  
16 cluding children and other at-risk populations; and

17 (3) the Secretary shall consult with the Sec-  
18 retary of Defense concerning medical counter-  
19 measures targeted to the protection of military per-  
20 sonnel.

21 (c) ACCESSIBILITY AND EQUITY.—To protect the di-  
22 verse public of the United States, the Secretary shall  
23 prioritize equity and accessibility, including ease of admin-  
24 istration and distribution, in the development of medical  
25 countermeasures.

1 (d) GRANT PROGRAM.—

2 (1) IN GENERAL.—To carry out the program  
3 under this section, the Secretary may award grants,  
4 contracts, and cooperative agreements to, and enter  
5 into other transactions with, eligible entities.

6 (2) ELIGIBILITY.—To be eligible to receive a  
7 grant, contract, or cooperative agreement under this  
8 subsection, or to enter into another transaction with  
9 the Secretary under this subsection, an entity shall  
10 be based in the United States and shall maintain do-  
11 mestic research and development and manufacturing  
12 operations.

13 (3) REQUIREMENT.—Not fewer than 25 percent  
14 of the recipients of grants under this subsection  
15 shall be eligible entities with 500 or fewer employees.

16 (e) AUTHORIZATION OF APPROPRIATIONS.—To carry  
17 out this section, there are authorized to be appropriated  
18 \$500,000,000 for each of fiscal years 2022 through 2025.

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