

At a Glance

S. 4465, Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022

As ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on August 3, 2022

| By Fiscal Year, Millions of Dollars | 2023 | 2023-2027 | 2023-2032 |
|---|----------|-----------|-----------|
| Direct Spending (Outlays) | 0 | 0 | 0 |
| Revenues | * | * | * |
| Increase or Decrease (-) in the Deficit | * | * | * |

| | | | |
|---|----------|------------|---------------|
| Spending Subject to Appropriation (Outlays) | 0 | 850 | not estimated |
|---|----------|------------|---------------|

| | | | |
|--|------------|-------------------------------------|-----------|
| Statutory pay-as-you-go procedures apply? | Yes | Mandate Effects | |
| Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033? | No | Contains intergovernmental mandate? | No |
| | | Contains private-sector mandate? | No |

* = between -\$500,000 and \$500,000.

The bill would

- Permanently reauthorize the Department of Homeland Security's (DHS) Countering Weapons of Mass Destruction Office (CWMD)
- Create an Office of Health Security (OHS), responsible for all of DHS's medical and public health activities, within the Office of the Secretary
- Protect any medical record created by DHS from disclosure, with certain exceptions, and create new penalties for violating the confidentiality of such a record
- Require new reports from CWMD and the Government Accountability Office

Estimated budgetary effects would mainly stem from

- Administrative costs associated with reauthorizing CWMD and complying with new reporting requirements
- Administrative costs for OHS
- Revenues from penalties resulting in the unlawful disclosure of medical records

Detailed estimate begins on the next page.



Bill Summary

S. 4465 would permanently reauthorize the Countering Weapons of Mass Destruction Office (CWMD) within the Department of Homeland Security (DHS). CWMD leads DHS’s efforts to prevent the use of chemical, biological, radiological, or nuclear weapons, and promotes readiness against such attacks by coordinating with federal, state, local, tribal, and territorial governments, as well as the private sector. Under current law, CWMD’s authorization expires on December 21, 2023.

S. 4465 also would create an Office of Health Security (OHS) within the Office of the Secretary. The office would be responsible for all of DHS’s medical and public health activities, including food, agriculture, and veterinary defense, and workforce health and safety, transferring these functions from component units. The bill also would protect any medical record created by DHS from disclosure, with certain exceptions, and create new fines for any individual who willfully discloses such a record.

S. 4465 would create additional reporting requirements, including a study from the National Academies of Sciences, Engineering and Medicine on DHS’s role in preparing for biological and health security threats and a Government Accountability Office review of CWMD’s efforts and effectiveness.

Estimated Federal Cost

The estimated budgetary effect of S. 4465 is shown in Table 1. The costs of the legislation fall within budget function 750 (administration of justice).

Table 1.
Estimated Increases in Spending Subject to Appropriation Under S. 4465

| | By Fiscal Year, Millions of Dollars | | | | | 2023-2027 |
|--|-------------------------------------|------|------|------|------|-----------|
| | 2023 | 2024 | 2025 | 2026 | 2027 | |
| Office of Countering Weapons of Mass Destruction | | | | | | |
| Estimated Authorization | 2 | 304 | 413 | 440 | 450 | 1,609 |
| Estimated Outlays | 2 | 40 | 137 | 253 | 339 | 771 |
| Office of Health Security | | | | | | |
| Estimated Authorization | 0 | 16 | 24 | 25 | 25 | 90 |
| Estimated Outlays | 0 | 11 | 19 | 23 | 25 | 79 |
| Total Changes | | | | | | |
| Estimated Authorization | 2 | 320 | 437 | 464 | 475 | 1,699 |
| Estimated Outlays | 2 | 52 | 156 | 276 | 364 | 850 |

Components may not sum to totals because of rounding

CBO estimates that enacting S. 4465 would increase revenues by less than \$500,000 over the 2023-2032 period.



Basis of Estimate

For this estimate, CBO assumes that the bill will be enacted near the end of calendar year 2022 and that the estimated amounts will be provided for each year.

Spending Subject to Appropriation

CBO estimates that implementing S. 4465 would require appropriations totaling \$1.7 billion over the 2023-2027 period. Assuming appropriation of those amounts, CBO estimates that the bill would cost \$850 million over the same period.

Office of Countering Weapons of Mass Destruction. The Congress appropriated \$386 million for CWMD in 2022. That includes funding for operations and support, procurement and maintenance of chemical, biological and radiological detection equipment, research and development, and assistance to state, local, tribal, and territorial governments. Adjusting that amount for annual inflation, the transfer of funds to OHS, and CWMD's current authorization through December 2023, CBO estimates this provision would authorize the appropriation of \$1.6 billion over the 2023-2027 period.

In addition, based on the costs of similar reports, CBO estimates that implementing the reporting requirements in S. 4465 would cost \$3 million over 2023-2027 period. In total, CBO estimates that CWMD would incur \$771 million in additional costs over the 2023-2027 period. Such spending would be subject to the appropriation of the estimated amounts.

Office of Health Security. Based on information from DHS, CBO assumes that the department already carries out the activities required of OHS under the bill and that S. 4465 would consolidate those efforts into a new office. Using information from CWMD, CBO estimates implementing S. 4465 would require the agency to transfer 35 existing staff and \$21 million (the amount allocated for those activities in 2022) to the new Office of Health Security. The new office would include DHS's current work and activities on food and agriculture security, and veterinary defense. CBO estimates that OHS would continue to incur costs for those activities, with an increase each year to account for expected inflation. CBO estimates that OHS would cost \$79 million over the 2023-2027 period; such spending would be subject to the availability of appropriated funds.

Revenues

S. 4465 would create a new \$3,000 fine for anyone who willfully discloses a DHS medical record. The fine for subsequent offenses would increase to \$20,000 per violation. Any penalties would be transferred to the Treasury and could not be spent by DHS without further appropriation. Using information from DHS, CBO expects there to be a small number of violations. As such, CBO estimates that enacting S. 4465 would increase revenues by an insignificant amount each year and in total over the 2023-2032 period.



Pay-As-You-Go Considerations

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. CBO estimates that enacting S. 4465 would increase revenues by less than \$500,000 over the 2023-2032 period.

Increase in Long-Term Deficits: None.

Mandates: None.

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