

108TH CONGRESS
1ST SESSION

S. 1015

AN ACT

To authorize grants through the Centers for Disease Control and Prevention for mosquito control programs to prevent mosquito-borne diseases, 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 “Mosquito Abatement
5 for Safety and Health Act”.

1 **SEC. 2. GRANTS REGARDING PREVENTION OF MOSQUITO-**
 2 **BORNE DISEASES.**

3 Part B of title III of the Public Health Service Act
 4 (42 U.S.C. 243 et seq.), as amended by section 4 of Public
 5 Law 107–84 and section 312 of Public Law 107–188, is
 6 amended—

7 (1) by transferring section 317R from the cur-
 8 rent placement of the section and inserting the sec-
 9 tion after section 317Q; and

10 (2) by inserting after section 317R (as so trans-
 11 ferred) the following:

12 **“SEC. 317S. MOSQUITO-BORNE DISEASES; COORDINATION**
 13 **GRANTS TO STATES; ASSESSMENT AND CON-**
 14 **TROL GRANTS TO POLITICAL SUBDIVISIONS.**

15 “(a) COORDINATION GRANTS TO STATES; ASSESS-
 16 MENT GRANTS TO POLITICAL SUBDIVISIONS.—

17 “(1) IN GENERAL.—With respect to mosquito
 18 control programs to prevent and control mosquito-
 19 borne diseases (referred to in this section as ‘control
 20 programs’), the Secretary, acting through the Direc-
 21 tor of the Centers for Disease Control and Preven-
 22 tion, may make grants to States for the purpose
 23 of—

24 “(A) coordinating control programs in the
 25 State involved; and

1 “(B) assisting such State in making grants
2 to political subdivisions of the State to conduct
3 assessments to determine the immediate needs
4 in such subdivisions for control programs, and
5 to develop, on the basis of such assessments,
6 plans for carrying out control programs in the
7 subdivisions.

8 “(2) PREFERENCE IN MAKING GRANTS.—In
9 making grants under paragraph (1), the Secretary
10 shall give preference to States that have one or more
11 political subdivisions with an incidence, prevalence,
12 or high risk of mosquito-borne disease, or a popu-
13 lation of infected mosquitoes, that is substantial rel-
14 ative to political subdivisions in other States.

15 “(3) CERTAIN REQUIREMENTS.—A grant may
16 be made under paragraph (1) only if—

17 “(A) the State involved has developed, or
18 agrees to develop, a plan for coordinating con-
19 trol programs in the State, and the plan takes
20 into account any assessments or plans described
21 in subsection (b)(3) that have been conducted
22 or developed, respectively, by political subdivi-
23 sions in the State;

24 “(B) in developing such plan, the State
25 consulted or will consult (as the case may be

1 under subparagraph (A)) with political subdivi-
2 sions in the State that are carrying out or plan-
3 ning to carry out control programs;

4 “(C) the State agrees to monitor control
5 programs in the State in order to ensure that
6 the programs are carried out in accordance with
7 such plan, with priority given to coordination of
8 control programs in political subdivisions de-
9 scribed in paragraph (2) that are contiguous;

10 “(D) the State agrees that the State will
11 make grants to political subdivisions as de-
12 scribed in paragraph (1)(B), and that such a
13 grant will not exceed \$10,000; and

14 “(E) the State agrees that the grant will
15 be used to supplement, and not supplant, State
16 and local funds available for the purpose de-
17 scribed in paragraph (1).

18 “(4) REPORTS TO SECRETARY.—A grant may
19 be made under paragraph (1) only if the State in-
20 volved agrees that, promptly after the end of the fis-
21 cal year for which the grant is made, the State will
22 submit to the Secretary a report that—

23 “(A) describes the activities of the State
24 under the grant; and

1 “(B) contains an evaluation of whether the
2 control programs of political subdivisions in the
3 State were effectively coordinated with each
4 other, which evaluation takes into account any
5 reports that the State received under subsection
6 (b)(5) from such subdivisions.

7 “(5) NUMBER OF GRANTS.—A State may not
8 receive more than one grant under paragraph (1).

9 “(b) PREVENTION AND CONTROL GRANTS TO POLIT-
10 ICAL SUBDIVISIONS.—

11 “(1) IN GENERAL.—The Secretary, acting
12 through the Director of the Centers for Disease
13 Control and Prevention, may make grants to polit-
14 ical subdivisions of States or consortia of political
15 subdivisions of States, for the operation of control
16 programs.

17 “(2) PREFERENCE IN MAKING GRANTS.—In
18 making grants under paragraph (1), the Secretary
19 shall give preference to a political subdivision or con-
20 sortium of political subdivisions that—

21 “(A) has—

22 “(i) a history of elevated incidence or
23 prevalence of mosquito-borne disease;

24 “(ii) a population of infected mosqui-
25 toes; or

1 “(iii) met criteria determined by the
2 Secretary to suggest an increased risk of
3 elevated incidence or prevalence of mos-
4 quito-borne disease in the pending fiscal
5 year;

6 “(B) demonstrates to the Secretary that
7 such political subdivision or consortium of polit-
8 ical subdivisions will, if appropriate to the mos-
9 quito circumstances involved, effectively coordi-
10 nate the activities of the control programs with
11 contiguous political subdivisions;

12 “(C) demonstrates to the Secretary (di-
13 rectly or through State officials) that the State
14 in which such a political subdivision or consor-
15 tium of political subdivisions is located has
16 identified or will identify geographic areas in
17 such State that have a significant need for con-
18 trol programs and will effectively coordinate
19 such programs in such areas; and

20 “(D) is located in a State that has received
21 a grant under subsection (a).

22 “(3) REQUIREMENT OF ASSESSMENT AND
23 PLAN.—A grant may be made under paragraph (1)
24 only if the political subdivision or consortium of po-
25 litical subdivisions involved—

1 “(A) has conducted an assessment to de-
2 termine the immediate needs in such subdivi-
3 sion or consortium for a control program, in-
4 cluding an entomological survey of potential
5 mosquito breeding areas; and

6 “(B) has, on the basis of such assessment,
7 developed a plan for carrying out such a pro-
8 gram.

9 “(4) REQUIREMENT OF MATCHING FUNDS.—

10 “(A) IN GENERAL.—With respect to the
11 costs of a control program to be carried out
12 under paragraph (1) by a political subdivision
13 or consortium of political subdivisions, a grant
14 under such paragraph may be made only if the
15 subdivision or consortium agrees to make avail-
16 able (directly or through donations from public
17 or private entities) non-Federal contributions
18 toward such costs in an amount that is not less
19 than $\frac{1}{3}$ of such costs (\$1 for each \$2 of Fed-
20 eral funds provided in the grant).

21 “(B) DETERMINATION OF AMOUNT CON-
22 TRIBUTED.—Non-Federal contributions re-
23 quired in subparagraph (A) may be in cash or
24 in kind, fairly evaluated, including plant, equip-
25 ment, or services. Amounts provided by the

1 Federal Government, or services assisted or
2 subsidized to any significant extent by the Fed-
3 eral Government, may not be included in deter-
4 mining the amount of such non-Federal con-
5 tributions.

6 “(C) WAIVER.—The Secretary may waive
7 the requirement established in subparagraph
8 (A) if the Secretary determines that extraor-
9 dinary economic conditions in the political sub-
10 division or consortium of political subdivisions
11 involved justify the waiver.

12 “(5) REPORTS TO SECRETARY.—A grant may
13 be made under paragraph (1) only if the political
14 subdivision or consortium of political subdivisions in-
15 volved agrees that, promptly after the end of the fis-
16 cal year for which the grant is made, the subdivision
17 or consortium will submit to the Secretary, and to
18 the State within which the subdivision or consortium
19 is located, a report that describes the control pro-
20 gram and contains an evaluation of whether the pro-
21 gram was effective.

22 “(6) AMOUNT OF GRANT; NUMBER OF
23 GRANTS.—

24 “(A) AMOUNT OF GRANT.—

1 “(i) SINGLE POLITICAL SUBDIVI-
2 SION.—A grant under paragraph (1)
3 awarded to a political subdivision for a fis-
4 cal year may not exceed \$100,000.

5 “(ii) CONSORTIUM.—A grant under
6 paragraph (1) awarded to a consortium of
7 2 or more political subdivisions may not
8 exceed \$110,000 for each political subdivi-
9 sion. A consortium is not required to pro-
10 vide matching funds under paragraph (4)
11 for any amounts received by such consor-
12 tium in excess of amounts each political
13 subdivision would have received separately.

14 “(iii) WAIVER OF REQUIREMENT.—A
15 grant may exceed the maximum amount in
16 clause (i) or (ii) if the Secretary deter-
17 mines that the geographical area covered
18 by a political subdivision or consortium
19 awarded a grant under paragraph (1) has
20 an extreme need due to the size or density
21 of—

22 “(A) the human population in
23 such geographical area; or

24 “(B) the mosquito population in
25 such geographical area.

1 “(B) NUMBER OF GRANTS.—A political
2 subdivision or a consortium of political subdivi-
3 sions may not receive more than one grant
4 under paragraph (1).

5 “(c) APPLICATIONS FOR GRANTS.—A grant may be
6 made under subsection (a) or (b) only if an application
7 for the grant is submitted to the Secretary and the appli-
8 cation is in such form, is made in such manner, and con-
9 tains such agreements, assurances, and information as the
10 Secretary determines to be necessary to carry out this sec-
11 tion.

12 “(d) TECHNICAL ASSISTANCE.—Amounts appro-
13 priated under subsection (f) may be used by the Secretary
14 to provide training and technical assistance with respect
15 to the planning, development, and operation of assess-
16 ments and plans under subsection (a) and control pro-
17 grams under subsection (b). The Secretary may provide
18 such technical assistance directly or through awards of
19 grants or contracts to public and private entities.

20 “(e) DEFINITION OF POLITICAL SUBDIVISION.—In
21 this section, the term ‘political subdivision’ means the local
22 political jurisdiction immediately below the level of State
23 government, including counties, parishes, and boroughs. If
24 State law recognizes an entity of general government that
25 functions in lieu of, and is not within, a county, parish,

1 or borough, the Secretary may recognize an area under
2 the jurisdiction of such other entities of general govern-
3 ment as a political subdivision for purposes of this section.

4 “(f) AUTHORIZATION OF APPROPRIATIONS.—

5 “(1) IN GENERAL.—For the purpose of car-
6 rying out this section, there are authorized to be ap-
7 propriated \$100,000,000 for fiscal year 2003, and
8 such sums as may be necessary for each of fiscal
9 years 2004 through 2007.

10 “(2) PUBLIC HEALTH EMERGENCIES.—In the
11 case of control programs carried out in response to
12 a mosquito-borne disease that constitutes a public
13 health emergency, the authorization of appropria-
14 tions under paragraph (1) is in addition to applica-
15 ble authorizations of appropriations under the Public
16 Health Security and Bioterrorism Preparedness and
17 Response Act of 2002.

18 “(3) FISCAL YEAR 2004 APPROPRIATIONS.—
19 For fiscal year 2004, 50 percent or more of the
20 funds appropriated under paragraph (1) shall be
21 used to award grants to political subdivisions or con-
22 sortia of political subdivisions under subsection
23 (b).”.

1 **SEC. 3. RESEARCH PROGRAM OF NATIONAL INSTITUTE OF**
2 **ENVIRONMENTAL HEALTH SCIENCES.**

3 Subpart 12 of part C of title IV of the Public Health
4 Service Act (42 U.S.C. 285 et seq.) is amended by adding
5 at the end the following section:

6 “METHODS OF CONTROLLING CERTAIN INSECT AND
7 VERMIN POPULATIONS

8 “SEC. 463B. The Director of the Institute shall con-
9 duct or support research to identify or develop methods
10 of controlling insect and vermin populations that transmit
11 to humans diseases that have significant adverse health
12 consequences.”.

13 **SEC. 4. REPORT.**

14 Not later than 180 days after the date of enactment
15 of this Act, the Secretary of Health and Human Services,
16 after consultation with the Administrator of the Environ-
17 mental Protection Agency shall submit to the Committee
18 on Health, Education, Labor, and Pensions of the Senate
19 and the Committee on Energy and Commerce of the
20 House of Representatives a report containing the fol-
21 lowing:

22 (1) A description of the status of the develop-
23 ment of protocols for ensuring the safety of the
24 blood supply of the United States with respect to
25 West Nile Virus, including—

1 (A) the status of the development of
2 screening mechanisms;

3 (B) changes in donor screening protocols;
4 and

5 (C) the implementation of surveillance sys-
6 tems for the transmission of the virus via the
7 blood supply.

8 (2) Recommendations for improvements to be
9 made to the safety of the blood supply based on the
10 development of protocols pursuant to paragraph (1),
11 including the need for expedited review of screening
12 mechanisms or other protocols.

13 (3) The benefits and risks of the spraying of in-
14 secticides as a public health intervention, including
15 recommendations and guidelines for such spraying.

16 (4) The overall role of public health pesticides
17 and the development of standards for the use of
18 such pesticides compared to the standards when
19 such pesticides are used for agricultural purposes.

Passed the Senate June 16, 2003.

Attest:

Secretary.

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