

108TH CONGRESS  
1ST SESSION

# S. 1015

To authorize grants through the Centers for Disease Control and Prevention for mosquito control programs to prevent mosquito-borne diseases, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 7, 2003

Mr. GREGG (for himself, Mr. BREAUX, Ms. LANDRIEU, Mr. ALEXANDER, Mrs. LINCOLN, Mr. ROBERTS, Mrs. CLINTON, Mr. WARNER, and Mr. DEWINE) 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 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 subdivisions  
2           in the State that are carrying out or planning  
3           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.

