

107TH CONGRESS  
1ST SESSION

# S. 1539

To protect children from terrorism.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 11, 2001

Mrs. CLINTON (for herself, Mr. DODD, Mrs. MURRAY, Ms. MIKULSKI, Mr. SCHUMER, Mr. BINGAMAN, and Mr. CORZINE) 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 protect children from terrorism.

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 “Protecting America’s  
5       Children Against Terrorism Act”.

6       **SEC. 2. AMENDMENT TO THE PUBLIC HEALTH SERVICE**  
7               **ACT.**

8       (a) PUBLIC HEALTH MEASURES TO PROTECT  
9       AGAINST TERRORISM.—Part B of title III of the Public  
10       Health Service Act (42 U.S.C. 243 et seq.) is amended  
11       by inserting after section 319G, the following:

1 **“SEC. 319H. PUBLIC HEALTH MEASURES TO PROTECT**  
2 **AGAINST TERRORISM.**

3 “(a) NATIONAL TASK FORCE ON CHILDREN AND  
4 BIOTERRORISM.—

5 “(1) ESTABLISHMENT.—The Secretary shall es-  
6 tablish a National Task Force on Children and Bio-  
7 terrorism (referred to in this subsection as the ‘Task  
8 Force’).

9 “(2) MEMBERSHIP.—The Task Force shall be  
10 composed of—

11 “(A) the Secretary and other officials of  
12 the Department determined appropriate by the  
13 Secretary;

14 “(B) the Director of the Federal Emer-  
15 gency Management Agency;

16 “(C) the Administrator of the Environ-  
17 mental Protection Agency;

18 “(D) the Secretary of Education;

19 “(E) child health experts on infectious dis-  
20 ease, environmental health, and toxicology, who  
21 shall be appointed by the Secretary;

22 “(F) representatives of national children’s  
23 health organizations, including the American  
24 Academy of Pediatrics and the National Asso-  
25 ciation of Children’s Hospitals, who shall be ap-  
26 pointed by the Secretary; and

1           “(G) representatives of other relevant or-  
2           ganizations determined appropriate by the Sec-  
3           retary.

4           “(3) RECOMMENDATIONS.—Not later than 60  
5           days after the date of enactment of this section, the  
6           Task Force shall make recommendations to the Sec-  
7           retary concerning—

8           “(A) an assessment of the preparedness of  
9           the health care system of the United States to  
10          respond to bioterrorism aimed at children and  
11          youth, including the readiness of public health  
12          institutions, providers of health care, and other  
13          emergency service personnel to detect, diagnose  
14          and respond to bioterrorist attacks affecting  
15          large numbers of children and youth;

16          “(B) needed changes to the health care  
17          and emergency medical services systems, includ-  
18          ing recommendations on research, training of  
19          health personnel, and changes to the National  
20          Pharmaceutical Stockpile Program to include  
21          the medical needs of children; and

22          “(C) national, regional, and local health  
23          care and emergency medical services protocols  
24          for dealing with mass casualties of children and  
25          youth resulting from bioterrorism.

1       “(b) CHILDREN AND TERRORISM INFORMATION  
2 NETWORK.—

3               “(1) ESTABLISHMENT.—The Secretary, acting  
4 through the Centers for Disease Control and Preven-  
5 tion, shall establish a Children and Terrorism Infor-  
6 mation Network to collect and disseminate to health  
7 providers (including children’s hospitals and pedi-  
8 atric units of hospitals), community centers (includ-  
9 ing poison control centers), and schools (including  
10 school-based health clinics) up-to-date information  
11 on how to prepare for a biological or chemical ter-  
12 rorist attack and the steps that should be taken to  
13 ensure that children get the health care they need in  
14 the event of such an attack.

15               “(2) AUTHORIZATION OF APPROPRIATIONS.—  
16 There is authorized to be appropriated to carry out  
17 this subsection, \$10,000,000 for fiscal year 2002,  
18 and such sums as may be necessary for each subse-  
19 quent fiscal year. Amounts appropriated under the  
20 preceding sentence shall remain available to carry  
21 out this section until expended.

22       “(c) NATIONAL PHARMACEUTICAL STOCKPILE PRO-  
23 GRAM.—

24               “(1) IN GENERAL.—The Secretary, acting  
25 through the Centers for Disease Control and Preven-

1       tion, shall provide for the inclusion of supplies,  
 2       equipment, and instructions as are appropriate for  
 3       use with respect to children in push packs and Ven-  
 4       dor Management Inventories under the National  
 5       Pharmaceutical Stockpile Program.

6               “(2) AUTHORIZATION OF APPROPRIATIONS.—

7       There is authorized to be appropriated to carry out  
 8       this subsection, \$50,000,000 for fiscal year 2002,  
 9       and such sums as may be necessary for each subse-  
 10      quent fiscal year. Amounts appropriated under the  
 11      preceding sentence shall remain available to carry  
 12      out this section until expended.

13              “(d) SECURING OUR SOCIAL SERVICES INFRASTRUC-  
 14      TURE TO SUPPORT CHILDREN AND FAMILIES.—

15              “(1) IN GENERAL.—The Secretary shall award  
 16      grants to eligible entities to enable such entities to  
 17      implement, develop, expand or increase the capacity  
 18      of 2–1–1 call centers, or other universal hotlines, in  
 19      order to connect the public to all available informa-  
 20      tion hotlines, or call centers, developed in response  
 21      to disaster and recovery efforts, as well as to connect  
 22      the public to existing social services to provide need-  
 23      ed help and support to children and families in cri-  
 24      sis.

1           “(2) ELIGIBILITY.—To be eligible to receive a  
2           grant under subsection (a), an entity shall—

3                   “(A) be a non-profit organization working  
4                   to implement, develop, expand, or increase the  
5                   capacity of 2–1–1 call centers, or other uni-  
6                   versal hotlines in their State, region or locality;  
7                   and

8                   “(B) prepare and submit to the Secretary  
9                   an application at such time, in such manner,  
10                  and containing such information as the Sec-  
11                  retary may require.

12           “(3) AUTHORIZATION OF APPROPRIATIONS.—  
13           There is authorized to be appropriated to carry out  
14           this subsection, \$10,000,000 for fiscal year 2002,  
15           and such sums as may be necessary for each subse-  
16           quent fiscal year. Amounts appropriated under the  
17           preceding sentence shall remain available to carry  
18           out this section until expended.”.

19           (b) PEDIATRIC STUDIES.—Part B of title IV of the  
20           Public Health Service Act (42 U.S.C. 284 et seq.) is  
21           amended—

22                   (1) by redesignating the second section 409C  
23                   (relating to clinical research) and the second section  
24                   409D (relating to enhancement awards) as sections  
25                   409G and 409H, respectively; and

1           (2) by inserting after section 409H (as so re-  
2           designated), the following:

3   **“SEC. 409I. PEDIATRIC STUDIES OF DRUGS AND BIOLOGICS,**  
4                   **INCLUDING VACCINES, USED TO PREVENT**  
5                   **AND TREAT ILLNESSES AND INJURY CAUSED**  
6                   **BY BIOLOGICAL OR CHEMICAL AGENTS USED**  
7                   **IN WARFARE AND TERRORISM.**

8           “(a) PUBLICATION OF LIST.—Not later than 1 year  
9   after the date of enactment of this section, and annually  
10 thereafter, the Secretary shall develop and maintain a se-  
11 cure and confidential list of drugs and biologics, including  
12 vaccines, that may be used to prevent and treat illnesses  
13 and injury caused by biological or chemical agents used  
14 in acts of warfare or terrorism and which require pediatric  
15 testing.

16          “(b) TESTING PLAN.—Not later than 1 year after the  
17 date of enactment of this section, and annually thereafter,  
18 the Secretary shall develop a plan to—

19               “(1) provide for the timely pediatric testing and  
20               labeling of the agents on the list developed under  
21               subsection (a) for the year involved; and

22               “(2) coordinate such testing and labeling pro-  
23               gram with activities conducted under existing laws  
24               and regulations concerning pediatric testing of drugs  
25               and biologics.

1       “(c) CONTRACTS.—The Secretary may award con-  
 2 tracts to entities that have the expertise to conduct pedi-  
 3 atric clinical trials (including qualified universities, hos-  
 4 pitals, laboratories, contract research organizations, feder-  
 5 ally funded programs such as pediatric pharmacology re-  
 6 search units, other public or private institutions or, indi-  
 7 viduals) to enable such entities to conduct pediatric stud-  
 8 ies concerning drugs and biologics, including vaccines, that  
 9 are used to prevent and treat illnesses and injuries caused  
 10 by biological or chemical agents used in acts of warfare  
 11 or terrorism.

12       “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
 13 is authorized to be appropriated to carry out this section,  
 14 \$20,000,000 for fiscal year 2002, and such sums as may  
 15 be necessary for each subsequent fiscal year. Amounts ap-  
 16 propriated under the preceding sentence shall remain  
 17 available to carry out this section until expended.”.

18       (c) TRAINING.—Subpart 2 of part E of title VII of  
 19 the Public Health Service Act (42 U.S.C. 295 et seq.) is  
 20 amended—

- 21               (1) in section 770(a), by inserting “other than  
 22               section 770A,” after “subpart,”; and
- 23               (2) by adding at the end the following:

1 **“SEC. 770A. TRAINING FOR PEDIATRIC ISSUES SUR-**  
 2 **ROUNDING BIOLOGICAL AND CHEMICAL**  
 3 **AGENTS USED IN WARFARE AND TERRORISM.**

4 “(a) GRANTS.—The Secretary, acting through the  
 5 Director of Health Resources and Services Administra-  
 6 tion, shall award grants to eligible entities to enable such  
 7 entities to—

8 “(1) provide for the education and training of  
 9 clinicians (including nurses) in the pediatric con-  
 10 sequences, systems, and treatment of biological and  
 11 chemical agents; and

12 “(2) assist in the development and distribution  
 13 of accurate educational materials on the pediatric  
 14 consequences, symptoms and treatment of biological  
 15 or chemical agents.

16 “(b) ELIGIBILITY.—To be eligible to receive a grant  
 17 under subsection (a), an entity shall—

18 “(1) be a children hospital, a pediatric unit of  
 19 a hospital, a professional organization, or any other  
 20 entity that the Secretary determines to be appro-  
 21 priate; and

22 “(2) prepare and submit to the Secretary an  
 23 application at such time, in such manner, and con-  
 24 taining such information as the Secretary may re-  
 25 quire.

1       “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
 2 is authorized to be appropriated to carry out this section,  
 3 \$50,000,000 for fiscal year 2002, and such sums as may  
 4 be necessary for each subsequent fiscal year. Amounts ap-  
 5 propriated under the preceding sentence shall remain  
 6 available to carry out this section until expended.”.

7       **SEC. 3. AMENDMENTS TO THE ELEMENTARY AND SEC-**  
 8                               **ONDARY EDUCATION ACT OF 1965.**

9       Subpart 2 of part A of title IV of the Elementary  
 10 and Secondary Education Act of 1965 (20 U.S.C. 7131  
 11 et seq.) is amended by adding at the end the following:

12       **“SEC. 4124. SCHOOL EVACUATIONS, SAFE PLACES AND PA-**  
 13                               **RENTAL NOTIFICATIONS.**

14       “(a) RECOMMENDATIONS AND MODELS.—Not later  
 15 than 60 days after the date of enactment of this section,  
 16 the Secretary shall develop recommendations and models  
 17 to assist communities in developing—

18               “(1) school evacuation plans;

19               “(2) safe places for children to go in case of an  
 20 attack on a school or individuals in the school;

21               “(3) partnerships with the medical community  
 22 to ensure that children get the immediate care they  
 23 need in the event of such an attack; and

24               “(4) procedures for notifying parents of evacu-  
 25 ation plans and providing information on how and

1       where to find their child or children in the event of  
2       such an attack.

3       “(b) DISSEMINATION.—The Secretary shall ensure  
4 that the recommendations and models developed under  
5 subsection (a) are disseminated to local school districts  
6 throughout the United States, and, in coordination with  
7 the Secretary of Health and Human Services, to the  
8 health provider and public health communities.

9       “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
10 is authorized to be appropriated to carry out this section,  
11 \$1,000,000 for fiscal year 2002, and such sums as may  
12 be necessary for each subsequent fiscal year. Amounts ap-  
13 propriated under the preceding sentence shall remain  
14 available to carry out this section until expended.

15 **“SEC. 4125. MENTAL HEALTH SERVICES FOR CHILDREN**  
16 **AND THEIR CAREGIVERS.**

17       “(a) GRANTS.—The Secretary, jointly with the Sec-  
18 retary of Health and Human Services, shall award grants  
19 to eligible entities to enable such entities to develop and  
20 implement a plan for the provision of comprehensive men-  
21 tal health services for children, school faculty, and child  
22 care providers who are affected by terrorist attacks, times  
23 of war, or other major crisis.

24       “(b) ELIGIBILITY.—To be eligible to receive a grant  
25 under subsection (a), an entity shall—

1           “(1) be a local educational agency, a commu-  
 2           nity-based organization, a community mental health  
 3           organization, a professional organization, or a part-  
 4           nership of such entities; and

5           “(2) prepare and submit to the Secretary an  
 6           application at such time, in such manner, and con-  
 7           taining such information as the Secretary may re-  
 8           quire.

9           “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
 10          is authorized to be appropriated to carry out this section,  
 11          \$20,000,000 for fiscal year 2002, and such sums as may  
 12          be necessary for each subsequent fiscal year. Amounts ap-  
 13          propriated under the preceding sentence shall remain  
 14          available to carry out this section until expended.”.

15   **SEC. 5. AMENDMENTS TO THE ROBERT T. STAFFORD DIS-**  
 16                           **ASTER RELIEF AND EMERGENCY ASSISTANCE**  
 17                           **ACT.**

18          Title IV of the Robert T. Stafford Disaster Relief and  
 19          Emergency Assistance Act (42 U.S.C. 5170 et seq.) is  
 20          amended by inserting after section 410, the following:

21   **“SEC. 411. CHILDREN’S ASSISTANCE.**

22          “(a) CHILDREN’S COORDINATING OFFICER.—Upon a  
 23          determination by the President that children have lost  
 24          their custodial parent or parents in an area declared a  
 25          disaster area by the President under this Act, the Presi-

1 dent shall appoint an individual to serve as a Children's  
 2 Coordinating Officer for the area. Such Officer shall pro-  
 3 vide necessary support and assistance for such children  
 4 to ensure their immediate care and transition to a perma-  
 5 nent and loving family.

6       “(b) FUNCTIONS.—A Children's Coordinating Officer  
 7 appointed under subsection (a) shall partner with relevant  
 8 Federal, State and local governmental agencies, and co-  
 9 ordinate all efforts by community-based organizations,  
 10 foundations, funds, or other organizations, to direct and  
 11 coordinate the provision of assistance to children described  
 12 in subsection (a).

13       “(c) SERVICES.—A Children's Coordinating Officer  
 14 appointed under subsection (a) shall ensure that children  
 15 and their caregivers are provided with—

- 16           “(1) immediate temporary care services;
- 17           “(2) counseling on long-term permanency plan-  
 18       ning;
- 19           “(3) legal services for guardianships and adop-  
 20       tions;
- 21           “(4) information on available services and as-  
 22       sistance for the victims of the disaster; and
- 23           “(5) mental health services.”.

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