

107TH CONGRESS  
2D SESSION

# S. 2935

To amend the Public Health Service Act to provide grants for the operation of mosquito control programs to prevent and control mosquito-borne diseases.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 13, 2002

Ms. LANDRIEU 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 amend the Public Health Service Act to provide grants for the operation of mosquito control programs to prevent and control mosquito-borne diseases.

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”.

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

8 Part B of title III of the Public Health Service Act  
9 (42 U.S.C. 243 et seq.), as amended by section 4 of Public

1 Law 107–84 and section 312 of Public Law 107–188, is  
2 amended—

3 (1) by transferring section 317R so as to ap-  
4 pear after section 317Q; and

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

7 **“SEC. 317S. MOSQUITO-BORNE DISEASES; ASSESSMENT AND**  
8 **CONTROL GRANTS TO POLITICAL SUBDIVI-**  
9 **SIONS; COORDINATION GRANTS TO STATES.**

10 “(a) PREVENTION AND CONTROL GRANTS TO POLIT-  
11 ICAL SUBDIVISIONS.—

12 “(1) IN GENERAL.—The Secretary, acting  
13 through the Director of the Centers for Disease  
14 Control and Prevention, may make grants to polit-  
15 ical subdivisions of States for the operation of mos-  
16 quito control programs to prevent and control mos-  
17 quito-borne diseases (referred to in this section as  
18 ‘control programs’).

19 “(2) PREFERENCE IN MAKING GRANTS.—In  
20 making grants under paragraph (1), the Secretary  
21 shall give preference to political subdivisions that—

22 “(A) have an incidence or prevalence of  
23 mosquito-borne disease, or a population of in-  
24 fected mosquitoes, that is substantial relative to  
25 other political subdivisions;

1           “(B) demonstrate to the Secretary that the  
2 political subdivisions will, if appropriate to the  
3 mosquito circumstances involved, effectively co-  
4 ordinate the activities of the control programs  
5 with contiguous political subdivisions; and

6           “(C) demonstrate to the Secretary (directly  
7 or through State officials) that the State in  
8 which the political subdivision is located has  
9 identified or will identify geographic areas in  
10 the State that have a significant need for con-  
11 trol programs and will effectively coordinate  
12 such programs in such areas.

13           “(3) REQUIREMENT OF ASSESSMENT AND  
14 PLAN.—A grant may be made under paragraph (1)  
15 only if the political subdivision involved—

16           “(A) has conducted an assessment to de-  
17 termine the immediate needs in such subdivi-  
18 sion for a control program, including an ento-  
19 mological survey of potential mosquito breeding  
20 areas; and

21           “(B) has, on the basis of such assessment,  
22 developed a plan for carrying out such a pro-  
23 gram.

24           “(4) REQUIREMENT OF MATCHING FUNDS.—

1           “(A) IN GENERAL.—With respect to the  
2 costs of a control program to be carried out  
3 under paragraph (1) by a political subdivision,  
4 a grant under such paragraph may be made  
5 only if the subdivision agrees to make available  
6 (directly or through donations from public or  
7 private entities) non-Federal contributions to-  
8 ward such costs in an amount that is not less  
9 than  $\frac{1}{3}$  of such costs (\$1 for each \$2 of Fed-  
10 eral funds provided in the grant).

11           “(B) DETERMINATION OF AMOUNT CON-  
12 TRIBUTED.—Non-Federal contributions re-  
13 quired in subparagraph (A) may be in cash or  
14 in kind, fairly evaluated, including plant, equip-  
15 ment, or services. Amounts provided by the  
16 Federal Government, or services assisted or  
17 subsidized to any significant extent by the Fed-  
18 eral Government, may not be included in deter-  
19 mining the amount of such non-Federal con-  
20 tributions.

21           “(C) WAIVER.—The Secretary may waive  
22 the requirement established in subparagraph  
23 (A) if the Secretary determines that extraor-  
24 dinary economic conditions in the political sub-  
25 division involved justify the waiver.

1           “(5) REPORTS TO SECRETARY.—A grant may  
2           be made under paragraph (1) only if the political  
3           subdivision involved agrees that, promptly after the  
4           end of the fiscal year for which the grant is made,  
5           the subdivision will submit to the Secretary, and to  
6           the State within which the subdivision is located, a  
7           report that describes the control program and con-  
8           tains an evaluation of whether the program was ef-  
9           fective.

10           “(6) AMOUNT OF GRANT; NUMBER OF  
11           GRANTS.—A grant under paragraph (1) for a fiscal  
12           year may not exceed \$100,000. A political subdivi-  
13           sion may not receive more than one grant under  
14           such paragraph.

15           “(b) ASSESSMENT GRANTS TO POLITICAL SUBDIVI-  
16           SIONS.—

17           “(1) IN GENERAL.—The Secretary, acting  
18           through the Director of the Centers for Disease  
19           Control and Prevention, may make grants to polit-  
20           ical subdivisions of States to conduct the assess-  
21           ments and to develop the plans that are required in  
22           paragraph (3) of subsection (a) as a condition of re-  
23           ceiving a grant under paragraph (1) of such sub-  
24           section.

1           “(2) AMOUNT OF GRANT; NUMBER OF  
2 GRANTS.—A grant under paragraph (1) for a fiscal  
3 year may not exceed \$10,000. A political subdivision  
4 may not receive more than one grant under such  
5 paragraph.

6           “(c) COORDINATION GRANTS TO STATES.—

7           “(1) IN GENERAL.—The Secretary, acting  
8 through the Director of the Centers for Disease  
9 Control and Prevention, may make grants to States  
10 for the purpose of coordinating control programs in  
11 the State.

12           “(2) PREFERENCE IN MAKING GRANTS.—In  
13 making grants under paragraph (1), the Secretary  
14 shall give preference to States that have one or more  
15 political subdivisions with an incidence or prevalence  
16 of mosquito-borne disease, or a population of in-  
17 fected mosquitoes, that is substantial relative to po-  
18 litical subdivisions in other States.

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

21           “(A) the State involved has developed, or  
22 agrees to develop, a plan for coordinating con-  
23 trol programs in the State, and the plan takes  
24 into account any assessments or plans described  
25 in subsection (a)(3) that have been conducted

1 or developed, respectively, by political subdivi-  
2 sions in the State;

3 “(B) in developing such plan, the State  
4 consulted or will consult (as the case may be  
5 under subparagraph (A)) with political subdivi-  
6 sions in the State that are carrying out or plan-  
7 ning to carry out control programs; and

8 “(C) the State agrees to monitor control  
9 programs in the State in order to ensure that  
10 the programs are carried out in accordance with  
11 such plan, with priority given to coordination of  
12 control programs in political subdivisions de-  
13 scribed in paragraph (2) that are contiguous.

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

19 “(A) describes the activities of the State  
20 under the grant; and

21 “(B) contains an evaluation of whether the  
22 control programs of political subdivisions in the  
23 State were effectively coordinated with each  
24 other, which evaluation takes into account any

1 reports that the State received under subsection  
2 (a)(5) from such subdivisions.

3 “(5) AMOUNT OF GRANT; NUMBER OF  
4 GRANTS.—A grant under paragraph (1) for a fiscal  
5 year may not exceed \$10,000. A State may not re-  
6 ceive more than one grant under such paragraph.

7 “(d) APPLICATIONS FOR GRANTS.—A grant may be  
8 made under subsection (a), (b), or (c) only if an applica-  
9 tion for the grant is submitted to the Secretary and the  
10 application is in such form, is made in such manner, and  
11 contains such agreements, assurances, and information as  
12 the Secretary determines to be necessary to carry out this  
13 section.

14 “(e) TECHNICAL ASSISTANCE.—The Secretary may  
15 provide training and technical assistance with respect to  
16 the planning, development, and operation of control pro-  
17 grams under subsection (a) and assessments and plans  
18 under subsection (b). The Secretary may provide such  
19 technical assistance directly or through awards of grants  
20 or contracts to public and private entities.

21 “(f) DEFINITIONS.—For purposes of this section:

22 “(1) CONTROL PROGRAM.—The term ‘control  
23 program’ has the meaning indicated for such term  
24 in subsection (a)(1).



1           “(2) POLITICAL SUBDIVISION.—The term ‘polit-  
2           ical subdivision’ means the local political jurisdiction  
3           immediately below the level of State government, in-  
4           cluding counties, parishes, and boroughs. If State  
5           law recognizes an entity of general government that  
6           functions in lieu of, and is not within, a county, par-  
7           ish, or borough, the Secretary may recognize an area  
8           under the jurisdiction of such other entities of gen-  
9           eral government as a political subdivision for pur-  
10          poses of this Act.

11          “(g) AUTHORIZATION OF APPROPRIATIONS.—For the  
12          purpose of carrying out this section, there are authorized  
13          to be appropriated \$100,000,000 for fiscal year 2003, and  
14          such sums as may be necessary for each of the fiscal years  
15          2004 through 2007. In the case of control programs car-  
16          ried out in response to a mosquito-borne disease that con-  
17          stitutes a public health emergency, the authorization of  
18          appropriations under the preceding sentence is in addition  
19          to applicable authorizations of appropriations under the  
20          Public Health Security and Bioterrorism Preparedness  
21          and Response Act of 2002.”.

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:

6 **“SEC. 463B. METHODS OF CONTROLLING CERTAIN INSECT**  
7 **POPULATIONS.**

8 “The Director of the Institute shall conduct or sup-  
9 port research to identify or develop methods of controlling  
10 the population of insects that transmit to humans diseases  
11 that have significant adverse health consequences.”.

12 **SEC. 4. SENSE OF THE SENATE CONCERNING THE WEST**  
13 **NILE VIRUS.**

14 It is the sense of the Senate that—

15 (1) the West Nile virus raises concerns about  
16 the safety of the nation’s blood supply and every ef-  
17 fort should be made to protect blood and blood prod-  
18 ucts recipients from infection with the virus;

19 (2) the Food and Drug Administration should  
20 comprehensively review its protocols and regulations  
21 for screening of blood and platelet donors and their  
22 donated specimens, and report to Congress on the  
23 ability of these protocols to protect the blood supply  
24 from West Nile virus;

25 (3) on the basis of a review conducted as pro-  
26 vided for in paragraph (2), the Commissioner of

1 Food and Drugs should revise protocols and regula-  
2 tions to protect the blood supply and blood products  
3 supply from West Nile virus to the maximum extent  
4 possible;

5 (4) the Commissioner of Food and Drugs  
6 should make recommendations on additional authori-  
7 ties that are needed to protect the blood supply and  
8 blood product supply from the West Nile virus; and

9 (5) the Commissioner of Food and Drugs, keep-  
10 ing with procedures to maximize the protection of  
11 the public health, should expedite review of appro-  
12 priate blood screening tests for the West Nile virus.

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