

118TH CONGRESS
1ST SESSION

S. 2237

To amend the Public Health Service Act to require the Secretary to award grants, contracts, or cooperative agreements to eligible entities to establish, maintain, or improve activities related to the detection and monitoring of infectious diseases through wastewater for public health emergency preparedness and response purposes, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 11, 2023

Mr. BOOKER (for himself, Mr. KING, and Mr. ROMNEY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to require the Secretary to award grants, contracts, or cooperative agreements to eligible entities to establish, maintain, or improve activities related to the detection and monitoring of infectious diseases through wastewater for public health emergency preparedness and response purposes, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Public health Response
3 and Emergency Detection through Integrated wastewater
4 Community Testing Act” or the “PREDICT Act”.

5 **SEC. 2. PUBLIC HEALTH RESPONSE AND EMERGENCY DE-**
6 **TECTION THROUGH INTEGRATED WASTE-**
7 **WATER SURVEILLANCE.**

8 (a) IN GENERAL.—Subtitle C of title XXVIII of the
9 Public Health Service Act (42 U.S.C. 300hh–31 et seq.)
10 is amended by adding at the end the following:

11 **“SEC. 2827. WASTEWATER SURVEILLANCE FOR PATHOGEN**
12 **DETECTION.**

13 “(a) WASTEWATER SURVEILLANCE SYSTEM.—The
14 Secretary, acting through the Director of the Centers for
15 Disease Control and Prevention (in this section referred
16 to as the ‘Secretary’), and in coordination with other Fed-
17 eral departments and agencies, shall award grants, con-
18 tracts, or cooperative agreements to eligible entities to es-
19 tablish, maintain, or improve activities related to the de-
20 tection and monitoring of infectious diseases through
21 wastewater for public health emergency preparedness and
22 response purposes.

23 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
24 an award under this section, an entity shall—

1 “(1) be a State, Tribal, or local health depart-
2 ment, or a partnership between such a health de-
3 partment and other public and private entities; and

4 “(2) submit to the Secretary an application at
5 such time, in such manner, and containing such in-
6 formation as the Secretary may reasonably require,
7 which shall include—

8 “(A) a description of activities proposed to
9 be carried out pursuant to an award under sub-
10 section (a);

11 “(B) factors such entity proposes to use to
12 select wastewater sampling sites;

13 “(C) a plan for responding, as appropriate,
14 to findings from such wastewater sampling,
15 consistent with applicable plans developed by
16 such entity pursuant to section 319C-1;

17 “(D) a plan to sustain such wastewater
18 surveillance activities described in such applica-
19 tion following the conclusion of the award pe-
20 riod; and

21 “(E) any additional information the Sec-
22 retary may require.

23 “(c) CONSIDERATION.—In making awards under sub-
24 section (a), the Secretary may give priority to eligible enti-
25 ties that have submitted an application that—

1 “(1) details plans to provide public access to
2 data generated through such wastewater surveillance
3 activities in a manner that enables comparison to
4 such data generated by other recipients of an award
5 under subsection (a); and

6 “(2) provides an assessment of community
7 needs related to ongoing infectious disease moni-
8 toring, including burden of infectious diseases that
9 can be detected in wastewater and availability of
10 other forms of infectious disease surveillance.

11 “(d) USE OF FUNDS.—An eligible entity shall use
12 amounts awarded under this section to—

13 “(1) establish, or enhance existing, capacity and
14 capabilities to conduct wastewater sampling and re-
15 lated analysis;

16 “(2) conduct wastewater surveillance, as appro-
17 priate, at individual facilities, institutions, and loca-
18 tions in rural areas, in which there is an increased
19 risk of infectious disease outbreaks and wastewater
20 is not treated through the relevant local utility of
21 the jurisdiction; and

22 “(3) implement projects that use evidence-based
23 or promising practices to conduct wastewater sur-
24 veillance activities.

1 “(e) PARTNERSHIPS.—In carrying out activities
 2 under this section, eligible entities shall identify opportuni-
 3 ties to partner with other public or private entities to le-
 4 verage relevant capabilities maintained by such entities,
 5 as appropriate and consistent with this section.

6 “(f) TECHNICAL ASSISTANCE.—The Secretary, in
 7 consultation with the heads of other applicable Federal
 8 agencies and departments, as appropriate, shall provide
 9 technical assistance to recipients of awards under this sec-
 10 tion to facilitate the planning, development, and imple-
 11 mentation of activities described in subsection (d).

12 “(g) WASTEWATER SURVEILLANCE GUIDANCE.—Not
 13 later than 180 days after the date of enactment of the
 14 PREDICT Act, the Secretary shall issue draft guidance—

15 “(1) to provide recommendations for recipients
 16 of awards under this section regarding—

17 “(A) the use of assays to promote efficient
 18 wastewater surveillance; and

19 “(B) the use of assays for data on multiple
 20 infectious diseases; and

21 “(2) to establish standards for—

22 “(A) wastewater testing methods and
 23 metrics used by such recipients that—

24 “(i) use a consistent protocol and
 25 process; and

1 “(ii) sample using scientifically rig-
2 orous and sensitive methods; and

3 “(B) wastewater sample data reporting by
4 such recipients to the Secretary, to be published
5 by the Secretary in a publicly available waste-
6 water surveillance database and dashboard.

7 “(h) AUTHORIZATION OF APPROPRIATIONS.—To
8 carry out this section, there is authorized to be appro-
9 priated such sums as may be necessary for each of fiscal
10 years 2024 through 2028.”.

11 (b) WASTEWATER SURVEILLANCE RESEARCH.—

12 (1) IN GENERAL.—The Secretary of Health and
13 Human Services (in this subsection referred to as
14 the “Secretary”) shall continue to conduct or sup-
15 port research on the use of wastewater surveillance
16 to detect and monitor emerging infectious diseases,
17 which may include—

18 (A) research to improve the efficiency of
19 wastewater sample collection and analysis and
20 increase the sensitivity and specificity of waste-
21 water testing methods; and

22 (B) implementation and development of
23 evidence-based practices to facilitate the esti-
24 mation of population-level data within a com-
25 munity.

1 (2) NON-DUPLICATION OF EFFORT.—The Sec-
2 retary shall ensure that activities carried out under
3 this subsection do not unnecessarily duplicate efforts
4 of other agencies and offices within the Department
5 of Health and Human Services related to wastewater
6 surveillance.

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