

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 4793**

**OFFERED BY MR. TAUZIN**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Mosquito Abatement  
3 for Safety and Health Act”.

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

6 Part B of title III of the Public Health Service Act  
7 (42 U.S.C. 243 et seq.), as amended by section 4 of Public  
8 Law 107–84 and section 312 of Public Law 107–188, is  
9 amended—

10 (1) by transferring section 317R from the cur-  
11 rent placement of the section and inserting the sec-  
12 tion after section 317Q; and

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

15 **“SEC. 317S. MOSQUITO-BORNE DISEASES; ASSESSMENT AND  
16 CONTROL GRANTS TO POLITICAL SUBDIVI-  
17 SIONS; COORDINATION GRANTS TO STATES.**

18 **“(a) PREVENTION AND CONTROL GRANTS TO POLIT-  
19 ICAL SUBDIVISIONS.—**



1           “(1) IN GENERAL.—The Secretary, acting  
2 through the Director of the Centers for Disease  
3 Control and Prevention, may make grants to polit-  
4 ical subdivisions of States for the operation of mos-  
5 quito control programs to prevent and control mos-  
6 quito-borne diseases (referred to in this section as  
7 ‘control programs’).

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

11           “(A) have an incidence or prevalence of  
12 mosquito-borne disease, or a population of in-  
13 fected mosquitoes, that is substantial relative to  
14 other political subdivisions;

15           “(B) demonstrate to the Secretary that the  
16 political subdivisions will, if appropriate to the  
17 mosquito circumstances involved, effectively co-  
18 ordinate the activities of the control programs  
19 with contiguous political subdivisions; and

20           “(C) demonstrate to the Secretary (directly  
21 or through State officials) that the State in  
22 which the political subdivision is located has  
23 identified or will identify geographic areas in  
24 the State that have a significant need for con-



1           trol programs and will effectively coordinate  
2           such programs in such areas.

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

6                   “(A) has conducted an assessment to de-  
7                   termine the immediate needs in such subdivi-  
8                   sion for a control program, including an ento-  
9                   mological survey of potential mosquito breeding  
10                  areas; and

11                   “(B) has, on the basis of such assessment,  
12                  developed a plan for carrying out such a pro-  
13                  gram.

14           “(4) REQUIREMENT OF MATCHING FUNDS.—

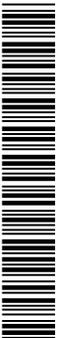
15                   “(A) IN GENERAL.—With respect to the  
16                  costs of a control program to be carried out  
17                  under paragraph (1) by a political subdivision,  
18                  a grant under such paragraph may be made  
19                  only if the subdivision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



1           “(B) DETERMINATION OF AMOUNT CON-  
2           TRIBUTED.—Non-Federal contributions re-  
3           quired in subparagraph (A) may be in cash or  
4           in kind, fairly evaluated, including plant, equip-  
5           ment, or services. Amounts provided by the  
6           Federal Government, or services assisted or  
7           subsidized to any significant extent by the Fed-  
8           eral Government, may not be included in deter-  
9           mining the amount of such non-Federal con-  
10          tributions.

11          “(C) WAIVER.—The Secretary may waive  
12          the requirement established in subparagraph  
13          (A) if the Secretary determines that extraor-  
14          dinary economic conditions in the political sub-  
15          division involved justify the waiver.

16          “(5) REPORTS TO SECRETARY.—A grant may  
17          be made under paragraph (1) only if the political  
18          subdivision involved agrees that, promptly after the  
19          end of the fiscal year for which the grant is made,  
20          the subdivision will submit to the Secretary, and to  
21          the State within which the subdivision is located, a  
22          report that describes the control program and con-  
23          tains an evaluation of whether the program was ef-  
24          fective.



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

6           “(b) ASSESSMENT GRANTS TO POLITICAL SUBDIVI-  
7 SIONS.—

8           “(1) IN GENERAL.—The Secretary, acting  
9 through the Director of the Centers for Disease  
10 Control and Prevention, may make grants to polit-  
11 ical subdivisions of States to conduct the assess-  
12 ments and to develop the plans that are required in  
13 paragraph (3) of subsection (a) as a condition of re-  
14 ceiving a grant under paragraph (1) of such sub-  
15 section.

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

21           “(c) COORDINATION GRANTS TO STATES.—

22           “(1) IN GENERAL.—The Secretary, acting  
23 through the Director of the Centers for Disease  
24 Control and Prevention, may make grants to States



1 for the purpose of coordinating control programs in  
2 the State.

3 “(2) PREFERENCE IN MAKING GRANTS.—In  
4 making grants under paragraph (1), the Secretary  
5 shall give preference to States that have one or more  
6 political subdivisions with an incidence or prevalence  
7 of mosquito-borne disease, or a population of in-  
8 fected mosquitoes, that is substantial relative to po-  
9 litical subdivisions in other States.

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

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

19 “(B) in developing such plan, the State  
20 consulted or will consult (as the case may be  
21 under subparagraph (A)) with political subdivi-  
22 sions in the State that are carrying out or plan-  
23 ning to carry out control programs; and

24 “(C) the State agrees to monitor control  
25 programs in the State in order to ensure that



1 the programs are carried out in accordance with  
2 such plan, with priority given to coordination of  
3 control programs in political subdivisions de-  
4 scribed in paragraph (2) that are contiguous.

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

10 “(A) describes the activities of the State  
11 under the grant; and

12 “(B) contains an evaluation of whether the  
13 control programs of political subdivisions in the  
14 State were effectively coordinated with each  
15 other, which evaluation takes into account any  
16 reports that the State received under subsection  
17 (a)(5) from such subdivisions.

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

22 “(d) APPLICATIONS FOR GRANTS.—A grant may be  
23 made under subsection (a), (b), or (c) only if an applica-  
24 tion for the grant is submitted to the Secretary and the  
25 application is in such form, is made in such manner, and



1 contains such agreements, assurances, and information as  
2 the Secretary determines to be necessary to carry out this  
3 section.

4 “(e) TECHNICAL ASSISTANCE.—The Secretary may  
5 provide training and technical assistance with respect to  
6 the planning, development, and operation of control pro-  
7 grams under subsection (a) and assessments and plans  
8 under subsection (b). The Secretary may provide such  
9 technical assistance directly or through awards of grants  
10 or contracts to public and private entities.

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

12 “(1) The term ‘control program’ has the mean-  
13 ing indicated for such term in subsection (a)(1).

14 “(2) The term ‘political subdivision’ means the  
15 local political jurisdiction immediately below the level  
16 of State government, including counties, parishes,  
17 and boroughs. If State law recognizes an entity of  
18 general government that functions in lieu of, and is  
19 not within, a county, parish, or borough, the Sec-  
20 retary may recognize an area under the jurisdiction  
21 of such other entities of general government as a po-  
22 litical subdivision for purposes of this Act.

23 “(g) AUTHORIZATION OF APPROPRIATIONS.—For the  
24 purpose of carrying out this section, there are authorized  
25 to be appropriated \$100,000,000 for fiscal year 2003, and



1 such sums as may be necessary for each of the fiscal years  
2 2004 through 2007. In the case of control programs car-  
3 ried out in response to a mosquito-borne disease that con-  
4 stitutes a public health emergency, the authorization of  
5 appropriations under the preceding sentence is in addition  
6 to applicable authorizations of appropriations under the  
7 Public Health Security and Bioterrorism Preparedness  
8 and Response Act of 2002.”.

9 **SEC. 3. RESEARCH PROGRAM OF NATIONAL INSTITUTE OF**  
10 **ENVIRONMENTAL HEALTH SCIENCES.**

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

14 “METHODS OF CONTROLLING CERTAIN INSECT  
15 POPULATIONS

16 “SEC. 463B. The Director of the Institute shall con-  
17 duct or support research to identify or develop methods  
18 of controlling the population of insects that transmit to  
19 humans diseases that have significant adverse health con-  
20 sequences.”.

