

103D CONGRESS  
1ST SESSION

# H. R. 1538

To amend the Public Health Service Act to promote activities for the prevention of additional cases of infection with the virus commonly known as HIV.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 1993

Ms. PELOSI (for herself, Mr. WAXMAN, Mr. McDERMOTT, Mrs. BYRNE, Mr. DEUTSCH, Mr. DELUGO, Ms. ESHOO, Mr. EVANS, Mr. FOGLIETTA, Mr. FRANK of Massachusetts, Mr. HAMBURG, Mr. HOYER, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. NADLER, Ms. NORTON, Ms. SCHENK, Mr. STUDDS, Mrs. UNSOELD, Ms. VELÁZQUEZ, Mr. YATES, Mr. WASHINGTON, Mr. COLEMAN, Mr. ENGEL, Mr. BARRETT of Wisconsin, Ms. WOOLSEY, Mr. LANTOS, and Mr. HOBSON) introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To amend the Public Health Service Act to promote activities for the prevention of additional cases of infection with the virus commonly known as HIV.

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 “Comprehensive HIV  
5 Prevention Act of 1993”.

1 **SEC. 2. ESTABLISHMENT OF CERTAIN AUTHORITIES RE-**  
2 **GARDING PREVENTION OF INFECTION WITH**  
3 **HUMAN IMMUNODEFICIENCY VIRUS.**

4 Title XXV of the Public Health Service Act (42  
5 U.S.C. 300ee et seq.) is amended to read as follows:

6 **“TITLE XXV—PREVENTION OF**  
7 **HIV INFECTION**

8 **“PART A—COORDINATION AMONG AGENCIES OF**  
9 **PUBLIC HEALTH SERVICE**

10 **“Subpart I—Public Health Service Generally**

11 **“SEC. 2501. AUTHORITY OF ASSISTANT SECRETARY FOR**  
12 **HEALTH.**

13 “(a) IN GENERAL.—The authority established in this  
14 part for the Secretary shall be carried out by the Secretary  
15 acting through the Assistant Secretary for Health.

16 “(b) DUTIES.—

17 “(1) INTERAGENCY COORDINATION.—With re-  
18 spect to activities for the prevention of infection with  
19 the human immunodeficiency virus, the Secretary  
20 shall plan, coordinate, and evaluate such activities  
21 that are conducted or supported by the agencies  
22 specified in paragraph (2).

23 “(2) DESIGNATED AGENCIES.—The agencies re-  
24 ferred to in paragraph (1) are as follows:

25 “(A) The Centers for Disease Control and  
26 Prevention.

1           “(B) The Health Resources and Services  
2           Administration.

3           “(C) The National Institutes of Health.

4           “(D) The Substance Abuse and Mental  
5           Health Services Administration.

6           “(3) CONSULTATIONS.—The Secretary shall  
7           carry out this part (including developing and revis-  
8           ing the plans required in section 2503) in consulta-  
9           tion with the heads of the designated agencies and  
10          with the advisory council established under section  
11          2502.

12       **“SEC. 2502. ADVISORY COUNCIL.**

13          “(a) IN GENERAL.—The Secretary shall establish an  
14          advisory council to be known as the Secretary’s Advisory  
15          Council on HIV Prevention (in this section referred to as  
16          the ‘Advisory Council’). The Advisory Council shall make  
17          recommendations to the Secretary on carrying out this  
18          part, including reviewing and making recommendations on  
19          plans under section 2503.

20          “(b) COMPOSITION.—

21                  “(1) IN GENERAL.—The Advisory Council shall  
22                  be composed of such individuals as the Secretary  
23                  may select, subject to paragraphs (2) and (3).

24                  “(2) EX OFFICIO MEMBERS.—The heads of  
25                  each of the designated agencies (or the designees of

1 such heads), and the chairs of each of the advisory  
2 councils for such agencies, shall serve as nonvoting  
3 members of the Advisory Council.

4 “(3) APPOINTED MEMBERS.—The Secretary  
5 shall appoint to the Advisory Council individuals  
6 who are not officers or employees of the Federal  
7 Government. Of such individuals—

8 “(A) no fewer than one shall be an individ-  
9 ual who conducts research on HIV prevention  
10 activities;

11 “(B) no fewer than one shall be an expert  
12 in specific health communications and social  
13 marketing;

14 “(C) no fewer than one shall be an epi-  
15 demiologist;

16 “(D) no fewer than one shall be the chief  
17 public health officer of a State;

18 “(E) no fewer than one shall be the chief  
19 public health officer of a political subdivision;

20 “(F) no fewer than two shall be represent-  
21 atives of community-based organizations that  
22 carry out HIV prevention activities;

23 “(G) no fewer than two shall be individuals  
24 with HIV infection; and

1           “(H) no fewer than two shall be represent-  
2           atives of individuals who are at significant risk  
3           of contracting HIV infection.

4   **“SEC. 2503. COMPREHENSIVE PLAN FOR EXPENDITURE OF**  
5           **APPROPRIATIONS.**

6           “Subject to the provisions of this section and other  
7   applicable law, the Secretary, in carrying out section 2501,  
8   shall—

9           “(1) establish, for each designated agency, a  
10   comprehensive plan for the conduct and support of  
11   all HIV prevention activities of the agency (which  
12   plan shall be first established under this paragraph  
13   not later than 12 months after the date of the enact-  
14   ment of the Comprehensive HIV Prevention Act of  
15   1993);

16           “(2) ensure that each such plan establishes pri-  
17   orities among the HIV prevention activities that the  
18   agency involved is authorized to carry out;

19           “(3) ensure that each such plan establishes ob-  
20   jectives regarding such activities of the agency, de-  
21   scribes the means for achieving the objectives, and  
22   designates the date by which the objectives are ex-  
23   pected to be achieved;

1           “(4) ensure that all amounts appropriated for  
2           such activities of the agency are expended in accord-  
3           ance with the plan;

4           “(5) ensure that the plan is coordinated with  
5           each other plan established under paragraph (1);

6           “(6) review the plan not less than annually, and  
7           revise the plan as appropriate; and

8           “(7) ensure that the plan serves as a broad,  
9           binding statement of policies regarding HIV preven-  
10          tion activities of the agency, but does not remove the  
11          responsibility of the head of the agency for the ap-  
12          proval of specific programs or projects, or for other  
13          details of the daily administration of such activities,  
14          in accordance with the plan.

15   **“SEC. 2504. BUDGET REQUESTS.**

16          “(a) REQUESTS OF SECRETARY.—With respect to a  
17          fiscal year, the Secretary shall prepare and submit directly  
18          to the President, for review and transmittal to the Con-  
19          gress, a budget request for carrying out each plan under  
20          section 2503 for the fiscal year, after reasonable oppor-  
21          tunity for comment by the head of the designated agency  
22          for which the plan has been developed and by the advisory  
23          council established under section 2502. The budget esti-  
24          mate shall include an estimate of the number and type  
25          of personnel needs for the designated agencies.

1       “(b) REQUESTS OF DESIGNATED AGENCIES.—With  
2 respect to a fiscal year, the head of each designated agency  
3 shall, not later than the date specified by the Secretary,  
4 prepare and submit to the Secretary a proposed budget  
5 request for carrying out the plan under section 2503 that  
6 has been developed for the agency. The Secretary shall  
7 consider such request in carrying out subsection (a) with  
8 respect to the agency.

9           **“Subpart II—Intra-Agency Coordination**

10 **“SEC. 2511. INDIVIDUAL OFFICES ON PREVENTION.**

11       “(a) IN GENERAL.—

12           “(1) ADMINISTRATION OF AUTHORITIES.—The  
13 Secretary shall carry out this section acting through  
14 the heads of the designated agencies.

15           “(2) INDIVIDUAL OFFICES.—With respect to  
16 each designated agency other than the National In-  
17 stitutes of Health, the head of the agency shall es-  
18 tablish within the agency an office to carry out the  
19 functions described in subsection (b). Such office  
20 shall be headed by a director, who shall be appointed  
21 by the head of the agency.

22       “(b) FUNCTIONS.—With respect to preparing and  
23 submitting plans under section 2503, and with respect to  
24 any other function established under subpart I for the  
25 heads of designated agencies, the head of each such

1 agency shall carry out the functions acting through the  
2 Director of the office established under subsection (a) for  
3 the agency (except that such functions of the Director of  
4 the National Institutes of Health shall be carried out by  
5 such Director acting through the Director of the Office  
6 of AIDS Research established under section 2351).

7 **“PART B—PROGRAMS OF CENTERS FOR DISEASE**  
8 **CONTROL AND PREVENTION**

9 **“Subpart I—Certain Authorities**

10 **“SEC. 2521. ADMINISTRATOR OF PROGRAMS.**

11 “This part shall be carried out by the Secretary act-  
12 ing through the Director of the Centers for Disease Con-  
13 trol and Prevention.

14 **“Subpart II—Certain Programs**

15 **“SEC. 2531. EPIDEMIOLOGY AND SURVEILLANCE.**

16 “(a) IN GENERAL.—The Secretary may, directly or  
17 through the provision of financial assistance, conduct  
18 studies and carry out other activities to assist public and  
19 nonprofit private entities in obtaining epidemiological data  
20 on the human immunodeficiency virus and related mat-  
21 ters. Such activities may include surveillance activities and  
22 other relevant data-collection activities.

23 “(b) MEETINGS.—For the purpose of improving pro-  
24 grams that carry out HIV prevention activities, the Sec-  
25 retary may hold meetings in order that States, political

1 subdivisions, the Centers for Disease Control and Preven-  
2 tion, and other entities can exchange information and  
3 ideas.

4 “(c) FUNDING.—For the purpose of carrying out this  
5 section, there are authorized to be appropriated  
6 \$175,000,000 for fiscal year 1994, and such sums as may  
7 be necessary for each of the fiscal years 1995 and 1996.  
8 Amounts appropriated under the preceding sentence are  
9 not available for conferences under section 2532(m).

10 **“SEC. 2532. COMMUNITY-BASED PROGRAM.**

11 “(a) IN GENERAL.—

12 “(1) AUTHORITY FOR FINANCIAL ASSIST-  
13 ANCE.—The Secretary may provide financial assist-  
14 ance to health departments of States and political  
15 subdivisions for the purpose of operating projects to  
16 carry out the HIV prevention activities described in  
17 paragraph (2) for individuals who are at significant  
18 risk of contracting HIV infection or of transmitting  
19 such infection to other individuals.

20 “(2) HIV COMMUNITY-BASED ACTIVITIES.—  
21 With respect to individuals described in paragraph  
22 (1), the HIV prevention activities referred to in such  
23 paragraph are such activities that are carried out in  
24 their communities to educate the individuals on the  
25 transmission of the human immunodeficiency virus,

1 including encouraging the individuals to avoid the  
2 particular behaviors placing the individuals at sig-  
3 nificant risk of contracting HIV infection or of  
4 transmitting such infection to other individuals.

5 “(b) SEEKING OUT AT-RISK INDIVIDUALS.—The  
6 Secretary may provide financial assistance under sub-  
7 section (a) only if the applicant involved agrees that, in  
8 operating the project for which the assistance is sought,  
9 the applicant will seek out and offer HIV community-  
10 based activities to at-risk individuals .

11 “(c) ASSESSMENT OF NEED.—

12 “(1) IN GENERAL.—With respect to the geo-  
13 graphic area in which an applicant for financial as-  
14 sistance under subsection (a) proposes to carry out  
15 a project under such subsection, the Secretary may  
16 provide the assistance only if—

17 “(A) the applicant has, on the basis of  
18 standards and methodologies established under  
19 paragraph (2), conducted an assessment of the  
20 extent of the need in the geographic area for  
21 the project; and

22 “(B) the applicant submits the assessment  
23 to the Secretary, together with a description of  
24 the relationship between the assessment and the  
25 proposal of the applicant for such project.

1           “(2) ISSUANCE OF STANDARDS BY SEC-  
2           RETARY.—Not later than 90 days after the date of  
3           the enactment of the Comprehensive HIV Prevention  
4           Act of 1993, the Secretary shall establish uniform  
5           standards and methodologies for assessments under  
6           paragraph (1). In developing the standards and  
7           methodologies, the Secretary shall ensure that such  
8           assessments are made on the basis of data that is  
9           readily accessible to, or easily developed by, health  
10          departments of States and political subdivisions.

11          “(d) REQUIREMENTS REGARDING PROJECT  
12          AREAS.—

13                 “(1) IN GENERAL.—The Secretary may provide  
14                 financial assistance under subsection (a) only if,  
15                 with respect to the project involved—

16                         “(A) the applicant involved has designated  
17                         the geographic area in which the applicant will  
18                         operate the project; and

19                         “(B) the jurisdictions specified in para-  
20                         graph (2) have entered into an agreement for  
21                         purposes of allocating among such jurisdictions  
22                         the HIV community-based activities that are to  
23                         be provided with such assistance.

24                 “(2) RELEVANT JURISDICTIONS.—With respect  
25                 to a geographic area designated by an applicant pur-

1 suant to paragraph (1), the jurisdictions referred to  
2 in such paragraph are each of the jurisdictions in  
3 which there is located any portion of the geographic  
4 area.

5 “(e) PLANNING COUNCILS.—

6 “(1) STATE COUNCIL.—

7 “(A) The Secretary may provide financial  
8 assistance under subsection (a) to a State only  
9 if the State agrees to operate a council in ac-  
10 cordance with subparagraphs (B) through (D).

11 “(B) For purposes of subparagraph (A), a  
12 council is operated in accordance with this sub-  
13 paragraph if the duties of the council are mak-  
14 ing recommendations to the State on the follow-  
15 ing:

16 “(i) Priorities for the allocation within  
17 the State of funds and services under sub-  
18 section (a).

19 “(ii) A comprehensive plan for carry-  
20 ing out HIV community-based activities in  
21 the State, including coordination of such  
22 activities with other activities carried out  
23 in the State with respect to the human  
24 immunodeficiency virus.

1           “(iii) Assessing the efficiency of enti-  
2           ties in carrying out such activities in the  
3           State.

4           “(C) For purposes of subparagraph (A), a  
5           council is operated in accordance with this sub-  
6           paragraph if, subject to subparagraph (D), the  
7           membership of the council includes representa-  
8           tives of the following entities:

9                   “(i) State or local public health agen-  
10                  cies.

11                   “(ii) State or local agencies providing  
12                  treatment for substance abuse.

13                   “(iii) Private providers of such treat-  
14                  ment.

15                   “(iv) State or local agencies that ad-  
16                  minister correctional facilities with respect  
17                  to crimes.

18                   “(v) Epidemiologists.

19                   “(vi) Behavioral scientists.

20                   “(vii) Providers of mental health serv-  
21                  ices.

22                   “(viii) Community-based organizations  
23                  that carry out activities or services relating  
24                  to the human immunodeficiency virus for a  
25                  diverse cross-section of individuals affected

1 by HIV infections in the project area in-  
2 volved, and that have demonstrated ties to  
3 the project area.

4 “(ix) Individuals with HIV infection.

5 “(x) Communities with a significant  
6 number of at-risk individuals.

7 “(D) For purposes of subparagraph (A), a  
8 council is operated in accordance with this sub-  
9 paragraph if the membership of the council in-  
10 cludes no fewer than one individual from each  
11 of the councils operated pursuant to paragraph  
12 (2).

13 “(E) With respect to compliance with sub-  
14 paragraph (A), a council under such subpara-  
15 graph may include members in addition to the  
16 members required in subparagraph (C).

17 “(2) LOCAL COUNCILS.—

18 “(A) The Secretary may provide financial  
19 assistance under subsection (a) only if, for the  
20 project area involved, the applicant for the as-  
21 sistance agrees to provide for the operation of  
22 a council in accordance with subparagraphs (B)  
23 and (C).

24 “(B) For purposes of subparagraph (A), a  
25 council is operated in accordance with this sub-

1 paragraph if, with respect to the project area  
2 involved, the duties of the council are as fol-  
3 lows:

4 “(i) To establish priorities for the al-  
5 location within the project area of funds  
6 and services under subsection (a).

7 “(ii) To provide for a comprehensive  
8 plan for carrying out HIV community-  
9 based activities, which plan is compatible  
10 with any existing State and local plans re-  
11 garding such activities and which plan pro-  
12 vides for the coordination of such activities  
13 with other activities carried out in the  
14 project area with respect to the human  
15 immunodeficiency virus.

16 “(iii) To assess the efficiency of the  
17 project carried out with the assistance in  
18 rapidly allocating funds to the communities  
19 in the project area that have the greatest  
20 need.

21 “(C) For purposes of subparagraph (A), a  
22 council is operated in accordance with this sub-  
23 paragraph if the membership of the council in-  
24 cludes representatives of each of the types of  
25 entities specified in paragraph (1)(C).

1           “(D) With respect to compliance with sub-  
2 paragraph (A), a council under such subpara-  
3 graph may include members in addition to the  
4 members required in subparagraph (C).

5           “(3) AUTHORITY OF LOCAL COUNCILS.—

6           “(A) The Secretary may provide financial  
7 assistance under subsection (a) only if the ap-  
8 plicant involved agrees, subject to subparagraph  
9 (B), that the allocation of HIV community-  
10 based activities within a project area under sub-  
11 section (d) will be made in accordance with the  
12 priorities established under paragraph (2)(B)(i)  
13 for the project area.

14           “(B) In the case of a project under sub-  
15 section (a) that is carried out with financial as-  
16 sistance provided under such subsection to a  
17 State, the requirement established in subpara-  
18 graph (A) is subject to such conditions regard-  
19 ing the use of amounts from the award of such  
20 assistance as the State may establish in accord-  
21 ance with this section.

22           “(f) TECHNICAL SERVICES ORGANIZATIONS.—

23           “(1) IN GENERAL.—The Secretary may provide  
24 financial assistance under subsection (a) only if the  
25 applicant involved agrees that, in expending the as-

1       sistance, the applicant will enter into a contract with  
2       an organization described in paragraph (2) under  
3       which contract the organization provides, for the  
4       project operated with such assistance, the following  
5       services:

6               “(A) The organization assists in the devel-  
7               opment of all plans for carrying out HIV com-  
8               munity-based activities through the project.

9               “(B) The organization provides technical  
10              services to the project in carrying out such ac-  
11              tivities.

12             “(C) The organization, in collaboration  
13             with entities that carry out such activities, de-  
14             velops a methodology for evaluations of whether  
15             and to what extent the project has influenced  
16             individuals to avoid behaviors that place the in-  
17             dividuals at significant risk of contracting HIV  
18             infection or of transmitting such infection to  
19             other individuals.

20             “(2) APPROVAL OF SECRETARY.—The organiza-  
21             tion referred to in paragraph (1) is an organization  
22             that has been approved by the Secretary as having  
23             the necessary expertise for performing, for the  
24             project involved, the functions specified in such  
25             paragraph.

1           “(3) REQUIREMENTS FOR PROVIDERS.—The  
2 Secretary may provide financial assistance under  
3 subsection (a) only if the applicant involved agrees  
4 to ensure that each entity (including the applicant)  
5 that is to carry out any HIV community-based activ-  
6 ity through the project involved complies with the  
7 following requirements:

8           “(A) The entity develops a plan for the en-  
9 tity to carry out the HIV community-based ac-  
10 tivities involved, and the plan is developed in  
11 collaboration with the technical services organi-  
12 zation for the project.

13           “(B) With respect to the evaluations de-  
14 scribed in paragraph (1)(C), the entity under-  
15 goes such an evaluation each year, and the eval-  
16 uation is conducted in accordance with the  
17 methodology developed under such paragraph.

18           “(4) DESCRIPTION REGARDING COMPLIANCE OF  
19 PROJECT.—The Secretary may provide financial as-  
20 sistance under subsection (a) only if the applicant  
21 involved submits to the Secretary a description of  
22 the manner in which the applicant intends to comply  
23 with the agreements made under this subsection, in-  
24 cluding a specification of the amount of such assist-  
25 ance to be expended for such purposes.

1       “(g) MAINTENANCE OF EFFORT.—With respect to  
2 HIV prevention activities, the Secretary may provide fi-  
3 nancial assistance under subsection (a) only if the appli-  
4 cant involved agrees to maintain expenditures of non-Fed-  
5 eral amounts for such activities at a level that is not less  
6 than the level of such expenditures maintained by the ap-  
7 plicant for the fiscal year preceding the fiscal year for  
8 which the applicant receives an award of such assistance.

9       “(h) ASSISTANCE FOR PLANNING OF PROJECTS.—  
10 The Secretary may provide financial assistance to States  
11 and political subdivisions for the purpose of developing  
12 plans to carry out projects under subsection (a).

13       “(i) APPLICATION FOR ASSISTANCE.—The Secretary  
14 may provide financial assistance under subsection (a) or  
15 (h) only if—

16               “(1) an application for the assistance is submit-  
17 ted to the Secretary;

18               “(2) the application is in such form, is made in  
19 such manner, and contains such agreements, assur-  
20 ances, and information as the Secretary determines  
21 to be necessary to carry out the purpose of the as-  
22 sistance involved; and

23               “(3) in the case of an application for financial  
24 assistance under subsection (a), the application con-  
25 tains—

1           “(A) the assessment and description re-  
2           quired in subsection (c) (relating to the need  
3           for a project); and

4           “(B) the description required in subsection  
5           (f)(4) (relating to technical services organiza-  
6           tions).

7           “(j) MEETINGS.—For the purpose of improving the  
8           program carried out under this section, the Secretary may  
9           hold meetings in order that technical service organiza-  
10          tions, States, political subdivisions, the Centers for Dis-  
11          ease Control and Prevention, and other entities can ex-  
12          change information and ideas.

13          “(k) DEFINITIONS.—For purposes of this section:

14           “(1) The term ‘at-risk individual’ means an in-  
15           dividual who is at significant risk of contracting  
16           HIV infection or of transmitting such infection to  
17           other individuals.

18           “(2) The term ‘HIV community-based activi-  
19           ties’ means the HIV prevention activities described  
20           in subsection (a)(2).

21           “(3) The term ‘jurisdiction’ means the jurisdic-  
22           tion of a political subdivision.

23           “(4) The term ‘project area’ means the geo-  
24           graphic area in which a project under subsection (a)

1 is carried out (or proposed to be carried out) pursu-  
2 ant to a designation under subsection (d).

3 “(5) The term ‘technical services organization’,  
4 with respect to a project under subsection (a),  
5 means the organization that receives the contract re-  
6 quired in subsection (f)(1) with respect to the  
7 project.

8 “(l) AUTHORIZATION OF APPROPRIATIONS.—For the  
9 purposes of carrying out this section, there are authorized  
10 to be appropriated \$175,000,000 for fiscal year 1994, and  
11 such sums as may be necessary for each of the fiscal years  
12 1995 and 1996. Amounts appropriated under the preced-  
13 ing sentence for fiscal year 1994 shall remain available  
14 until expended.

15 **“SEC. 2533. COUNSELING AND TESTING.**

16 “(a) IN GENERAL.—The Secretary may provide fi-  
17 nancial assistance to States and political subdivisions for  
18 the purpose of—

19 “(1) counseling individuals on HIV infection;

20 “(2) testing individuals for such infection, in-  
21 cluding tests to confirm the presence of the disease,  
22 to diagnose the extent of the deficiency in the im-  
23 mune system, and to provide information on appro-  
24 priate therapeutic measures for preventing and  
25 treating the deterioration of the immune system and

1 for preventing and treating conditions arising from  
2 such infection;

3 “(3) providing appropriate referrals and follow-  
4 up services for individuals who have undergone such  
5 counseling or testing; and

6 “(4) providing partner notification with respect  
7 to HIV infection.

8 “(b) REQUIREMENTS REGARDING CONFIDENTIAL-  
9 ITY, INFORMED CONSENT, AND OTHER MATTERS.—

10 “(1) IN GENERAL.—The Secretary may provide  
11 financial assistance under subsection (a) only if the  
12 applicant involved agrees that the provisions speci-  
13 fied in paragraph (2) apply to the award of such as-  
14 sistance to the same extent and in the same manner  
15 as such provisions apply to grants under section  
16 2651.

17 “(2) SPECIFICATION OF PROVISIONS.—The pro-  
18 visions referred to in paragraph (1) are section  
19 2661; subsections (a), (b), (c), (d), and (f) of section  
20 2662; and subsections (b) and (c) of section 2664.

21 “(c) APPLICATION FOR ASSISTANCE.—The Secretary  
22 may provide financial assistance under subsection (a) only  
23 if an application for the assistance is submitted to the Sec-  
24 retary and the application is in such form, is made in such  
25 manner, and contains such agreements, assurances, and

1 information as the Secretary determines to be necessary  
2 to carry out the purpose described in subsection (a).

3 “(d) AUTHORIZATION OF APPROPRIATIONS.—For the  
4 purpose of carrying out this section, there are authorized  
5 to be appropriated \$175,000,000 for fiscal year 1994, and  
6 such sums as may be necessary for each of the fiscal years  
7 1995 and 1996.

8 **“Subpart III—Additional Programs**

9 **“SEC. 2541. PUBLIC EDUCATION.**

10 “(a) IN GENERAL.—The Secretary may, directly or  
11 through the provision of financial assistance, carry out ac-  
12 tivities to provide information and education to the public  
13 on the human immunodeficiency virus.

14 “(b) AUTHORIZATION OF APPROPRIATIONS.—For the  
15 purpose of carrying out this section, there are authorized  
16 to be appropriated \$50,000,000 for fiscal year 1994, and  
17 such sums as may be necessary for each of the fiscal years  
18 1995 and 1996.

19 **“SEC. 2542. SPECIFIC POPULATIONS.**

20 “(a) IN GENERAL.—The Secretary may, directly or  
21 through the provision of financial assistance, carry out  
22 HIV prevention activities with respect to specific popu-  
23 lations identified by the Secretary.

24 “(b) AUTHORIZATION OF APPROPRIATIONS.—For the  
25 purpose of carrying out this section, there are authorized

1 to be appropriated \$60,000,000 for fiscal year 1994, and  
2 such sums as may be necessary for each of the fiscal years  
3 1995 and 1996.

4 **“SEC. 2543. PROGRAMS FOR ADOLESCENTS.**

5 “(a) IN GENERAL.—The Secretary may, directly or  
6 through the provision of financial assistance, carry out  
7 HIV prevention activities with respect to adolescents.

8 “(b) SCHOOL-BASED PROGRAMS.—

9 “(1) In carrying out subsection (a), the Sec-  
10 retary may assist elementary and secondary schools  
11 and institutions of higher education in operating  
12 programs to carry out HIV prevention activities.

13 “(2)(A) In carrying out paragraph (1), the Sec-  
14 retary may provide financial assistance to education  
15 and health departments of States and political sub-  
16 divisions, and may provide such assistance to other  
17 public or nonprofit private entities.

18 “(B) The Secretary may provide financial as-  
19 sistance under subparagraph (A) to an educational  
20 or health department of a political subdivision only  
21 after consultation with the educational or health de-  
22 partment of the State involved.

23 “(c) AUTHORIZATION OF APPROPRIATIONS.—For the  
24 purpose of carrying out this section, there are authorized  
25 to be appropriated \$60,000,000 for fiscal year 1994, and

1 such sums as may be necessary for each of the fiscal years  
2 1995 and 1996.

3 **“SEC. 2544. RESEARCH; DEMONSTRATION PROJECTS.**

4 “(a) IN GENERAL.—With respect to HIV prevention  
5 activities, the Secretary may, directly or through the provi-  
6 sion of financial assistance, conduct research and carry  
7 out demonstration projects.

8 “(b) AUTHORIZATION OF APPROPRIATIONS.—For the  
9 purpose of carrying out this section, there are authorized  
10 to be appropriated \$20,000,000 for fiscal year 1994, and  
11 such sums as may be necessary for each of the fiscal years  
12 1995 and 1996.

13 **“SEC. 2545. GENERAL AUTHORITY.**

14 “(a) IN GENERAL.—With respect to HIV prevention  
15 activities, the Secretary may, directly or through the provi-  
16 sion of financial assistance, carry out programs in addition  
17 to the programs otherwise authorized in this part.

18 “(b) AUTHORIZATION OF APPROPRIATIONS.—For the  
19 purpose of carrying out this section, there are authorized  
20 to be appropriated such sums as may be necessary for  
21 each of the fiscal years 1994 through 1996.

**“Subpart IV—General Provisions****“SEC. 2551. TECHNICAL ASSISTANCE; SUPPLIES AND SERVICES IN LIEU OF FUNDS.**

“(a) TECHNICAL ASSISTANCE.—The Secretary may provide training and technical assistance to applicants for, and recipients of, financial assistance under this part with respect to the planning, development, and operation of activities under this part. The Secretary may provide such technical assistance directly or through awards of financial assistance.

“(b) SUPPLIES AND SERVICES.—

“(1) IN GENERAL.—Upon the request of a recipient of an award under this part, the Secretary may, subject to paragraph (2), provide supplies, equipment, and services for the purpose of aiding the recipient in carrying out the purpose of the award, and for such purpose, may detail to the recipient any officer or employee of the Department of Health and Human Services.

“(2) CORRESPONDING REDUCTION IN PAYMENTS.—With respect to a request under paragraph (1), the Secretary shall reduce the amount of payments under the award involved by an amount equal to the costs of detailing personnel and the fair market value of any supplies, equipment, or services provided by the Secretary. The Secretary shall, for the

1 payment of expenses incurred in complying with  
2 such request, expend the amounts withheld.

3 **“PART C—GENERAL PROVISIONS**

4 **“SEC. 2591. DEFINITIONS.**

5 “For purposes of this title:

6 “(1) The term ‘designated agency’ means an  
7 agency specified in section 2501(b)(2).

8 “(2) The term ‘financial assistance’ means  
9 grants, cooperative agreements, and contracts.

10 “(3) The term ‘human immunodeficiency virus’  
11 means the etiologic agent for acquired immune defi-  
12 ciency syndrome.

13 “(4) The term ‘HIV infection’ means infection  
14 with the human immunodeficiency virus.

15 “(5) The term ‘HIV prevention activities’  
16 means activities for the prevention of HIV infection,  
17 including counseling individuals, educating the pub-  
18 lic, and other appropriate activities. Such term in-  
19 cludes research on the prevention of HIV infection.

20 “(6) The term ‘political subdivision’ means a  
21 political subdivision of a State.”.

22 **SEC. 3. EFFECTIVE DATE.**

23 This Act takes effect October 1, 1993, or upon the  
24 date of the enactment of this Act, whichever occurs later.

○