

109TH CONGRESS
1ST SESSION

S. 2170

AN ACT

To provide for global pathogen surveillance and response.

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 “Global Pathogen Sur-
5 veillance Act of 2005”.

1 **SEC. 2. FINDINGS; PURPOSE.**

2 (a) FINDINGS.—Congress makes the following find-
3 ings:

4 (1) The frequency of the occurrence of biologi-
5 cal events that could threaten the national security
6 of the United States has increased and is likely in-
7 creasing. The threat to the United States from such
8 events includes threats from diseases that infect hu-
9 mans, animals, or plants regardless of if such dis-
10 eases are introduced naturally, accidentally, or inten-
11 tionally.

12 (2) The United States lacks an effective and
13 real-time system to detect, identify, contain, and re-
14 spond to global threats and also lacks an effective
15 mechanism to disseminate information to the na-
16 tional response community if such threats arise.

17 (3) Bioterrorism poses a grave national security
18 threat to the United States. The insidious nature of
19 a bioterrorist attack, the likelihood that the recogni-
20 tion of such an attack would be delayed, and the
21 underpreparedness of the domestic public health in-
22 frastructure to respond to such an attack could re-
23 sult in catastrophic consequences following a biologi-
24 cal weapons attack against the United States.

25 (4) The ability to recognize that a country or
26 organization is carrying out a covert biological weap-

1 ons programs is dependent on a number of indica-
2 tions and warnings. A critical component of this rec-
3 ognition is the timely detection of sentinel events
4 such as laboratory accidents and community-level
5 outbreaks that could be the earliest indication of an
6 emerging bioterrorist program in a foreign country.
7 Early detection of such events may enable earlier
8 counterproliferation intervention.

9 (5) A contagious pathogen engineered as a bio-
10 logical weapon and developed, tested, produced, or
11 released in a foreign country could quickly spread to
12 the United States. Considering the realities of inter-
13 national travel, trade, and migration patterns, a
14 dangerous pathogen appearing naturally, acciden-
15 tally, or intentionally anywhere in the world can
16 spread to the United States in a matter of days, be-
17 fore any effective quarantine or isolation measures
18 could be implemented.

19 (6) To combat bioterrorism effectively and en-
20 sure that the United States is fully prepared to pre-
21 vent, recognize, and contain a biological weapons at-
22 tack, or emerging infectious disease, measures to
23 strengthen the domestic public health infrastructure
24 and improve domestic event detection, surveillance,

1 and response, while absolutely essential, are not suf-
2 ficient.

3 (7) The United States should enhance coopera-
4 tion with the World Health Organization, regional
5 international health organizations, and individual
6 countries, including data sharing with appropriate
7 agencies and departments of the United States, to
8 help detect and quickly contain infectious disease
9 outbreaks or a bioterrorism agent before such a dis-
10 ease or agent is spread.

11 (8) The World Health Organization has done
12 an impressive job in monitoring infectious disease
13 outbreaks around the world, particularly with the es-
14 tablishment in April 2000 of the Global Outbreak
15 Alert and Response Network.

16 (9) The capabilities of the World Health Orga-
17 nization depend on the quality of the data and infor-
18 mation the Organization receives from the countries
19 that are members of the Organization and is further
20 limited by the narrow list of diseases (such as
21 plague, cholera, and yellow fever) on which such sur-
22 veillance and monitoring is based and by the con-
23 sensus process used by the Organization to add new
24 diseases to the list. Developing countries, in par-
25 ticular, often are unable to devote the necessary re-

1 sources to build and maintain public health infra-
2 structures.

3 (10) In particular, developing countries could
4 benefit from—

5 (A) better trained public health profes-
6 sionals and epidemiologists to recognize disease
7 patterns;

8 (B) appropriate laboratory equipment for
9 diagnosis of pathogens;

10 (C) disease reporting systems that—

11 (i) are based on disease and syndrome
12 surveillance; and

13 (ii) could enable an effective response
14 to a biological event to begin at the earliest
15 possible opportunity;

16 (D) a narrowing of the existing technology
17 gap in disease and syndrome surveillance capa-
18 bilities, based on reported symptoms, and real-
19 time information dissemination to public health
20 officials; and

21 (E) appropriate communications equip-
22 ment and information technology to efficiently
23 transmit information and data within national,
24 international regional, and international health
25 networks, including inexpensive, Internet-based

1 Geographic Information Systems (GIS) and rel-
2 evant telephone-based systems for early recogni-
3 tion and diagnosis of diseases.

4 (11) An effective international capability to de-
5 tect, monitor, and quickly diagnose infectious disease
6 outbreaks will offer dividends not only in the event
7 of biological weapons development, testing, produc-
8 tion, and attack, but also in the more likely cases of
9 naturally occurring infectious disease outbreaks that
10 could threaten the United States. Furthermore, a
11 robust surveillance system will serve to deter, pre-
12 vent, or contain terrorist use of biological weapons,
13 mitigating the intended effects of such malevolent
14 uses.

15 (b) PURPOSES.—The purposes of this Act are as fol-
16 lows:

17 (1) To provide the United States with an effec-
18 tive and real-time system to detect biological threats
19 that—

20 (A) utilizes classified and unclassified in-
21 formation to detect such threats; and

22 (B) may be utilized by the human or the
23 agricultural domestic disease response commu-
24 nity.

1 (2) To enhance the capability of the inter-
2 national community, through the World Health Or-
3 ganization and individual countries, to detect, iden-
4 tify, and contain infectious disease outbreaks, wheth-
5 er the cause of those outbreaks is intentional human
6 action or natural in origin.

7 (3) To enhance the training of public health
8 professionals and epidemiologists from eligible devel-
9 oping countries in advanced Internet-based disease
10 and syndrome surveillance systems, in addition to
11 traditional epidemiology methods, so that such pro-
12 fessionals and epidemiologists may better detect, di-
13 agnose, and contain infectious disease outbreaks, es-
14 pecially such outbreaks caused by the pathogens that
15 may be likely to be used in a biological weapons at-
16 tack.

17 (4) To provide assistance to developing coun-
18 tries to purchase appropriate communications equip-
19 ment and information technology to detect, analyze,
20 and report biological threats, including—

21 (A) relevant computer equipment, Internet
22 connectivity mechanisms, and telephone-based
23 applications to effectively gather, analyze, and
24 transmit public health information for infec-
25 tious disease surveillance and diagnosis; and

1 (B) appropriate computer equipment and
2 Internet connectivity mechanisms—

3 (i) to facilitate the exchange of Geo-
4 graphic Information Systems-based disease
5 and syndrome surveillance information;
6 and

7 (ii) to effectively gather, analyze, and
8 transmit public health information for in-
9 fectionous disease surveillance and diagnosis.

10 (5) To make available greater numbers of pub-
11 lic health professionals who are employed by the
12 Government of the United States to international re-
13 gional and international health organizations, inter-
14 national regional and international health networks,
15 and United States diplomatic missions, as appro-
16 priate.

17 (6) To expand the training and outreach activi-
18 ties of United States laboratories located in foreign
19 countries, including the Centers for Disease Control
20 and Prevention or Department of Defense labora-
21 tories, to enhance the public health capabilities of
22 developing countries.

23 (7) To provide appropriate technical assistance
24 to existing international regional and international
25 health networks and, as appropriate, seed money for

1 new international regional and international net-
2 works.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) **ELIGIBLE DEVELOPING COUNTRY.**—The
6 term “eligible developing country” means any devel-
7 oping country that—

8 (A) has agreed to the objective of fully
9 complying with requirements of the World
10 Health Organization on reporting public health
11 information on outbreaks of infectious diseases;

12 (B) has not been determined by the Sec-
13 retary, for purposes of section 40 of the Arms
14 Export Control Act (22 U.S.C. 2780), section
15 620A of the Foreign Assistance Act of 1961
16 (22 U.S.C. 2371), or section 6(j) of the Export
17 Administration Act of 1979 (as in effect pursu-
18 ant to the International Emergency Economic
19 Powers Act; 50 U.S.C. 1701 et seq.), to have
20 repeatedly provided support for acts of inter-
21 national terrorism, unless the Secretary exer-
22 cises a waiver certifying that it is in the na-
23 tional interest of the United States to provide
24 assistance under the provisions of this Act; and

1 (C) is a party to the Convention on the
2 Prohibition of the Development, Production and
3 Stockpiling of Bacteriological (Biological) and
4 Toxin Weapons and on Their Destruction, done
5 at Washington, London, and Moscow April 10,
6 1972 (26 UST 583).

7 (2) ELIGIBLE NATIONAL.—The term “eligible
8 national” means any citizen or national of an eligible
9 developing country who—

10 (A) does not have a criminal background;

11 (B) is not on any immigration or other
12 United States watch list; and

13 (C) is not affiliated with any foreign ter-
14 rorist organization.

15 (3) INTERNATIONAL HEALTH ORGANIZATION.—
16 The term “international health organization” in-
17 cludes the World Health Organization, regional of-
18 fices of the World Health Organization, and inter-
19 national health organizations, such as the Pan
20 American Health Organization.

21 (4) LABORATORY.—The term “laboratory”
22 means a facility for the biological, microbiological,
23 serological, chemical, immuno-hematological,
24 hematological, biophysical, cytological, pathological,
25 or other medical examination of materials derived

1 from the human body for the purpose of providing
2 information for the diagnosis, prevention, or treat-
3 ment of any disease or impairment of, or the assess-
4 ment of the health of, human beings.

5 (5) SECRETARY.—Unless otherwise provided,
6 the term “Secretary” means the Secretary of State.

7 (6) DISEASE AND SYNDROME SURVEILLANCE.—
8 The term “disease and syndrome surveillance”
9 means the recording of clinician-reported symptoms
10 (patient complaints) and signs (derived from phys-
11 ical examination and laboratory data) combined with
12 simple geographic locators to track the emergence of
13 a disease in a population.

14 **SEC. 4. ELIGIBILITY FOR ASSISTANCE.**

15 (a) IN GENERAL.—Except as provided in subsection
16 (b), assistance may be provided to an eligible developing
17 country under any provision of this Act only if the govern-
18 ment of the eligible developing country—

19 (1) permits personnel from the World Health
20 Organization and the Centers for Disease Control
21 and Prevention to investigate outbreaks of infectious
22 diseases within the borders of such country; and

23 (2) provides pathogen surveillance data to the
24 appropriate agencies and departments of the United
25 States and to international health organizations.

1 (b) WAIVER.—The Secretary may waive the prohibi-
2 tion set out in subsection (a) if the Secretary determines
3 that it is in the national interest of the United States to
4 provide such a waiver.

5 **SEC. 5. RESTRICTION.**

6 (a) IN GENERAL.—Notwithstanding any other provi-
7 sion of this Act, no foreign national participating in a pro-
8 gram authorized under this Act shall have access, during
9 the course of such participation, to a select agent or toxin
10 described in section 73.4 of title 42, Code of Federal Reg-
11 ulations (or any corresponding similar regulation) or an
12 overlap select agent or toxin described in section 73.5 of
13 such title (or any corresponding similar regulation) that
14 may be used as, or in, a biological weapon, except in a
15 supervised and controlled setting.

16 (b) RELATIONSHIP TO REGULATIONS.—The restric-
17 tion set out in subsection (a) may not be construed to limit
18 the ability of the Secretary of Health and Human Services
19 to prescribe, through regulation, standards for the han-
20 dling of a select agent or toxin or an overlap select agent
21 or toxin described in such subsection.

22 **SEC. 6. FELLOWSHIP PROGRAM.**

23 (a) ESTABLISHMENT.—There is established a fellow-
24 ship program under which the Secretary, in consultation
25 with the Secretary of Health and Human Services and

1 subject to the availability of appropriations, shall award
2 fellowships to eligible nationals to pursue public health
3 education or training, as follows:

4 (1) MASTER OF PUBLIC HEALTH DEGREE.—

5 Graduate courses of study leading to a master of
6 public health degree with a concentration in epidemi-
7 ology from an institution of higher education in the
8 United States with a Center for Public Health Pre-
9 paredness, as determined by the Director of the Cen-
10 ters for Disease Control and Prevention.

11 (2) ADVANCED PUBLIC HEALTH EPIDEMIOLOGY

12 TRAINING.—Advanced public health training in epi-
13 demiology for public health professionals from eligi-
14 ble developing countries to be carried out at the
15 Centers for Disease Control and Prevention, an ap-
16 propriate facility of a State, or an appropriate facil-
17 ity of another agency or department of the United
18 States (other than a facility of the Department of
19 Defense or a national laboratory of the Department
20 of Energy) for a period of not less than 6 months
21 or more than 12 months.

22 (b) SPECIALIZATION IN BIOTERRORISM.—In addition
23 to the education or training specified in subsection (a),
24 each recipient of a fellowship under this section (in this
25 section referred to as a “fellow”) may take courses of

1 study at the Centers for Disease Control and Prevention
2 or at an equivalent facility on diagnosis and containment
3 of likely bioterrorism agents.

4 (c) FELLOWSHIP AGREEMENT.—

5 (1) IN GENERAL.—A fellow shall enter into an
6 agreement with the Secretary under which the fellow
7 agrees—

8 (A) to maintain satisfactory academic
9 progress, as determined in accordance with reg-
10 ulations issued by the Secretary and confirmed
11 in regularly scheduled updates to the Secretary
12 from the institution providing the education or
13 training on the progress of the fellow’s edu-
14 cation or training;

15 (B) upon completion of such education or
16 training, to return to the fellow’s country of na-
17 tionality or last habitual residence (so long as
18 it is an eligible developing country) and com-
19 plete at least 4 years of employment in a public
20 health position in the government or a non-
21 governmental, not-for-profit entity in that coun-
22 try or, with the approval of the Secretary, com-
23 plete part or all of this requirement through
24 service with an international health organiza-
25 tion without geographic restriction; and

1 (C) that, if the fellow is unable to meet the
2 requirements described in subparagraph (A) or
3 (B), the fellow shall reimburse the United
4 States for the value of the assistance provided
5 to the fellow under the fellowship program, to-
6 gether with interest at a rate that—

7 (i) is determined in accordance with
8 regulations issued by the Secretary; and

9 (ii) is not higher than the rate gen-
10 erally applied in connection with other
11 Federal loans.

12 (2) WAIVERS.—The Secretary may waive the
13 application of subparagraph (B) or (C) of paragraph
14 (1) if the Secretary determines that it is in the na-
15 tional interest of the United States to provide such
16 a waiver.

17 (d) AGREEMENT.—The Secretary, in consultation
18 with the Secretary of Health and Human Services, is au-
19 thorized to enter into an agreement with the government
20 of an eligible developing country under which such govern-
21 ment agrees—

22 (1) to establish a procedure for the nomination
23 of eligible nationals for fellowships under this sec-
24 tion;

1 (2) to guarantee that a fellow will be offered a
2 professional public health position within the devel-
3 oping country upon completion of the fellow's stud-
4 ies; and

5 (3) to submit to the Secretary a certification
6 stating that a fellow has concluded the minimum pe-
7 riod of employment in a public health position re-
8 quired by the fellowship agreement, including an ex-
9 planation of how the requirement was met.

10 (e) PARTICIPATION OF UNITED STATES CITIZENS.—

11 On a case-by-case basis, the Secretary may provide for the
12 participation of a citizen of the United States in the fel-
13 lowship program under the provisions of this section if—

14 (1) the Secretary determines that it is in the
15 national interest of the United States to provide for
16 such participation; and

17 (2) the citizen of the United States agrees to
18 complete, at the conclusion of such participation, at
19 least 5 years of employment in a public health posi-
20 tion in an eligible developing country or at an inter-
21 national health organization.

22 (f) USE OF EXISTING PROGRAMS.—The Secretary,
23 with the concurrence of the Secretary of Health and
24 Human Services, may elect to use existing programs of
25 the Department of Health and Human Services to provide

1 the education and training described in subsection (a) if
2 the requirements of subsections (b), (c), and (d) will be
3 substantially met under such existing programs.

4 **SEC. 7. IN-COUNTRY TRAINING IN LABORATORY TECH-**
5 **NIQUES AND DISEASE AND SYNDROME SUR-**
6 **VEILLANCE.**

7 (a) **LABORATORY TECHNIQUES.**—

8 (1) **IN GENERAL.**—The Secretary, after con-
9 sultation with the Secretary of Health and Human
10 Services and in conjunction with the Director of the
11 Centers for Disease Control and Prevention and the
12 Secretary of Defense, and subject to the availability
13 of appropriations, shall provide assistance for short
14 training courses for eligible nationals who are lab-
15 oratory technicians or other public health personnel
16 in laboratory techniques relating to the identifica-
17 tion, diagnosis, and tracking of pathogens respon-
18 sible for possible infectious disease outbreaks.

19 (2) **LOCATION.**—The training described in
20 paragraph (1) shall be held outside the United
21 States and may be conducted in facilities of the Cen-
22 ters for Disease Control and Prevention located in
23 foreign countries or in Overseas Medical Research
24 Units of the Department of Defense, as appropriate.

1 (3) COORDINATION WITH EXISTING PRO-
2 GRAMS.—The Secretary shall coordinate the training
3 described in paragraph (1), where appropriate, with
4 existing programs and activities of international
5 health organizations.

6 (b) DISEASE AND SYNDROME SURVEILLANCE.—

7 (1) IN GENERAL.—The Secretary, after con-
8 sultation with the Secretary of Health and Human
9 Services and in conjunction with the Director of the
10 Centers for Disease Control and Prevention and the
11 Secretary of Defense and subject to the availability
12 of appropriations, shall establish and provide assist-
13 ance for short training courses for eligible nationals
14 who are health care providers or other public health
15 personnel in techniques of disease and syndrome
16 surveillance reporting and rapid analysis of syn-
17 drome information using Geographic Information
18 System (GIS) tools.

19 (2) LOCATION.—The training described in
20 paragraph (1) shall be conducted via the Internet or
21 in appropriate facilities located in a foreign country,
22 as determined by the Secretary.

23 (3) COORDINATION WITH EXISTING PRO-
24 GRAMS.—The Secretary shall coordinate the training
25 described in paragraph (1), where appropriate, with

1 existing programs and activities of international re-
2 gional and international health organizations.

3 **SEC. 8. ASSISTANCE FOR THE PURCHASE AND MAINTENANCE OF PUBLIC HEALTH LABORATORY**
4 **EQUIPMENT AND SUPPLIES.**
5

6 (a) **AUTHORIZATION.**—The President is authorized to
7 provide, on such terms and conditions as the President
8 may determine, assistance to eligible developing countries
9 to purchase and maintain the public health laboratory
10 equipment and supplies described in subsection (b).

11 (b) **EQUIPMENT AND SUPPLIES COVERED.**—The
12 equipment and supplies described in this subsection are
13 equipment and supplies that are—

14 (1) appropriate, to the extent possible, for use
15 in the intended geographic area;

16 (2) necessary to collect, analyze, and identify
17 expeditiously a broad array of pathogens, including
18 mutant strains, which may cause disease outbreaks
19 or may be used in a biological weapon;

20 (3) compatible with general standards set forth
21 by the World Health Organization and, as appro-
22 priate, the Centers for Disease Control and Preven-
23 tion, to ensure interoperability with international re-
24 gional and international public health networks; and

1 (4) not defense articles, defense services, or
2 training, as such terms are defined in the Arms Ex-
3 port Control Act (22 U.S.C. 2751 et seq.).

4 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
5 tion shall be construed to exempt the exporting of goods
6 and technology from compliance with applicable provisions
7 of the Export Administration Act of 1979 (as in effect
8 pursuant to the International Emergency Economic Pow-
9 ers Act; 50 U.S.C. 1701 et seq.).

10 (d) LIMITATION.—Amounts appropriated to carry
11 out this section shall not be made available for the pur-
12 chase from a foreign country of equipment or supplies
13 that, if made in the United States, would be subject to
14 the Arms Export Control Act (22 U.S.C. 2751 et seq.)
15 or likely be barred or subject to special conditions under
16 the Export Administration Act of 1979 (as in effect pursu-
17 ant to the International Emergency Economic Powers Act;
18 50 U.S.C. 1701 et seq.).

19 (e) PROCUREMENT PREFERENCE.—In the use of
20 grant funds authorized under subsection (a), preference
21 should be given to the purchase of equipment and supplies
22 of United States manufacture. The use of amounts appro-
23 priated to carry out this section shall be subject to section
24 604 of the Foreign Assistance Act of 1961 (22 U.S.C.
25 2354).

1 (f) COUNTRY COMMITMENTS.—The assistance pro-
 2 vided under this section for equipment and supplies may
 3 be provided only if the eligible developing country that re-
 4 ceives such equipment and supplies agrees to provide the
 5 infrastructure, technical personnel, and other resources re-
 6 quired to house, maintain, support, secure, and maximize
 7 use of such equipment and supplies.

8 **SEC. 9. ASSISTANCE FOR IMPROVED COMMUNICATION OF**
 9 **PUBLIC HEALTH INFORMATION.**

10 (a) ASSISTANCE FOR PURCHASE OF COMMUNICATION
 11 EQUIPMENT AND INFORMATION TECHNOLOGY.—The
 12 President is authorized to provide, on such terms and con-
 13 ditions as the President may determine, assistance to eligi-
 14 ble developing countries to purchase and maintain the
 15 communications equipment and information technology
 16 described in subsection (b), and the supporting equipment,
 17 necessary to effectively collect, analyze, and transmit pub-
 18 lic health information.

19 (b) COVERED EQUIPMENT.—The communications
 20 equipment and information technology described in this
 21 subsection are communications equipment and informa-
 22 tion technology that—

23 (1) are suitable for use under the particular
 24 conditions of the area of intended use;

1 (2) meet the standards set forth by the World
2 Health Organization and, as appropriate, the Sec-
3 retary of Health and Human Services, to ensure
4 interoperability with like equipment of other coun-
5 tries and international organizations; and

6 (3) are not defense articles, defense services, or
7 training, as those terms are defined in the Arms Ex-
8 port Control Act (22 U.S.C. 2751 et seq.).

9 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
10 tion shall be construed to exempt the exporting of goods
11 and technology from compliance with applicable provisions
12 of the Export Administration Act of 1979 (as in effect
13 pursuant to the International Emergency Economic Pow-
14 ers Act; 50 U.S.C. 1701 et seq.).

15 (d) LIMITATION.—Amounts appropriated to carry
16 out this section shall not be made available for the pur-
17 chase from a foreign country of communications equip-
18 ment or information technology that, if made in the
19 United States, would be subject to the Arms Export Con-
20 trol Act (22 U.S.C. 2751 et seq.) or likely be barred or
21 subject to special conditions under the Export Administra-
22 tion Act of 1979 (as in effect pursuant to the Inter-
23 national Emergency Economic Powers Act; 50 U.S.C.
24 1701 et seq.).

1 (e) **PROCUREMENT PREFERENCE.**—In the use of
2 grant funds under subsection (a), preference should be
3 given to the purchase of communications equipment and
4 information technology of United States manufacture. The
5 use of amounts appropriated to carry out this section shall
6 be subject to section 604 of the Foreign Assistance Act
7 of 1961 (22 U.S.C. 2354).

8 (f) **ASSISTANCE FOR STANDARDIZATION OF REPORT-**
9 **ING.**—The President is authorized to provide, on such
10 terms and conditions as the President may determine,
11 technical assistance and grant assistance to international
12 health organizations to facilitate standardization in the re-
13 porting of public health information between and among
14 developing countries and international health organiza-
15 tions.

16 (g) **COUNTRY COMMITMENTS.**—The assistance pro-
17 vided under this section for communications equipment
18 and information technology may be provided only if the
19 eligible developing country that receives such equipment
20 and technology agrees to provide the infrastructure, tech-
21 nical personnel, and other resources required to house,
22 maintain, support, secure, and maximize use of such
23 equipment and technology.

1 **SEC. 10. ASSIGNMENT OF PUBLIC HEALTH PERSONNEL TO**
2 **UNITED STATES MISSIONS AND INTER-**
3 **NATIONAL ORGANIZATIONS.**

4 (a) IN GENERAL.—Upon the request of the chief of
5 a diplomatic mission of the United States or of the head
6 of an international regional or international health organi-
7 zation, and with the concurrence of the Secretary and of
8 the employee concerned, the head of an agency or depart-
9 ment of the United States may assign to the mission or
10 the organization any officer or employee of the agency or
11 department that occupies a public health position within
12 the agency or department for the purpose of enhancing
13 disease and pathogen surveillance efforts in developing
14 countries.

15 (b) REIMBURSEMENT.—The costs incurred by an
16 agency or department of the United States by reason of
17 the detail of personnel under subsection (a) may be reim-
18 bursed to that agency or department out of the applicable
19 appropriations account of the Department of State if the
20 Secretary determines that the agency or department may
21 otherwise be unable to assign such personnel on a non-
22 reimbursable basis.

23 **SEC. 11. EXPANSION OF CERTAIN UNITED STATES GOVERN-**
24 **MENT LABORATORIES ABROAD.**

25 (a) IN GENERAL.—Subject to the availability of ap-
26 propriations, the Director of the Centers for Disease Con-

1 trol and Prevention and the Secretary of Defense shall
2 each—

3 (1) increase the number of personnel assigned
4 to laboratories of the Centers for Disease Control
5 and Prevention or the Department of Defense, as
6 appropriate, located in eligible developing countries
7 that conduct research and other activities with re-
8 spect to infectious diseases; and

9 (2) expand the operations of such laboratories,
10 especially with respect to the implementation of on-
11 site training of foreign nationals and activities af-
12 fecting the region in which the country is located.

13 (b) COOPERATION AND COORDINATION BETWEEN
14 LABORATORIES.—Subsection (a) shall be carried out in
15 such a manner as to foster cooperation and avoid dupli-
16 cation between and among laboratories.

17 (c) RELATION TO CORE MISSIONS AND SECURITY.—
18 The expansion of the operations of the laboratories of the
19 Centers for Disease Control and Prevention or the Depart-
20 ment of Defense located in foreign countries under this
21 section may not—

22 (1) detract from the established core missions
23 of the laboratories; or

1 (2) compromise the security of those labora-
 2 tories, as well as their research, equipment, exper-
 3 tise, and materials.

4 **SEC. 12. ASSISTANCE FOR INTERNATIONAL HEALTH NET-**
 5 **WORKS AND EXPANSION OF FIELD EPIDEMI-**
 6 **LOGY TRAINING PROGRAMS.**

7 (a) **AUTHORITY.**—The President is authorized, on
 8 such terms and conditions as the President may deter-
 9 mine, to provide assistance for the purposes of—

10 (1) enhancing the surveillance and reporting ca-
 11 pabilities for the World Health Organization and ex-
 12 isting international regional and international health
 13 networks; and

14 (2) developing new international regional and
 15 international health networks.

16 (b) **EXPANSION OF FIELD EPIDEMIOLOGY TRAINING**
 17 **PROGRAMS.**—The Secretary of Health and Human Serv-
 18 ices is authorized to establish new country or regional
 19 international Field Epidemiology Training Programs in el-
 20 igible developing countries.

21 **SEC. 13. FOREIGN BIOLOGICAL THREAT DETECTION AND**
 22 **WARNING.**

23 (a) **IN GENERAL.**—The President shall establish the
 24 Office of Foreign Biological Threat Detection and Warn-
 25 ing within either the Department of Defense, the Central

1 Intelligence Agency, or the Centers for Disease Control
2 and Prevention with the technical ability to conduct event
3 detection and rapid threat assessment related to biological
4 threats in foreign countries.

5 (b) PURPOSES.—The purposes of the Office of For-
6 eign Biological Threat Detection and Warning shall be—

7 (1) to integrate public health, medical, agricul-
8 tural, societal, and intelligence indications and warn-
9 ings to identify in advance the emergence of a
10 transnational biological threat;

11 (2) to provide rapid threat assessment capa-
12 bility to the appropriate agencies or departments of
13 the United States that is not dependent on access
14 to—

15 (A) a specific biological agent;

16 (B) the area in which such agent is
17 present; or

18 (C) information related to the means of in-
19 troduction of such agent; and

20 (3) to build the information visibility and deci-
21 sion support activities required for appropriate and
22 timely information distribution and threat response.

23 (c) TECHNOLOGY.—The Office of Foreign Biological
24 Threat Detection and Warning shall employ technologies
25 similar to, but no less capable than, those used by the In-

1 telligence Technology Innovation Center (ITIC) within the
2 Directorate of Science and Technology of the Central In-
3 telligence Agency to conduct real-time, prospective, auto-
4 mated threat assessments that employ social disruption
5 factors.

6 (d) EVENT DETECTION DEFINED.—In this section,
7 the term “event detection” refers to the real-time and
8 rapid recognition of a possible biological event that has
9 appeared in a community and that could have national se-
10 curity implications, regardless of whether the event is
11 caused by natural, accidental, or intentional means and
12 includes scrutiny of such possible biological event by ana-
13 lysists utilizing classified and unclassified information.

14 **SEC. 14. REPORTS.**

15 Not later than 90 days after the date of enactment
16 of this Act, the Secretary, in conjunction with the Sec-
17 retary of Health and Human Services and the Secretary
18 of Defense, shall submit to Congress a report on the im-
19 plementation of programs under this Act, including an es-
20 timate of the level of funding required to carry out such
21 programs at a sufficient level.

22 **SEC. 15. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) AUTHORIZATION OF APPROPRIATIONS.—Subject
24 to subsection (c), there is authorized to be appropriated

1 for fiscal year 2006 such sums as may be necessary to
2 carry out this Act.

3 (b) AVAILABILITY OF FUNDS.—The amount appro-
4 priated pursuant to subsection (a) is authorized to remain
5 available until expended.

6 (c) LIMITATION ON OBLIGATION OF FUNDS.—Not
7 more than 10 percent of the amount appropriated pursu-
8 ant to subsection (a) may be obligated before the date on
9 which a report is submitted, or required to be submitted,
10 whichever first occurs, under section 14.

Passed the Senate December 21, 2005.

Attest:

Secretary.

109TH CONGRESS
1ST SESSION

S. 2170

AN ACT

To provide for global pathogen surveillance and response.