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dise or baggage so unladen for which entry is not made within the time prescribed by law or regulation. The Secretary shall by regulation prescribe administrative penalties not to exceed \$1,000 for each bill of lading for which notice is not given. Any such administrative penalty shall be subject to mitigation and remittance under section 618. Such unentered merchandise or baggage shall be the responsibility of the master or person in charge of the importing vessel or vehicle, or agent thereof, until it is removed from the carrier's control in accordance with section 490." and

(4) by striking out "the appropriate customs officer" and "such customs officer" wherever they appear and inserting "the Customs Service".

**SEC. 657. DECLARATIONS.**

Section 485 (19 U.S.C. 1485) is amended—

(1) by amending subsection (a)—

(A) by inserting "or transmit electronically" after "file", and

(B) by inserting "and manner" after "form";

(2) by amending subsection (d)—

(A) by striking out "A importer" and inserting "An importer", and

(B) by striking out "a importer" and inserting "an importer"; and

(3) by inserting after subsection (f) the following new subsection:

"(g) EXPORTED MERCHANDISE RETURNED AS UNDELIVERABLE.—

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With respect to any importation of merchandise to which General Headnote 4(e) of the Harmonized Tariff Schedule of the United States applies, any person who gained any benefit from, or met any obligation to, the United States as a result of the prior exportation of such merchandise shall, in accordance with regulations prescribed by the Secretary, within a reasonable time inform the Customs Service of the return of the merchandise."

**SEC. 658. GENERAL ORDERS.**

Section 490 (19 U.S.C. 1490) is amended—

(1) by amending subsection (a) to read as follows:

"(a) INCOMPLETE ENTRY.—

"(1) Whenever—

"(A) the entry of any imported merchandise is not made within the time provided by law or by regulation prescribed by the Secretary;

"(B) the entry of imported merchandise is incomplete because of failure to pay the estimated duties, fees, or interest;

"(C) in the opinion of the Customs Service, the entry of imported merchandise cannot be made for want of proper documents or other cause; or

"(D) the Customs Service believes that any merchandise is not correctly and legally invoiced;

the carrier (unless subject to subsection (c)) shall notify the bonded warehouse of such unentered merchandise.

"(2) After notification under paragraph (1), the bonded warehouse shall arrange for the transportation and storage of the merchandise at the risk and expense of the consignee. The merchandise shall remain in the bonded warehouse until—

“(A) entry is made or completed and the proper documents are produced;

“(B) the information and data necessary for entry are transmitted to the Customs Service pursuant to an authorized electronic data interchange system; or

“(C) a bond is given for the production of documents or the transmittal of data.”;

(2) by amending subsection (b)—

(A) by amending the heading for subsection (b) to read as follows:

“(b) REQUEST FOR POSSESSION BY CUSTOMS.—”, and

(B) by striking out “appropriate customs officer” and inserting “Customs Service”; and

(3) by adding at the end the following new subsection:

“(c) GOVERNMENT MERCHANDISE.—Any imported merchandise that—

“(1) is described in any of paragraphs (1) through (4) of subsection (a); and

“(2) is consigned to, or owned by, the United States Government;

shall be stored and disposed of in accordance with such rules and procedures as the Secretary shall by regulation prescribe.”.

#### SEC. 659. UNCLAIMED MERCHANDISE.

Section 491 (19 U.S.C. 1491) is amended—

(1) by amending subsection (a)—

(A) by striking out “customs custody for one year” in the first sentence and inserting “in a bonded warehouse pursuant to section 490 for 6 months”,

(B) by striking out “public store or bonded warehouse for a period of one year” in the second sentence and inserting “pursuant to section 490 in a bonded warehouse for 6 months”,

(C) by striking out “estimated duties and storage” in the first sentence and inserting “estimated duties, taxes, fees, interest, storage,”

(D) by inserting “taxes, fees, interest,” after “duties,” wherever it appears, and

(E) by striking out “duties” in the last sentence and inserting “duties, taxes, interest, and fees”; and

(2) by redesignating subsection (b) as subsection (e) and inserting after subsection (a) the following new subsections:

“(b) NOTICE OF TITLE VESTING IN THE UNITED STATES.—At the end of the 6-month period referred to in subsection (a), the Customs Service may, in lieu of sale of the merchandise, provide notice to all known interested parties that the title to such merchandise shall be considered to vest in the United States free and clear of any liens or encumbrances, on the 30th day after the date of the notice unless, before such 30th day—

“(1) the subject merchandise is entered or withdrawn for consumption; and

“(2) payment is made of all duties, taxes, fees, transfer and storage charges, and other expenses that may have accrued thereon.

“(c) RETENTION, TRANSFER, DESTRUCTION, OR OTHER DISPOSITION.—If title to any merchandise vests in the United States by operation of subsection (b), such merchandise may be retained

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by the Customs Service for official use, transferred to any other Federal agency or to any State or local agency, destroyed, or otherwise disposed of in accordance with such regulations as the Secretary shall prescribe. All transfer and storage charges or expenses accruing on retained or transferred merchandise shall be paid by the receiving agency.

“(d) PETITION.—Whenever any party, having lost a substantial interest in merchandise by virtue of title vesting in the United States under subsection (b), can establish such title or interest to the satisfaction of the Secretary within 30 days after the day on which title vests in the United States under subsection (b), or can establish to the satisfaction of the Secretary that the party did not receive notice under subsection (b), the Secretary may, upon receipt of a timely and proper petition and upon finding that the facts and circumstances warrant, pay such party out of the Treasury of the United States the amount the Secretary believes the party would have received under section 493 had the merchandise been sold and a proper claim filed. The decision of the Secretary with respect to any such petition is final and conclusive on all parties.”; and

(3) by amending subsection (e) (as so redesignated) by striking out “appropriate customs officer” in paragraph (3) and inserting “Customs Service”.

#### SEC. 660. DESTRUCTION OF MERCHANDISE.

Section 492 (19 U.S.C. 1492) is amended—

(1) by inserting “, retained for official use, or otherwise disposed of” after “destroyed”; and

(2) by striking out “appropriate customs officer” and inserting “Customs Service”.

#### SEC. 661. PROCEEDS OF SALE.

Section 493 (19 U.S.C. 1493) is amended—

(1) by inserting “taxes, and fees,” after “duties,”;

(2) by striking out “by the appropriate customs officer”; and

(3) by striking out “such customs officer” and inserting “the Customs Service”.

#### SEC. 662. ENTRY UNDER REGULATIONS.

Section 498(a) (19 U.S.C. 1498(a)) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) Merchandise, when—

“(A) the aggregate value of the shipment does not exceed an amount specified by the Secretary by regulation, but not more than \$2,500; or

“(B) different commercial facilitation and risk considerations that may vary for different classes or kinds of merchandise or different classes of transactions may dictate;”;

and

(2) by striking out “\$10,000” in paragraph (2) and inserting “such amounts as the Secretary may prescribe”.

#### SEC. 663. AMERICAN TRADEMARKS.

Section 526(e)(3) (19 U.S.C. 1526(e)(3)) is amended—

(1) by striking out “1 year” and inserting “90 days”; and

(2) by striking out “appropriate customs officers” and inserting “the Customs Service”.

**SEC. 664. SIMPLIFIED RECORDKEEPING FOR MERCHANDISE TRANSPORTED BY PIPELINE.**

Part IV of title IV is amended by inserting after section 553 the following new section:

**“SEC. 553A. RECORDKEEPING FOR MERCHANDISE TRANSPORTED BY PIPELINE.** 19 USC 1553a.

“Merchandise in Customs custody that is transported by pipeline may be accounted for on a quantitative basis, based on the bill of lading, or equivalent document of receipt, issued by the pipeline carrier. Unless the Customs Service has reasonable cause to suspect fraud, the Customs Service may accept the bill of lading, or equivalent document of receipt, issued by the pipeline carrier to the shipper and accepted by the consignee to maintain identity. The shipper, pipeline operator, and consignee shall be subject to the recordkeeping requirements of sections 508 and 509.”.

**SEC. 665. ENTRY FOR WAREHOUSE.**

Section 557(a) (19 U.S.C. 1557(a)) is amended—

(1) by designating the first 2 sentences of such subsection as paragraph (1);

(2) by striking out in such paragraph (1) (as so designated) “: *Provided*, That the total period of time for which such merchandise may remain in bonded warehouse shall not exceed 5 years from the date of importation.” and inserting the following: “; except that—

“(A) the total period of time for which such merchandise may remain in bonded warehouse shall not exceed 5 years from the date of importation; and

“(B) turbine fuel may be withdrawn for use under section 309 without the payment of duty if an amount equal to the quantity of fuel withdrawn is shown to be used within 30 days after the day of withdrawal, but duties (together with interest payable from the date of the withdrawal at the rate of interest established under section 6621 of title 26, United States Code) shall be deposited by the 40th day after the day of withdrawal on fuel that was withdrawn in excess of the quantity shown to have been so used during such 30-day period.”; and

(3) by designating the remaining sentences of such subsection as paragraph (2).

**SEC. 666. CARTAGE.**

The first sentence of section 565 (19 U.S.C. 1565) is amended to read as follows: “The cartage of merchandise entered for warehouse shall be done by—

“(1) cartmen appointed and licensed by the Customs Service; or

“(2) carriers designated under section 551 to carry bonded merchandise;

who shall give bond, in a penal sum to be fixed by the Customs Service, for the protection of the Government against any loss of, or damage to, the merchandise while being so carted.”.

**SEC. 667. SEIZURE.**

Section 612 (19 U.S.C. 1612) is amended—

(1) by amending subsection (a)—

(A) by striking out “the appropriate customs officer”, “such officer” and “the customs officer” wherever they appear and inserting “the Customs Service”, and

(B) by striking out “the appraiser’s return and his” and inserting “its”; and

(2) by amending subsection (b) to read as follows:

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“(b) If the Customs Service determines that the expense of keeping the vessel, vehicle, aircraft, merchandise, or baggage is disproportionate to the value thereof, the Customs Service may promptly order the destruction or other appropriate disposition of such property under regulations prescribed by the Secretary. No customs officer shall be liable for the destruction or other disposition of property made pursuant to this section.”.

**SEC. 668. LIMITATION ON ACTIONS.**

Section 621 (19 U.S.C. 1621) is amended—

(1) by inserting “any duty under section 592(d), 593A(d), or” before “any pecuniary penalty”; and

(2) by striking out “discovered:” and all that follows thereafter and inserting the following: “discovered; except that—

“(1) in the case of an alleged violation of section 592 or 593A, no suit or action (including a suit or action for restoration of lawful duties under subsection (d) of such sections) may be instituted unless commenced within 5 years after the date of the alleged violation or, if such violation arises out of fraud, within 5 years after the date of discovery of fraud, and

“(2) the time of the absence from the United States of the person subject to the penalty or forfeiture, or of any concealment or absence of the property, shall not be reckoned within the 5-year period of limitation.”.

**SEC. 669. COLLECTION OF FEES ON BEHALF OF OTHER AGENCIES.**

The Tariff Act of 1930 is amended by inserting after section 528 the following new section:

19 USC 1529.

**“SEC. 529. COLLECTION OF FEES ON BEHALF OF OTHER AGENCIES.**

“The Customs Service shall be reimbursed from the fees collected for the cost and expense, administrative and otherwise, incurred in collecting any fees on behalf of any government agency for any reason.”.

**SEC. 670. AUTHORITY TO SETTLE CLAIMS.**

The Tariff Act of 1930 is amended by inserting after section 629 the following new section:

19 USC 1630.

**“SEC. 630. AUTHORITY TO SETTLE CLAIMS.**

“(a) **IN GENERAL.**—With respect to a claim that cannot be settled under chapter 171 of title 28, United States Code, the Secretary may settle, for not more than \$50,000 in any one case, a claim for damage to, or loss of, privately owned property caused by an investigative or law enforcement officer (as defined in section 2680(h) of title 28, United States Code) who is employed by the Customs Service and acting within the scope of his or her employment.

“(b) **LIMITATIONS.**—The Secretary may not pay a claim under subsection (a) that—

“(1) concerns commercial property;

“(2) is presented to the Secretary more than 1 year after it occurs; or

“(3) is presented by an officer or employee of the United States Government and arose within the scope of employment.

“(c) FINAL SETTLEMENT.—A claim may be paid under this section only if the claimant accepts the amount of settlement in complete satisfaction of the claim.”.

#### SEC. 671. USE OF PRIVATE COLLECTION AGENCIES.

The Tariff Act of 1930 is amended by inserting after section 630 the following new section:

##### “SEC. 631. USE OF PRIVATE COLLECTION AGENCIES.

19 USC 1631.

Contracts.

“(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary, under such terms and conditions as the Secretary considers appropriate, shall enter into contracts and incur obligations with one or more persons for collection services to recover indebtedness arising under the customs laws and owed the United States Government, but only after the Customs Service has exhausted all administrative efforts, including all claims against applicable surety bonds, to collect the indebtedness.

“(b) CONTRACT REQUIREMENTS.—Any contract entered into under subsection (a) shall provide that—

“(1) the Secretary retains the authority to resolve a dispute, compromise a claim, end collection action, and refer a matter to the Attorney General to bring a civil action; and

“(2) the person is subject to—

“(A) section 552a of title 5, United States Code, to the extent provided in subsection (m) of such section; and

“(B) laws and regulations of the United States Government and State governments related to debt collection practices.”.

## Subtitle D—Miscellaneous Provisions and Consequential and Conforming Amendments to Other Laws

#### SEC. 681. AMENDMENTS TO THE HARMONIZED TARIFF SCHEDULE.

(a) RETURN SHIPMENTS.—General Note 4 of the Harmonized Tariff Schedule of the United States is amended—

(1) by striking out “and” at the end of subdivision (c);

(2) by inserting “and” after “1930,” in subdivision (d);

(3) by inserting after subdivision (d) the following:

“(e) articles exported from the United States which are returned within 45 days after such exportation from the United States as undeliverable and which have not left the custody of the carrier or foreign customs service;” and

(4) by adding at the end the following new sentence: “No exportation referred to in subdivision (e) may be treated as satisfying any requirement for exportation in order to receive a benefit from, or meet an obligation to, the United States as a result of such exportation.”.

(b) ENTRY NOT REQUIRED FOR LOCOMOTIVES AND RAILWAY FREIGHT CARS.—

(1) The Notes to chapter 86 of such Schedule are amended by inserting after note 3 the following new note:

"4. Railway locomotives (provided for in headings 8601 and 8602) and railway freight cars (provided for in heading 8606) on which no duty is owed are not subject to the entry or release requirements for imported merchandise set forth in sections 448 and 484 of the Tariff Act of 1930. The Secretary of the Treasury may by regulation establish appropriate reporting requirements, including the requirement that a bond be posted to ensure compliance."

(2) The U.S. Notes to subchapter V of chapter 99 of such Schedule are amended by inserting after note 8 the following new note:

"9. Railway freight cars provided for in subheadings 9905.86.05 and 9905.86.10 are not subject to the entry or release requirements for imported merchandise set forth in sections 448 and 484 of the Tariff Act of 1930. The Secretary of the Treasury may by regulation establish appropriate reporting requirements, including the requirement that a bond be posted to ensure compliance."

(c) INSTRUMENTS OF INTERNATIONAL TRAFFIC.—The U.S. Notes to subchapter III of chapter 98 of such Schedule is amended by inserting after note 3 the following new note:

"4. Instruments of international traffic, such as containers, lift vans, rail cars and locomotives, truck cabs and trailers, etc. are exempt from formal entry procedures but are required to be accounted for when imported and exported into and out of the United States, respectively, through the manifesting procedures required for all international carriers by the United States Customs Service. Fees associated with the importation of such instruments of international traffic shall be reported and paid on a periodic basis as required by regulations issued by the Secretary of the Treasury and in accordance with 1956 Customs Convention on Containers (20 UST 30; TIAS 6634)."

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#### SEC. 682. CUSTOMS PERSONNEL AIRPORT WORK SHIFT REGULATION.

Section 13031(g) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(g)) is amended—

(1) by striking out "In addition to the regulations required under paragraph (2), the" and inserting "The";

(2) by striking out paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

#### SEC. 683. USE OF HARBOR MAINTENANCE TRUST FUND AMOUNTS FOR ADMINISTRATIVE EXPENSES.

26 USC 9505.

(a) IN GENERAL.—Paragraph (3) of section 9505(c) of the Internal Revenue Code of 1986 (relating to expenditures from Harbor Maintenance Trust Fund) is amended to read as follows:

"(3) for the payment of all expenses of administration incurred by the Department of the Treasury, the Army Corps of Engineers, and the Department of Commerce related to the administration of subchapter A of chapter 36 (relating to harbor maintenance tax), but not in excess of \$5,000,000 for any fiscal year."

26 USC 9505  
note.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to fiscal years beginning after the date of the enactment of this Act.

**SEC. 684. AMENDMENTS TO TITLE 28, UNITED STATES CODE.**

(a) **AMENDMENTS RELATING TO ACCREDITATION OF PRIVATE LABORATORIES.**—Title 28 of the United States Code is amended as follows:

- (1) Section 1581(g) is amended by—  
 (A) striking out “and” at the end of paragraph (1);  
 (B) by striking out the period at the end of paragraph (2) and inserting “; and”; and  
 (C) by adding at the end the following:

“(3) any decision or order of the Customs Service to deny, suspend, or revoke accreditation of a private laboratory under section 499(b) of the Tariff Act of 1930.”

(2) Section 2631(g) is amended by inserting at the end the following new paragraph:

“(3) A civil action to review any decision or order of the Customs Service to deny, suspend, or revoke accreditation of a private laboratory under section 499(b) of the Tariff Act of 1930 may be commenced in the Court of International Trade by the person whose accreditation was denied, suspended, or revoked.”

(3) Section 2636 is amended—

(A) by redesignating subsection (h) as subsection (i); and

(B) by inserting after subsection (g) the following new subsection:

“(h) A civil action contesting the denial, suspension, or revocation by the Customs Service of a private laboratory’s accreditation under section 499(b) of the Tariff Act of 1930 is barred unless commenced in accordance with the rules of the Court of International Trade within 60 days after the date of the decision or order of the Customs Service.”

(4) Section 2640 is amended—

(A) by redesignating subsection (d) as subsection (e); and

(B) by inserting after subsection (c) the following new subsection:

“(d) In any civil action commenced to review any order or decision of the Customs Service under section 499(b) of the Tariff Act of 1930, the court shall review the action on the basis of the record before the Customs Service at the time of issuing such decision or order.”

(5) Section 2642 is amended by inserting before the period the following: “or laboratories accredited by the Customs Service under section 499(b) of the Tariff Act of 1930”.

(b) **APPLICATION OF SUBSECTION (a) AMENDMENTS.**—For purposes of applying the amendments made by subsection (a), any decision or order of the Customs Service denying, suspending, or revoking the accreditation of a private laboratory on or after the date of the enactment of this Act and before regulations to implement section 499(b) of the Tariff Act of 1930 are issued shall be treated as having been denied, suspended, or revoked under such section 499(b).

(c) **JURISDICTION OF COURT.**—Section 1582(1) of title 28, United States Code, is amended by inserting “593A,” after “592.”

(d) **FILING OF OFFICIAL DOCUMENTS.**—Section 2635(a) of title 28, United States Code, is amended to read as follows:

“(a) In any action commenced in the Court of International Trade contesting the denial of a protest under section 515 of the

28 USC 1581  
note.



Tariff Act of 1930 or the denial of a petition under section 516 of such Act, the Customs Service, as prescribed by the rules of the court, shall file with the clerk of the court, as part of the official record, any document, paper, information or data relating to the entry of merchandise and the administrative determination that is the subject of the protest or petition.”

**SEC. 685. TREASURY FORFEITURE FUND.**

Section 9703 of title 31, United States Code (as added by Public Law 102-393), is amended—

(1) by redesignating subparagraphs (E), (F), (G), (H), and (I) of subsection (a)(2) as subparagraphs (F), (G), (H), (I), and (J), respectively;

(2) by inserting after subparagraph (D) of subsection (a)(2) the following new subparagraph:

“(E) the payment of claims against employees of the Customs Service settled by the Secretary under section 630 of the Tariff Act of 1930;” and

(3) by striking out “shall” the first place it appears in subsection (e) and inserting “may”.

**SEC. 686. AMENDMENTS TO THE REVISED STATUTES OF THE UNITED STATES.**

(a) **TECHNICAL AMENDMENTS.**—The Revised Statutes of the United States are amended as follows:

(1) Section 2793 (19 U.S.C. 288, 46 U.S.C. App. 111, 123) is amended—

(A) by striking out “Enrolled or licensed vessels engaged in the foreign and coasting trade on the northern, northeastern, and northwestern frontiers of the United States,” and inserting “Documented vessels with a coastwise, Great Lakes endorsement;” and

(B) by striking out the first semicolon and all the text that follows thereafter and inserting a period.

(2) Section 3126 (19 U.S.C. 293) is amended—

(A) by striking out “Any vessel, on being duly registered in pursuance of the laws of the United States,” and inserting “Any United States documented vessel with a registry or coastwise endorsement, or both” and

(B) by striking out all the text occurring after the first sentence.

(3) Section 3127 (19 U.S.C. 294) is amended by striking out “in registered vessels” and inserting “a United States documented vessel with a registry or coastwise endorsement, or both.”

(4) Section 4136 (46 U.S.C. App. 14) is amended by striking out—

(A) “The Secretary of Commerce may issue a register or enrollment” and inserting “The Secretary of Transportation may issue a certificate of documentation with a coastwise endorsement;” and

(B) “Secretary of Commerce,” and inserting “Secretary of Transportation.”

(5) Section 4336 (46 U.S.C. App. 277) is amended—

(A) by striking out “register or enrollment or license of any vessel” and inserting “certificate of documentation of any documented vessel;” and

(B) by striking out "Secretary of the Treasury is not required to have its register or enrollment or license" and inserting "Secretary of Transportation is not required to have its certificate of documentation".

(b) CLEARANCE REQUIREMENTS.—Section 4197 of such Revised Statutes (46 U.S.C. App. 91) is amended to read as follows:

**"SEC. 4197. CLEARANCE; VESSELS.**

"(a) WHEN REQUIRED; VESSELS OF THE UNITED STATES.—Except as otherwise provided by law, any vessel of the United States shall obtain clearance from the Customs Service before proceeding from a port or place in the United States—

"(1) for a foreign port or place;

"(2) for another port or place in the United States if the vessel has on board bonded merchandise or foreign merchandise for which entry has not been made; or

"(3) outside the territorial sea to visit a hovering vessel or to receive merchandise while outside the territorial sea.

"(b) WHEN REQUIRED; OTHER VESSELS.—Except as otherwise provided by law, any vessel that is not a vessel of the United States shall obtain clearance from the Customs Service before proceeding from a port or place in the United States—

"(1) for a foreign port or place;

"(2) for another port or place in the United States; or

"(3) outside the territorial sea to visit a hovering vessel or to receive or deliver merchandise while outside the territorial sea.

"(c) REGULATIONS.—The Secretary of the Treasury may by regulation—

"(1) prescribe the manner in which clearance under this section is to be obtained, including the documents, data or information which shall be submitted or transmitted, pursuant to an authorized data interchange system, to obtain the clearance;

"(2) permit the Customs Service to grant clearance for a vessel under this section before all requirements for clearance are complied with, but only if the owner or operator of the vessel files a bond in an amount set by the Secretary of the Treasury conditioned upon the compliance by the owner or operator with all specified requirements for clearance within a time period (not exceeding 4 business days) established by the Secretary of the Treasury; and

"(3) authorize the Customs Service to permit clearance of any vessel to be obtained at a place other than a designated port of entry, under such conditions as he may prescribe."

**SEC. 687. AMENDMENTS TO TITLE 18, UNITED STATES CODE.**

Section 965(a) of title 18, United States Code, is amended—

(1) by striking out "sections 91, 92, and 94 of Title 46" and inserting "section 431 of the Tariff Act of 1930 (19 U.S.C. 1431) and section 4197 of the Revised Statutes of the United States (46 U.S.C. App. 91)";

(2) by striking out "the collector of customs for the district wherein such vessel is then located" and inserting "the Customs Service"; and

(3) by striking out "the collector like" and inserting in lieu thereof "the Customs Service like".

**SEC. 688. AMENDMENT TO THE ACT TO PREVENT POLLUTION FROM SHIPS.**

Section 9(e) of the Act to Prevent Pollution from Ships (94 Stat. 2301, 33 U.S.C. 1908(e)) is amended by striking out "shall refuse or revoke" and all of the text following thereafter and inserting "shall refuse or revoke the clearance required by section 4197 of the Revised Statutes of the United States (46 U.S.C. App. 91). Clearance may be granted upon the filing of a bond or other surety satisfactory to the Secretary."

**SEC. 689. MISCELLANEOUS TECHNICAL AMENDMENTS.**

(a) ACT OF OCTOBER 3, 1913.—The Act of October 3, 1913, is amended—

(1) in section IV, J, subsection 1 (19 U.S.C. 128) by striking out "registered as a vessel of the United States," and inserting "documented under chapter 121 of title 46, United States Code,"; and

(2) in section IV, J, subsection 3 (19 U.S.C. 131)—

(A) by striking out "vessels of the United States" and inserting "United States documented vessels"; and

(B) by striking out "registered as a vessel of the United States." and inserting "documented under chapter 121 of title 46, United States Code."

(b) ACT OF AUGUST 5, 1935.—Section 4 of the Act of August 5, 1935 (19 U.S.C. 1704) is amended—

(1) by striking out "whenever the collector of customs of the district in which any vessel is, or is sought to be, registered, enrolled, licensed, or numbered," and inserting "when the Secretary of Transportation";

(2) by striking out "such collector" and inserting "the Secretary of Transportation";

(3) by striking out "said collector shall revoke the registry, enrollment, license, or number of such vessel" and inserting "the Secretary of Transportation shall revoke any endorsement on the vessel's certificate of documentation or number (when the Secretary is the authority issuing the number under chapter 123 of title 46, United States Code)"; and

(4) by striking out "Such collector and all persons" and inserting "The Secretary of Transportation and all persons".

(c) ACT OF NOVEMBER 6, 1966.—Sections 2(e) and 3(e) of the Act of November 6, 1966 (46 U.S.C. App. 817d(e) and 817e(e)) are each amended—

(1) by striking out "The collector of customs at" and inserting "At"; and

(2) by inserting ", the Customs Service" after "subsection (a) of this section".

**SEC. 690. REPEAL OF OBSOLETE PROVISIONS OF LAW.**

(a) REVISED STATUTES.—The following provisions of the Revised Statutes of the United States are repealed:

(1) So much of section 2792 as is codified at 19 U.S.C. 289 and 46 U.S.C. App. 110 and 112 (as in effect on the date of the enactment of this Act).

(2) Section 3111 (19 U.S.C. 282).

(3) Section 3118 (19 U.S.C. 286).

(4) Section 3119 (19 U.S.C. 287).

(5) Section 3122 (19 U.S.C. 290).

- (6) Section 3124 (19 U.S.C. 291).
  - (7) Section 3125 (19 U.S.C. 292).
  - (8) Section 4198 (46 U.S.C. App. 94).
  - (9) Section 4199 (46 U.S.C. App. 93).
  - (10) Section 4201 (46 U.S.C. App. 96).
  - (11) Section 4207.
  - (12) Section 4208 (46 U.S.C. App. 102).
  - (13) Section 4213 (46 U.S.C. App. 101).
  - (14) So much of section 4221 as is codified at 46 U.S.C. App. 113 (as in effect on the date of the enactment of this Act).
  - (15) Section 4222 (46 U.S.C. App. 126).
  - (16) Sections 4306, 4307, and 4308 (46 U.S.C. App. 351 through 353).
  - (17) Section 4332 (46 U.S.C. App. 274).
  - (18) Section 4348 (46 U.S.C. App. 293).
  - (19) Section 4358 (46 U.S.C. App. 306).
  - (20) Section 4361 (46 U.S.C. App. 307).
  - (21) Sections 4362 through 4369 (46 U.S.C. App. 308 through 315).
  - (22) Sections 4573 through 4576 (46 U.S.C. App. 674 through 677).
- (b) TARIFF ACT OF 1930.—The following sections of the Tariff Act of 1930 are repealed:
- (1) Section 432 (19 U.S.C. 1432).
  - (2) Section 435 (19 U.S.C. 1435).
  - (3) Section 437 (19 U.S.C. 1437).
  - (4) Section 439 (19 U.S.C. 1439).
  - (5) Section 440 (19 U.S.C. 1440).
  - (6) Sections 443, 444, and 445 (19 U.S.C. 1443, 1444, and 1445).
  - (7) Section 465 (19 U.S.C. 1465).
  - (8) Section 482 (19 U.S.C. 1482).
  - (9) Section 583 (19 U.S.C. 1583).
  - (10) Section 585 (19 U.S.C. 1585).
- (c) MISCELLANEOUS PROVISIONS.—The following provisions are repealed:
- (1) Section 1 of the Act of February 10, 1900 (46 U.S.C. App. 131).
  - (2) Section 2 of the Act of April 29, 1908 (46 U.S.C. App. 127).
  - (3) Section 1 of the Act of July 1, 1916 (46 U.S.C. App. 130).
  - (4) Sections 1 and 2 of the Act of July 3, 1926 (46 U.S.C. App. 293a and 293b).
  - (5) The last undesignated paragraph of section 201 of the Act of August 5, 1935 (19 U.S.C. 1432a), is repealed.
  - (6) The Act of June 16, 1937 (19 U.S.C. 1435b).
  - (7) The Act of May 4, 1934 (46 U.S.C. App. 91a).
  - (8) Section 1403(b) of the Water Resources Development Act of 1986 (Public Law 99-662; 26 U.S.C. 4461 note).

#### SEC. 691. REPORTS TO CONGRESS.

(a) ANTIDUMPING AND COUNTERVAILING DUTY COLLECTIONS.—The Commissioner of Customs shall before the 60th day of each fiscal year after fiscal year 1994 submit to Congress a report regard-

19 USC 1677L.

ing the collection during the preceding fiscal year of duties imposed under the antidumping and countervailing duty laws.

(b) CES FEE REPORT.—

(1) AMENDMENT.—Section 9501(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 3 note) is amended by adding at the end the following new paragraph:

“(3) The Commissioner of Customs is authorized to obtain from the operators of centralized cargo examination stations information regarding the fees paid to them for the provision of services at these stations.”

(2) REPORT.—Within 9 months after the date of the enactment of this subsection, the Commissioner of Customs shall submit to the Committees referred to in section 9501(c) of the Omnibus Budget Reconciliation Act of 1987, a report setting forth—

(A) an estimate of the aggregate amount of fees paid to operators of centralized cargo examination stations during fiscal year 1993; and

(B) the variations, if any, among customs districts with respect to the amounts of the fees charged for centralized cargo examination station services.

(c) COMPLIANCE WITH CUSTOMS LAWS.—Section 123 of the Customs and Trade Act of 1990 (19 U.S.C. 2083) is amended—

(1) by redesignating subsection (d) as subsection (e), and

(2) by inserting after subsection (c) the following:

“(d) COMPLIANCE PROGRAM.—The Commissioner of Customs shall—

“(1) devise and implement a methodology for estimating the level of compliance with the laws administered by the Customs Service; and

“(2) include as an additional part of the report required to be submitted under subsection (a) for each of fiscal years 1994, 1995, and 1996, an evaluation of the extent to which such compliance was obtained during the 12-month period preceding the 60th day before each such fiscal year.”

(d) COURIER SERVICES COMPLIANCE REPORT.—The Commissioner of Customs shall initiate a compliance review of certain courier services which may not be eligible for benefits under the regulations of the Customs Service prescribed in part 128 of title 19 of the Code of Federal Regulations and shall submit a report to Congress on the results of such review within 1 year after the date of the enactment of this Act.

**SEC. 602. EFFECTIVE DATE.**19 USC 58c  
note.

This title takes effect on the date of the enactment of this Act.

Approved December 8, 1993.

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**LEGISLATIVE HISTORY—H.R. 3450 (S. 1627):**

**HOUSE REPORTS:** No. 103-361, Pt. 1 (Comm. on Ways and Means), Pt. 2 (Comm. on Banking, Finance and Urban Affairs), and Pt. 3 (Comm. on Energy and Commerce).

**SENATE REPORTS:** No. 103-189 accompanying S. 1627 (Comm. on Finance, Comm. on Agriculture, Nutrition, and Forestry, Comm. on Commerce, Science, and Transportation, Comm. on Governmental Affairs, Comm. on the Judiciary, and Comm. on Foreign Relations).

**CONGRESSIONAL RECORD**, Vol. 139 (1993):

Nov. 17, considered and passed House.

Nov. 18, S. 1627 considered in Senate.

Nov. 19, 20, H.R. 3450 considered and passed Senate.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS**, Vol. 29 (1993):

Dec. 8, Presidential remarks.

Public Law 103-183  
103d Congress

An Act

Dec. 14, 1993  
[H.R. 2202]

To amend the Public Health Service Act to revise and extend the program of grants relating to preventive health measures with respect to breast and cervical cancer.

Preventive  
Health  
Amendments  
of 1993.  
Inter-  
governmental  
relations.  
42 USC 201 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Preventive Health Amendments of 1993”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—BREAST AND CERVICAL CANCER**

Sec. 101. Revisions in program of State grants regarding breast and cervical cancer.

Sec. 102. Establishment of demonstration program of grants for additional preventive health services for women.

Sec. 103. Funding for general program.

Sec. 104. Breast and cervical cancer information.

**TITLE II—INJURY PREVENTION AND CONTROL**

Sec. 201. Establishment of requirements with respect to interpersonal violence within families and among acquaintances.

Sec. 202. Advisory committee; reports.

Sec. 203. Technical corrections.

Sec. 204. Authorization of appropriations.

**TITLE III—TUBERCULOSIS**

Sec. 301. Preventive health services regarding tuberculosis.

Sec. 302. Research through National Institute of Allergy and Infectious Diseases.

Sec. 303. Research through the Food and Drug Administration.

**TITLE IV—SEXUALLY TRANSMITTED DISEASES**

Sec. 401. Extension of program of grants regarding prevention and control of sexually transmitted diseases.

Sec. 402. Extension of program regarding preventable cases of infertility arising as result of sexually transmitted diseases.

**TITLE V—NATIONAL CENTER FOR HEALTH STATISTICS**

Sec. 501. Revision and extension of programs.

**TITLE VI—TRAUMA CARE SYSTEMS**

Sec. 601. Revisions in programs relating to trauma care.

Sec. 602. Authorization of appropriations.

**TITLE VII—MISCELLANEOUS PROVISIONS**

Sec. 701. Evaluations.

Sec. 702. Federal benefits for overseas assignees.

Sec. 703. Loan repayment program.

- Sec. 704. Establishment of requirement of biennial report on nutrition and health.  
 Sec. 705. Alignment of current Centers for Disease Control and Prevention reauthorization schedule.  
 Sec. 706. Miscellaneous payment provisions.  
 Sec. 707. Interim final regulations.  
 Sec. 708. Simplification of vaccine information materials.

## TITLE I—BREAST AND CERVICAL CANCER

### SEC. 101. REVISIONS IN PROGRAM OF STATE GRANTS REGARDING BREAST AND CERVICAL CANCER.

(a) LIMITED AUTHORITY REGARDING FOR-PROFIT ENTITIES.—Section 1501(b) of the Public Health Service Act (42 U.S.C. 300k(b)), as amended by section 2008(c)(1) of Public Law 103-43 (107 Stat. 211), is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

(2) by striking paragraph (2) and inserting the following paragraphs:

“(2) LIMITED AUTHORITY REGARDING OTHER ENTITIES.—In addition to the authority established in paragraph (1) for a State with respect to grants and contracts, the State may provide for screenings under subsection (a)(1) through entering into contracts with private entities that are not nonprofit entities.

“(3) PAYMENTS FOR SCREENINGS.—The amount paid by a State to an entity under this subsection for a screening procedure under subsection (a)(1) may not exceed the amount that would be paid under part B of title XVIII of the Social Security Act if payment were made under such part for furnishing the procedure to a woman enrolled under such part.”.

(b) SPECIAL CONSIDERATION.—Section 1501 of the Public Health Service Act (42 U.S.C. 300k) is amended by adding at the end the following subsection:

“(c) SPECIAL CONSIDERATION FOR CERTAIN STATES.—In making grants under subsection (a) to States whose initial grants under such subsection are made for fiscal year 1995 or any subsequent fiscal year, the Secretary shall give special consideration to any State whose proposal for carrying out programs under such subsection—

“(1) has been approved through a process of peer review; and

“(2) is made with respect to geographic areas in which there is—

“(A) a substantial rate of mortality from breast or cervical cancer; or

“(B) a substantial incidence of either of such cancers.”.

(c) QUALITY ASSURANCE REGARDING SCREENING PROCEDURES.—

(1) IN GENERAL.—Section 1503 of the Public Health Service Act (42 U.S.C. 300m) is amended by striking subsections (c) through (e) and inserting the following:

“(c) QUALITY ASSURANCE REGARDING SCREENING PROCEDURES.—The Secretary may not make a grant under section 1501 unless the State involved agrees that the State will, in accordance with applicable law, assure the quality of screening procedures conducted pursuant to such section.”.



42 USC 300m  
note.

(2) **TRANSITION RULE REGARDING MAMMOGRAPHIES.**—With respect to the screening procedure for breast cancer known as a mammography, the requirements in effect on the day before the date of the enactment of this Act under section 1503(c) of the Public Health Service Act remain in effect (for an individual or facility conducting such procedures pursuant to a grant to a State under section 1501 of such Act) until there is in effect for the facility a certificate (or provisional certificate) issued under section 354 of such Act.

(d) **STATEWIDE PROVISION OF SERVICES.**—Section 1504(c) of the Public Health Service Act (42 U.S.C. 300n(c)) is amended by adding at the end the following paragraph:

“(3) **GRANTS TO TRIBES AND TRIBAL ORGANIZATIONS.**—

“(A) The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to tribes and tribal organizations (as such terms are used in paragraph (1)) for the purpose of carrying out programs described in section 1501(a). This title applies to such a grant (in relation to the jurisdiction of the tribe or organization) to the same extent and in the same manner as such title applies to a grant to a State under section 1501 (in relation to the jurisdiction of the State).

“(B) If a tribe or tribal organization is receiving a grant under subparagraph (A) and the State in which the tribe or organization is located is receiving a grant under section 1501, the requirement established in paragraph (1) for the State regarding the tribe or organization is deemed to have been waived under paragraph (2).”.

(e) **EVALUATIONS AND REPORTS.**—Section 1508 of the Public Health Service Act (42 U.S.C. 300n-4) is amended—

(1) in subsection (a), by adding at the end the following sentence: “Such evaluations shall include evaluations of the extent to which States carrying out such programs are in compliance with section 1501(a)(2) and with section 1504(c).”; and

(2) in subsection (b), by inserting before the period the following: “, including recommendations regarding compliance by the States with section 1501(a)(2) and with section 1504(c)”.

(f) **ESTABLISHMENT OF COORDINATING COMMITTEE.**—Section 1501 of the Public Health Service Act (42 U.S.C. 300k) is amended by adding at the end the following subsection:

“(c) **COORDINATING COMMITTEE REGARDING YEAR 2000 HEALTH OBJECTIVES.**—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish a committee to coordinate the activities of the agencies of the Public Health Service (and other appropriate Federal agencies) that are carried out toward achieving the objectives established by the Secretary for reductions in the rate of mortality from breast and cervical cancer in the United States by the year 2000. Such committee shall be comprised of Federal officers or employees designated by the heads of the agencies involved to serve on the committee as representatives of the agencies, and such representatives from other public or private entities as the Secretary determines to be appropriate.”.

(g) **TECHNICAL CORRECTIONS.**—Title XV of the Public Health Service Act (42 U.S.C. 300k et seq.) is amended—

(1) in section 1501(a), in the matter preceding paragraph (1), by striking “Control,” and inserting “Control and Prevention,”; and

42 USC 300k.

(2) in section 1505—

42 USC 300n-1.

(A) in paragraph (3) (as amended by section 2008(c)(2) of Public Law 103-43 (107 Stat. 211)), by striking “public” and all that follows and inserting “public and nonprofit private entities; and”; and

(B) in paragraph (4), by inserting “will” before “be used”.

**SEC. 102. ESTABLISHMENT OF DEMONSTRATION PROGRAM OF GRANTS FOR ADDITIONAL PREVENTIVE HEALTH SERVICES FOR WOMEN.**

(a) IN GENERAL.—Title XV of the Public Health Service Act (42 U.S.C. 300k et seq.) is amended—

(1) by redesignating section 1509 as section 1510; and

42 USC 300n-5.

(2) by inserting after section 1508 the following section:

**“SEC. 1509. SUPPLEMENTAL GRANTS FOR ADDITIONAL PREVENTIVE HEALTH SERVICES.**

42 USC 300n-4a.

“(a) DEMONSTRATION PROJECTS.—In the case of States receiving grants under section 1501, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to not more than 3 such States to carry out demonstration projects for the purpose of—

“(1) providing preventive health services in addition to the services authorized in such section, including screenings regarding blood pressure and cholesterol, and including health education;

“(2) providing appropriate referrals for medical treatment of women receiving services pursuant to paragraph (1) and ensuring, to the extent practicable, the provision of appropriate follow-up services; and

“(3) evaluating activities conducted under paragraphs (1) and (2) through appropriate surveillance or program-monitoring activities.

“(b) STATUS AS PARTICIPANT IN PROGRAM REGARDING BREAST AND CERVICAL CANCER.—The Secretary may not make a grant under subsection (a) unless the State involved agrees that services under the grant will be provided only through entities that are screening women for breast or cervical cancer pursuant to a grant under section 1501.

“(c) APPLICABILITY OF PROVISIONS OF GENERAL PROGRAM.—This title applies to a grant under subsection (a) to the same extent and in the same manner as such title applies to a grant under section 1501.

“(d) FUNDING.—

“(1) IN GENERAL.—Subject to paragraph (2), for the purpose of carrying out this section, there are authorized to be appropriated \$3,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

Appropriation authorization.

“(2) LIMITATION REGARDING FUNDING WITH RESPECT TO BREAST AND CERVICAL CANCER.—The authorization of appropriations established in paragraph (1) is not effective for a fiscal year unless the amount appropriated under section 1510(a) for the fiscal year is equal to or greater than \$100,000,000.”.

42 USC 300n-5.

(b) **CONFORMING AMENDMENT.**—Section 1510(a) of the Public Health Service Act, as redesignated by subsection (a)(1) of this section, is amended in the heading for the section by striking “FUNDING.” and inserting “FUNDING FOR GENERAL PROGRAM.”

**SEC. 103. FUNDING FOR GENERAL PROGRAM.**

Section 1510(a) of the Public Health Service Act, as redesignated by section 102(a)(1) of this Act, is amended—

- (1) by striking “and” after “1991,”; and
- (2) by inserting before the period the following: “, \$150,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998”.

**SEC. 104. BREAST AND CERVICAL CANCER INFORMATION.**

Part D of title III of the Public Health Service Act (42 U.S.C. 254b et seq.), as amended by section 2008(i)(2)(A) of Public Law 103-43 (107 Stat. 213), is amended by adding at the end the following new section:

“BREAST AND CERVICAL CANCER INFORMATION

42 USC 256d.

“SEC. 340D. (a) **IN GENERAL.**—As a condition of receiving grants, cooperative agreements, or contracts under this Act, each of the entities specified in subsection (c) shall, to the extent determined to be appropriate by the Secretary, make available information concerning breast and cervical cancer.

“(b) **CERTAIN AUTHORITIES.**—In carrying out subsection (a), an entity specified in subsection (c)—

“(1) may make the information involved available to such individuals as the entity determines appropriate;

“(2) may, as appropriate, provide information under subsection (a) on the need for self-examination of the breasts and on the skills for such self-examinations;

“(3) shall provide information under subsection (a) in the language and cultural context most appropriate to the individuals to whom the information is provided; and

“(4) shall refer such clients as the entities determine appropriate for breast and cervical cancer screening, treatment, or other appropriate services.

“(c) **RELEVANT ENTITIES.**—The entities specified in this subsection are the following:

“(1) Entities receiving assistance under section 317E (relating to tuberculosis).

“(2) Entities receiving assistance under section 318 (relating to sexually transmitted diseases).

“(3) Migrant health centers receiving assistance under section 329.

“(4) Community health centers receiving assistance under section 330.

“(5) Entities receiving assistance under section 340 (relating to homeless individuals).

“(6) Entities receiving assistance under section 340A (relating to health services for residents of public housing).

“(7) Entities providing services with assistance under title V or title XIX.

“(8) Entities receiving assistance under section 1001 (relating to family planning).

“(9) Entities receiving assistance under title XXVI (relating to services with respect to acquired immune deficiency syndrome).

“(10) Non-Federal entities authorized under the Indian Self-Determination Act.”

## TITLE II—INJURY PREVENTION AND CONTROL

### SEC. 201. ESTABLISHMENT OF REQUIREMENTS WITH RESPECT TO INTERPERSONAL VIOLENCE WITHIN FAMILIES AND AMONG ACQUAINTANCES.

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.), as redesignated by section 2008(i)(2)(B)(i) of Public Law 103-43 (107 Stat. 213), is amended—

(1) by redesignating sections 393 and 394 as sections 394 and 394A, respectively; and

(2) by inserting after section 392 the following section:

42 USC 280b-2,  
280b-3.

#### “INTERPERSONAL VIOLENCE WITHIN FAMILIES AND AMONG ACQUAINTANCES

“SEC. 393. (a) With respect to activities that are authorized in sections 391 and 392, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall carry out such activities with respect to interpersonal violence within families and among acquaintances. Activities authorized in the preceding sentence include the following:

42 USC 280b-1a.

(1) Collecting data relating to the incidence of such violence.

(2) Making grants to public and nonprofit private entities for the evaluation of programs whose purpose is to prevent such violence, including the evaluation of demonstration projects under paragraph (6).

(3) Making grants to public and nonprofit private entities for the conduct of research on identifying effective strategies for preventing such violence.

(4) Providing to the public information and education on such violence, including information and education to increase awareness of the public health consequences of such violence.

Public  
information.

(5) Training health care providers as follows:

(A) To identify individuals whose medical conditions or statements indicate that the individuals are victims of such violence.

(B) To routinely determine, in examining patients, whether the medical conditions or statements of the patients so indicate.

(C) To refer individuals so identified to entities that provide services regarding such violence, including referrals for counseling, housing, legal services, and services of community organizations.

(6) Making grants to public and nonprofit private entities for demonstration projects with respect to such violence, including with respect to prevention.

(b) For purposes of this part, the term ‘interpersonal violence within families and among acquaintances’ includes behavior com-

monly referred to as domestic violence, sexual assault, spousal abuse, woman battering, partner abuse, elder abuse, and acquaintance rape.”

**SEC. 202. ADVISORY COMMITTEE; REPORTS.**

42 USC 280b-2.

Section 394 of the Public Health Service Act, as redesignated by section 201(1) of this Act, is amended to read as follows:

**“GENERAL PROVISIONS**

Establishment.

“SEC. 394. (a) The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish an advisory committee to advise the Secretary and such Director with respect to the prevention and control of injuries.

“(b) The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may provide technical assistance to public and nonprofit private entities with respect to the planning, development, and operation of any program or service carried out pursuant to this part. The Secretary may provide such technical assistance directly or through grants or contracts.

“(c) Not later than February 1 of 1995 and of every second year thereafter, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the activities carried out under this part during the preceding 2 fiscal years. Such report shall include a description of such activities that were carried out with respect to interpersonal violence within families and among acquaintances and with respect to rural areas.”

**SEC. 203. TECHNICAL CORRECTIONS.**

(a) **TERMINOLOGY.**—Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.), as redesignated by section 2008(i)(2)(B)(i) of Public Law 103-43 (107 Stat. 213), is amended—

(1) in the heading for such part, by striking “INJURY CONTROL” and inserting “PREVENTION AND CONTROL OF INJURIES”; and

42 USC 280b-1.

(2) in section 392—

(A) in the heading for such section, by inserting “PREVENTION AND” before “CONTROL ACTIVITIES”;

(B) in subsection (a)(1), by inserting “and control” after “prevention”; and

(C) in subsection (b)(1), by striking “injuries and injury control” and inserting “the prevention and control of injuries”.

(b) **PROVISIONS RELATING TO PUBLIC LAW 102-531.**—Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.), as amended by section 301 of Public Law 102-531 (106 Stat. 3482) and as redesignated by section 2008(i)(2)(B)(i) of Public Law 103-43 (107 Stat. 213), is amended—

(1) in section 392(b)(2), by striking “to promote injury control” and all that follows and inserting “to promote activities regarding the prevention and control of injuries; and”; and

42 USC 280b.

(2) in section 391(b), by adding at the end the following sentence: “In carrying out the preceding sentence, the Secretary shall disseminate such information to the public, including through elementary and secondary schools.”

**SEC. 204. AUTHORIZATION OF APPROPRIATIONS.**

Section 394A of the Public Health Service Act, as redesignated by section 201(1) of this Act, is amended by striking "To carry out" and all that follows and inserting the following: "For the purpose of carrying out this part, there are authorized to be appropriated \$50,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998."

42 USC 280b-3.

**TITLE III—TUBERCULOSIS****SEC. 301. PREVENTIVE HEALTH SERVICES REGARDING TUBERCULOSIS.**

(a) **IN GENERAL.**—Part B of title III of the Public Health Service Act (42 U.S.C. 242 et seq.), as amended by section 308 of Public Law 102-531 (106 Stat. 3495), is amended by inserting after section 317D the following section:

**"PREVENTIVE HEALTH SERVICES REGARDING TUBERCULOSIS**

**"SEC. 317E. (a) IN GENERAL.**—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to States, political subdivisions, and other public entities for preventive health service programs for the prevention, control, and elimination of tuberculosis.

42 USC 247b-6.

**"(b) RESEARCH, DEMONSTRATION PROJECTS, EDUCATION, AND TRAINING.**—With respect to the prevention, control, and elimination of tuberculosis, the Secretary may, directly or through grants to public or nonprofit private entities, carry out the following:

"(1) Research, with priority given to research concerning strains of tuberculosis resistant to drugs and research concerning cases of tuberculosis that affect certain populations.

"(2) Demonstration projects.

"(3) Public information and education programs.

"(4) Education, training, and clinical skills improvement activities for health professionals, including allied health personnel and emergency response employees.

"(5) Support of centers to carry out activities under paragraphs (1) through (4).

"(6) Collaboration with international organizations and foreign countries in carrying out such activities.

**"(c) COOPERATION WITH PROVIDERS OF PRIMARY HEALTH SERVICES.**—The Secretary may make a grant under subsection (a) or (b) only if the applicant for the grant agrees that, in carrying out activities under the grant, the applicant will cooperate with public and nonprofit private providers of primary health services or substance abuse services, including entities receiving assistance under section 329, 330, 340, or 340A or under title V or XIX.

**"(d) APPLICATION FOR GRANT.**—

"(1) **IN GENERAL.**—The Secretary may make a grant under subsection (a) or (b) only if an application for the grant is submitted to the Secretary and the application, subject to paragraph (2), is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out the subsection involved.

"(2) **PLAN FOR PREVENTION, CONTROL, AND ELIMINATION.**—The Secretary may make a grant under subsection (a) only

if the application under paragraph (1) contains a plan regarding the prevention, control, and elimination of tuberculosis in the geographic area with respect to which the grant is sought.

“(e) SUPPLIES AND SERVICES IN LIEU OF GRANT FUNDS.—

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

“(2) CORRESPONDING REDUCTION IN PAYMENTS.—With respect to a request described in paragraph (1), the Secretary shall reduce the amount of payments under the grant 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 payment of expenses incurred in complying with such request, expend the amounts withheld.

“(f) ADVISORY COUNCIL.—

“(1) IN GENERAL.—The Secretary shall establish an advisory council to be known as the Advisory Council for the Elimination of Tuberculosis (in this subsection referred to as the “Council”).

“(2) GENERAL DUTIES.—The Council shall provide advice and recommendations regarding the elimination of tuberculosis to the Secretary, the Assistant Secretary for Health, and the Director of the Centers for Disease Control and Prevention.

“(3) CERTAIN ACTIVITIES.—With respect to the elimination of tuberculosis, the Council shall—

“(A) in making recommendations under paragraph (2), make recommendations regarding policies, strategies, objectives, and priorities;

“(B) address the development and application of new technologies; and

“(C) review the extent to which progress has been made toward eliminating tuberculosis.

“(4) COMPOSITION.—The Secretary shall determine the size and composition of the Council, and the frequency and scope of official meetings of the Council.

“(5) STAFF, INFORMATION, AND OTHER ASSISTANCE.—The Secretary shall provide to the Council such staff, information, and other assistance as may be necessary to carry out the duties of the Council.

“(g) FUNDING.—

“(1) IN GENERAL; ALLOCATION FOR EMERGENCY GRANTS.—

“(A) For the purpose of making grants under subsection (a), there are authorized to be appropriated \$200,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

“(B) Of the amounts appropriated under subparagraph (A) for a fiscal year, the Secretary may reserve not more than \$50,000,000 for emergency grants under subsection (a) for any geographic area in which there is, relative to other areas, a substantial number of cases of tuberculosis or a substantial rate of increase in such cases.

“(2) RESEARCH, DEMONSTRATION PROJECTS, EDUCATION, AND TRAINING.—For the purpose of making grants under subsection (b), there are authorized to be appropriated such sums as

Establishment.

Appropriation authorizations.

may be necessary for each of the fiscal years 1994 through 1998.”.

(b) **CONFORMING AMENDMENTS.**—Section 317 of the Public Health Service Act (42 U.S.C. 247b) is amended—

(1) in subsection (j)—

(A) by striking paragraph (2);

(B) by striking “(j)(1)(A)” and inserting “(j)(1)”;

(C) by striking “(B) For grants” and inserting “(2) For grants”; and

(D) in paragraph (1) (as so redesignated), by striking “established in subparagraph (B)” and inserting “established in paragraph (2)”;

(2) in subsection (k)—

(A) by striking paragraph (2);

(B) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively; and

(C) in paragraph (4) (as so redesignated), by striking “of section 317” each place such term appears; and

(3) by striking subsection (l).

**SEC. 302. RESEARCH THROUGH NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES.**

(a) **CERTAIN DUTIES.**—Subpart 6 of part C of title IV of the Public Health Service Act (42 U.S.C. 285f) is amended by inserting after section 446 the following section:

**“RESEARCH AND RESEARCH TRAINING REGARDING TUBERCULOSIS**

**“SEC. 447. (a)** In carrying out section 446, the Director of the Institute shall conduct or support research and research training regarding the cause, diagnosis, early detection, prevention and treatment of tuberculosis. 42 USC 285f-2.

**“(b)** For the purpose of carrying out subsection (a), there are authorized to be appropriated \$50,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998. Such authorization is in addition to any other authorization of appropriations that is available for such purpose.” Appropriation authorization.

**SEC. 303. RESEARCH THROUGH THE FOOD AND DRUG ADMINISTRATION.** 42 USC 285f-2 note.

The Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall implement a tuberculosis drug and device research program under which the Commissioner may—

(1) provide assistance to other Federal agencies for the development of tuberculosis protocols;

(2) review and evaluate medical devices designed for the diagnosis and control of airborne tuberculosis; and

(3) conduct research concerning drugs or devices to be used in diagnosing, controlling and preventing tuberculosis.



## TITLE IV—SEXUALLY TRANSMITTED DISEASES

### SEC. 401. EXTENSION OF PROGRAM OF GRANTS REGARDING PREVENTION AND CONTROL OF SEXUALLY TRANSMITTED DISEASES.

(a) **INNOVATIVE, INTERDISCIPLINARY APPROACHES.**—Section 318 of the Public Health Service Act (42 U.S.C. 247c(d)(1)) is amended—

- (1) by redesignating subsection (d) as subsection (e); and
- (2) by inserting after subsection (c) the following subsection:

“(d) The Secretary may make grants to States and political subdivisions of States for the development, implementation, and evaluation of innovative, interdisciplinary approaches to the prevention and control of sexually transmitted diseases.”

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 318(e) of the Public Health Service Act, as redesignated by subsection (a)(1) of this section, is amended by amending paragraph (1) to read as follows: “(1) For the purpose of making grants under subsections (b) through (d), there are authorized to be appropriated \$85,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.”

(c) **TECHNICAL CORRECTIONS.**—Section 318 of the Public Health Service Act, as amended by subsection (a) of this section, is amended—

- (1) in subsection (b)(3), by striking “, and” and inserting “; and”;
- (2) in subsection (c)(3), by striking “, and” and inserting “; and”; and
- (3) in subsection (d)(5)—
  - (A) in subparagraph (A), by striking “form, or” and inserting “form; or”; and
  - (B) in subparagraph (B), by striking “purposes,” and inserting “purposes;”.

### SEC. 402. EXTENSION OF PROGRAM REGARDING PREVENTABLE CASES OF INFERTILITY ARISING AS RESULT OF SEXUALLY TRANSMITTED DISEASES.

(a) **TECHNICAL CORRECTIONS.**—Section 318A of the Public Health Service Act (42 U.S.C. 247c-1), as added by section 304 of Public Law 102-531 (106 Stat. 3490), is amended in subsection (o)(2) by striking “subsection (s)” and inserting “subsection (q)”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 318A of the Public Health Service Act (42 U.S.C. 247c-1), as added by section 304 of Public Law 102-531 (106 Stat. 3490), is amended—

- (1) in subsection (q), by striking “and 1995” and inserting “through 1998”; and
- (2) in subsection (r)(2), by striking “through 1995” and inserting “through 1998”.