

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5462**

**OFFERED BY Mr. Pallone**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Birth Defects Preven-  
3 tion, Risk Reduction, and Awareness Act of 2010”.

4 **SEC. 2. BIRTH DEFECTS PREVENTION, RISK REDUCTION,  
5 AND AWARENESS.**

6 (a) PROGRAM.—The Public Health Service Act (42  
7 U.S.C. 201 et seq.) is amended by inserting after section  
8 317T (42 U.S.C. 247b-22) the following new section:

9 **“SEC. 317U. BIRTH DEFECTS PREVENTION, RISK REDUC-  
10 TION, AND AWARENESS.**

11 “(a) GRANT PROGRAM.—The Secretary shall estab-  
12 lish and implement a birth defects prevention and public  
13 awareness program to award grants to States or organiza-  
14 tions for the provision of pregnancy and breastfeeding in-  
15 formation services.

16 “(b) PREFERENCE.—In the case of States or organi-  
17 zations that are otherwise equally qualified, the Secretary,

1 in awarding a grant under this section, shall give pref-  
2 erence to—

3 “(1) States that made pregnancy and  
4 breastfeeding information services available on Janu-  
5 ary 1, 2006; and

6 “(2) organizations that will provide pregnancy  
7 and breastfeeding information services in such  
8 States.

9 “(c) MATCHING FUNDS.—The Secretary may only  
10 award a grant under this section to a State or organiza-  
11 tion that agrees, with respect to the costs to be incurred  
12 in carrying out the grant activities, to make available (di-  
13 rectly or through donations from public or private entities)  
14 non-Federal funds toward such costs in an amount equal  
15 to not less than 25 percent of the amount of the grant.

16 “(d) COORDINATION.—The Secretary shall ensure  
17 that activities carried out using a grant under this section  
18 are coordinated, to the maximum extent practicable, with  
19 other birth defects prevention and environmental health  
20 activities of the Federal Government, including activities  
21 carried out by the Health Resources and Services Admin-  
22 istration and the Centers for Disease Control and Preven-  
23 tion with respect to pediatric environmental health spe-  
24 cialty units and children’s environmental health centers.

1       “(e) EVALUATION.—In furtherance of the program  
2 established under subsection (a), the Secretary shall pro-  
3 vide for an evaluation of pregnancy and breastfeeding in-  
4 formation services to identify efficient and effective models  
5 of—

6               “(1) providing information;

7               “(2) raising awareness and increasing knowl-  
8 edge about birth defects prevention measures;

9               “(3) modifying risk behaviors; or

10              “(4) other outcome measures as determined ap-  
11 propriate by the Secretary.

12       “(f) PREGNANCY AND BREASTFEEDING INFORMA-  
13 TION SERVICES DEFINED.—For purposes of this section,  
14 the term ‘pregnancy and breastfeeding information serv-  
15 ices’ includes only—

16              “(1) information services to provide accurate,  
17 evidence-based, clinical information regarding mater-  
18 nal exposures during pregnancy or breastfeeding  
19 that may be associated with birth defects or other  
20 health risks to an infant that is breastfed, such as  
21 exposures to medications, chemicals, infections,  
22 foodborne pathogens, illnesses, nutrition, or lifestyle  
23 factors;

24              “(2) the provision of accurate, evidence-based  
25 information weighing risks of exposures during

1 breastfeeding against the benefits of breastfeeding;  
2 and

3 “(3) the provision of information described in  
4 paragraph (1) or (2) through counselors, Web sites,  
5 fact sheets, telephonic or electronic communication,  
6 community outreach efforts, or other appropriate  
7 means.

8 “(g) AUTHORIZATION OF APPROPRIATIONS.—To  
9 carry out this section, there are authorized to be appro-  
10 priated \$4,500,000 for fiscal year 2012, \$5,500,000 for  
11 fiscal year 2013, \$6,500,000 for fiscal year 2014,  
12 \$7,500,000 for fiscal year 2015, and \$8,500,000 for fiscal  
13 year 2016.”.

Amend the title so as to read: “A bill to amend title III of the Public Health Service Act to authorize the Secretary of Health and Human Services to establish and implement a birth defects prevention, risk reduction, and public awareness program.”.

