

110TH CONGRESS  
1ST SESSION

# H. R. 1153

To prohibit Federal funding or other assistance for mandatory human papillomavirus (HPV) vaccination programs.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2007

Mr. GINGREY (for himself, Mr. PITTS, Mr. CARTER, Mr. GOODE, Mrs. MYRICK, Mr. LAMBORN, Mr. GARRETT of New Jersey, Mr. BOOZMAN, Mr. WELDON of Florida, Mr. KINGSTON, Mr. ADERHOLT, Mrs. BLACKBURN, Mr. BARRETT of South Carolina, Mr. PEARCE, Mr. HOEKSTRA, Mr. PAUL, Mr. AKIN, Mr. SAM JOHNSON of Texas, Mr. SOUDER, Mr. MCCOTTER, Mrs. MUSGRAVE, Mr. SENSENBRENNER, Mr. PENCE, Mr. SALI, Mr. MANZULLO, Mr. WESTMORELAND, Mr. FORTENBERRY, and Mr. JORDAN of Ohio) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To prohibit Federal funding or other assistance for mandatory human papillomavirus (HPV) vaccination programs.

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 “Parental Right to De-  
5       cide Protection Act”.

6       **SEC. 2. FINDINGS.**

7       The Congress finds as follows:

1           (1) HPV, the human papillomavirus, is the  
2 most common sexually transmitted infection in the  
3 United States. HPV types 16 and 18 cause about 70  
4 percent of cervical cancers. The Centers for Disease  
5 Control and Prevention estimates that about  
6 6,200,000 Americans become infected with HPV  
7 each year and that over half of all sexually active  
8 men and women become infected at some time in  
9 their lives. On average, there are 9,710 new cases of  
10 cervical cancer and 3,700 deaths attributed to it in  
11 the United States each year.

12           (2) Early detection is the key to diagnosing and  
13 curing cervical cancer, and therefore the Food and  
14 Drug Administration (FDA) recommends that all  
15 women get regular Pap tests. The Pap test looks for  
16 cell changes caused by HPV, so the cervix can be  
17 treated before the cells turn into cancer. The FDA  
18 also states the Pap test can also find cancer in its  
19 early stages so it can be treated before it becomes  
20 too serious, and reaches the conclusion that it is  
21 rare to die from cervical cancer if the disease is  
22 caught early.

23           (3) On June 8, 2006, the FDA approved  
24 Gardasil, the first vaccine developed to prevent cer-  
25 vical cancer, precancerous genital lesions, and gen-

1       ital warts due to human papillomavirus (HPV) types  
2       6, 11, 16, and 18. Gardasil is a recombinant vac-  
3       cine, it does not contain a live virus, and it is given  
4       as three injections over a six-month period. The vac-  
5       cine is approved for use in females 9–26 years of  
6       age. However, the FDA also states that since the  
7       vaccine is new, more studies need to be done to de-  
8       termine how long women will be protected from  
9       HPV. For example, the FDA does not know if a  
10      booster is needed after a couple of years to ensure  
11      continuity of protection.

12           (4) As detailed by the FDA, four studies were  
13      conducted in 21,000 women, one in the United  
14      States and three multinational, to show how well  
15      Gardasil worked in women between the ages of 16  
16      and 26. The study period was not long enough for  
17      cervical cancer to develop; however, preventing cer-  
18      vical precancerous lesions is believed highly likely to  
19      result in the prevention of cervical cancer.

20           (5) In January 2007 the Advisory Committee  
21      on Immunization Practices (ACIP), under the Cen-  
22      ters for Disease Control and Prevention, issued  
23      changes to the previous childhood and adolescent im-  
24      munization schedule. The ACIP recommends the  
25      new human papillomavirus vaccine (HPV) to be ad-

1 ministered in a 3-dose schedule with the second and  
2 third doses administered 2 and 6 months after the  
3 first dose. Routine vaccination with HPV is rec-  
4 ommended for females aged 11–12 years, the vac-  
5 cination series can be started in females as young as  
6 age 9 years, and a catch up vaccination is rec-  
7 ommended for females aged 13–26 years who have  
8 not been vaccinated previously or who have not com-  
9 pleted the full vaccine series.

10 (6) States historically have maintained the  
11 practice of applying immunization recommendations  
12 to their school admittance policies so as to protect  
13 schoolchildren from outbreaks of contagious disease.  
14 The Association of American Physicians and Sur-  
15 geons states that there is no public health purpose  
16 for mandating HPV vaccine for schoolchildren. HPV  
17 is a sexually transmitted disease.

18 (7) With at least 16 States entertaining legisla-  
19 tion which takes the unprecedented step in requiring  
20 young girls to obtain a vaccine for a disease that is  
21 not spread by casual contact in order to attend  
22 school, many organizations and associations have  
23 come out against mandatory HPV vaccine programs.

24 (8) The Texas Medical Association has stated  
25 that although it strongly supports the ability of phy-

1       sicians to provide the HPV vaccine, at this point, it  
2       does not support a State mandate.

3           (9) The American College of Pediatricians and  
4       the Association of American Physicians and Sur-  
5       geons are opposed to any legislation which would re-  
6       quire HPV vaccination for school attendance. They  
7       have stated that excluding children from school for  
8       refusal to be vaccinated for a disease spread only by  
9       intercourse is a serious, precedent-setting action that  
10      trespasses on the right of parents to make medical  
11      decisions for their children as well as on the rights  
12      of the children to attend school.

13          (10) Federal funds should not be used to imple-  
14      ment a mandatory vaccine program for a disease  
15      that does not threaten the public health of school-  
16      children in the course of casual, daily interaction be-  
17      tween classmates and inserts the government into  
18      the lives of children, parents, and physicians.

19 **SEC. 3. PROHIBITION AGAINST FUNDING FOR MANDATORY**  
20                   **HUMAN PAPILOMAVIRUS (HPV) VACCINA-**  
21                   **TION PROGRAMS.**

22      No Federal funds or other assistance may be made  
23      available to any State or political subdivision of a State

- 1 to establish or implement any requirement that individuals
- 2 receive vaccination for human papillomavirus (HPV).

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