

1 during the effective period of a declaration by the  
2 Secretary under paragraph (2)(A).

3 “(2) DECLARATION BY SECRETARY CON-  
4 CERNING COUNTERMEASURE AGAINST SMALLPOX.—

5 “(A) AUTHORITY TO ISSUE DECLARA-  
6 TION.—

7 “(i) IN GENERAL.—The Secretary  
8 may issue a declaration, pursuant to this  
9 paragraph, concluding that an actual or  
10 potential bioterrorist incident or other ac-  
11 tual or potential public health emergency  
12 makes advisable the administration of a  
13 covered countermeasure to a category or  
14 categories of individuals.

15 “(ii) COVERED COUNTERMEASURE.—  
16 The Secretary shall specify in such dec-  
17 laration the substance or substances that  
18 shall be considered covered counter-  
19 measures (as defined in paragraph (8)(A))  
20 for purposes of administration to individ-  
21 uals during the effective period of the dec-  
22 laration.

23 “(iii) EFFECTIVE PERIOD.—The Sec-  
24 retary shall specify in such declaration the  
25 beginning and ending dates of the effective

