



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

September 20, 2007

M-07-25

MEMORANDUM TO THE SECRETARY OF HEALTH AND HUMAN SERVICES AND
THE SECRETARY OF HOMELAND SECURITY

FROM: Jim Nussle
Director

SUBJECT: BioShield Procurement Approval
Anthrax Vaccine Adsorbed

On July 21, 2004, the President signed into law the Project BioShield Act of 2004. This important legislation authorizes approximately \$5.6 billion over 10 years for the government to purchase and stockpile vaccines and drugs to fight potential agents of terror. The Act, which creates a new section 319F-2(c)(6) of the Public Health Service Act, 42 U.S.C. § 247d-6b(c)(6), provides that BioShield funds may be made available for procurement of a specific biodefense countermeasure only if the President approves a joint recommendation of the Secretaries of Health and Human Services (HHS) and Homeland Security (DHS). On October 21, 2004, the President delegated the authority to approve the use of BioShield funds to the Director of the Office of Management and Budget.

Pursuant to this delegation of authority, I hereby approve your joint recommendation to make available BioShield funds for procurement of the following countermeasure for treatment of anthrax exposure:

- 8,310,000 doses of Anthrax Vaccine Adsorbed (AVA)

This approval of 8.31 million doses is approved in conjunction with the purchase of 10.44 million doses that was approved by Office of Management and Budget Director Portman on June 21, 2007.

This purchase will make our Nation safer and stronger. It is an important step in the Administration's plan to develop and make available modern and effective drugs and vaccines to protect Americans against a chemical, biological, radiological, or nuclear attack.

You are authorized to report this determination to the appropriate committees of Congress and to publish it in the Federal Register.