

Union Calendar No. 574

110TH CONGRESS
2^D SESSION

H. R. 1157

[Report No. 110-889]

To amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2007

Mrs. LOWEY (for herself, Mrs. MYRICK, and Mrs. CAPPS) introduced the following bill; which was referred to the Committee on Energy and Commerce

SEPTEMBER 25, 2008

Additional sponsors: Mr. ALLEN, Mr. BISHOP of New York, Mr. CLEAVER, Mr. CUMMINGS, Mr. TOM DAVIS of Virginia, Mrs. DAVIS of California, Mr. DELAHUNT, Mr. EMANUEL, Mr. ENGEL, Ms. ESHOO, Mr. FRANK of Massachusetts, Ms. HARMAN, Mr. HOLDEN, Mr. ISRAEL, Mr. KENNEDY, Mr. KIND, Mr. KUCINICH, Mr. LARSON of Connecticut, Mr. LYNCH, Mrs. MCCARTHY of New York, Ms. MCCOLLUM of Minnesota, Mr. MEEHAN, Mr. MICHAUD, Mr. MORAN of Virginia, Mr. MURTHA, Mr. NEAL of Massachusetts, Mr. OBERSTAR, Mr. PETERSON of Minnesota, Mr. PLATTS, Mr. RAMSTAD, Mr. REYES, Mr. RYAN of Wisconsin, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Mr. SERRANO, Mr. SHAYS, Mrs. TAUSCHER, Mr. WAXMAN, Mr. WEINER, Mr. TIERNEY, Mr. TERRY, Mr. GENE GREEN of Texas, Mr. BOUCHER, Mr. GERLACH, Mr. PETRI, Mr. MATHESON, Ms. BORDALLO, Mr. BURTON of Indiana, Mr. OLVER, Mr. MARKEY, Mr. WU, Mr. FATTAH, Mr. EDWARDS, Mr. McNULTY, Mr. MCGOVERN, Mr. GRIJALVA, Mr. SCHIFF, Ms. SOLIS, Mr. RENZI, Mr. CAPUANO, Mr. NADLER, Mr. SMITH of New Jersey, Mrs. SCHMIDT, Mr. KANJORSKI, Mr. LATHAM, Mr. RODRIGUEZ, Mr. TIM MURPHY of Pennsylvania, Mr. KING of New York, Mr. FERGUSON, Mrs. BOYDA of Kansas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GONZALEZ, Ms. NORTON, Ms. HOOLEY, Mr. HINCHEY, Mr. DENT, Mrs. CUBIN, Mr. BRALEY of Iowa, Mr. LANGEVIN, Mr. PASTOR, Ms. BERKLEY, Mr. BERMAN, Mr. MCINTYRE, Mr. DOYLE, Ms. DEGETTE, Mr. CARNEY, Mrs. McMORRIS RODGERS,

Mr. MARSHALL, Mr. FRANKS of Arizona, Mr. REYNOLDS, Mr. HIGGINS, Mr. UDALL of Colorado, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. FOSSELLA, Mr. BRADY of Pennsylvania, Mrs. GILLIBRAND, Mr. NUNES, Mr. ENGLISH of Pennsylvania, Mr. KUHL of New York, Ms. LINDA T. SÁNCHEZ of California, Mr. LOBIONDO, Mr. ELLISON, Mr. VAN HOLLEN, Mr. MCHUGH, Mr. MILLER of North Carolina, Mr. BISHOP of Georgia, Mr. JOHNSON of Georgia, Mrs. MALONEY of New York, Mr. CLAY, Mr. KIRK, Ms. VELÁZQUEZ, Ms. ROS-LEHTINEN, Mr. HOLT, Mr. SHERMAN, Ms. SHEA-PORTER, Mr. HASTINGS of Florida, Mr. GARRETT of New Jersey, Mr. WALZ of Minnesota, Mr. DEFAZIO, Mr. JINDAL, Ms. BALDWIN, Mr. DAVIS of Illinois, Mr. FILNER, Mr. THOMPSON of California, Mr. RANGEL, Ms. MOORE of Wisconsin, Ms. WATERS, Mr. WELLER of Illinois, Mr. SALAZAR, Mr. STARK, Mr. SCOTT of Georgia, Mr. SIRES, Mr. ALTMIRE, Mr. BOSWELL, Mr. ACKERMAN, Mr. MCDERMOTT, Mr. FARR, Ms. JACKSON-LEE of Texas, Ms. KAPTUR, Mr. LATOURETTE, Mr. SCOTT of Virginia, Mr. ARCURI, Mr. ETHERIDGE, Mr. PAYNE, Ms. LORETTA SANCHEZ of California, Mrs. NAPOLITANO, Mr. CALVERT, Mr. CHABOT, Mr. BUTTERFIELD, Mr. TOWNS, Mr. PRICE of North Carolina, Mr. SENSENBRENNER, Mr. MEEKS of New York, Mrs. BLACKBURN, Mr. DOGGETT, Mr. MOORE of Kansas, Mr. KAGEN, Mr. WOLF, Mr. LEWIS of Georgia, Mr. PORTER, Mr. YOUNG of Alaska, Mr. HALL of New York, Mr. HINOJOSA, Mr. SESTAK, Mr. MEEK of Florida, Mr. CROWLEY, Mr. AL GREEN of Texas, Mr. CARSON, Ms. DELAURO, Ms. LEE, Mr. KLEIN of Florida, Mrs. BIGGERT, Mr. GORDON of Tennessee, Mr. WEXLER, Mr. ANDREWS, Mr. KILDEE, Ms. HERSETH SANDLIN, Mr. WALSH of New York, Mr. VISCLOSKY, Mr. SHULER, Mr. ALEXANDER, Mr. WYNN, Mr. WELDON of Florida, Mr. GEORGE MILLER of California, Mr. BOUSTANY, Ms. CASTOR, Ms. WASSERMAN SCHULTZ, Ms. MATSUI, Mr. COSTA, Mr. WATT, Mr. INSLEE, Mr. LARSEN of Washington, Mr. MCCOTTER, Mr. MELANCON, Mr. BAKER, Mr. SAXTON, Mr. BACA, Mr. UDALL of New Mexico, Mr. RUPPERSBERGER, Mr. BLUMENAUER, Ms. SUTTON, Mr. RYAN of Ohio, Mr. BUCHANAN, Mr. CARNAHAN, Mr. ROTHMAN, Mr. LOEBSACK, Mr. CUELLAR, Ms. CORRINE BROWN of Florida, Ms. ROYBAL-ALLARD, Mr. ELLSWORTH, Mr. LIPINSKI, Mr. HODES, Mr. SNYDER, Mrs. WILSON of New Mexico, Mr. PERLMUTTER, Ms. WOOLSEY, Mr. MAHONEY of Florida, Mr. CHANDLER, Ms. ZOE LOFGREN of California, Mr. LINCOLN DIAZ-BALART of Florida, Mr. WELCH of Vermont, Mr. STUPAK, Mr. MITCHELL, Mrs. JONES of Ohio, Mrs. JO ANN DAVIS of Virginia, Mr. MCNERNEY, Mr. UPTON, Mr. HONDA, Ms. WATSON, Mr. SPACE, Ms. BEAN, Mr. BECERRA, Mr. DONNELLY, Mr. JACKSON of Illinois, Mr. LAMPSON, Mr. LANTOS, Mr. GUTIERREZ, Mr. MANZULLO, Mrs. MUSGRAVE, Mr. BARROW, Mr. GILCHREST, Mr. SARBANES, Ms. GIFFORDS, Mr. JEFFERSON, Mr. HELLER of Nevada, Ms. PRYCE of Ohio, Mr. HILL, Mr. COURTNEY, Mr. HARE, Mr. ROSS, Mr. CASTLE, Mr. PASCRELL, Mr. ISSA, Mr. DUNCAN, Ms. CLARKE, Mr. RUSH, Mr. DEAL of Georgia, Mrs. CHRISTENSEN, Mr. COSTELLO, Mr. BOEHNER, Mr. WALDEN of Oregon, Mrs. EMERSON, Mr. CARSON, Mr. CULBERSON, Mr. ROSKAM, Mr. ROYCE, Mr. TIBERI, Mr. COHEN, Mr. YARMUTH, Mr. WILSON of Ohio, Ms. SCALISE, Mr. WITTMAN of Virginia, Mr. BERRY, Mr. THOMPSON of Mississippi, Mr. GRAVES, Mr. TURNER, Mr. HOBSON, Mr. CARDOZA, Ms. HIRONO, Mrs.

DRAKE, Mr. ABERCROMBIE, Ms. KILPATRICK, Mr. BOREN, Mr. DICKS,
and Mr. FEENEY

SEPTEMBER 25, 2008

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 16, 2007]

A BILL

To amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

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 “Breast Cancer and En-*
5 *vironmental Research Act of 2008”.*

6 **SEC. 2. EXPANDING COLLABORATIVE RESEARCH ON**
7 **BREAST CANCER AND THE ENVIRONMENT.**

8 *(a) IN GENERAL.—Subpart 1 of part C of title IV of*
9 *the Public Health Service Act (42 U.S.C. 285 et seq.) is*
10 *amended by adding at the end the following:*

1 **“SEC. 417F. INTERAGENCY BREAST CANCER AND ENVIRON-**
2 **MENTAL RESEARCH COORDINATING COM-**
3 **MITTEE.**

4 *“(a) INTERAGENCY BREAST CANCER AND ENVIRON-*
5 *MENTAL RESEARCH COORDINATING COMMITTEE.—*

6 *“(1) ESTABLISHMENT.—Not later than 6 months*
7 *after the date of the enactment of this section, the Sec-*
8 *retary shall establish a committee, to be known as the*
9 *Interagency Breast Cancer and Environmental Re-*
10 *search Coordinating Committee (in this section re-*
11 *ferred to as the ‘Committee’).*

12 *“(2) DUTIES.—The Committee shall—*

13 *“(A) share and coordinate information on*
14 *existing research activities, and make rec-*
15 *ommendations to the National Institutes of*
16 *Health and other Federal agencies regarding how*
17 *to improve existing research programs, that are*
18 *related to breast cancer research;*

19 *“(B) develop a comprehensive strategy and*
20 *advise the National Institutes of Health and*
21 *other Federal agencies in the solicitation of pro-*
22 *posals for collaborative, multidisciplinary re-*
23 *search, including proposals to evaluate environ-*
24 *mental and genomic factors that may be related*
25 *to the etiology of breast cancer that would—*

1 “(i) result in innovative approaches to
2 study emerging scientific opportunities or
3 eliminate knowledge gaps in research to im-
4 prove the research portfolio;

5 “(ii) outline key research questions,
6 methodologies, and knowledge gaps;

7 “(iii) expand the number of research
8 proposals that involve collaboration between
9 2 or more national research institutes or
10 national centers, including proposals for
11 Common Fund research described in section
12 402(b)(7) to improve the research portfolio;
13 and

14 “(iv) expand the number of collabo-
15 rative, multidisciplinary, and multi-insti-
16 tutional research grants;

17 “(C) develop a summary of advances in
18 breast cancer research supported or conducted by
19 Federal agencies relevant to the diagnosis, pre-
20 vention, and treatment of cancer and other dis-
21 eases and disorders; and

22 “(D) not later than 2 years after the date
23 of the establishment of the Committee, make rec-
24 ommendations to the Secretary—

1 “(i) regarding any appropriate
2 changes to research activities, including rec-
3 ommendations to improve the research port-
4 folio of the National Institutes of Health to
5 ensure that scientifically based strategic
6 planning is implemented in support of re-
7 search priorities that impact breast cancer
8 research activities;

9 “(ii) to ensure that the activities of the
10 National Institutes of Health and other
11 Federal agencies, including the Department
12 of Defense, are free of unnecessary duplica-
13 tion of effort;

14 “(iii) regarding public participation
15 in decisions relating to breast cancer re-
16 search to increase the involvement of patient
17 advocacy and community organizations
18 representing a broad geographical area;

19 “(iv) on how best to disseminate infor-
20 mation on breast cancer research progress;
21 and

22 “(v) on how to expand partnerships be-
23 tween public entities, including Federal
24 agencies, and private entities to expand col-
25 laborative, cross-cutting research.

1 “(3) *RULE OF CONSTRUCTION.*—*For the purposes*
2 *of the Committee, when focusing on research to evalu-*
3 *ate environmental and genomic factors that may be*
4 *related to the etiology of breast cancer, nothing in this*
5 *section shall be construed to restrict the Secretary*
6 *from including other forms of cancer, as appropriate,*
7 *when doing so may advance research in breast cancer*
8 *or advance research in other forms of cancer.*

9 “(4) *MEMBERSHIP.*—

10 “(A) *IN GENERAL.*—*The Committee shall be*
11 *composed of the following voting members:*

12 “(i) *Not more than 7 voting Federal*
13 *representatives as follows:*

14 “(I) *The Director of the Centers*
15 *for Disease Control and Prevention.*

16 “(II) *The Director of the National*
17 *Institutes of Health and the directors*
18 *of such national research institutes and*
19 *national centers (which may include*
20 *the National Institute of Environ-*
21 *mental Health Sciences) as the Sec-*
22 *retary determines appropriate.*

23 “(III) *One representative from the*
24 *National Cancer Institute Board of*
25 *Scientific Advisors, appointed by the*

1 *Director of the National Cancer Insti-*
2 *tute.*

3 “(IV) *The heads of such other*
4 *agencies of the Department of Health*
5 *and Human Services as the Secretary*
6 *determines appropriate.*

7 “(V) *Representatives of other Fed-*
8 *eral agencies that conduct or support*
9 *cancer research, including the Depart-*
10 *ment of Defense.*

11 “(ii) *12 additional voting members ap-*
12 *pointed under subparagraph (B).*

13 “(B) *ADDITIONAL MEMBERS.—The Com-*
14 *mittee shall include additional voting members*
15 *appointed by the Secretary as follows:*

16 “(i) *6 members shall be appointed from*
17 *among scientists, physicians, and other*
18 *health professionals, who—*

19 “(I) *are not officers or employees*
20 *of the United States;*

21 “(II) *represent multiple dis-*
22 *ciplines, including clinical, basic, and*
23 *public health sciences;*

24 “(III) *represent different geo-*
25 *graphical regions of the United States;*

1 “(IV) are from practice settings,
2 academia, or other research settings;
3 and

4 “(V) are experienced in scientific
5 peer review process.

6 “(ii) 6 members shall be appointed
7 from members of the general public, who
8 represent individuals with breast cancer.

9 “(C) NONVOTING MEMBERS.—The Com-
10 mittee shall include such nonvoting members as
11 the Secretary determines to be appropriate.

12 “(5) CHAIRPERSON.—The voting members of the
13 Committee shall select a chairperson from among such
14 members. The selection of a chairperson shall be sub-
15 ject to the approval of the Director of NIH.

16 “(6) MEETINGS.—The Committee shall meet at
17 the call of the chairperson of the Committee or upon
18 the request of the Director of NIH, but in no case less
19 often than once each year.

20 “(b) REVIEW.—The Secretary shall review the neces-
21 sity of the Committee in calendar year 2011 and, thereafter,
22 at least once every 2 years.”.

23 (b) AUTHORIZATION OF APPROPRIATIONS.—For the
24 purpose of carrying out research activities under title IV
25 of the Public Health Service Act, including section 417F

1 *of such Act as added by subsection (a), there are authorized*
2 *to be appropriated \$40,000,000 for each of fiscal years 2009*
3 *through 2012. Amounts authorized to be appropriated*
4 *under the preceding sentence shall be in addition to*
5 *amounts otherwise authorized to be appropriated for such*
6 *purpose under section 402A of the Public Health Service*
7 *Act (42 U.S.C. 282a).*

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