

Calendar No. 628

110TH CONGRESS
2D SESSION

S. 579

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 SENATE OF THE UNITED STATES

FEBRUARY 14, 2007

Mr. REID (for himself, Mr. HATCH, Mrs. CLINTON, Ms. MURKOWSKI, Mr. SANDERS, Ms. SNOWE, Mr. WARNER, Mr. FEINGOLD, Mr. BIDEN, Mr. MENENDEZ, Mr. REED, Mr. LEAHY, Mr. LAUTENBERG, Mr. NELSON of Florida, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Mr. BAYH, Mr. SUNUNU, Mr. VOINOVICH, Mrs. MURRAY, Mr. KOHL, Mrs. BOXER, Mr. HAGEL, Mr. SALAZAR, Mr. KENNEDY, Mr. LUGAR, Mr. SCHUMER, Mr. KERRY, Mrs. DOLE, Ms. COLLINS, Mrs. HUTCHISON, Mr. BINGAMAN, Mr. DODD, Mr. SPECTER, Mr. HARKIN, Mr. BENNETT, Ms. STABENOW, Mr. GRASSLEY, Mr. JOHNSON, Mr. DURBIN, Mr. CARDIN, Mrs. McCASKILL, Mr. MCCAIN, Ms. MIKULSKI, Mr. COLEMAN, Mr. KYL, Mr. BROWN, Mr. LIEBERMAN, Mr. CASEY, Ms. KLOBUCHAR, Mr. COCHRAN, Mr. PRYOR, Mr. VITTER, Mr. DOMENICI, Mr. BAUCUS, Mr. CARPER, Mr. DORGAN, Mr. LEVIN, Mr. SMITH, Mr. OBAMA, Mr. TESTER, Mr. WEBB, Mr. CONRAD, Mrs. LINCOLN, Mr. CORNYN, Ms. CANTWELL, Mr. WYDEN, and Ms. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

APRIL 3, 2008

Reported by Mr. KENNEDY, with an amendment

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

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
 5 Environmental Research Act of 2007”.

6 **SEC. 2. NATIONAL INSTITUTES OF HEALTH; AWARDS FOR**
 7 **DEVELOPMENT AND OPERATION OF RE-**
 8 **SEARCH CENTERS REGARDING ENVIRON-**
 9 **MENTAL FACTORS RELATED TO BREAST CAN-**
 10 **CER.**

11 Part A of title IV of the Public Health Service Act
 12 (42 U.S.C. 281 et seq.) is amended by adding at the end
 13 the following:

14 **“SEC. 404H. RESEARCH CENTERS REGARDING ENVIRON-**
 15 **MENTAL FACTORS RELATED TO BREAST CAN-**
 16 **CER.**

17 “(a) ~~IN GENERAL.~~—The Secretary, acting through
 18 the Director of NIH, based on recommendations from the
 19 Breast Cancer and Environmental Research Panel estab-
 20 lished under subsection (b) (referred to in this section as
 21 the ‘Panel’), shall make grants to public or nonprofit pri-

1 vate entities for the development and operation of collabo-
 2 rative, multi-institutional centers for the purpose of con-
 3 ducting multidisciplinary and multi-institutional research
 4 on environmental factors that may be related to the eti-
 5 ology of breast cancer. Each such center shall be known
 6 as a Breast Cancer and Environmental Research Center
 7 of Excellence.

8 “(b) BREAST CANCER AND ENVIRONMENTAL RE-
 9 SEARCH PANEL.—

10 “(1) ESTABLISHMENT.—The Secretary shall es-
 11 tablish within the National Institutes of Health a
 12 Breast Cancer and Environmental Research Panel.

13 “(2) COMPOSITION.—The Panel shall be com-
 14 posed of—

15 “(A) 9 members to be appointed by the
 16 Secretary, of which—

17 “(i) six members shall be appointed
 18 from among physicians and other health
 19 professionals, who—

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

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

1 “(III) represent different geo-
2 graphical regions of the United
3 States;

4 “(IV) are from practice settings,
5 academia, or other research settings;
6 and

7 “(V) are experienced in peer re-
8 view; and

9 “(ii) three members shall be appointed
10 from the general public who are represent-
11 atives of individuals who have had breast
12 cancer and who represent a constituency;
13 and

14 “(B) such nonvoting, ex officio members as
15 the Secretary determines to be appropriate.

16 “(3) CHAIRPERSON.—The members of the
17 Panel appointed under paragraph (2)(A) shall select
18 a chairperson from among such members.

19 “(4) MEETINGS.—The Panel shall meet at the
20 call of the chairperson or upon the request of the
21 Director of NIH, but in no case less often than once
22 each year.

23 “(5) DUTIES.—The Panel shall—

24 “(A) develop a comprehensive strategy con-
25 cerning collaborative centers that would—

1 “(i) result in innovative approaches to
 2 study unexplored or underexplored areas of
 3 the environment and breast cancer;

4 “(ii) outline key research questions;
 5 methodologies, and knowledge gaps con-
 6 cerning environmental factors that may be
 7 related to the etiology of breast cancer;

8 “(iii) outline key issues concerning en-
 9 vironmental factors that may be related to
 10 the etiology of breast cancer; and

11 “(iv) result in an overall strategy to
 12 address environmental factors related to
 13 breast cancer;

14 “(B) make recommendations to the Sec-
 15 retary with respect to the mechanisms, peer re-
 16 view criteria, and allocations under this section;

17 “(C) assist in the overall program evalua-
 18 tion; and

19 “(D) make recommendations for the dis-
 20 semination of information on program process.

21 “(e) COLLABORATION WITH COMMUNITY.—Each
 22 center under subsection (a) shall include community orga-
 23 nizations in the geographic area served by the center, in-
 24 cluding those that represent women with breast cancer;

1 as integral collaborators involved at all levels of the deci-
 2 sion-making and research in such center.

3 “(d) COORDINATION OF CENTERS; REPORTS.—The
 4 Director of NIH shall, as appropriate, provide for the co-
 5 ordination of information among centers under subsection
 6 (a) and ensure regular communication between such cen-
 7 ters, and may require the periodic preparation of reports
 8 on the activities of the centers and the submission of the
 9 reports to the Director.

10 “(e) REQUIRED CONSORTIUM.—Each center under
 11 subsection (a) shall be formed from a consortium of co-
 12 operating institutions and community groups, meeting
 13 such requirements as may be prescribed by the Director
 14 of NIH. Each center shall require collaboration among
 15 highly accomplished scientists, other health professionals
 16 and advocates of diverse backgrounds from various areas
 17 of expertise.

18 “(f) DURATION OF SUPPORT.—Support of a center
 19 under subsection (a) may be for a period not exceeding
 20 5 years. Such period may be extended for one or more
 21 additional periods not exceeding 5 years if the operations
 22 of such center have been reviewed by an appropriate tech-
 23 nical and scientific peer review group established by the
 24 Director of NIH and if such group has recommended to
 25 the Director that such period be extended.

1 ~~“(g) GEOGRAPHIC DISTRIBUTION OF CENTERS.—~~

2 The Director of NIH shall, to the extent practicable, pro-
3 vide for an equitable geographical distribution of centers
4 under this section.

5 ~~“(h) AUTHORIZATION OF APPROPRIATIONS.—For the~~

6 purpose of carrying out this section, there is authorized
7 to be appropriated \$40,000,000 for each of the fiscal years
8 2008 through 2012. Such authorization is in addition to
9 any other authorization of appropriations that is available
10 for such purpose.”.

11 **SECTION 1. SHORT TITLE.**

12 *This Act may be cited as the “Breast Cancer and En-*
13 *vironmental Research Act of 2007”.*

14 **SEC. 2. NATIONAL INSTITUTES OF HEALTH; AWARDS FOR**

15 **COLLABORATIVE RESEARCH REGARDING EN-**

16 **VIRONMENTAL FACTORS RELATED TO**

17 **BREAST CANCER.**

18 *Part A of title IV of the Public Health Service Act*
19 *(42 U.S.C. 281 et seq.) is amended by adding at the end*
20 *the following:*

21 **“SEC. 404I. RESEARCH REGARDING ENVIRONMENTAL FAC-**

22 **TORS RELATED TO BREAST CANCER.**

23 ~~“(a) IN GENERAL.—The Secretary, acting through the~~
24 *Director of NIH, taking into account recommendations*
25 *from the Breast Cancer and Environmental Research Panel*

1 *established under subsection (b) (referred to in this section*
 2 *as the ‘Panel’), shall make grants to public or nonprofit*
 3 *private entities that meet the requirements of this section*
 4 *for the purpose of conducting collaborative multidisci-*
 5 *plinary and multi-institutional research on environmental*
 6 *factors that may be related to the etiology of breast cancer.*

7 “(b) *BREAST CANCER AND ENVIRONMENTAL RE-*
 8 *SEARCH PANEL.*—

9 “(1) *ESTABLISHMENT.*—*The Secretary shall es-*
 10 *tablish within the National Institutes of Health a*
 11 *Breast Cancer and Environmental Research Panel.*

12 “(2) *COMPOSITION.*—*The Panel shall be com-*
 13 *posed of—*

14 “(A) *9 members to be appointed by the Sec-*
 15 *retary, of which—*

16 “(i) *six members shall be appointed*
 17 *from among physicians and other health*
 18 *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 peer re-
5 view;

6 “(ii) three members shall be appointed
7 from the general public who are representa-
8 tives of individuals who have had breast
9 cancer and who represent a constituency;
10 and

11 “(iii) a designee of the National Insti-
12 tutes of Health; and

13 “(B) such nonvoting, *ex officio* members as
14 the Secretary determines to be appropriate.

15 “(3) CHAIRPERSON.—The members of the Panel
16 appointed under paragraph (2)(A) shall select a
17 chairperson from among such members. The selection
18 of such a member as chairperson shall be subject to
19 the approval of the Director of NIH.

20 “(4) MEETINGS.—The Panel shall meet at the
21 call of the chairperson or upon the request of the Di-
22 rector of NIH, but in no case less often than once each
23 year.

24 “(5) DUTIES.—The Panel shall—

1 “(A) develop a comprehensive strategy to so-
 2 licit proposals for collaborative research that
 3 would—

4 “(i) result in innovative approaches to
 5 study unexplored or underexplored areas of
 6 the environment and breast cancer;

7 “(ii) outline key research questions,
 8 methodologies, and knowledge gaps con-
 9 cerning environmental factors that may be
 10 related to the etiology of breast cancer;

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 12 vironmental factors that may be related to
 13 the etiology of breast cancer; and

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 16 breast cancer;

17 “(B) make recommendations to the Sec-
 18 retary with respect to the mechanisms, peer re-
 19 view criteria, and allocations under this section;

20 “(C) assist in the overall program evalua-
 21 tion; and

22 “(D) make recommendations for the dis-
 23 semination of information on program process.

24 “(c) COLLABORATION WITH COMMUNITY.—Each
 25 grantee under subsection (a) shall include community orga-

1 nizations (including those that represent women with breast
2 cancer), representing a broad geographical area, as integral
3 collaborators involved at all levels of the decision-making.

4 “(d) *COORDINATION OF GRANTEES; REPORTS.*—The
5 Director of NIH shall, as appropriate, provide for the co-
6 ordination of information among grantees under subsection
7 (a) and ensure regular communication between such grant-
8 ees, and may require the periodic preparation of reports
9 on the activities of the grantees and the submission of the
10 reports to the Director.

11 “(e) *REQUIRED CONSORTIUM.*—Each grantee under
12 subsection (a) shall be a consortium of cooperating institu-
13 tions and community groups, meeting such requirements as
14 may be recommended by the Panel. Each consortium shall
15 require collaboration among highly accomplished scientists,
16 other health professionals and advocates of diverse back-
17 grounds from various areas of expertise.

18 “(f) *DURATION OF SUPPORT.*—Support of a grantee
19 under subsection (a) may be for a period not exceeding 5
20 years. Such period may be extended for one or more addi-
21 tional periods not exceeding 5 years if the operations of such
22 grantee have been reviewed by an appropriate technical and
23 scientific peer review group established by the Director of
24 NIH and if such group has recommended to the Director
25 that such period be extended.

1 “(g) *GEOGRAPHIC DISTRIBUTION OF GRANTEES.*—The
2 *Director of NIH shall, to the extent practicable, provide for*
3 *an equitable geographical distribution of grantees under*
4 *this section.*

5 “(h) *PEER REVIEW.*—Nothing in this section shall be
6 *construed to interfere with the technical and scientific peer-*
7 *review process at the National Institutes of Health.*

8 “(i) *AUTHORIZATION OF APPROPRIATIONS.*—For the
9 *purpose of carrying out this section, there is authorized to*
10 *be appropriated \$40,000,000 for each of the fiscal years*
11 *2008 through 2012. Such authorization is in addition to*
12 *any other authorization of appropriations that is available*
13 *for such purpose.”.*

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