

114TH CONGRESS
1ST SESSION

S. 746

To provide for the establishment of a Commission to Accelerate the End
of Breast Cancer.

IN THE SENATE OF THE UNITED STATES

MARCH 16, 2015

Mr. GRASSLEY (for himself, Mr. WHITEHOUSE, Mr. HELLER, Mr. REED, Ms. COLLINS, Mr. BROWN, Mrs. CAPITO, Mr. CASEY, and Mr. FRANKEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide for the establishment of a Commission to
Accelerate the End 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Accelerating the End of Breast Cancer Act of 2015”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Establishment.
- Sec. 4. Purpose; duties.
- Sec. 5. Membership.

Sec. 6. Powers.
Sec. 7. Chairperson; program managers.
Sec. 8. Coordination and nonduplication.
Sec. 9. Evaluation of the Commission.
Sec. 10. Authorization of funding.
Sec. 11. Termination.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) In the United States, the chance of a
4 woman developing breast cancer during her lifetime
5 has increased from 1 in 11 in 1975 to 1 in 8 today.

6 (2) Worldwide, breast cancer is the most fre-
7 quently diagnosed cancer in women with 1,700,000
8 new cancer cases diagnosed in 2012. Breast cancer
9 is also one of the leading causes of cancer death in
10 women, with 522,000 women dying from the disease
11 worldwide in 2012, a 14 percent increase since
12 2008.

13 (3) More than 90 percent of deaths from breast
14 cancer are caused by metastasis, which occurs when
15 cancerous cells spread to other organs or bone.

16 (4) The National Cancer Institute estimated
17 that breast cancer care in the United States costs
18 \$16,500,000,000 in 2010, and costs the Nation
19 \$12,100,000,000 in lost productivity. It is projected
20 with no changes, the cost of breast cancer care will
21 rise to at least \$20,900,000,000 in 2020.

1 (5) Over the past 40 years, very little has im-
2 proved the incidence, morbidity, and mortality rates
3 of breast cancer.

4 (6) In recognition of the complexity of breast
5 cancer, experts have identified the need to transform
6 how research is conducted by engaging investigators
7 from many disciplines.

8 (7) Advances in understanding the progression
9 of breast cancer, particularly metastasis, have the
10 potential to translate to better understanding and
11 preventing the spread of other types of cancer.

12 **SEC. 3. ESTABLISHMENT.**

13 There shall be established a commission to be known
14 as the Commission to Accelerate the End of Breast Cancer
15 (in this Act referred to as the “Commission”).

16 **SEC. 4. PURPOSE; DUTIES.**

17 (a) **PURPOSE.**—The purpose of the Commission shall
18 be to help end breast cancer by January 1, 2020.

19 (b) **DUTIES.**—

20 (1) **IN GENERAL.**—The Commission shall iden-
21 tify, recommend, and promote initiatives, partner-
22 ships, and research within the public and private
23 sectors, basic and applied sciences, and epidemiology
24 that can be turned into strategies to prevent breast
25 cancer and breast cancer metastasis.

1 (2) PRIORITY.—The Commission shall give pri-
2 ority to initiatives, partnerships, and research that
3 are—

4 (A) not prioritized within the public sector;
5 and

6 (B) unlikely to be achieved by the private
7 sector due to technical and financial uncer-
8 tainty.

9 (c) STRATEGIC PLAN.—Not later than 6 months
10 after the appointment of the initial members of the Com-
11 mission, the Commission shall submit to the President and
12 to the relevant authorizing and appropriations committees
13 of Congress, a description of the Commission’s strategic
14 plan to advance the purpose described in subsection (a).

15 (d) ANNUAL REPORT.—Not later than January 15,
16 2016, and annually thereafter, the Commission shall sub-
17 mit an annual report to the President, Congress, and the
18 public—

19 (1) describing the Commission’s activities under
20 this section, including its progress in achieving the
21 purpose described in subsection (a); and

22 (2) containing a full financial report, including
23 a line item report of the Commission’s expenditures
24 for the preceding year.

1 **SEC. 5. MEMBERSHIP.**

2 (a) NUMBER; APPOINTMENT.—The Commission shall
3 be composed of not more than 10 members who shall be
4 appointed by the President, with the advice and consent
5 of the Senate, not later than 60 days after the date of
6 enactment of this Act, in accordance with this section.

7 (b) REPRESENTATION.—

8 (1) IN GENERAL.—Each member of the Com-
9 mission shall be appointed to represent one of the
10 following 3 categories:

11 (A) Individuals who represent the interests
12 of varied disciplines within the biomedical re-
13 search field.

14 (B) Individuals who represent the relevant
15 varied disciplines outside of the biomedical re-
16 search field.

17 (C) Patient advocates, including individ-
18 uals who—

19 (i) represent a patient-led, patient-
20 centered organization with a patient con-
21 stituency either directly related to or rel-
22 evant to breast cancer; and

23 (ii) are trained, knowledgeable, and
24 prepared to participate in the decision-
25 making process of science and medicine.

1 (2) REPRESENTATION OF MEMBERSHIP CAT-
2 EGORIES.—Of the members of the Commission—

3 (A) at least 1, but not more than 3, shall
4 be appointed to represent the category de-
5 scribed in paragraph (1)(A);

6 (B) at least 1, but not more than 3, shall
7 be appointed to represent the category de-
8 scribed in paragraph (1)(B); and

9 (C) at least 2, but not more than 4, shall
10 be appointed to represent the category de-
11 scribed in paragraph (1)(C).

12 (c) TERMS.—

13 (1) IN GENERAL.—Each member of the Com-
14 mission shall be appointed for a term of 3 years and
15 may be reappointed.

16 (2) VACANCIES.—Any member of the Commis-
17 sion appointed to fill a vacancy occurring before the
18 expiration of the term for which the member's pred-
19 ecessor was appointed shall be appointed only for
20 the remainder of that term. A member may serve
21 after the expiration of that member's term until a
22 successor has taken office. A vacancy in the Com-
23 mission shall be filled in the manner in which the
24 original appointment was made and shall not affect

1 the power of the remaining members to execute the
2 duties of the Commission.

3 (d) QUORUM.—Three members of the Commission
4 shall constitute a quorum.

5 **SEC. 6. POWERS.**

6 The Commission shall have the following powers:

7 (1) HEARINGS AND OTHER ACTIVITIES.—For
8 the purpose of carrying out its duties, the Commis-
9 sion may hold such hearings and undertake such
10 other activities as the Commission determines to be
11 necessary to carry out its duties.

12 (2) DETAIL OF FEDERAL EMPLOYEES.—Upon
13 the request of the Commission, the head of any Fed-
14 eral agency is authorized to detail, without reim-
15 bursement, any of the personnel of such agency to
16 the Commission to assist the Commission in car-
17 rying out its duties. Any such detail shall not inter-
18 rupt or otherwise affect the civil service status or
19 privileges of the Federal employee.

20 (3) TECHNICAL ASSISTANCE.—Upon the re-
21 quest of the Commission, the head of a Federal
22 agency may provide such technical assistance to the
23 Commission as the Commission determines to be
24 necessary to carry out its duties.

1 (4) USE OF MAILS.—The Commission may use
2 the United States mails in the same manner and
3 under the same conditions as Federal agencies.

4 (5) OBTAINING INFORMATION.—The Commis-
5 sion may secure directly from any Federal agency
6 information necessary to enable it to carry out its
7 duties, if the information may be disclosed under
8 section 552 of title 5, United States Code. Upon re-
9 quest of the Chairperson of the Commission, the
10 head of such agency shall furnish such information
11 to the Commission.

12 (6) ADMINISTRATIVE SUPPORT SERVICES.—
13 Upon the request of the Commission, the Adminis-
14 trator of General Services shall provide to the Com-
15 mission on a reimbursable basis such administrative
16 support services as the Commission may request.

17 **SEC. 7. CHAIRPERSON; PROGRAM MANAGERS.**

18 (a) CHAIRPERSON.—

19 (1) DESIGNATION.—Of the members of the
20 Commission appointed under section 5(a), the Presi-
21 dent shall at the time of the appointment, designate
22 one such member to serve as the Chairperson of the
23 Commission.

24 (2) RESPONSIBILITIES.—The responsibilities of
25 the Chairperson shall include—

1 (A) approving areas of study of the Com-
2 mission based on criteria including scientific
3 and technical merit, innovation, and impact;

4 (B) developing criteria (including bench-
5 marks) for assessing, and overseeing the assess-
6 ment of, the progress of areas of study of the
7 Commission;

8 (C) terminating areas of study of the Com-
9 mission that are not achieving the purpose de-
10 scribed in section 4(a);

11 (D) designating members of the Commis-
12 sion to act as program managers as described
13 in subsection (b); and

14 (E) appointing staff as necessary to aid in
15 carrying out the purpose described in section
16 4(a).

17 (b) PROGRAM MANAGERS.—

18 (1) IN GENERAL.—The Chairperson of the
19 Commission may designate members of the Commis-
20 sion who may act as program managers to oversee
21 one or more areas of study of the Commission.

22 (2) RESPONSIBILITIES.—A member designated
23 under paragraph (1) shall, with respect to one or
24 more areas of study, be responsible for the following:

1 (A) Recommending novel proposals,
2 projects, and collaborations based on scientific
3 and technical merit to achieve the purpose de-
4 scribed in section 4(a) with a focus on strate-
5 gies for the primary prevention of breast can-
6 cer, and methods to prevent breast cancer me-
7 tastasis. Program directors may—

8 (i) convene workshops and confer with
9 experts in both the public and private sec-
10 tor;

11 (ii) identify areas of study;

12 (iii) identify all areas where resources
13 could be leveraged; and

14 (iv) carry out other functions of the
15 Commission that are approved by the
16 Chairperson and that the Chairperson
17 deems necessary to carry out the purpose
18 described in section 4(a).

19 (B) Working with relevant Federal agen-
20 cies to identify areas of concurrent interests in
21 order to maximize Federal investment and stim-
22 ulate collaborative projects.

23 (C) Monitoring the progress of areas of
24 study and recommend restructure or termi-
25 nation.

1 **SEC. 8. COORDINATION AND NONDUPLICATION.**

2 To the maximum extent practicable, the Commission
3 shall ensure that the activities of the Commission are co-
4 ordinated with, and do not duplicate the efforts of, pro-
5 grams and laboratories of other government agencies.

6 **SEC. 9. EVALUATION OF THE COMMISSION.**

7 (a) IN GENERAL.—The President shall enter into an
8 agreement with the Institute of Medicine of the National
9 Academy of Sciences under which the Institute, after the
10 Commission has been in operation for 3 years, shall evalu-
11 ate the Commission's progress towards achieving the pur-
12 pose described in section 4(a).

13 (b) INCLUSIONS.—The evaluation under subsection
14 (a) shall include—

15 (1) a recommendation on whether the Commis-
16 sion should be continued or terminated; and

17 (2) a description of lessons learned from oper-
18 ation of the Commission.

19 (c) AVAILABILITY.—On completion of the evaluation
20 under subsection (a), the Commission shall make the eval-
21 uation available to the Congress and the public.

22 **SEC. 10. AUTHORIZATION OF FUNDING.**

23 (a) AUTHORIZATION OF APPROPRIATIONS.—To carry
24 out the purpose of this Act, there are authorized to be
25 appropriated—

26 (1) \$8,000,000 for fiscal year 2016;

1 (2) \$12,000,000 for each of fiscal years 2017
2 and 2018; and

3 (3) such sums as may be necessary for each fis-
4 cal year thereafter until the Commission is termi-
5 nated.

6 (b) LIMITATION.—None of the amounts appropriated
7 for a fiscal year under subsection (a) shall be used for
8 the operation or construction of any laboratories or pilot
9 plants.

10 **SEC. 11. TERMINATION.**

11 The Commission shall terminate on June 1, 2020.

○