

**Calendar No. 616**

103D CONGRESS  
2D SESSION

**S. 1225**

**A BILL**

To authorize and encourage the President to conclude an agreement with Mexico to establish a United States-Mexico Border Health Commission.

SEPTEMBER 22 (legislative day, SEPTEMBER 12), 1994

Reported without amendment

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**IN THE SENATE OF THE UNITED STATES**

JULY 14 (legislative day, JUNE 30), 1993

Mr. BINGAMAN (for himself, Mr. MCCAIN, Mr. SIMON, and Mrs. HUTCHISON) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

SEPTEMBER 22 (legislative day, SEPTEMBER 12), 1994

Reported by Mr. PELL, without amendment

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**A BILL**

To authorize and encourage the President to conclude an agreement with Mexico to establish a United States-Mexico Border Health Commission.

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 “United States-Mexico  
5 Border Health Commission Act”.

1 **SEC. 2. AGREEMENT TO ESTABLISH BINATIONAL COMMIS-**  
2 **SION.**

3 The President is authorized and encouraged to con-  
4 clude an agreement with Mexico to establish a binational  
5 commission to be known as the United States-Mexico Bor-  
6 der Health Commission.

7 **SEC. 3. DUTIES.**

8 It should be the duty of the Commission—

9 (1) to conduct a comprehensive needs assess-  
10 ment in the United States-Mexico border area for  
11 the purposes of identifying, evaluating, preventing,  
12 and resolving health problems and potential health  
13 problems that affect the general population of the  
14 area;

15 (2) to develop and implement a comprehensive  
16 plan for carrying out the actions recommended by  
17 the needs assessment through—

18 (A) assisting in the coordination of public  
19 and private efforts to prevent potential health  
20 problems and resolve existing health problems,

21 (B) assisting in the coordination of public  
22 and private efforts to educate the population, in  
23 a culturally competent manner, concerning such  
24 potential and existing health problems, and

25 (C) developing and implementing culturally  
26 competent programs to prevent and resolve

1           such health problems and to educate the popu-  
2           lation, in a culturally competent manner, con-  
3           cerning such health problems where a new pro-  
4           gram is necessary to meet a need that is not  
5           being met through other public or private ef-  
6           forts; and

7           (3) to formulate recommendations to the Gov-  
8           ernments of the United States and Mexico concern-  
9           ing a fair and reasonable method by which the gov-  
10          ernment of one country would reimburse a public or  
11          private person in the other country for the cost of  
12          a health care service that such person furnishes to  
13          a citizen or resident alien of the first country who  
14          is unable, through insurance or otherwise, to pay for  
15          the service.

16 **SEC. 4. OTHER AUTHORIZED FUNCTIONS.**

17          In addition to the duties described in section 3, the  
18          Commission should be authorized to perform the following  
19          functions as the Commission determines to be appro-  
20          priate—

21               (1) to conduct or support investigations, re-  
22               search, or studies designed to identify, study, and  
23               monitor, on an on-going basis, health problems that  
24               affect the general population in the United States-  
25               Mexico border area;

1           (2) to conduct or support a binational, public-  
2 private effort to establish a comprehensive and co-  
3 ordinated system, which uses advanced technologies  
4 to the maximum extent possible, for gathering  
5 health-related data and monitoring health problems  
6 in the United States-Mexico border area; and

7           (3) to provide financial, technical, or adminis-  
8 trative assistance to public or private persons who  
9 act to prevent or resolve such problems or who edu-  
10 cate the population concerning such health problems.

11 **SEC. 5. MEMBERSHIP.**

12           (a) NUMBER AND APPOINTMENT OF UNITED STATES  
13 SECTION.—The United States section of the Commission  
14 should be composed of 13 members. The section should  
15 consist of the following members:

16           (1) The Secretary of Health and Human Serv-  
17 ices or the Secretary's delegate.

18           (2) The commissioners of health or chief health  
19 officer from the States of Texas, New Mexico, Ari-  
20 zona, and California or such commissioners' dele-  
21 gates.

22           (3) 2 individuals from each of the States of  
23 Texas, New Mexico, Arizona, and California who are  
24 nominated by the chief executive officer of the re-

1       spective States and appointed by the President from  
2       among individuals—

3               (A) who have a demonstrated interest or  
4               expertise in health issues of the United States-  
5               Mexico border area; and

6               (B) whose name appears on a list of 6  
7               nominees submitted to the President by the  
8               chief executive officer of the State where the  
9               nominees resides.

10       (b) COMMISSIONER.—The Commissioner of the  
11       United States section of the Commission should be the  
12       Secretary of Health and Human Services or such individ-  
13       ual’s delegate to the Commission. The Commissioner  
14       should be the leader of the section.

15       (c) COMPENSATION.—Members of the United States  
16       section of the Commission who are not employees of the  
17       United States—

18               (1) shall each receive compensation at a rate of  
19               not to exceed the daily equivalent of the annual rate  
20               of basic pay payable for positions at GS-15 of the  
21               General Schedule under section 5332 of title 5,  
22               United States Code, for each day such member is  
23               engaged in the actual performance of the duties of  
24               the Commission; and

1           (2) shall be allowed travel expenses, including  
2           per diem in lieu of subsistence at rates authorized  
3           for employees of agencies under subchapter I of  
4           chapter 57 of title 5, United States Code, while  
5           away from their homes or regular places of business  
6           in the performance of services of the Commission.

7 **SEC. 6. REGIONAL OFFICES.**

8           The Commission should establish no fewer than 3 re-  
9           gional border offices in locations selected by the Commis-  
10          sion.

11 **SEC. 7. REPORTS.**

12          Not later than February 1 of each year that occurs  
13          more than 1 year after the date of the establishment of  
14          the Commission, the Commission should submit an annual  
15          report to both the United States Government and the Gov-  
16          ernment of Mexico regarding all activities of the Commis-  
17          sion during the preceding calendar year.

18 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

19          There are authorized to be appropriated to the Sec-  
20          retary of State for payment of the United States share  
21          of the expenses of the Commission such sums as may be  
22          necessary.

23 **SEC. 9. DEFINITIONS.**

24          For purposes of this Act:

1           (1) COMMISSION.—The term “Commission”  
2 means the United States-Mexico Border Health  
3 Commission authorized in section 2.

4           (2) HEALTH PROBLEM.—The term “health  
5 problem” means a disease or medical ailment or an  
6 environmental condition that poses the risk of dis-  
7 ease or medical ailment. The term includes diseases,  
8 ailments, or risks of disease or ailment caused by or  
9 related to environmental factors, control of animals  
10 and rabies, control of insect and rodent vectors, dis-  
11 posal of solid and hazardous waste, and control and  
12 monitoring of air and water quality.

13          (3) RESIDENT ALIEN.—The term “resident  
14 alien”, when used in reference to a country, means  
15 an alien lawfully admitted for permanent residence  
16 to the country or otherwise permanently residing in  
17 the country under color of law (including residence  
18 as an asylee, refugee, or parolee).

19          (4) UNITED STATES-MEXICO BORDER AREA.—  
20 The term “United States-Mexico border area”  
21 means the area located in the United States and  
22 Mexico within 100 kilometers of the border between  
23 the United States and Mexico.