

103^D CONGRESS
2^D SESSION

S. 1225

AN ACT

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

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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. ESTABLISHMENT OF BORDER HEALTH 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 implement the actions recommended by
16 the needs assessment through—

17 (A) assisting in the coordination and im-
18 plementation of the efforts of public and private
19 entities to prevent and resolve such health prob-
20 lems, and

21 (B) assisting in the coordination and im-
22 plementation of efforts of public and private en-
23 tities to educate such population, in a culturally
24 competent manner, concerning such health
25 problems; and

1 (3) to formulate recommendations to the Gov-
2 ernments of the United States and Mexico concern-
3 ing a fair and reasonable method by which the gov-
4 ernment of one country could reimburse a public or
5 private entity in the other country for the cost of a
6 health care service that the entity furnishes to a citi-
7 zen of the first country who is unable, through in-
8 surance or otherwise, to pay for the service.

9 **SEC. 4. OTHER AUTHORIZED FUNCTIONS.**

10 In addition to the duties described in section 3, the
11 Commission should be authorized to perform the following
12 functions as the Commission determines to be appro-
13 priate—

14 (1) to conduct or support investigations, re-
15 search, or studies designed to identify, study, and
16 monitor, on an on-going basis, health problems that
17 affect the general population in the United States-
18 Mexico Border Area;

19 (2) to conduct or support a binational, public-
20 private effort to establish a comprehensive and co-
21 ordinated system, which uses advanced technologies
22 to the maximum extent possible, for gathering
23 health-related data and monitoring health problems
24 in the United States-Mexico Border Area; and

1 (3) to provide financial, technical, or adminis-
2 trative assistance to public or private nonprofit enti-
3 ties who act to prevent or resolve such problems or
4 who educate the population concerning such health
5 problems.

6 **SEC. 5. MEMBERSHIP.**

7 (a) NUMBER AND APPOINTMENT OF UNITED STATES
8 SECTION.—The United States section of the Commission
9 should be composed of 13 members. The section should
10 consist of the following members:

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

13 (2) The commissioners of health or chief health
14 officer from the States of Texas, New Mexico, Ari-
15 zona, and California or such commissioners' dele-
16 gates.

17 (3) Two individuals residing in United States-
18 Mexico Border Area in each of the States of Texas,
19 New Mexico, Arizona, and California who are nomi-
20 nated by the chief executive officer of the respective
21 States and appointed by the President from among
22 individual who have demonstrated ties to commu-
23 nity-based organizations and have demonstrated in-
24 terest and expertise in health issues of the United
25 States-Mexico Border Area.

1 (b) COMMISSIONER.—The Commissioner of the
2 United States section of the Commission should be the
3 Secretary of Health and Human Services or such individ-
4 ual's delegate to the Commission. The Commissioner
5 should be the leader of the section.

6 (c) COMPENSATION.—Members of the United States
7 section of the Commission who are not employees of the
8 United States or any State—

9 (1) shall each receive compensation at a rate of
10 not to exceed the daily equivalent of the annual rate
11 of basic pay payable for positions at GS–15 of the
12 General Schedule under section 5332 of title 5,
13 United States Code, for each day such member is
14 engaged in the actual performance of the duties of
15 the Commission; and

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

22 **SEC. 6. REGIONAL OFFICES.**

23 The Commission may designate or establish one bor-
24 der health office in each of the States of Texas, New Mex-
25 ico, Arizona, and California. Such office should be located

1 within the United States-Mexico Border Area, and should
2 be coordinated with—

3 (1) State border health offices; and

4 (2) local nonprofit organizations designated by
5 the State's chief executive officer and directly in-
6 volved in border health issues.

7 If feasible to avoid duplicative efforts, the Commission of-
8 fices should be located in existing State or local nonprofit
9 offices. The Commission should provide adequate com-
10 pensation for cooperative efforts and resources.

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. DEFINITIONS.**

19 As used in this Act:

20 (1) COMMISSION.—The term “Commission”
21 means the United States-Mexico Border Health
22 Commission.

23 (2) HEALTH PROBLEM.—The term “health
24 problem” means a disease or medical ailment or an
25 environmental condition that poses the risk of dis-

1 ease or medical ailment. The term includes diseases,
2 ailments, or risks of disease or ailment caused by or
3 related to environmental factors, control of animals
4 and rabies, control of insect and rodent vectors, dis-
5 posal of solid and hazardous waste, and control and
6 monitoring of air quality.

7 (3) SECRETARY.—The term “Secretary” means
8 the Secretary of Health and Human Services.

9 (4) UNITED STATES-MEXICO BORDER AREA.—
10 The term “United States-Mexico Border Area”
11 means the area located in the United States and
12 Mexico within 100 kilometers of the border between
13 the United States and Mexico.

Passed the Senate September 30 (legislative day,
September 12), 1994.

Attest:

Secretary.