

105TH CONGRESS
2D SESSION

S. 1595

To provide for the establishment of a Commission to Promote a National Dialogue on Bioethics.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 2, 1998

Mr. FRIST (for himself, Mr. BOND, Mr. GREGG, Mr. LOTT, Mrs. HUTCHISON, and Mr. LUGAR) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To provide for the establishment of a Commission to Promote a National Dialogue on Bioethics.

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. COMMISSION TO PROMOTE A NATIONAL DIA-**
4 **LOGUE ON BIOETHICS.**

5 (a) ESTABLISHMENT.—There is established within
6 the Institute of Medicine a commission to be known as
7 the Commission to Promote a National Dialogue on Bio-
8 ethics (referred to in this section as the “Commission”).

9 (b) MEMBERSHIP.—

1 (1) NUMBER AND APPOINTMENT.—The Com-
2 mission shall be composed of 25 members, of
3 whom—

4 (A) 6 shall be appointed by the Majority
5 Leader of the Senate;

6 (B) 6 shall be appointed by the Minority
7 Leader of the Senate;

8 (C) 6 shall be appointed by the Speaker of
9 the House of Representatives; and

10 (D) 6 shall be appointed by the Minority
11 Leader of the House of Representatives; and

12 (E) 1, who shall serve as the Chairperson
13 of the Commission, to be appointed jointly by
14 the Majority Leader of the Senate, and the
15 Speaker of the House of Representatives, in
16 consultation with the Minority Leader of the
17 Senate and the Minority Leader of the House
18 of Representatives.

19 (2) REQUIREMENTS.—

20 (A) IN GENERAL.—Each individual de-
21 scribed in subparagraph (A) through (D) of
22 paragraph (1) shall ensure that members ap-
23 pointed to the Commission are representative of
24 the fields of law, theology, philosophy or ethics,
25 medicine, science, and social science.

1 (B) LIMITATION.—No member of Con-
2 gress, nor political appointee of the executive
3 branch, shall serve as a member of the Commis-
4 sion.

5 (3) DEADLINE FOR APPOINTMENT.—Members
6 of the Commission shall be appointed by not later
7 than December 1, 1998.

8 (4) TERMS OF APPOINTMENT.—A member of
9 the Commission appointed under paragraph (1) shall
10 serve for a term of 3 years. Members may not serve
11 consecutive terms.

12 (5) MEETINGS.—The Commission shall meet at
13 the call of its Chairperson or a majority of its mem-
14 bers.

15 (6) QUORUM.—A quorum shall consist of 13
16 members of the Commission.

17 (7) VACANCIES.—A vacancy on the Commission
18 shall be filled in the same manner in which the origi-
19 nal appointment was made not later than 30 days
20 after the Commission is given notice of the vacancy
21 and shall not affect the power of the remaining
22 members to execute the duties of the Commission.

23 (8) COMPENSATION.—Members of the Commis-
24 sion shall receive no additional pay, allowances, or

1 benefits by reason of their service on the Commis-
2 sion.

3 (9) EXPENSES.—Each member of the Commis-
4 sion shall receive travel expenses and per diem in
5 lieu of subsistence in accordance with sections 5702
6 and 5703 of title 5, United States Code.

7 (c) DUTIES OF THE COMMISSION.—The Commission
8 shall provide an independent forum for broad public par-
9 ticipation and discourse concerning important bioethical
10 issues including cloning, and provide for a report to Con-
11 gress concerning the findings, conclusions, and rec-
12 ommendations of the Commission concerning Federal pol-
13 icy and possible Congressional action.

14 (d) STAFF AND SUPPORT SERVICES.—

15 (1) STAFF.—With the approval of the Commis-
16 sion, the chairperson of the Commission may ap-
17 point such personnel as the chairperson considers
18 appropriate.

19 (2) APPLICABILITY OF CIVIL SERVICE LAWS.—
20 The staff of the Commission shall be appointed with-
21 out regard to the provisions of title 5, United States
22 Code, governing appointments in the competitive
23 service, and shall be paid without regard to the pro-
24 visions of chapter 51 and subchapter III of chapter

1 53 of such title (relating to classification and Gen-
2 eral Schedule pay rates).

3 (3) EXPERTS AND CONSULTANTS.—With the
4 approval of the Commission, the chairperson may
5 procure temporary and intermittent services under
6 section 3109(b) of title 5, United States Code.

7 (4) PHYSICAL FACILITIES.—The Administrator
8 of the General Services Administration shall locate
9 suitable office space for the operation of the Com-
10 mission. The facilities shall serve as the head-
11 quarters of the Commission and shall include all
12 necessary equipment and incidentals required for the
13 proper functioning of the Commission.

14 (e) POWERS OF COMMISSION.—

15 (1) HEARINGS AND OTHER ACTIVITIES.—For
16 the purpose of carrying out its duties, the Commis-
17 sion may hold such public hearings and undertake
18 such other activities as the Commission determines
19 to be necessary to carry out its duties.

20 (2) DETAIL OF FEDERAL EMPLOYEES.—Upon
21 the request of the Commission, the head of any Fed-
22 eral agency is authorized to detail, without reim-
23 bursement, any of the personnel of such agency to
24 the Commission to assist the Commission in carry-
25 ing out its duties. Any such detail shall not interrupt

1 or otherwise affect the civil service status or privi-
2 leges of the Federal employee.

3 (3) TECHNICAL ASSISTANCE.—Upon the re-
4 quest of the Commission, the head of a Federal
5 agency shall provide such technical assistance to the
6 Commission as the Commission determines to be
7 necessary to carry out its duties.

8 (4) USE OF MAILS.—The Commission may use
9 the United States mails in the same manner and
10 under the same conditions as Federal agencies and
11 shall, for purposes of the frank, be considered a
12 commission of Congress as described in section 3215
13 of title 39, United States Code.

14 (5) OBTAINING INFORMATION.—The Commis-
15 sion may secure directly from any Federal agency
16 information necessary to enable it to carry out its
17 duties, if the information may be disclosed under
18 section 552 of title 5, United States Code. Upon re-
19 quest of the Chairperson of the Commission, the
20 head of such agency shall furnish such information
21 to the Commission.

22 (6) ADMINISTRATIVE SUPPORT SERVICES.—
23 Upon the request of the Commission, the Adminis-
24 trator of General Services shall provide to the Com-

1 mission on a reimbursable basis such administrative
2 support services as the Commission may request.

3 (7) PRINTING.—For purposes of costs relating
4 to printing and binding, including the cost of per-
5 sonnel detailed from the Government Printing Of-
6 fice, the Commission shall be deemed to be a com-
7 mittee of the Congress.

8 (f) SUBCOMMITTEES.—

9 (1) IN GENERAL.—The Commission shall estab-
10 lish 6 subcommittees, including—

11 (A) a subcommittee on legal issues;

12 (B) a subcommittee on theological issues;

13 (C) a subcommittee on philosophical and
14 ethical issues;

15 (D) a subcommittee on medical issues;

16 (E) a subcommittee on scientific issues;

17 and

18 (F) a subcommittee on social issues.

19 (2) MEMBERSHIP.—With respect to the issues
20 for which each subcommittee has been established,
21 each subcommittee shall be composed of—

22 (A) 1 expert to be appointed by the mem-
23 bers of the Committee who were appointed
24 under subparagraphs (A) and (C) of subsection
25 (b)(1);

1 (B) 1 expert to be appointed by the mem-
2 bers of the Committee who were appointed
3 under subparagraphs (B) and (D) of subsection
4 (b)(1);

5 (C) 1 individual operating in the private
6 sector who is acquainted with the issues but not
7 an expert to be appointed by the members of
8 the Committee who were appointed under sub-
9 paragraphs (A) and (C) of subsection (b)(1);

10 (D) 1 individual operating in the private
11 sector who is acquainted with the issues but not
12 an expert to be appointed by the members of
13 the Committee who were appointed under sub-
14 paragraphs (B) and (D) of subsection (b)(1);
15 and

16 (E) 4 members of the commission with rel-
17 evant expertise.

18 (3) MEETINGS.—Meetings of the subcommittees
19 shall be approved by the Commission.

20 (g) REPORT.—Not later than December 31, 1999,
21 and annually thereafter, the Commission shall prepare and
22 submit to the appropriate committees of Congress a report
23 which shall contain a detailed statement of the rec-
24 ommendations, findings, and conclusions of the Commis-
25 sion.

1 (h) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated such sums as may be
3 necessary to carry out this section.

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