



(Original Signature of Member)

114TH CONGRESS
1ST SESSION

H. R. _____

To amend the Federal Food, Drug, and Cosmetic Act with regard to the Reagan-Udall Foundation.

IN THE HOUSE OF REPRESENTATIVES

Mrs. BLACKBURN introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Federal Food, Drug, and Cosmetic Act with regard to the Reagan-Udall Foundation.

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. REAGAN-UDALL FOUNDATION FOR THE FOOD**
4 **AND DRUG ADMINISTRATION.**

5 (a) BOARD OF DIRECTORS.—

6 (1) COMPOSITION AND SIZE.—Section
7 770(d)(1)(C) of the Federal Food, Drug, and Cos-
8 metic Act (21 U.S.C. 379dd(d)(1)(C)) is amended—

1 (A) by redesignating clause (ii) as clause
2 (iii);

3 (B) by inserting after clause (i) the fol-
4 lowing:

5 “(ii) ADDITIONAL MEMBERS.—The
6 Board, through amendments to the bylaws
7 of the Foundation, may provide that the
8 number of voting members of the Board
9 shall be a number (to be specified in such
10 amendment) greater than 14. Any Board
11 positions that are established by any such
12 amendment shall be appointed (by majority
13 vote) by the individuals who, as of the date
14 of such amendment, are voting members of
15 the Board and persons so appointed may
16 represent any of the categories specified in
17 subclauses (I) through (V) of clause (i), so
18 long as no more than 30 percent of the
19 total voting members of the Board (includ-
20 ing members whose positions are estab-
21 lished by such amendment) are representa-
22 tives of the general pharmaceutical, device,
23 food, cosmetic, and biotechnology indus-
24 tries.”; and

1 (C) in clause (iii)(I), as redesignated by
2 subparagraph (A), by striking “The ex officio
3 members shall ensure” and inserting “The ex
4 officio members, acting pursuant to clause (i),
5 and the Board, acting pursuant to clause (ii),
6 shall ensure”.

7 (2) FEDERAL EMPLOYEES ALLOWED TO SERVE
8 ON BOARD.—Clause (iii)(II) of section 770(d)(1)(C)
9 of the Federal Food, Drug, and Cosmetic Act (21
10 U.S.C. 379dd(d)(1)(C)), as redesignated by para-
11 graph (1)(A), is amended by adding at the end the
12 following: “For purposes of this section, the term
13 ‘employee of the Federal Government’ does not in-
14 clude a ‘special Government employee’, as that term
15 is defined in section 202(a) of title 18, United
16 States Code.”.

17 (3) STAGGERED TERMS.—Subparagraph (A) of
18 section 770(d)(3) of the Federal Food, Drug, and
19 Cosmetic Act (21 U.S.C. 379dd(d)(3)) is amended
20 to read as follows:

21 “(A) TERM.—The term of office of each
22 member of the Board appointed under para-
23 graph (1)(C)(i), and the term of office of any
24 member of the Board whose position is estab-

1 lished pursuant to paragraph (1)(C)(ii), shall be
2 4 years, except that—

3 “(i) the terms of offices for the mem-
4 bers of the Board initially appointed under
5 paragraph (1)(C)(i) shall expire on a stag-
6 gered basis as determined by the ex officio
7 members; and

8 “(ii) the terms of office for the per-
9 sons initially appointed to positions estab-
10 lished pursuant to paragraph (1)(C)(ii)
11 may be made to expire on a staggered
12 basis, as determined by the individuals
13 who, as of the date of the amendment es-
14 tablishing such positions, are members of
15 the Board.”.

16 (b) EXECUTIVE DIRECTOR COMPENSATION.—Section
17 770(g)(2) of the Federal Food, Drug, and Cosmetic Act
18 (21 U.S.C. 379dd(g)(2)) is amended by striking “but shall
19 not be greater than the compensation of the Commis-
20 sioner”.

21 (c) SEPARATION OF FUNDS.—Section 770(m) of the
22 Federal Food, Drug, and Cosmetic Act (21 U.S.C.
23 379dd(m)) is amended by striking “are held in separate
24 accounts from funds received from entities under sub-
25 section (i)” and inserting “are managed as individual pro-

- 1 grammatic funds under subsection (i), according to best
- 2 accounting practices”.