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Folder Title: 10/29/2002 [S. 2558] [771549]

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Barcode Scanning Sheet

Collection Code: **SECLOG**

Staff Name:

Document Date:

Correspondent: **TIM SAUNDERS**

Subject/Description: **OVERSIZE ATTACHMENT # 9469 NARA # 9360 BOX 5 FOLDER 2D BILL FILE RECEIVED FROM THE OFFICE OF THE EXECUTIVE CLERK - OCT 29 02 ENROLLED BILL S. 2558 - BENIGN BRAIN TUMOR CANCER REGISTRIES AMENDMENT ACT**

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

APPROVED
OCT 2 9 2002

October 21, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 2558 - Benign Brain Tumor Cancer Registries Amendment Act
Sponsors - Sen. Reed (D) RI and 11 cosponsors

THE PRESIDENT HAS SEEN
10-29-02

Last Day for Action

October 29, 2002 - Tuesday

Purpose

Requires the collection of data on benign brain-related tumors through the national program of cancer registries.

Agency Recommendations

Office of Management and Budget	Approval
Department of Health and Human Services	Approval

Discussion

Under current law, the Secretary of Health and Human Services (HHS) is authorized to make grants to States or make grants to or enter into contracts with academic or nonprofit organizations to operate statewide cancer registries. The States or organizations are required to contribute $1 for every $3 of Federal funds provided in the grant to operate the registries.

The cancer registries collect statewide demographic, medical, pathological, and other specified data on all forms of invasive cancers, including malignant brain tumors. S. 2558 would require the collection of data on benign brain-related tumors in order to obtain funding under the National Program of Cancer Registries (NPCR). The enrolled bill defines "brain-related tumor" as a primary tumor, whether malignant or benign, that is listed in the International Classification of Diseases for Oncology. S. 2558 would authorize HHS to allow States not already collecting data on benign brain tumors a one-year delay in meeting the bill's requirements in order for them to amend their statutes or regulations.

According to the bill's sponsor, S. 2558 would ensure that all forms of brain tumors are accounted for under the NPCR because, depending on location and size, a brain tumor that is classified as benign can be equally life threatening as a malignant tumor. The bill's proponents believe that the enrolled bill would enhance the ability of the medical community to devise improved methods of diagnosis and treatment for all brain tumors.

Conclusion and Recommendations

HHS recommends approval of S. 2558. In its views letter on the enrolled bill, the Department states that although generally "matters such as determination of the data elements to be included in cancer registries should be left to public health officials . . . [the] [s]ystematic collection of data on both benign and malignant brain tumors will increase the public health value of the cancer registries, including with respect to clinical research and patient care." HHS also notes that the enrolled bill is consistent with legislation in 21 States that already authorize the collection of data on benign brain tumors.

We join HHS in recommending approval of S. 2558, which passed both the Senate and the House by unanimous consent.

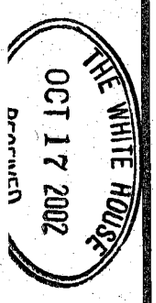
Mitchell E. Daniels, Jr.
Director

Enclosures

One Hundred Seventh Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Wednesday, the twenty-third day of January, two thousand and two



An Act

To amend the Public Health Service Act to provide for the collection of data on benign brain-related tumors through the national program of cancer registries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Benign Brain Tumor Cancer Registries Amendment Act".

SEC. 2. NATIONAL PROGRAM OF CANCER REGISTRIES; BENIGN BRAIN-RELATED TUMORS AS ADDITIONAL CATEGORY OF DATA COLLECTED.

(a) IN GENERAL.—Section 399B of the Public Health Service Act (42 U.S.C. 280e), as redesignated by section 502(2)(A) of Public Law 106–310 (114 Stat. 1115), is amended in subsection (a)—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(2) by striking "(a) IN GENERAL.—The Secretary" and inserting the following:

"(a) IN GENERAL.—

"(1) STATEWIDE CANCER REGISTRIES.—The Secretary";

(3) in the matter preceding subparagraph (A) (as so redesignated), by striking "population-based" and all that follows through "data" and inserting the following: "population-based, statewide registries to collect, for each condition specified in paragraph (2)(A), data"; and

(4) by adding at the end the following:

"(2) CANCER; BENIGN BRAIN-RELATED TUMORS.—

"(A) IN GENERAL.—For purposes of paragraph (1), the conditions referred to in this paragraph are the following:

"(i) Each form of in-situ and invasive cancer (with the exception of basal cell and squamous cell carcinoma of the skin), including malignant brain-related tumors.

"(ii) Benign brain-related tumors.

"(B) BRAIN-RELATED TUMOR.—For purposes of subparagraph (A):

"(i) The term 'brain-related tumor' means a listed primary tumor (whether malignant or benign) occurring in any of the following sites:

"(I) The brain, meninges, spinal cord, cauda equina, a cranial nerve or nerves, or any other part of the central nervous system.

"(II) The pituitary gland, pineal gland, or craniopharyngeal duct.

"(ii) The term 'listed', with respect to a primary tumor, means a primary tumor that is listed in the International Classification of Diseases for Oncology (commonly referred to as the ICD–O).

"(iii) The term 'International Classification of Diseases for Oncology' means a classification system that includes topography (site) information and histology (cell type information) developed by the World Health Organization, in collaboration with international centers, to promote international comparability in the collection, classification, processing, and presentation of cancer statistics. The ICD–O system is a supplement to the International Statistical Classification of Diseases and Related Health Problems (commonly known as the ICD) and is the standard coding system used by cancer registries worldwide. Such term includes any modification made to such system for purposes of the United States. Such term further includes any published classification system that is internationally recognized as a successor to the classification system referred to in the first sentence of this clause.

"(C) STATEWIDE CANCER REGISTRY.—References in this section to cancer registries shall be considered to be references to registries described in this subsection.".

(b) APPLICABILITY.—The amendments made by subsection (a) apply to grants under section 399B of the Public Health Service Act for fiscal year 2002 and subsequent fiscal years, except that, in the case of a State that received such a grant for fiscal year 2000, the Secretary of Health and Human Services may delay the applicability of such amendments to the State for not more than 12 months if the Secretary determines that compliance with such amendments requires the enactment of a statute by the State or the issuance of State regulations.

Speaker of the House of Representatives.

Vice President of the United States and President of the Senate, pro tempore.

APPROVED

OCT 2 9 2002

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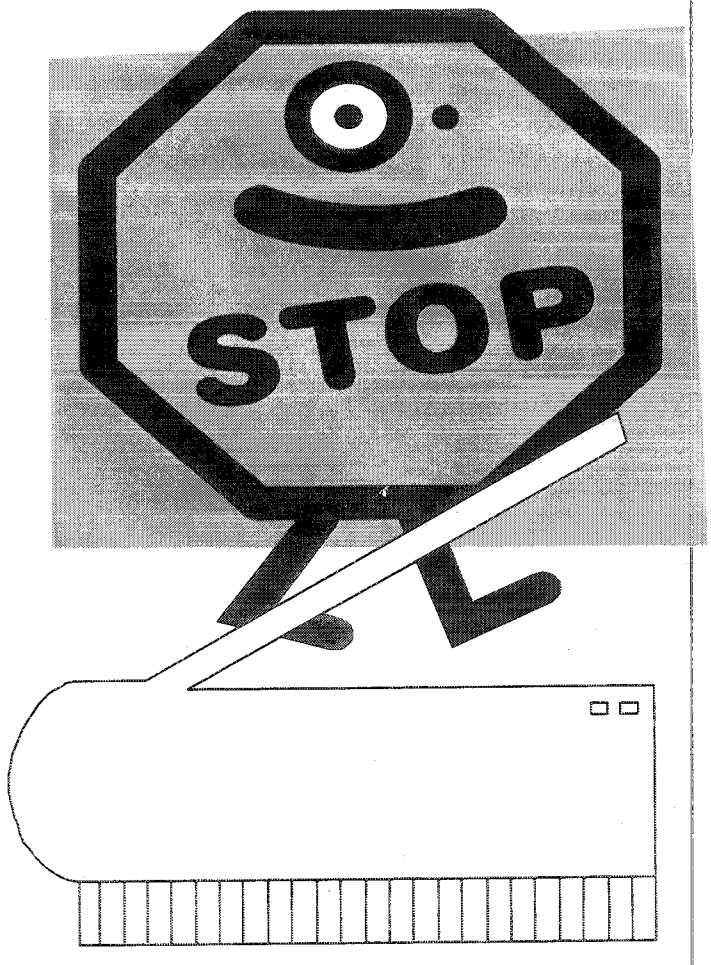
Scanning insert sheet



Remainder of case not scanned

Bills Received at the White House

Date received and notification to OMB: **10/17/2002**

Last day for action: **10/29/2002**

S.2558

Official Title	
An Act to amend the Public Health Service Act to provide for the collection of data on benign brain-related tumors through the national program of cancer registries.	521781

SS/ RM NO. 521781

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-21-02 5:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-22-02 3:00 PM

Subject: ENROLLED BILL S. 2558 -- BENIGN BRAIN TUMOR CANCER REGISTRIES AMENDMENT ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT no objection	☑	☐	HUBBARD	☐	☐
CARD ok	☑	☐	IRASTORZA	☐	☐
BARTLETT N/C - ok	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO ok	☑	☐	RICE	☐	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS ok	☑	☐
GERSON	☐	☐	CLERK	☐	☑
GONZALES	☑	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☑	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 3:00 P.M., TUESDAY, OCTOBER 22, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

The Honorable Mitchell E. Daniels, Jr.
Director, Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Daniels:

This responds to your request for the views of the Department of Health and Human Services (HHS) on S. 2558, an enrolled bill entitled the "Benign Brain Tumor Cancer Registries Amendment Act". We recommend that the President sign the enrolled bill.

S. 2558 would amend section 399B of the Public Health Service Act to include "benign brain-related tumors" as additional category of data to be collected by state cancer registries in order to obtain funding under the National Program of Cancer Registries (NPCR). The NPCR is administered by the HHS Centers for Disease Control and Prevention (CDC) and provides federal grants to state registries which collect specified data. Under current law, state registries need only collect data on cancer cases to obtain NPCR funding, which would include data on malignant (but not benign) brain tumors.

While as a general rule we believe matters such as determination of the data elements to be included in cancer registries should be left to public health officials rather than statutorily dictated, we will not object to enactment of S. 2558. The additional data elements concerning benign brain tumors that the bill would require accord with the consensus views of the public health community, and would ensure that all forms of brain tumors are accounted for under the NPCR. Although only malignant tumors are characterized as cancerous, benign brain tumors can also be life-threatening. Systematic collection of data on both benign and malignant brain tumors will increase the public health value of the cancer registries, including with respect to clinical research and patient care.

The bill's enactment would bring the federal program in line with trends in the states, at least twenty-one of which have already enacted legislation authorizing the collection of data on benign brain tumors. Furthermore, to ease the transition to the new requirements for those states not already collecting these data, the bill provides for a one-year delay of the effective date for states needing to amend their statutes or regulations.

For the foregoing reasons, we recommend that the President approve the enrolled bill.

Sincerely,

Tommy G. Thompson

One Hundred Seventh Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Wednesday, the twenty-third day of January, two thousand and two

An Act

To amend the Public Health Service Act to provide for the collection of data on benign brain-related tumors through the national program of cancer registries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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"(a) IN GENERAL.—

"(1) STATEWIDE CANCER REGISTRIES.—The Secretary";

(3) in the matter preceding subparagraph (A) (as so redesignated), by striking "population-based" and all that follows through "data" and inserting the following: "population-based, statewide registries to collect, for each condition specified in paragraph (2)(A), data"; and

(4) by adding at the end the following:

"(2) CANCER; BENIGN BRAIN-RELATED TUMORS.—

"(A) IN GENERAL.—For purposes of paragraph (1), the conditions referred to in this paragraph are the following:

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"(ii) Benign brain-related tumors.

"(B) BRAIN-RELATED TUMOR.—For purposes of subparagraph (A):

"(i) The term 'brain-related tumor' means a listed primary tumor (whether malignant or benign) occurring in any of the following sites:

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"(C) STATEWIDE CANCER REGISTRY.—References in this section to cancer registries shall be considered to be references to registries described in this subsection.".

(b) APPLICABILITY.—The amendments made by subsection (a) apply to grants under section 399B of the Public Health Service Act for fiscal year 2002 and subsequent fiscal years, except that, in the case of a State that received such a grant for fiscal year 2000, the Secretary of Health and Human Services may delay the applicability of such amendments to the State for not more than 12 months if the Secretary determines that compliance with such amendments requires the enactment of a statute by the State or the issuance of State regulations.

Speaker of the House of Representatives.

Vice President of the United States and
President of the Senate.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 21, 2002

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SUBJECT: Enrolled Bill S. 2558 - Benign Brain Tumor Cancer Registries Amendment Act
Sponsors - Sen. Reed (D) RI and 11 cosponsors

Last Day for Action

October 29, 2002 - Tuesday

Purpose

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Agency Recommendations

Office of Management and Budget	Approval
Department of Health and Human Services	Approval

Discussion

Under current law, the Secretary of Health and Human Services (HHS) is authorized to make grants to States or make grants to or enter into contracts with academic or nonprofit organizations to operate statewide cancer registries. The States or organizations are required to contribute $1 for every $3 of Federal funds provided in the grant to operate the registries.

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HHS recommends approval of S. 2558. In its views letter on the enrolled bill, the Department states that although generally "matters such as determination of the data elements to be included in cancer registries should be left to public health officials . . . [the] [s]ystematic collection of data on both benign and malignant brain tumors will increase the public health value of the cancer registries, including with respect to clinical research and patient care." HHS also notes that the enrolled bill is consistent with legislation in 21 States that already authorize the collection of data on benign brain tumors.

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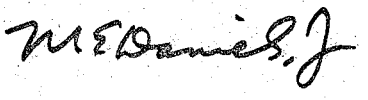

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S. 2558

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SS/ RM NO. 52178l

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Subject: ENROLLED BILL S. 2558 -- BENIGN BRAIN TUMOR CANCER REGISTRIES AMENDMENT ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☐	☐
CARD	☑	☐	IRASTORZA	☐	☐
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BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☑	☐	RICE	☐	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS	☑	☐
GERSON	☐	☐	CLERK	☐	☑
GONZALES	☑	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☑	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 3:00 P.M., TUESDAY, OCTOBER 22, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

October 21, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 2558 - Benign Brain Tumor Cancer Registries Amendment Act
Sponsors - Sen. Reed (D) RI and 11 cosponsors

Last Day for Action

October 29, 2002 - Tuesday

Purpose

Requires the collection of data on benign brain-related tumors through the national program of cancer registries.

Agency Recommendations

Office of Management and Budget	Approval
Department of Health and Human Services	Approval

Discussion

Under current law, the Secretary of Health and Human Services (HHS) is authorized to make grants to States or make grants to or enter into contracts with academic or nonprofit organizations to operate statewide cancer registries. The States or organizations are required to contribute $1 for every $3 of Federal funds provided in the grant to operate the registries.

The cancer registries collect statewide demographic, medical, pathological, and other specified data on all forms of invasive cancers, including malignant brain tumors. S. 2558 would require the collection of data on benign brain-related tumors in order to obtain funding under the National Program of Cancer Registries (NPCR). The enrolled bill defines "brain-related tumor" as a primary tumor, whether malignant or benign, that is listed in the International Classification of Diseases for Oncology. S. 2558 would authorize HHS to allow States not already collecting data on benign brain tumors a one-year delay in meeting the bill's requirements in order for them to amend their statutes or regulations.

According to the bill's sponsor, S. 2558 would ensure that all forms of brain tumors are accounted for under the NPCR because, depending on location and size, a brain tumor that is classified as benign can be equally life threatening as a malignant tumor. The bill's proponents believe that the enrolled bill would enhance the ability of the medical community to devise improved methods of diagnosis and treatment for all brain tumors.

Conclusion and Recommendations

HHS recommends approval of S. 2558. In its views letter on the enrolled bill, the Department states that although generally "matters such as determination of the data elements to be included in cancer registries should be left to public health officials . . . [the] [s]ystematic collection of data on both benign and malignant brain tumors will increase the public health value of the cancer registries, including with respect to clinical research and patient care." HHS also notes that the enrolled bill is consistent with legislation in 21 States that already authorize the collection of data on benign brain tumors.

We join HHS in recommending approval of S. 2558, which passed both the Senate and the House by unanimous consent.

Mitchell E. Daniels, Jr.
Director

Enclosures

THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

The Honorable Mitchell E. Daniels, Jr.
Director, Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Daniels:

This responds to your request for the views of the Department of Health and Human Services (HHS) on S. 2558, an enrolled bill entitled the "Benign Brain Tumor Cancer Registries Amendment Act". We recommend that the President sign the enrolled bill.

S. 2558 would amend section 399B of the Public Health Service Act to include "benign brain-related tumors" as additional category of data to be collected by state cancer registries in order to obtain funding under the National Program of Cancer Registries (NPCR). The NPCR is administered by the HHS Centers for Disease Control and Prevention (CDC) and provides federal grants to state registries which collect specified data. Under current law, state registries need only collect data on cancer cases to obtain NPCR funding, which would include data on malignant (but not benign) brain tumors.

While as a general rule we believe matters such as determination of the data elements to be included in cancer registries should be left to public health officials rather than statutorily dictated, we will not object to enactment of S. 2558. The additional data elements concerning benign brain tumors that the bill would require accord with the consensus views of the public health community, and would ensure that all forms of brain tumors are accounted for under the NPCR. Although only malignant tumors are characterized as cancerous, benign brain tumors can also be life-threatening. Systematic collection of data on both benign and malignant brain tumors will increase the public health value of the cancer registries, including with respect to clinical research and patient care.

The bill's enactment would bring the federal program in line with trends in the states, at least twenty-one of which have already enacted legislation authorizing the collection of data on benign brain tumors. Furthermore, to ease the transition to the new requirements for those states not already collecting these data, the bill provides for a one-year delay of the effective date for states needing to amend their statutes or regulations.

For the foregoing reasons, we recommend that the President approve the enrolled bill.

Sincerely,

Tommy G. Thompson

One Hundred Seventh Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Wednesday, the twenty-third day of January, two thousand and two

An Act

To amend the Public Health Service Act to provide for the collection of data on benign brain-related tumors through the national program of cancer registries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Benign Brain Tumor Cancer Registries Amendment Act".

SEC. 2. NATIONAL PROGRAM OF CANCER REGISTRIES; BENIGN BRAIN-RELATED TUMORS AS ADDITIONAL CATEGORY OF DATA COLLECTED.

(a) IN GENERAL.—Section 399B of the Public Health Service Act (42 U.S.C. 280e), as redesignated by section 502(2)(A) of Public Law 106–310 (114 Stat. 1115), is amended in subsection (a)—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(2) by striking "(a) IN GENERAL.—The Secretary" and inserting the following:

"(a) IN GENERAL.—

"(1) STATEWIDE CANCER REGISTRIES.—The Secretary";

(3) in the matter preceding subparagraph (A) (as so redesignated), by striking "population-based" and all that follows through "data" and inserting the following: "population-based, statewide registries to collect, for each condition specified in paragraph (2)(A), data"; and

(4) by adding at the end the following:

"(2) CANCER; BENIGN BRAIN-RELATED TUMORS.—

"(A) IN GENERAL.—For purposes of paragraph (1), the conditions referred to in this paragraph are the following:

"(i) Each form of in-situ and invasive cancer (with the exception of basal cell and squamous cell carcinoma of the skin), including malignant brain-related tumors.

"(ii) Benign brain-related tumors.

"(B) BRAIN-RELATED TUMOR.—For purposes of subparagraph (A):

"(i) The term 'brain-related tumor' means a listed primary tumor (whether malignant or benign) occurring in any of the following sites:

"(I) The brain, meninges, spinal cord, cauda equina, a cranial nerve or nerves, or any other part of the central nervous system.

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"(C) STATEWIDE CANCER REGISTRY.—References in this section to cancer registries shall be considered to be references to registries described in this subsection.".

(b) APPLICABILITY.—The amendments made by subsection (a) apply to grants under section 399B of the Public Health Service Act for fiscal year 2002 and subsequent fiscal years, except that, in the case of a State that received such a grant for fiscal year 2000, the Secretary of Health and Human Services may delay the applicability of such amendments to the State for not more than 12 months if the Secretary determines that compliance with such amendments requires the enactment of a statute by the State or the issuance of State regulations.

Speaker of the House of Representatives.

Vice President of the United States and
President of the Senate.

SS/ RM NO. 521781

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-21-02 5:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-22-02 3:00 PM

Subject: ENROLLED BILL S. 2558 -- BENIGN BRAIN TUMOR CANCER REGISTRIES AMENDMENT ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☐	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
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October 21, 2002

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Sponsors - Sen. Reed (D) RI and 11 cosponsors

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October 29, 2002 - Tuesday

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Agency Recommendations

Office of Management and Budget	Approval
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Enclosures

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Tommy G. Thompson

S. 2558

One Hundred Seventh Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Wednesday, the twenty-third day of January, two thousand and two

An Act

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Speaker of the House of Representatives.

Vice President of the United States and
President of the Senate.

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*** TX REPORT ***
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TRANSMISSION OK

TX/RX NO	0839	
CONNECTION TEL		66212
CONNECTION ID		
ST. TIME	10/21 05:51	
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RESULT	OK	

SS/ RM NO. 521781

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-21-02 5:00 PM **ACTION / CONCURRENCE / COMMENT DUE BY:** 10-22-02 3:00 PM

Subject: ENROLLED BILL S. 2558 -- BENIGN BRAIN TUMOR CANCER REGISTRIES AMENDMENT ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☐	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
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DANIELS	☐	☑	ROVE	☑	☐
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GERSON	☐	☐	CLERK	☐	☑
GONZALES	☑	☐	_____	☐	☐
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HAWKINS	☑	☐	_____	☐	☐

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PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 3:00 P.M.,

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RESPONSE:

Harriet E. Miers
Assistant to the President
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*** TX REPORT ***
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TRANSMISSION OK

TX/RX NO	0840	
CONNECTION TEL		51005
CONNECTION ID		
ST. TIME	10/21 06:07	
USAGE T	02'25	
PGS. SENT	6	
RESULT	OK	

SS/ RM NO. 521781

WHITE HOUSE STAFFING MEMORANDUM

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Sponsors - Sen. Reed (D) RI and 11 cosponsors

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Office of Management and Budget	Approval
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The bill's enactment would bring the federal program in line with trends in the states, at least twenty-one of which have already enacted legislation authorizing the collection of data on benign brain tumors. Furthermore, to ease the transition to the new requirements for those states not already collecting these data, the bill provides for a one-year delay of the effective date for states needing to amend their statutes or regulations.

For the foregoing reasons, we recommend that the President approve the enrolled bill.

Sincerely,

Tommy G. Thompson

S. 2558

One Hundred Seventh Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Wednesday, the twenty-third day of January, two thousand and two

An Act

To amend the Public Health Service Act to provide for the collection of data on benign brain-related tumors through the national program of cancer registries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Benign Brain Tumor Cancer Registries Amendment Act".

SEC. 2. NATIONAL PROGRAM OF CANCER REGISTRIES; BENIGN BRAIN-RELATED TUMORS AS ADDITIONAL CATEGORY OF DATA COLLECTED.

(a) IN GENERAL.—Section 399B of the Public Health Service Act (42 U.S.C. 280e), as redesignated by section 502(2)(A) of Public Law 106–310 (114 Stat. 1115), is amended in subsection (a)—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(2) by striking "(a) IN GENERAL.—The Secretary" and inserting the following:

"(a) IN GENERAL.—

"(1) STATEWIDE CANCER REGISTRIES.—The Secretary";

(3) in the matter preceding subparagraph (A) (as so redesignated), by striking "population-based" and all that follows through "data" and inserting the following: "population-based, statewide registries to collect, for each condition specified in paragraph (2)(A), data"; and

(4) by adding at the end the following:

"(2) CANCER; BENIGN BRAIN-RELATED TUMORS.—

"(A) IN GENERAL.—For purposes of paragraph (1), the conditions referred to in this paragraph are the following:

"(i) Each form of in-situ and invasive cancer (with the exception of basal cell and squamous cell carcinoma of the skin), including malignant brain-related tumors.

"(ii) Benign brain-related tumors.

"(B) BRAIN-RELATED TUMOR.—For purposes of subparagraph (A):

"(i) The term 'brain-related tumor' means a listed primary tumor (whether malignant or benign) occurring in any of the following sites:

"(I) The brain, meninges, spinal cord, cauda equina, a cranial nerve or nerves, or any other part of the central nervous system.

"(II) The pituitary gland, pineal gland, or craniopharyngeal duct.

"(ii) The term 'listed', with respect to a primary tumor, means a primary tumor that is listed in the International Classification of Diseases for Oncology (commonly referred to as the ICD–O).

"(iii) The term 'International Classification of Diseases for Oncology' means a classification system that includes topography (site) information and histology (cell type information) developed by the World Health Organization, in collaboration with international centers, to promote international comparability in the collection, classification, processing, and presentation of cancer statistics. The ICD–O system is a supplement to the International Statistical Classification of Diseases and Related Health Problems (commonly known as the ICD) and is the standard coding system used by cancer registries worldwide. Such term includes any modification made to such system for purposes of the United States. Such term further includes any published classification system that is internationally recognized as a successor to the classification system referred to in the first sentence of this clause.

"(C) STATEWIDE CANCER REGISTRY.—References in this section to cancer registries shall be considered to be references to registries described in this subsection.".

(b) APPLICABILITY.—The amendments made by subsection (a) apply to grants under section 399B of the Public Health Service Act for fiscal year 2002 and subsequent fiscal years, except that, in the case of a State that received such a grant for fiscal year 2000, the Secretary of Health and Human Services may delay the applicability of such amendments to the State for not more than 12 months if the Secretary determines that compliance with such amendments requires the enactment of a statute by the State or the issuance of State regulations.

Speaker of the House of Representatives.

Vice President of the United States and
President of the Senate.

SS/ RM NO. 521781

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-21-02 5:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-22-02 3:00 PM

Subject: ENROLLED BILL S. 2558 -- BENIGN BRAIN TUMOR CANCER REGISTRIES AMENDMENT ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☐	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
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FLEISCHER	☐	☑	SPELLINGS	☑	☐
GERSON	☐	☐	CLERK	☐	☑
GONZALES	☑	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☑	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 3:00 P.M., TUESDAY, OCTOBER 22, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

OK - No Comment

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

October 21, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 2558 - Benign Brain Tumor Cancer Registries Amendment Act
Sponsors - Sen. Reed (D) RI and 11 cosponsors

Last Day for Action

October 29, 2002 - Tuesday

Purpose

Requires the collection of data on benign brain-related tumors through the national program of cancer registries.

Agency Recommendations

Office of Management and Budget	Approval
Department of Health and Human Services	Approval

Discussion

Under current law, the Secretary of Health and Human Services (HHS) is authorized to make grants to States or make grants to or enter into contracts with academic or nonprofit organizations to operate statewide cancer registries. The States or organizations are required to contribute $1 for every $3 of Federal funds provided in the grant to operate the registries.

The cancer registries collect statewide demographic, medical, pathological, and other specified data on all forms of invasive cancers, including malignant brain tumors. S. 2558 would require the collection of data on benign brain-related tumors in order to obtain funding under the National Program of Cancer Registries (NPCR). The enrolled bill defines "brain-related tumor" as a primary tumor, whether malignant or benign, that is listed in the International Classification of Diseases for Oncology. S. 2558 would authorize HHS to allow States not already collecting data on benign brain tumors a one-year delay in meeting the bill's requirements in order for them to amend their statutes or regulations.

According to the bill's sponsor, S. 2558 would ensure that all forms of brain tumors are accounted for under the NPCR because, depending on location and size, a brain tumor that is classified as benign can be equally life threatening as a malignant tumor. The bill's proponents believe that the enrolled bill would enhance the ability of the medical community to devise improved methods of diagnosis and treatment for all brain tumors.

Conclusion and Recommendations

HHS recommends approval of S. 2558. In its views letter on the enrolled bill, the Department states that although generally "matters such as determination of the data elements to be included in cancer registries should be left to public health officials . . . [the] [s]ystematic collection of data on both benign and malignant brain tumors will increase the public health value of the cancer registries, including with respect to clinical research and patient care." HHS also notes that the enrolled bill is consistent with legislation in 21 States that already authorize the collection of data on benign brain tumors.

We join HHS in recommending approval of S. 2558, which passed both the Senate and the House by unanimous consent.

Mitchell E. Daniels, Jr.
Director

Enclosures

THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

The Honorable Mitchell E. Daniels, Jr.
Director, Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Daniels:

This responds to your request for the views of the Department of Health and Human Services (HHS) on S. 2558, an enrolled bill entitled the "Benign Brain Tumor Cancer Registries Amendment Act". We recommend that the President sign the enrolled bill.

S. 2558 would amend section 399B of the Public Health Service Act to include "benign brain-related tumors" as additional category of data to be collected by state cancer registries in order to obtain funding under the National Program of Cancer Registries (NPCR). The NPCR is administered by the HHS Centers for Disease Control and Prevention (CDC) and provides federal grants to state registries which collect specified data. Under current law, state registries need only collect data on cancer cases to obtain NPCR funding, which would include data on malignant (but not benign) brain tumors.

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Tommy G. Thompson

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AT THE SECOND SESSION

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Speaker of the House of Representatives.

Vice President of the United States and
President of the Senate.

SS/ RM NO. 521781

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-21-02 5:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-22-02 3:00 PM

Subject: ENROLLED BILL S. 2558 -- BENIGN BRAIN TUMOR CANCER REGISTRIES AMENDMENT ACT

	ACTION	FYI		ACTION	FYI
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GONZALES	☑	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☑	☐	_____	☐	☐

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RESPONSE:

AHC 10/21 6:05PM

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

October 21, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 2558 - Benign Brain Tumor Cancer Registries Amendment Act
Sponsors - Sen. Reed (D) RI and 11 cosponsors

Last Day for Action

October 29, 2002 - Tuesday

Purpose

Requires the collection of data on benign brain-related tumors through the national program of cancer registries.

Agency Recommendations

Office of Management and Budget	Approval
Department of Health and Human Services	Approval

Discussion

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M E Daniels, J

Mitchell E. Daniels, Jr.
Director

Enclosures

THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

The Honorable Mitchell E. Daniels, Jr.
Director, Office of Management and Budget
Washington, D.C. 20503

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Tommy G. Thompson

One Hundred Seventh Congress of the United States of America

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Speaker of the House of Representatives.

Vice President of the United States and
President of the Senate.

SS/ RM NO. 521781

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-21-02 5:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-22-02 3:00 PM

Subject: ENROLLED BILL S. 2558 -- BENIGN BRAIN TUMOR CANCER REGISTRIES AMENDMENT ACT

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RESPONSE:

Legislative Affairs (Howard) -sh

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

October 21, 2002

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SUBJECT: Enrolled Bill S. 2558 - Benign Brain Tumor Cancer Registries Amendment Act
Sponsors - Sen. Reed (D) RI and 11 cosponsors

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Office of Management and Budget	Approval
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Enclosures

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The bill's enactment would bring the federal program in line with trends in the states, at least twenty-one of which have already enacted legislation authorizing the collection of data on benign brain tumors. Furthermore, to ease the transition to the new requirements for those states not already collecting these data, the bill provides for a one-year delay of the effective date for states needing to amend their statutes or regulations.

For the foregoing reasons, we recommend that the President approve the enrolled bill.

Sincerely,

Tommy G. Thompson

One Hundred Seventh Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Wednesday, the twenty-third day of January, two thousand and two

An Act

To amend the Public Health Service Act to provide for the collection of data on benign brain-related tumors through the national program of cancer registries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Benign Brain Tumor Cancer Registries Amendment Act".

SEC. 2. NATIONAL PROGRAM OF CANCER REGISTRIES; BENIGN BRAIN-RELATED TUMORS AS ADDITIONAL CATEGORY OF DATA COLLECTED.

(a) IN GENERAL.—Section 399B of the Public Health Service Act (42 U.S.C. 280e), as redesignated by section 502(2)(A) of Public Law 106–310 (114 Stat. 1115), is amended in subsection (a)—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(2) by striking "(a) IN GENERAL.—The Secretary" and inserting the following:

"(a) IN GENERAL.—

"(1) STATEWIDE CANCER REGISTRIES.—The Secretary";

(3) in the matter preceding subparagraph (A) (as so redesignated), by striking "population-based" and all that follows through "data" and inserting the following: "population-based, statewide registries to collect, for each condition specified in paragraph (2)(A), data"; and

(4) by adding at the end the following:

"(2) CANCER; BENIGN BRAIN-RELATED TUMORS.—

"(A) IN GENERAL.—For purposes of paragraph (1), the conditions referred to in this paragraph are the following:

"(i) Each form of in-situ and invasive cancer (with the exception of basal cell and squamous cell carcinoma of the skin), including malignant brain-related tumors.

"(ii) Benign brain-related tumors.

"(B) BRAIN-RELATED TUMOR.—For purposes of subparagraph (A):

"(i) The term 'brain-related tumor' means a listed primary tumor (whether malignant or benign) occurring in any of the following sites:

"(I) The brain, meninges, spinal cord, cauda equina, a cranial nerve or nerves, or any other part of the central nervous system.

"(II) The pituitary gland, pineal gland, or craniopharyngeal duct.

"(ii) The term 'listed', with respect to a primary tumor, means a primary tumor that is listed in the International Classification of Diseases for Oncology (commonly referred to as the ICD–O).

"(iii) The term 'International Classification of Diseases for Oncology' means a classification system that includes topography (site) information and histology (cell type information) developed by the World Health Organization, in collaboration with international centers, to promote international comparability in the collection, classification, processing, and presentation of cancer statistics. The ICD–O system is a supplement to the International Statistical Classification of Diseases and Related Health Problems (commonly known as the ICD) and is the standard coding system used by cancer registries worldwide. Such term includes any modification made to such system for purposes of the United States. Such term further includes any published classification system that is internationally recognized as a successor to the classification system referred to in the first sentence of this clause.

"(C) STATEWIDE CANCER REGISTRY.—References in this section to cancer registries shall be considered to be references to registries described in this subsection.".

(b) APPLICABILITY.—The amendments made by subsection (a) apply to grants under section 399B of the Public Health Service Act for fiscal year 2002 and subsequent fiscal years, except that, in the case of a State that received such a grant for fiscal year 2000, the Secretary of Health and Human Services may delay the applicability of such amendments to the State for not more than 12 months if the Secretary determines that compliance with such amendments requires the enactment of a statute by the State or the issuance of State regulations.

Speaker of the House of Representatives.

Vice President of the United States and
President of the Senate.

OFFICE OF THE VICE PRESIDENT

WASHINGTON

'02 OCT 22 PM 5:37

October 22, 2002

MEMORANDUM FOR JIM JUKES
ASSISTANT DIRECTOR, OMB

FROM: **JONATHAN BURKS**
DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

SUBJECT: **Enrolled Bill S. 2558 – Benign Brain Tumor Cancer Registries Amendment Act**

The Office of the Vice President has reviewed the above-referenced draft and has no objection to the President signing the enrolled bill.

cc: **Harriet Miers**
Staff Secretary

SS/ RM NO. 521781

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-21-02 5:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-22-02 3:00 PM

Subject: ENROLLED BILL S. 2558 -- BENIGN BRAIN TUMOR CANCER REGISTRIES AMENDMENT ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☐	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☑	☐	RICE	☐	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS →	☑	☐
GERSON	☐	☐	CLERK	☐	☑
GONZALES	☑	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☑	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 3:00 P.M., TUESDAY, OCTOBER 22, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

OK

RESPONSE:

Jay
Alan / Pilar
Teri

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

October 21, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 2558 - Benign Brain Tumor Cancer Registries Amendment Act
Sponsors - Sen. Reed (D) RI and 11 cosponsors

Last Day for Action

October 29, 2002 - Tuesday

Purpose

Requires the collection of data on benign brain-related tumors through the national program of cancer registries.

Agency Recommendations

Office of Management and Budget	Approval
Department of Health and Human Services	Approval

Discussion

Under current law, the Secretary of Health and Human Services (HHS) is authorized to make grants to States or make grants to or enter into contracts with academic or nonprofit organizations to operate statewide cancer registries. The States or organizations are required to contribute $1 for every $3 of Federal funds provided in the grant to operate the registries.

The cancer registries collect statewide demographic, medical, pathological, and other specified data on all forms of invasive cancers, including malignant brain tumors. S. 2558 would require the collection of data on benign brain-related tumors in order to obtain funding under the National Program of Cancer Registries (NPCR). The enrolled bill defines "brain-related tumor" as a primary tumor, whether malignant or benign, that is listed in the International Classification of Diseases for Oncology. S. 2558 would authorize HHS to allow States not already collecting data on benign brain tumors a one-year delay in meeting the bill's requirements in order for them to amend their statutes or regulations.

According to the bill's sponsor, S. 2558 would ensure that all forms of brain tumors are accounted for under the NPCR because, depending on location and size, a brain tumor that is classified as benign can be equally life threatening as a malignant tumor. The bill's proponents believe that the enrolled bill would enhance the ability of the medical community to devise improved methods of diagnosis and treatment for all brain tumors.

Conclusion and Recommendations

HHS recommends approval of S. 2558. In its views letter on the enrolled bill, the Department states that although generally "matters such as determination of the data elements to be included in cancer registries should be left to public health officials . . . [the] [s]ystematic collection of data on both benign and malignant brain tumors will increase the public health value of the cancer registries, including with respect to clinical research and patient care." HHS also notes that the enrolled bill is consistent with legislation in 21 States that already authorize the collection of data on benign brain tumors.

We join HHS in recommending approval of S. 2558, which passed both the Senate and the House by unanimous consent.

Mitchell E. Daniels, Jr.
Director

Enclosures

THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

The Honorable Mitchell E. Daniels, Jr.
Director, Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Daniels:

This responds to your request for the views of the Department of Health and Human Services (HHS) on S. 2558, an enrolled bill entitled the "Benign Brain Tumor Cancer Registries Amendment Act". We recommend that the President sign the enrolled bill.

S. 2558 would amend section 399B of the Public Health Service Act to include "benign brain-related tumors" as additional category of data to be collected by state cancer registries in order to obtain funding under the National Program of Cancer Registries (NPCR). The NPCR is administered by the HHS Centers for Disease Control and Prevention (CDC) and provides federal grants to state registries which collect specified data. Under current law, state registries need only collect data on cancer cases to obtain NPCR funding, which would include data on malignant (but not benign) brain tumors.

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Tommy G. Thompson

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SS/ RM NO. 521781

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-21-02 5:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-22-02 3:00 PM

Subject: ENROLLED BILL S. 2558 -- BENIGN BRAIN TUMOR CANCER REGISTRIES AMENDMENT ACT

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FLEISCHER	☐	☑	SPELLINGS	☑	☐
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GONZALES	☑	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☑	☐	_____	☐	☐

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RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

October 21, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 2558 - Benign Brain Tumor Cancer Registries Amendment Act
Sponsors - Sen. Reed (D) RI and 11 cosponsors

Last Day for Action

October 29, 2002 - Tuesday

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Speaker of the House of Representatives.

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