

114TH CONGRESS
1ST SESSION

H. R. 2421

To amend the Public Health Service Act to increase accountability at the
National Institutes of Health.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2015

Mr. BARTON introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to increase
accountability at the National Institutes of Health.

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. INCREASING ACCOUNTABILITY AT THE NA-**
4 **TIONAL INSTITUTES OF HEALTH.**

5 (a) APPOINTMENT AND TERMS OF DIRECTORS OF
6 NATIONAL RESEARCH INSTITUTES AND NATIONAL CEN-
7 TERS.—Subsection (a) of section 405 of the Public Health
8 Service Act (42 U.S.C. 284) is amended to read as follows:

9 “(a) APPOINTMENT; TERMS.—

1 “(1) APPOINTMENT.—The Director of the Na-
2 tional Cancer Institute shall be appointed by the
3 President and the directors of the other national re-
4 search institutes, as well as the directors of the na-
5 tional centers, shall be appointed by the Director of
6 NIH. The directors of the national research insti-
7 tutes, as well as national centers, shall report di-
8 rectly to the Director of NIH.

9 “(2) TERMS.—

10 “(A) IN GENERAL.—The term of office of
11 a director of a national research institute or na-
12 tional center shall be 5 years.

13 “(B) REMOVAL.—The director of a na-
14 tional research institute or national center may
15 be removed from office by the Director of NIH
16 prior to the expiration of such director’s 5-year
17 term.

18 “(C) REAPPOINTMENT.—At the end of the
19 term of a director of a national research insti-
20 tute or national center, the director may be re-
21 appointed. There is no limit on the number of
22 terms a director may serve.

23 “(D) VACANCIES.—If the office of a direc-
24 tor of a national research institute or national
25 center becomes vacant before the end of such

1 director's term, the director appointed to fill the
2 vacancy shall be appointed for a 5-year term
3 starting on the date of such appointment.

4 “(E) TRANSITIONAL PROVISION.—Each di-
5 rector of a national research institute or na-
6 tional center serving on the date of enactment
7 of the 21st Century Cures Act is deemed to be
8 appointed for a 5-year term under this sub-
9 section starting on such date of enactment.”.

10 (b) COMPENSATION TO CONSULTANTS OR INDI-
11 VIDUAL SCIENTISTS.—Section 202 of the Departments of
12 Labor, Health and Human Services, and Education, and
13 Related Agencies Appropriations Act, 1993 (Public Law
14 102–394; 42 U.S.C. 238f note) is amended by striking
15 “portable structures;” and all that follows and inserting
16 “portable structures.”.

17 (c) REVIEW OF CERTAIN AWARDS BY DIRECTORS.—
18 Section 405(b) of the Public Health Service Act (42
19 U.S.C. 284(b)) is amended by adding at the end the fol-
20 lowing:

21 “(3) Before an award is made by a national research
22 institute or by a national center for a grant for a research
23 program or project (commonly referred to as an ‘R-series
24 grant’), other than an award constituting a noncompeting
25 renewal of such grant, or a noncompeting administrative

1 supplement to such grant, the director of such national
2 research institute or national center—

3 “(A) shall review and approve the award; and

4 “(B) shall take into consideration—

5 “(i) the mission of the national research
6 institute or national center and the scientific
7 priorities identified in the strategic plan under
8 section 402(m); and

9 “(ii) whether other agencies are funding
10 programs or projects to accomplish the same
11 goal.”.

12 (d) IOM STUDY ON DUPLICATION IN FEDERAL BIO-
13 MEDICAL RESEARCH.—The Secretary of Health and
14 Human Services shall enter into an arrangement with the
15 Institute of Medicine of the National Academies (or, if the
16 Institute declines, another appropriate entity) under which
17 the Institute (or other appropriate entity) not later than
18 2 years after the date of enactment of this Act will—

19 (1) complete a study on the extent to which bio-
20 medical research conducted or supported by Federal
21 agencies is duplicative; and

22 (2) submit a report to the Congress on the re-
23 sults of such study, including recommendations on
24 how to prevent such duplication.

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