

115TH CONGRESS  
1ST SESSION

# H. R. 4353

To amend the Public Health Service Act to require reporting by the National Institutes of Health on requests for funding research that were not granted and had the greatest potential for improving public health, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 9, 2017

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

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## A BILL

To amend the Public Health Service Act to require reporting by the National Institutes of Health on requests for funding research that were not granted and had the greatest potential for improving public health, and for other purposes.

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 “Missed Opportunities  
5 in Public Health and Biomedical Research Act of 2017”.

1 **SEC. 2. ANNUAL REPORTING BY NIH ON MISSED OPPORTU-**  
2 **NITIES.**

3 The Public Health Service Act (42 U.S.C. 201 et  
4 seq.) is amended by inserting after section 403D of such  
5 Act (42 U.S.C. 283a-3) the following:

6 **“SEC. 403E. ANNUAL REPORTING ON MISSED OPPORTUNI-**  
7 **TIES.**

8 “(a) IN GENERAL.—Not later than the last day of  
9 the first fiscal quarter following the end of each fiscal  
10 year, the Director of NIH shall submit a report to Con-  
11 gress identifying, with respect to each national research  
12 institute, each national center, and the Office of the Direc-  
13 tor of NIH—

14 “(1) the success rate of grant applications re-  
15 viewed during such fiscal year;

16 “(2) the top two grant applications reviewed  
17 during such fiscal year that were not funded; and

18 “(3) if the success rate described in paragraph  
19 (1) is lower than 32 percent, the top grant applica-  
20 tions that were reviewed and could have been funded  
21 to achieve a success rate of at least 32 percent.

22 “(b) TRADE SECRETS AND CONFIDENTIAL INFORMA-  
23 TION.—This section does not authorize the Secretary to  
24 disclose any information that is a trade secret or confiden-  
25 tial information subject to section 552(b)(4) of title 5,

1 United States Code, or section 1905 of title 18, United  
2 States Code.

3 “(c) DEFINITIONS.—In this section:

4 “(1) The term ‘success rate’ means the percent-  
5 age of grant applications reviewed during the respec-  
6 tive fiscal year that received funding.

7 “(2) The term ‘top’ means having the greatest  
8 potential for—

9 “(A) improving public health;

10 “(B) advancing biomedical and behavioral  
11 research; and

12 “(C) increasing fundamental knowledge  
13 about the nature and behavior of living systems,  
14 and the application of that knowledge towards  
15 enhancing health, lengthening life, and reducing  
16 illness and disability.”.

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