

116TH CONGRESS
2D SESSION

H. R. 6556

To require certain civil penalties to be transferred to a fund through which amounts are made available for the Gabriella Miller Kids First Pediatric Research Program at the National Institutes of Health, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 2020

Ms. WEXTON (for herself, Mr. COLE, Mr. WELCH, and Mr. BILIRAKIS) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require certain civil penalties to be transferred to a fund through which amounts are made available for the Gabriella Miller Kids First Pediatric Research Program at the National Institutes of 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 “Gabriella Miller Kids
5 First Research Act 2.0”.

1 **SEC. 2. TRANSFER OF FUNDS TO THE 10-YEAR PEDIATRIC**
2 **RESEARCH INITIATIVE.**

3 Section 30A of the Securities Exchange Act of 1934
4 (15 U.S.C. 78dd–1) is amended by adding at the end the
5 following:

6 “(h) **TRANSFER OF AMOUNTS.**—

7 “(1) **IN GENERAL.**—With respect to civil mone-
8 tary sanctions, including penalties, disgorgement,
9 and interest, recovered under this section, section
10 13(b)(2), or section 32(c) from persons registered
11 under section 510(b)(1) or section 510(i)(1)(A)(i) of
12 the Federal Food, Drug, and Cosmetic Act, the Sec-
13 retary of the Treasury shall transfer to the 10-Year
14 Pediatric Research Initiative Fund described in sec-
15 tion 9008(i)(2) of the Internal Revenue Code of
16 1986 (the ‘Fund’), an amount equal to the sum of
17 all such sanctions.

18 “(2) **EXCEPTION FOR FUNDS TO BE PAID TO**
19 **HARMED INVESTORS.**—Paragraph (1) shall not
20 apply to any monetary sanction collected by the
21 Commission in any judicial or administrative action
22 brought by the Commission under the securities laws
23 that is added to a disgorgement fund or other fund
24 under section 308 of the Sarbanes-Oxley Act of
25 2002 (15 U.S.C. 7246) or otherwise distributed to

1 victims of a violation of the securities laws, or the
2 rules and regulations thereunder.

3 “(3) APPLICATION.—Amounts transferred to
4 the Fund under this subsection shall—

5 “(A) be transferred in the manner de-
6 scribed under section 9601 of the Internal Rev-
7 enue Code of 1986; and

8 “(B) be available as described in section
9 9008(i)(2) of such Code.”.

10 **SEC. 3. FUNDING FOR THE 10-YEAR PEDIATRIC RESEARCH**
11 **INITIATIVE.**

12 Section 402A(a)(2) of the Public Health Service Act
13 (42 U.S.C. 282a(a)(2)) is amended by inserting before the
14 period the following: “, and amounts transferred into the
15 10-Year Pediatric Research Initiative Fund under section
16 30A(h) of the Securities Exchange Act of 1934”.

17 **SEC. 4. COORDINATION OF NIH FUNDING FOR PEDIATRIC**
18 **RESEARCH.**

19 (a) SENSE OF CONGRESS.—It is the sense of the Con-
20 gress that the Director of the National Institutes of
21 Health should oversee and coordinate research that is con-
22 ducted or supported by the National Institutes of Health
23 for research on pediatric cancer and other pediatric dis-
24 eases and conditions, including through the 10-Year Pedi-
25 atric Research Initiative Fund.

1 (b) A V O I D I N G D U P L I C A T I O N.—Section
2 402(b)(7)(B)(ii) of the Public Health Service Act (42
3 U.S.C. 282(b)(7)(B)(ii)) is amended by inserting “and
4 shall prioritize such pediatric research that does not dupli-
5 cate existing research activities of the National Institutes
6 of Health” before “; and”.

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