

Rand Paul #2

AMENDMENT NO. _____ Calendar No. _____

Purpose: To replace the National Institute of Allergy and Infectious Diseases with 3 separate national research institutes.

IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.

S. 3799

To prepare for, and respond to, existing viruses, emerging new threats, and pandemics.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 At the appropriate place in subtitle A of title I, insert
2 the following:

3 **SEC. 1 ____ . DIVISION OF NATIONAL INSTITUTE OF AL-**
4 **LERGY AND INFECTIOUS DISEASES.**

5 (a) ORGANIZATION OF NATIONAL RESEARCH INSTI-
6 TUTES.—Section 401 of the Public Health Service Act (42
7 U.S.C. 281) is amended—

8 (1) in subsection (b)—

9 (A) in paragraph (6), by striking “Allergy
10 and Infectious Diseases” and inserting “Aller-
11 gic Diseases”;

1 (B) by redesignating paragraph (25) as
2 paragraph (27); and

3 (C) by inserting after paragraph (24) the
4 following:

5 “(25) The National Institute of Infectious Dis-
6 eases.

7 “(26) The National Institute of Immunologic
8 Diseases.”; and

9 (2) in subsection (d)(1), by striking “27” and
10 inserting “29”.

11 (b) APPOINTMENT OF DIRECTORS.—

12 (1) IN GENERAL.—Section 405(a)(1) of the
13 Public Health Service Act (42 U.S.C. 284(a)(1)) is
14 amended—

15 (A) by inserting “, the Director of the Na-
16 tional Institute of Allergic Diseases, the Direc-
17 tor of the National Institute of Infectious Dis-
18 eases, and the Director of the National Insti-
19 tute of Immunologic Diseases” after “National
20 Cancer Institute”; and

21 (B) by inserting “by and with the advice
22 and consent of the Senate,” after “the Presi-
23 dent,”.

1 (2) TERMS.—Section 405(a) of the Public
2 Health Service Act (42 U.S.C. 284(a)) is amended
3 by adding at the end the following:

4 “(4) CERTAIN APPOINTMENTS BY THE PRESI-
5 DENT.—The appointments by the President of the
6 Director of the National Institute of Allergic Dis-
7 eases, the Director of the National Institute of In-
8 fectious Diseases, and the Director of the National
9 Institute of Immunologic Diseases shall be for terms
10 of 5 years. Each such Director may be reappointed
11 in accordance paragraph (1). There shall be no limit
12 on the number of terms that a Director may serve.”.

13 (3) TRANSITION.—Effective on the date of en-
14 actment of this Act, the position of Director of the
15 National Institute of Allergy and Infectious Diseases
16 is terminated, and the National Institute of Allergic
17 Diseases, the National Institute of Infectious Dis-
18 eases, and the National Institute of Immunologic
19 Diseases shall be overseen by the Director of the
20 National Institutes of Health until such time as the
21 directors of each such national institutes is ap-
22 pointed pursuant to section 405(a)(1) of the Public
23 Health Service Act (42 U.S.C. 284(a)(1)), as
24 amended by paragraph (1).

25 (c) DUTIES OF THE NATIONAL INSTITUTES.—

1 (1) NATIONAL INSTITUTE OF ALLERGIC DIS-
2 EASES.—Subpart 6 of part C of title IV of the Pub-
3 lic Health Service Act (42 U.S.C. 285f et seq.) is
4 amended—

5 (A) in the subpart heading, by striking
6 **“Allergy and Infectious Diseases”** and
7 inserting **“Allergic Diseases”**; and

8 (B) in section 446—

9 (i) by striking “Allergy and Infectious
10 Diseases” and inserting “Allergic Dis-
11 eases”; and

12 (ii) by striking “allergic and
13 immunologic diseases and disorders and in-
14 fectious diseases, including tropical dis-
15 eases” and inserting “allergic diseases and
16 disorders”.

17 (2) NATIONAL INSTITUTE OF INFECTIOUS DIS-
18 EASES.—

19 (A) IN GENERAL.—Part C of title IV of
20 the Public Health Service Act (42 U.S.C. 285
21 et seq.) is amended by adding at the end the
22 following:

1 Infectious Diseases, as in effect on the day be-
2 fore the date of enactment of this Act.

3 (3) NATIONAL INSTITUTE OF IMMUNOLOGIC
4 DISEASES.—

5 (A) IN GENERAL.—Part C of title IV of
6 the Public Health Service Act (42 U.S.C. 285
7 et seq.), as amended by paragraph (2), is fur-
8 ther amended by adding at the end the fol-
9 lowing:

10 **“Subpart 22—National Institute of Immunologic**
11 **Diseases**

12 **“SEC. 464z-15. PURPOSE OF THE INSTITUTE.**

13 “The general purpose of the National Institute of
14 Immunologic Diseases is the conduct and support of re-
15 search, training, health information dissemination, and
16 other programs with respect to immunologic diseases and
17 disorders.”.

18 (B) TRANSFER OF AUTHORITIES.—Sec-
19 tions 447 and 447C of the Public Health Serv-
20 ice Act (42 U.S.C. 285f-1; 285f-4) are—

21 (i) redesignated as sections 464z-16
22 and 464z-17, respectively; and

23 (ii) transferred to appear after section
24 464z-15 of such Act, as added by subpara-
25 graph (A).

1 (C) ORDERLY TRANSITION.—The Director
2 of the National Institutes of Health shall take
3 such steps as are necessary to provide for the
4 orderly transition to the authority of the Na-
5 tional Institute of Immunologic Diseases estab-
6 lished under section 464z-15 of the Public
7 Health Service Act, as added by subparagraph
8 (A), from any authority related to immunologic
9 diseases and disorders of the National Institute
10 of Allergy and Infectious Diseases, as in effect
11 on the day before the date of enactment of this
12 Act.

13 (d) CONFORMING AMENDMENTS.—

14 (1) Section 404B of the Public Health Service
15 Act (42 U.S.C. 283d) is amended by striking “Na-
16 tional Institute for Allergy and Infectious Diseases”
17 and inserting “National Institute for Infectious Dis-
18 eases”.

19 (2) Section 404I of the Public Health Service
20 Act (42 U.S.C. 283k) is amended—

21 (A) in subsection (a)(1), by striking “or
22 the Director of the National Institute for Al-
23 lergy and Infectious Diseases”; and

1 (B by striking “or the National Institute
2 for Allergy and Infectious Diseases” each place
3 it appears.

4 (3) Section 442A(a) of the Public Health Serv-
5 ice Act (42 U.S.C. 285d-8(a)) is amended by strik-
6 ing “Allergy and Infectious Diseases” and inserting
7 “Immunologic Diseases”.

8 (4) Any reference in any law (including a regu-
9 lation), guidance, map, document, record, or other
10 paper of the United States to the National Institute
11 of Allergy and Infectious Diseases, including with re-
12 spect to the Director of such Institute, shall be
13 deemed to be a reference to, as applicable, the Na-
14 tional Institute of Allergic Diseases, the National In-
15 stitute of Infectious Diseases, or the National Insti-
16 tute of Immunologic Diseases, including with respect
17 to the Directors of such Institutes.