

118TH CONGRESS
1ST SESSION

H. R. 1768

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2023

Mr. ROY (for himself, Mrs. MILLER of Illinois, Mr. GOSAR, Mr. JACKSON of Texas, Ms. HAGEMAN, Mrs. BOEBERT, Mr. BIGGS, Mr. BURLISON, Mr. ROSENDALE, Mr. BRECHEEN, Mrs. LUNA, Mr. BISHOP of North Carolina, Mr. GAETZ, Mr. STEUBE, Mr. GOODEN of Texas, and Mr. GOOD of Virginia) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

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

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 “NIH Reform Act”.

1 **SEC. 2. DIVISION OF NATIONAL INSTITUTE OF ALLERGY**
2 **AND INFECTIOUS DISEASES.**

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

6 (1) in subsection (b)—

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

10 (B) by redesignating paragraph (25) as
11 paragraph (27); and

12 (C) by inserting after paragraph (24) the
13 following:

14 “(25) The National Institute of Infectious Dis-
15 eases.

16 “(26) The National Institute of Immunologic
17 Diseases.”; and

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

20 (b) APPOINTMENT OF DIRECTORS.—

21 (1) IN GENERAL.—Section 405(a)(1) of the
22 Public Health Service Act (42 U.S.C. 284(a)(1)) is
23 amended—

24 (A) by inserting “, the Director of the Na-
25 tional Institute of Allergic Diseases, the Direc-
26 tor of the National Institute of Infectious Dis-

1 eases, and the Director of the National Insti-
2 tute of Immunologic Diseases” after “National
3 Cancer Institute”; and

4 (B) by inserting “by and with the advice
5 and consent of the Senate,” after “the Presi-
6 dent,”.

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

10 “(4) CERTAIN APPOINTMENTS BY THE PRESI-
11 DENT.—The appointments by the President of the
12 Director of the National Institute of Allergic Dis-
13 eases, the Director of the National Institute of In-
14 fectious Diseases, and the Director of the National
15 Institute of Immunologic Diseases shall be for terms
16 of 5 years. Each such Director may be reappointed
17 for not more than 1 additional term, in accordance
18 paragraph (1).”.

19 (3) TRANSITION.—Effective on the date of en-
20 actment of this Act, the position of Director of the
21 National Institute of Allergy and Infectious Diseases
22 is terminated, and the National Institute of Allergic
23 Diseases, the National Institute of Infectious Dis-
24 eases, and the National Institute of Immunologic
25 Diseases shall be overseen by the Director of the

1 National Institutes of Health until such time as the
2 directors of each such national institutes is ap-
3 pointed pursuant to section 405(a)(1) of the Public
4 Health Service Act (42 U.S.C. 284(a)(1)), as
5 amended by paragraph (1).

6 (c) DUTIES OF THE NATIONAL INSTITUTES.—

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

11 (A) in the subpart heading, by striking
12 **“Allergy and Infectious Diseases”** and
13 inserting **“Allergic Diseases”**; and

14 (B) in section 446—

15 (i) by striking “Allergy and Infectious
16 Diseases” and inserting “Allergic Dis-
17 eases”; and

18 (ii) by striking “allergic and
19 immunologic diseases and disorders and in-
20 fectionous diseases, including tropical dis-
21 eases” and inserting “allergic diseases and
22 disorders”.

23 (2) NATIONAL INSTITUTE OF INFECTIOUS DIS-
24 EASES.—

1 (A) IN GENERAL.—Part C of title IV of
2 the Public Health Service Act (42 U.S.C. 285
3 et seq.) is amended by adding at the end the
4 following:

5 **“Subpart 21—National Institute of Infectious**
6 **Diseases**

7 **“SEC. 464z-10. PURPOSE OF THE INSTITUTE.**

8 “The general purpose of the National Institute of In-
9 fectious Diseases is the conduct and support of research,
10 training, health information dissemination, and other pro-
11 grams with respect to infectious diseases, including trop-
12 ical diseases.”.

13 (B) TRANSFER OF AUTHORITIES.—Sec-
14 tions 447A and 447B of the Public Health
15 Service Act (42 U.S.C. 285f-2; 285f-3) are—

16 (i) redesignated as sections 464z-11
17 and 464-12, respectively; and

18 (ii) transferred to appear after section
19 464z-10 of such Act, as added by subpara-
20 graph (A).

21 (C) ORDERLY TRANSITION.—The Director
22 of the National Institutes of Health shall take
23 such steps as are necessary to provide for the
24 orderly transition to the authority of the Na-
25 tional Institute of Infectious Diseases estab-

1 lished under section 464z-10 of the Public
2 Health Service Act, as added by subparagraph
3 (A), from any authority related to infectious
4 diseases of the National Institute of Allergy and
5 Infectious Diseases, as in effect on the day be-
6 fore the date of enactment of this Act.

7 (3) NATIONAL INSTITUTE OF IMMUNOLOGIC
8 DISEASES.—

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

14 **“Subpart 22—National Institute of Immunologic**
15 **Diseases**

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

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

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

1 (i) redesignated as sections 464z–16
2 and 464z–17, respectively; and

3 (ii) transferred to appear after section
4 464z–15 of such Act, as added by subpara-
5 graph (A).

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

18 (d) CONFORMING AMENDMENTS.—

19 (1) Section 404B of the Public Health Service
20 Act (42 U.S.C. 283d) is amended by striking “Na-
21 tional Institute for Allergy and Infectious Diseases”
22 and inserting “National Institute for Infectious Dis-
23 eases”.

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

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

4 (B by striking “or the National Institute
5 for Allergy and Infectious Diseases” each place
6 it appears.

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

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

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