

Calendar No. 92108TH CONGRESS
1ST SESSION**S. 314****[Report No. 108-45]**

To make improvements in the Foundation for the National Institutes of Health.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 5, 2003

Mr. KENNEDY (for himself, Mr. GREGG, Mr. FRIST, Mr. BINGAMAN, Mr. DEWINE, and Mr. ENZI) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

MAY 12, 2003

Reported by Mr. GREGG, without amendment

A BILL

To make improvements in the Foundation for 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. SHORT TITLE.**

4 This Act may be cited as the “Foundation for the
5 National Institutes of Health Improvement Act”.

1 **SEC. 2. NATIONAL INSTITUTES OF HEALTH ESTABLISH-**
2 **MENT AND DUTIES.**

3 Section 499 of the Public Health Service Act (42
4 U.S.C. 290b) is amended—

5 (1) in subsection (d)—

6 (A) in paragraph (1)—

7 (i) by amending subparagraph (D)(ii)

8 to read as follows:

9 “(ii) Upon the appointment of the ap-
10 pointed members of the Board under clause
11 (i)(II), the terms of service as members of the
12 Board of the ex officio members of the Board
13 described in clauses (i) and (ii) of subparagraph
14 (B) shall terminate. The ex officio members of
15 the Board described in clauses (iii) and (iv) of
16 subparagraph (B) shall continue to serve as ex
17 officio members of the Board.”; and

18 (ii) in subparagraph (G), by inserting

19 “appointed” after “that the number of”;

20 (B) by amending paragraph (3)(B) to read
21 as follows:

22 “(B) Any vacancy in the membership of
23 the appointed members of the Board shall be
24 filled in accordance with the bylaws of the
25 Foundation established in accordance with
26 paragraph (6), and shall not affect the power of

1 the remaining appointed members to execute
2 the duties of the Board.”; and

3 (C) in paragraph (5), by inserting “ap-
4 pointed” after “majority of the”;

5 (2) in subsection (j)—

6 (A) in paragraph (2), by striking
7 “(d)(2)(B)(i)(II)” and inserting “(d)(6)”;

8 (B) in paragraph (10), by striking “of
9 Health.” and inserting “of Health and the Na-
10 tional Institutes of Health may accept transfers
11 of funds from the Foundation.”; and

12 (3) by striking subsection (l) and inserting the
13 following:

14 “(l) FUNDING.—From amounts appropriated to the
15 National Institutes of Health, for each fiscal year, the Di-
16 rector of NIH shall transfer \$500,000 to the Founda-
17 tion.”.

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