

**AMENDMENTS TO COMMITTEE PRINT
OFFERED BY MR. BARTON OF TEXAS**

(National Institutes of Health Reform Act of 2006)

Page 5, line 4, strike “Office for Behavioral” and insert “Office of Behavioral”.

Page 7, lines 17 through 24, strike subparagraph (D); page 9, after line 2, insert the following:

1 “(5) NOTICE TO CONGRESS; EFFECTIVE
2 DATE.—A reorganization under paragraph (2), (3),
3 or (4) may not take effect before the expiration of
4 90 days after the Secretary submits to the Com-
5 mittee on Energy and Commerce of the House of
6 Representatives and the Committee on Health, Edu-
7 cation, Labor, and Pensions of the Senate written
8 notice of the reorganization.

Page 13, line 19, insert “or that have broad expertise regarding how the National Institutes of Health functions” before “, exclusive of”.

Page 19, line 11, strike “paragraph (21)” and insert “paragraph (22)”; page 19, line 14, strike “paragraphs (13) through (20)” and insert “paragraphs (14) through (21)”; page 19, line 15, strike “paragraph (20)” and in-

sert “paragraph (21)”; page 19, lines 17 and 18, strike “paragraph (21)” and insert “paragraph (22)”; page 19, line 19, strike “paragraph (15)” and insert “paragraph (16)”.

Page 20, line 7, strike “shall be responsible” and insert “shall, in consultation with the heads of the national research institutes and national centers, be responsible”.

Page 20, lines 16 and 17, strike “scientific opportunity and public health burdens” and insert “scientific opportunity, public health burdens, and progress in reducing health disparities”.

Page 21, line 22, strike “completion” and insert “funding”.

Page 23, line 17, strike “402A(a)” and insert “402A(b)”.

Page 24, line 24, insert “with approval from the Secretary” after “selected by the Director of NIH”.

Page 29, lines 6 through 12, strike “With respect to appropriations Acts” and all that follows through the end of the sentence.

Page 30, line 17, at the end of clause (iii) add the following: “For fiscal year 2008 and each subsequent fiscal year, the percentage constituted by the reservation

under subparagraph (A) relative to the total amount appropriated under subsection (a) for the fiscal year involved may not be less than the percentage constituted by the reservation under such subparagraph for the preceding fiscal year relative to the total amount appropriated under subsection (a) for such preceding fiscal year.”.

Page 31, beginning at line 25, strike “the Director of NIH” and insert “the Secretary, acting through the Director of NIH”.

Page 32, lines 17 through 19, strike “Beginning in fiscal year 2007, not later than the end of each fiscal year” and insert “Not later than January 1, 2008, and each January 1st thereafter”.

Page 34, line 11, at the end of subsection (d) add the following: “In making such transfers, the Director may not decrease any appropriation account under subsection (a) by more than 1 percent.”.

Page 39, line 8, strike “The Director of NIH” and insert “The Secretary, acting through the Director of NIH,”.

Page 39, line 15, strike “the Director of NIH” and insert “the Secretary, acting through the Director of NIH,”.

Page 40, line 1, strike “biomedical” and insert “biomedical and behavioral”.

Page 40, after line 23, insert the following (and make such technical and conforming changes as may be necessary):

- 1 “(iii) identify whether the activity was
2 carried out through a center of excellence.

Page 41, line 13, insert “and a breakdown by demographic variables and other appropriate categories” before the period.

Page 41, lines 16 and 17, strike “and compliance information” and insert “and such other information as may be necessary to demonstrate compliance with section 492B (regarding inclusion of women and minorities in clinical research)”.

Page 42, lines 3 and 4, strike subparagraph (D) and insert the following (and redesignate the succeeding subparagraphs accordingly):

- 3 “(D) Organ systems.
4 “(E) Autoimmune diseases.

Page 42, after line 10, after subparagraph (J) (as so redesignated) insert the following (and redesignate the succeeding subparagraph accordingly):

1 “(H) Health disparities.

Page 43, after line 6 insert the following (and make such technical and conforming changes as may be necessary):

2 **“SEC. 403A. ANNUAL REPORTING TO INCREASE INTER-**
3 **AGENCY COLLABORATION AND COORDINA-**
4 **TION.**

5 “(a) **COLLABORATION WITH OTHER HHS AGEN-**
6 **CIES.**—On an annual basis, the Director of NIH shall sub-
7 mit to the Secretary a report on the activities of the Na-
8 tional Institutes of Health involving collaboration with
9 other agencies of the Department of Health and Human
10 Services.

11 “(b) **CLINICAL TRIALS.**—Each calendar year, the Di-
12 rector of NIH shall submit to the Commissioner of Food
13 and Drugs a report that identifies each clinical trial that
14 is registered during such calendar year in the data bank
15 of information established under section 402(j).

16 “(c) **HUMAN TISSUE SAMPLES.**—On an annual basis,
17 the Director of NIH shall submit to the Congress a report
18 that describes how the National Institutes of Health and
19 its agencies store and track human tissue samples.

20 “(d) **FIRST REPORT.**—The first report under sub-
21 sections (a), (b), and (c) shall be submitted not later than

1 one year after the date of the enactment of the National
2 Institutes of Health Reform Act of 2006.

3 **“SEC. 403B. ANNUAL REPORTING TO PREVENT FRAUD AND**
4 **ABUSE.**

5 “(a) WHISTLEBLOWER COMPLAINTS.—

6 “(1) IN GENERAL.—On an annual basis, the
7 Director of NIH shall submit to the Inspector Gen-
8 eral of the Department of Health and Human Serv-
9 ices, the Secretary, the Committee on Energy and
10 Commerce of the House of Representatives, and the
11 Committee on Health, Education, Labor, and Pen-
12 sions of the Senate a report summarizing the activi-
13 ties of the National Institutes of Health relating to
14 whistleblower complaints.

15 “(2) CONTENTS.—For each whistleblower com-
16 plaint pending during the year for which a report is
17 submitted under this subsection, the report shall
18 identify the following:

19 “(A) Each agency of the National Insti-
20 tutes of Health involved.

21 “(B) The status of the complaint.

22 “(C) The resolution of the complaint to
23 date.

24 “(b) EXPERTS AND CONSULTANTS.—On an annual
25 basis, the Director of NIH shall submit to the Inspector

1 General of the Department of Health and Human Serv-
2 ices, the Secretary, the Committee on Energy and Com-
3 merce of the House of Representatives, and the Committee
4 on Health, Education, Labor, and Pensions of the Senate
5 a report that—

6 “(1) identifies the number of experts and con-
7 sultants, including any special consultants, whose
8 services are obtained by the National Institutes of
9 Health or its agencies;

10 “(2) specifies whether such services were ob-
11 tained under section 207(f), section 402(d), or other
12 authority;

13 “(3) describes the qualifications of such experts
14 and consultants;

15 “(4) describes the need for hiring such experts
16 and consultants; and

17 “(5) if such experts and consultants make fi-
18 nancial disclosures to the National Institutes of
19 Health or any of its agencies, the income, gifts, as-
20 sets, and liabilities so disclosed.

21 “(c) FIRST REPORT.—The first report under sub-
22 sections (a) and (b) shall be submitted not later than one
23 year after the date of the enactment of the National Insti-
24 tutes of Health Reform Act of 2006.”

Page 48, line 8, strike “the Director of NIH,” and insert “the Secretary of Health and Human Services, acting through the Director of NIH, (in this subsection referred to as the ‘Secretary’)”.

Page 48, lines 19 and 24, strike the term “Director” each place such term appears and insert “Secretary”.

Page 49, line 19, strike “402A(a)” and insert “402A(b)”.

Page 50, line 3, at the end of paragraph (1) insert the following: “The head of a national research institute or national center may conduct or support such high-impact, cutting-edge research (with funds allocated under the preceding sentence or otherwise available for such purpose) if the institute or center gives notice to the Director of NIH beforehand and submits a report to the Director of NIH on an annual basis on the activities of the institute or center relating to such research.”.

Page 50, lines 12, strike “The program under paragraph (1)” and all that follows through the end of the sentence and insert the following: “Activities relating to research described in paragraph (1) shall be designed by the Director of NIH or the head of a national research institute or national center, as applicable, to enable such

research to be carried out with maximum flexibility and speed.”.

Page 50, line 14, strike “In providing for research” and all that follows through the end of the sentence and insert the following: “In providing for research described in paragraph (1), the Director of NIH or the head of a national research institute or national center, as applicable, shall seek to facilitate partnerships between public and private entities and shall coordinate with the Foundation for the National Institutes of Health.”.

Page 50, lines 18 and 19, strike “A grant may be made under paragraph (1)” and insert “A grant for research described in paragraph (1) may be made”.

Page 50, after line 24, insert the following (and redesignate the succeeding subsection accordingly):

1 (c) REPORT TO CONGRESS.—Not later than the end
2 of fiscal year 2009, the Director of NIH shall conduct an
3 evaluation of the activities under this section and submit
4 a report to the Congress on the results of such evaluation.