

118TH CONGRESS  
1ST SESSION

# S. 960

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

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IN THE SENATE OF THE UNITED STATES

MARCH 23, 2023

Mr. PAUL (for himself, Mr. LEE, Mr. BRAUN, Mrs. BLACKBURN, and Mr. HAWLEY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## 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”.

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

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

10 (1) in subsection (b)—

1 (A) in paragraph (6), by striking “Allergy  
2 and Infectious Diseases” and inserting “Aller-  
3 gic Diseases”;

4 (B) by redesignating paragraph (25) as  
5 paragraph (27); and

6 (C) by inserting after paragraph (24) the  
7 following:

8 “(25) The National Institute of Infectious Dis-  
9 eases.

10 “(26) The National Institute of Immunologic  
11 Diseases.”; and

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

14 (b) APPOINTMENT OF DIRECTORS.—

15 (1) IN GENERAL.—Section 405(a)(1) of the  
16 Public Health Service Act (42 U.S.C. 284(a)(1)) is  
17 amended—

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

1 (B) by inserting “by and with the advice  
2 and consent of the Senate,” after “the Presi-  
3 dent,”.

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

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

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

1 Health Service Act (42 U.S.C. 284(a)(1)), as  
2 amended by paragraph (1).

3 (c) DUTIES OF THE NATIONAL INSTITUTES.—

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

8 (A) in the subpart heading, by striking  
9 **“Allergy and Infectious Diseases”** and  
10 inserting **“Allergic Diseases”**; and

11 (B) in section 446—

12 (i) by striking “Allergy and Infectious  
13 Diseases” and inserting “Allergic Dis-  
14 eases”; and

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

20 (2) NATIONAL INSTITUTE OF INFECTIOUS DIS-  
21 EASES.—

22 (A) IN GENERAL.—Part C of title IV of  
23 the Public Health Service Act (42 U.S.C. 285  
24 et seq.) is amended by adding at the end the  
25 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.

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