

gram through the subcategories listed in subsection (b)(1) (or modified subcategories as provided for in subsection (b)(2)) of entering into agreements with appropriately qualified health professionals under which such health professionals agree to conduct research, as employees of the National Institutes of Health, in consideration of the Federal Government agreeing to repay, for each year of such service, not more than \$50,000 of the principal and interest of the educational loans of such health professionals.

(b) Subcategories of research

(1) In general

In carrying out the program under subsection (a), the Director of the National Institutes of Health—

(A) shall continue to focus on—

- (i) general research;
- (ii) research on acquired immune deficiency syndrome; and
- (iii) clinical research conducted by appropriately qualified health professional¹ who are from disadvantaged backgrounds; and

(B) may focus on an area of emerging scientific or workforce need.

(2) Elimination or establishment of subcategories

The Director of the National Institutes of Health may eliminate one or more subcategories provided for in paragraph (1) due to changes in workforce or scientific needs related to biomedical research. The Director may establish other subcategory areas based on workforce and scientific priorities if the total number of subcategories does not exceed the number of subcategories listed in paragraph (1).

(c) Limitation

The Director of the National Institutes of Health may not enter into a contract with a health professional pursuant to subsection (a) unless such professional has a substantial amount of education loans relative to income (as determined pursuant to guidelines issued by the Director).

(d) Applicability of certain provisions

With respect to the National Health Service Corps Loan Repayment Program established in subpart III of part D of subchapter II, the provisions of such subpart shall, except as inconsistent with subsection (a) of this section, apply to the program established in such subsection (a) in the same manner and to the same extent as such provisions apply to the National Health Service Corps Loan Repayment Program established in such subpart.

(e) Availability of appropriations

Amounts available for carrying out this section shall remain available until the expiration of the second fiscal year beginning after the fiscal year for which such amounts are made available.

(July 1, 1944, ch. 373, title IV, § 487A, as added Pub. L. 100-607, title VI, § 634(a), Nov. 4, 1988, 102

Stat. 3148; amended Pub. L. 103-43, title XVI, § 1611(a), June 10, 1993, 107 Stat. 181; Pub. L. 105-392, title IV, § 410(a), Nov. 13, 1998, 112 Stat. 3589; Pub. L. 109-482, title I, § 103(b)(48), Jan. 15, 2007, 120 Stat. 3688; Pub. L. 114-255, div. A, title II, § 2022(a), Dec. 13, 2016, 130 Stat. 1052.)

Editorial Notes

AMENDMENTS

2016—Pub. L. 114-255, § 2022(a)(1), amended section catchline generally. Prior to amendment, catchline read as follows: “Loan repayment program for research with respect to acquired immune deficiency syndrome”.

Subsec. (a). Pub. L. 114-255, § 2022(a)(2), substituted “The Director of the National Institutes of Health shall, as appropriate and based on workforce and scientific priorities, carry out a program through the subcategories listed in subsection (b)(1) (or modified subcategories as provided for in subsection (b)(2))” for “The Secretary shall carry out a program”, “conduct research” for “conduct”, and “\$50,000” for “\$35,000”, and struck out “research with respect to acquired immune deficiency syndrome” after “National Institutes of Health”.

Subsecs. (b) to (d). Pub. L. 114-255, § 2022(a)(3), (4), added subsecs. (b) and (c) and redesignated former subsec. (b) as (d).

Subsec. (e). Pub. L. 114-255, § 2022(a)(5), added subsec. (e).

2007—Subsec. (c). Pub. L. 109-482 struck out heading and text of subsec. (c). Text read as follows: “For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1994 through 2001.”

1998—Subsec. (a). Pub. L. 105-392, § 410(a)(1), substituted “\$35,000” for “\$20,000”.

Subsec. (c). Pub. L. 105-392, § 410(a)(2), substituted “2001” for “1996”.

1993—Pub. L. 103-43 amended section generally, in subsec. (a) redesignating former par. (1) as entire subsec., striking out provisions setting a deadline for implementation of the program and former par. (2) containing a limitation that the health professional have a substantial amount of educational loans relative to income and not have been employed at the National Institutes of Health during the 1-year period preceding Nov. 4, 1988, reenacting subsec. (b) without change, and in subsec. (c) redesignating former par. (1) as entire subsec., substituting authorization of appropriations for fiscal years 1994 through 1996 for authorization of appropriations for fiscal years 1989 through 1991, and striking out former par. (2) relating to continued availability of appropriated amounts.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2007 AMENDMENT

Amendment by Pub. L. 109-482 applicable only with respect to amounts appropriated for fiscal year 2007 or subsequent fiscal years, see section 109 of Pub. L. 109-482, set out as a note under section 281 of this title.

EFFECTIVE DATE OF 1993 AMENDMENT

Pub. L. 103-43, title XVI, § 1611(b), June 10, 1993, 107 Stat. 182, provided that: “The amendment made by subsection (a) [amending this section] does not apply to any agreement entered into under section 487A of the Public Health Service Act [42 U.S.C. 288-1] before the date of the enactment of this Act [June 10, 1993]. Each such agreement continues to be subject to the terms of the agreement in effect on the day before such date.”

§ 288-2. Extramural loan repayment program

(a) In general

The Director of the National Institutes of Health shall, as appropriate and based on work-

¹ So in original. Probably should be “professionals”.

force and scientific priorities, carry out a program through the subcategories listed in subsection (b)(1) (or modified subcategories as provided for in subsection (b)(2)), of entering into contracts with qualified health professionals under which such health professionals agree to conduct research in consideration of the Federal Government agreeing to repay, for each year of such research, not more than \$50,000 of the principal and interest of the educational loans of such health professionals.

(b) Subcategories of research

(1) In general

In carrying out the program under subsection (a), the Director of the National Institutes of Health—

(A) shall continue to focus on—

- (i) contraception or infertility research;
- (ii) pediatric research, including pediatric pharmacological research;
- (iii) minority health disparities research;
- (iv) clinical research; and
- (v) clinical research conducted by appropriately qualified health professional¹ who are from disadvantaged backgrounds; and

(B) may focus on an area of emerging scientific or workforce need.

(2) Elimination or establishment of subcategories

The Director of the National Institutes of Health may eliminate one or more subcategories provided for in paragraph (1) due to changes in workforce or scientific needs related to biomedical research. The Director may establish other subcategory areas based on workforce and scientific priorities if the total number of subcategories does not exceed the number of subcategories listed in paragraph (1).

(c) Limitation

The Director of the National Institutes of Health may not enter into a contract with a health professional pursuant to subsection (a) unless such professional has a substantial amount of education loans relative to income (as determined pursuant to guidelines issued by the Director).

(d) Applicability of certain provisions regarding obligated service

The provisions of sections 254l–1, 254m, and 254o of this title shall, except as inconsistent with subsection (a) of this section, apply to the program established in subsection (a) to the same extent and in the same manner as such provisions apply to the National Health Service Corps Loan Repayment Program established in subpart III of part D of subchapter II.

(e) Availability of appropriations

Amounts available for carrying out this section shall remain available until the expiration of the second fiscal year beginning after the fiscal year for which the amounts were made available.

(July 1, 1944, ch. 373, title IV, §487B, as added Pub. L. 103–43, title X, §1002, June 10, 1993, 107

Stat. 166; amended Pub. L. 105–392, title IV, §410(b), Nov. 13, 1998, 112 Stat. 3589; Pub. L. 110–154, §1(b)(8), Dec. 21, 2007, 121 Stat. 1827; Pub. L. 114–255, div. A, title II, §2022(b), Dec. 13, 2016, 130 Stat. 1053.)

Editorial Notes

AMENDMENTS

2016—Pub. L. 114–255, §2022(b)(1), amended section catchline generally. Prior to amendment, catchline read as follows: “Loan repayment program for research with respect to contraception and infertility”.

Subsec. (a). Pub. L. 114–255, §2022(b)(2), inserted heading and, in text, substituted “The Director of the National Institutes of Health shall, as appropriate and based on workforce and scientific priorities, carry out a program through the subcategories listed in subsection (b)(1) (or modified subcategories as provided for in subsection (b)(2)),” for “The Secretary, in consultation with the Director of the Eunice Kennedy Shriver National Institute of Child Health and Human Development, shall establish a program” and “research, not more than \$50,000” for “service, not more than \$35,000” and struck out “(including graduate students)” after “qualified health professionals” and “with respect to contraception, or with respect to infertility,” after “conduct research”.

Subsecs. (b), (c). Pub. L. 114–255, §2022(b)(4), added subsecs. (b) and (c). Former subsecs. (b) and (c) redesignated (d) and (e), respectively.

Subsec. (d). Pub. L. 114–255, §2022(3), (5), redesignated subsec. (b) as (d) and inserted heading.

Subsec. (e). Pub. L. 114–255, §2002(3), (6), redesignated subsec. (c) as (e) and inserted heading.

2007—Subsec. (a). Pub. L. 110–154, which directed substitution of “Eunice Kennedy Shriver National Institute of Child Health and Human Development” for “National Institute on Child Health and Human Development”, was executed by making the substitution for “National Institute of Child Health and Human Development” to reflect the probable intent of Congress.

1998—Subsec. (a). Pub. L. 105–392 substituted “\$35,000” for “\$20,000”.

§ 288–3. Repealed. Pub. L. 114–255, div. A, title II, § 2022(c)(2), Dec. 13, 2016, 130 Stat. 1054

Section, July 1, 1944, ch. 373, title IV, §487C, as added Pub. L. 103–43, title XVI, §1621, June 10, 1993, 107 Stat. 182; amended Pub. L. 105–392, title IV, §410(c), Nov. 13, 1998, 112 Stat. 3589, related to loan repayment program for research generally.

§ 288–4. Undergraduate scholarship program regarding professions needed by National Research Institutes

(a) Establishment of program

(1) In general

Subject to section 288(a)(1)(C) of this title, the Secretary, acting through the Director of NIH, may carry out a program of entering into contracts with individuals described in paragraph (2) under which—

(A) the Director of NIH agrees to provide to the individuals scholarships for pursuing, as undergraduates at accredited institutions of higher education, academic programs appropriate for careers in professions needed by the National Institutes of Health; and

(B) the individuals agree to serve as employees of the National Institutes of Health, for the period described in subsection (c), in positions that are needed by the National Institutes of Health and for which the individuals are qualified.

¹ So in original. Probably should be “professionals”.