

FY 2011 Appropriations Language for National Institutes of Health

A compilation of relevant sections of Public Law (P.L.) 112-10, "Department of Defense and Full-Year Continuing Appropriations Act-2011" follows:

- 1) Section 1119(a) identifies a 0.2% rescission applicable to all discretionary accounts and elements. Insofar as the government-wide rescission applies only to discretionary accounts, the \$150 million annual funding authorized for Special type 1 Diabetes Research program administered by NIDDK is not impacted.

Sec. 1119. (a) Across-the-Board Rescissions- There is hereby rescinded an amount equal to 0.2 percent of--

(1) the budget authority provided for fiscal year 2011 for any discretionary account of this division; and

(2) the budget authority provided in any advance appropriation for fiscal year 2011 for any discretionary account in any prior fiscal year appropriation Act.

(b) Proportionate Application- Any rescission made by subsection (a) shall be applied proportionately--

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports referenced in section 1101 covering such account or item).

(c) Exceptions- This section shall not apply to--

(1) discretionary authority appropriated or otherwise made available by division A of this Act; or

(2) discretionary authority appropriated or otherwise made available by division B of this Act and designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(d) OMB Report- Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.

- 2) Section 1813 requires a pro rata reduction of \$210 million across appropriations made to NIH Institutes and Centers.

The amount provided by section 1101 for 'Department of Health and Human Services, National Institutes of Health' is reduced by \$210,000,000, through a pro rata reduction in all of the Institutes, Centers, and Office of the Director accounts within 'Department of Health and Human Services, National Institutes of Health' based on the total funding provided.

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- 3) Section 1812 identifies a specific amount for NIAID and describes funding treatment for certain Biodefense activities.

Notwithstanding section 1101, the level for `Department of Health and Human Services, National Institutes of Health, National Institute of Allergy and Infectious Diseases' shall be \$4,818,275,000, and the requirement under `National Institute of Allergy and Infectious Diseases' in division D of Public Law 111-117 for a transfer from Biodefense Countermeasures funds shall not apply.

- 4) Section 1814 specifies a fixed level of \$50 million equating to reduction of -\$50 million to the \$100 million requested for the NIH Building & Facilities account.

Notwithstanding section 1101, the level for `Department of Health and Human Services, National Institutes of Health, Buildings and Facilities' shall be \$50,000,000.
