

NATIONAL INSTITUTES OF HEALTH

FY 2011 Appropriations Language

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, [\$5,103,388,000] *\$5,264,643,000* of which up to \$8,000,000 may be used for facilities repairs and improvements at the NCI-Frederick Federally Funded Research and Development Center in Frederick, Maryland.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, [\$3,096,916,000] *\$3,187,516,000*.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, [\$413,236,000] *\$423,511,000*.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, [\$1,808,100,000] *\$1,857,589,000*.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, [\$1,636,371,000] *\$1,681,333,000*.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES (INCLUDING TRANSFER OF FUNDS)

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, [\$4,818,275,000, of which \$304,000,000 shall be derived by transfer from funds appropriated under the heading "Biodefense Countermeasures" in the Department of Homeland Security Appropriations, 2004] *\$4,977,070,000*: Provided, That \$300,000,000 may be made available to International Assistance Programs "Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis," to remain available until expended.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, [\$2,051,798,000] *\$2,125,090,000.*

***EUNICE KENNEDY SHRIVER* NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT**

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, [\$1,329,528,000] *\$1,368,894,000.*

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, [\$707,036,000] *\$724,360,000.*

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES (Labor/HHS Appropriation)

For carrying out sections 301 and title IV of the Public Health Service Act with respect to environmental health sciences, [\$689,781,000] *\$707,339,000.*

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES (Interior Appropriation)

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, [\$79,212,000] *\$81,763,000.*

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, [\$1,110,229,000] *\$1,142,337,000.*

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, [\$539,082,000] *\$555,715,000.*

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, [\$418,833,000] *\$429,007,000.*

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health, [\$1,489,372,000] *\$1,540,345,000.*

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, [\$1,059,848,000] *\$1,094,078,000.*

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, [\$462,346,000] *\$474,649,000.*

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, [\$145,660,000] *\$150,198,000.*

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, [\$516,028,000] *\$533,959,000.*

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the Public Health Service Act with respect to biomedical imaging and bioengineering research, [\$316,582,000] *\$325,925,000.*

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, [\$1,268,896,000] *\$1,308,741,000.*

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to complementary and alternative medicine, [\$128,844,000] *\$132,004,000.*

NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the Public Health Service Act with respect to minority health and health disparities research, [\$211,572,000] \$219,046,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center (described in subpart 2 of part E of title IV of the Public Health Service Act), [\$70,051,000] \$73,027,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, [\$339,716,000] \$364,802,000, of which \$4,000,000 shall be available until expended for improvement of information systems: Provided, That in fiscal year[2010] 2011, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health: Provided further, That in addition to amounts provided herein, \$8,200,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out National Information Center on Health Services Research and Health Care Technology established under section 478A of the PHS Act and related health services.

OFFICE OF THE DIRECTOR (INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health ('NIH'), [\$1,177,300,000] \$1,220,478,000, of which up to \$25,000,000 shall be used to carry out section 212 of this Act: **Provided**, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: **Provided further**, That the NIH is authorized to collect third party payments for the cost of clinical services that are incurred in NIH research facilities and that such payments shall be credited to the NIH Management Fund: **Provided further**, That all funds credited to such Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: **Provided further**, That up to [\$193,880,000] \$194,400,000 shall be available for continuation of the National Children's Study: **Provided further**, That [\$544,109,000] \$561,629,000 shall be available for the Common Fund established under section 402A(c)(1) of the Public Health Service Act ('PHS Act'): **Provided further**, That of the funds provided \$10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: **Provided further**, That the Office of AIDS Research within the Office of the Director of the NIH may spend up to \$8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act.

BUILDINGS AND FACILITIES

For the study of; construction of; renovation of; and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, [\$100,000,000] \$125,581,000 to remain available until expended.

GENERAL PROVISIONS FOR THE NIH

SEC. 203. None of the funds appropriated in this Act for the National Institutes of Health, the Agency for Healthcare Research and Quality, and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

SEC. 207. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: *Provided*, that the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 207. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the National Institutes of Health and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the Public Health Service Act.

SEC. 212. (a) **AUTHORITY.**—Notwithstanding any other provision of law, the Director of the National Institutes of Health may use funds available under section 402(b)(7) and 402(b)(12) of the Public Health Service Act to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research pursuant to such section 402(b)(7) (pertaining to the Common Fund) or research and activities described in such section 402(b)(12).

(b) **PEER REVIEW.**—In entering into transactions under subsection (a), the Director of the National Institutes of Health may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the Public Health Service Act.

SEC. 215. Not to exceed \$35,000,000 of funds appropriated by this Act to the Institutes and Centers of the National Institutes of Health may be used for alteration, repair, or improvement of facilities, as necessary for the proper and efficient conduct of the activities authorized herein, at not to exceed \$2,500,000 per project.

(TRANSFER OF FUNDS)

SEC. 218. Of the amounts made available for the National Institutes of Health, 1 percent of the amount made available for National Research Service Awards ('NRSA') shall be made available to the Administrator of the Health Resources and Services Administration to make NRSA awards for research in primary medical care to individuals affiliated with entities who have received grants or contracts under Section 747 of the Public Health Service Act, and 1 percent of the amount made available for NRSA shall be made available to the Director of the Agency for Healthcare Research and Quality to make NRSA awards for health service research.

NATIONAL INSTITUTES OF HEALTH

JUSTIFICATION

Management Fund

General Statement

The NIH Management Fund (MF) was established on June 29, 1957, by Public Law 85-67. The MF was created to finance a variety of centralized support services and administrative activities that are required for the efficient and effective operation of all NIH programs and facilities. The services provided by the MF include a research hospital and outpatient clinic, receipt, review and referral of research and training grant applications, collaborative computer science research, police, fire, security and general administrative support services. Funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited.

NATIONAL INSTITUTES OF HEALTH
NIH Management Fund
BA by Program
(Dollars in thousands)

	FY 2007 Actual		FY 2008 Actual		FY 2009 Actual		FY 2010 Enacted		FY 2011 Estimate		Change	
	<u>FTEs</u>	<u>Amount</u>	<u>FTEs</u>	<u>Amount</u>	<u>FTEs</u>	<u>Amount</u>	<u>FTEs</u>	<u>Amount</u>	<u>FTEs</u>	<u>Amount</u>	<u>FTEs</u>	<u>Amount</u>
<u>Detail:</u>												
Center for Information Technology	119	\$38,230	111	\$28,684	81	\$22,650	81	\$23,849	100	\$24,612	19	\$763
Clinical Center	1,767	357,169	1,745	367,755	1,815	382,236	1,828	396,830	1,913	\$409,529	85	\$12,699
Center for Scientific Review	297	103,645	289	99,301	286	109,562	289	110,793	302	\$114,338	13	\$3,545
Research Support and Administrative Services	712	133,145	682	86,195	701	78,488	688	79,092	703	\$81,623	15	\$2,531
Office of Research Services, Facilities, Development & Operations	562	94,785	571	106,476	568	90,899	315	95,105	331	\$98,088	16	\$2,983
TOTAL	3,457	\$726,974	3,398	\$688,411	3,451	\$683,835	3,201	\$705,669	3,349	\$728,190	148	\$22,521

Includes FTEs which are reimbursed from the NIH Common Fund

**NATIONAL INSTITUTES OF HEALTH
NIH Management Fund**

Budget Authority by Object

	FY 2010 Enacted	FY 2011 PB	Increase or Decrease
Total compensable workyears:			
Full-time employment	3,201	3,349	148
Full-time equivalent of overtime and holiday hours	0	0	0
Average ES salary	\$173,583	\$177,306	\$3,723
Average GM/GS grade	11.0	11.0	0.0
Average GM/GS salary	\$88,733	\$90,534	\$1,801
Average salary, grade established by act of July 1, 1944 (42 U.S.C. 207)	\$70,680	\$71,670	\$990
Average salary of ungraded positions	\$129,223	\$131,032	\$1,809
OBJECT CLASSES	FY 2010 Enacted	FY 2011 PB	Increase or Decrease
Personnel Compensation:			
11.1 Full-time permanent	\$151,960,000	\$157,732,000	\$5,772,000
11.3 Other than full-time permanent	103,132,000	107,050,000	3,918,000
11.5 Other personnel compensation	17,482,000	17,829,000	347,000
11.7 Military personnel	7,102,000	7,372,000	270,000
11.8 Special personnel services payments	4,307,000	4,393,000	86,000
Total, Personnel Compensation	283,983,000	294,376,000	10,393,000
12.0 Personnel benefits	73,379,000	76,471,000	3,092,000
12.2 Military personnel benefits	3,962,000	4,129,000	167,000
13.0 Benefits for former personnel	0	0	0
Subtotal, Pay Costs	361,324,000	374,976,000	13,652,000
21.0 Travel and transportation of persons	2,695,000	2,776,000	81,000
22.0 Transportation of things	699,000	716,000	17,000
23.1 Rental payments to GSA	20,000	21,000	1,000
23.2 Rental payments to others	80,000	80,000	0
23.3 Communications, utilities and miscellaneous charges	4,867,000	4,921,000	54,000
24.0 Printing and reproduction	2,423,000	2,423,000	0
25.1 Consulting services	10,173,000	10,275,000	102,000
25.2 Other services	118,709,000	122,271,000	3,562,000
25.3 Purchase of goods and services from government accounts	91,453,000	94,288,000	2,835,000
25.4 Operation and maintenance of facilities	11,586,000	11,818,000	232,000
25.5 Research and development contracts	5,000	5,000	0
25.6 Medical care	4,370,000	4,413,000	43,000
25.7 Operation and maintenance of equipment	10,178,000	10,381,000	203,000
25.8 Subsistence and support of persons	0	0	0
25.0 Subtotal, Other Contractual Services	246,474,000	253,451,000	6,977,000
26.0 Supplies and materials	69,909,000	71,307,000	1,398,000
31.0 Equipment	17,050,000	17,391,000	341,000
32.0 Land and structures	0	0	0
33.0 Investments and loans	0	0	0
41.0 Grants, subsidies and contributions	0	0	0
42.0 Insurance claims and indemnities	70,000	70,000	0
43.0 Interest and dividends	58,000	58,000	0
44.0 Refunds	0	0	0
Subtotal, Non-Pay Costs	344,345,000	353,214,000	8,869,000
Total Budget Authority by Object	\$705,669,000	\$728,190,000	\$22,521,000

Includes FTEs which are reimbursed from the NIH Common Fund

**NATIONAL INSTITUTES OF HEALTH
NIH Management Fund**

Detail of Positions

GRADE	FY 2009 Actual	FY 2010 Enacted	FY 2011 PB
Total, ES Positions	8	8	8
Total, ES Salary	\$1,357,321	\$1,388,663	\$1,418,450
GM/GS-15	127	134	132
GM/GS-14	236	250	248
GM/GS-13	263	259	256
GS-12	279	308	307
GS-11	281	270	269
GS-10	33	32	31
GS-9	156	179	176
GS-8	162	163	163
GS-7	396	381	383
GS-6	229	225	226
GS-5	134	133	132
GS-4	29	31	31
GS-3	23	20	20
GS-2	12	12	12
GS-1	7	6	6
Subtotal	2,367	2,403	2,392
Grades established by Act of July 1, 1944 (42 U.S.C. 207):			
Assistant Surgeon General	0	0	0
Director Grade	18	19	19
Senior Grade	15	15	15
Full Grade	31	32	32
Senior Assistant Grade	20	20	20
Assistant Grade/co step	13	13	13
Subtotal	97	99	99
Ungraded	1,260	1,273	1,284
Total permanent positions	2,478	2,506	2,504
Total positions, end of year	3,732	3,785	3,785
Total full-time equivalent (FTE) employment, end of year	3,451	3,201	3,349
Average ES salary	\$169,665	\$173,583	\$177,306
Average GM/GS grade	10.9	11.0	11.0
Average GM/GS salary	\$86,671	\$88,733	\$90,534

Includes FTEs which are reimbursed from the NIH Common Fund

NATIONAL INSTITUTES OF HEALTH

Justification

Service and Supply Fund

General Statement

The NIH Service and Supply Fund (SSF) was established on July 3, 1945, under 42 U.S.C. 231. The SSF was created to finance a variety of centralized research support services and administrative activities that are required for the efficient and effective operation of all NIH programs and facilities. The SSF provides a single means for consolidating the financing and accounting of business-type operations, including the sales of services and commodities to customers. The services provided through the SSF include mainframe computing, enterprise IT software planning and development, facilities engineering, planning, and design, facility use and maintenance including leased buildings, printing, telecommunications, procurement, shipping and receiving, motor pool, research animals, fabrication and maintenance of scientific equipment, utilities and plant maintenance, finance and accounting operations, government-wide contracting for IT, biomedical engineering, security, consolidated human resources, and other administrative support services.

NATIONAL INSTITUTES OF HEALTH
NIH Service and Supply Fund
BA by Program
(Dollars in thousands)

	FY 2007 Actual		FY 2008 Actual		FY2009 Actual		FY 2010 Enacted		FY 2011 Estimate		Change	
	FTEs	Amount	FTEs	Amount	FTEs	Amount	FTEs	Amount	FTEs	Amount	FTEs	Amount
<u>Detail:</u>												
Research Support and Administrative	740	\$584,680	777	\$718,386	804	\$734,836	1,074	\$754,443	1,151	\$778,585	77	\$24,142
Office of Research Facilities Development & Operations	461	407,477	517	447,097	596	440,875	588	448,980	600	463,347	12	14,367
Information Technology	251	227,696	250	256,079	258	278,104	263	284,217	260	293,312	(3)	9,095
Clinical Center	1	140	1	103	1	147	1	148	1	153	0	5
TOTAL	1,453	\$1,219,993	1,545	\$1,421,665	1,659	\$1,453,962	1,926	\$1,487,788	2,012	\$1,535,397	86	\$47,609

Includes FTEs which are reimbursed from the NIH Common Fund

**NATIONAL INSTITUTES OF HEALTH
NIH Service and Supply Fund**

Budget Authority by Object

	FY 2010 Estimate	FY 2011 Estimate	Increase or Decrease
Total compensable workyears:			
Full-time employment	1,926	2,012	86
Full-time equivalent of overtime and holiday hours	0	0	0
Average ES salary	\$168,601	\$170,961	\$2,360
Average GM/GS grade	11.6	11.6	0.0
Average GM/GS salary	\$86,559	\$87,771	\$1,212
Average salary, grade established by act of July 1, 1944 (42 U.S.C. 207)	\$82,327	\$83,479	\$1,152
Average salary of ungraded positions	\$109,407	\$110,939	1,532
OBJECT CLASSES	FY 2010 Estimate	FY 2011 Estimate	Increase or Decrease
Personnel Compensation:			
11.1 Full-time permanent	\$155,096,000	\$160,798,000	\$5,702,000
11.3 Other than full-time permanent	7,285,000	7,503,000	218,000
11.5 Other personnel compensation	9,246,000	9,506,000	260,000
11.7 Military personnel	1,790,000	1,826,000	36,000
11.8 Special personnel services payments	312,000	318,000	6,000
Total, Personnel Compensation	173,729,000	179,951,000	6,222,000
12.0 Personnel benefits	48,677,000	50,467,000	1,790,000
12.2 Military personnel benefits	847,000	863,000	16,000
13.0 Benefits for former personnel	560,000	571,000	11,000
Subtotal, Pay Costs	223,813,000	231,852,000	8,039,000
21.0 Travel and transportation of persons	1,141,000	1,148,000	7,000
22.0 Transportation of things	630,000	635,000	5,000
23.1 Rental payments to GSA	44,523,000	44,948,000	425,000
23.2 Rental payments to others	115,800,000	119,906,000	4,106,000
23.3 Communications, utilities and miscellaneous charges	131,358,000	135,561,000	4,203,000
24.0 Printing and reproduction	2,484,000	2,493,000	9,000
25.1 Consulting services	135,507,000	140,443,000	4,936,000
25.2 Other services	378,094,000	392,316,000	14,222,000
25.3 Purchase of goods and services from government accounts	196,760,000	204,056,000	7,296,000
25.4 Operation and maintenance of facilities	66,765,000	67,901,000	1,136,000
25.5 Research and development contracts	212,000	219,000	7,000
25.6 Medical care	380,000	392,000	12,000
25.7 Operation and maintenance of equipment	104,229,000	105,993,000	1,764,000
25.8 Subsistence and support of persons	0	0	0
25.0 Subtotal, Other Contractual Services	881,947,000	911,320,000	29,373,000
26.0 Supplies and materials	63,941,000	64,987,000	1,046,000
31.0 Equipment	21,590,000	21,981,000	391,000
32.0 Land and structures	184,000	186,000	2,000
33.0 Investments and loans	0	0	0
41.0 Grants, subsidies and contributions	0	0	0
42.0 Insurance claims and indemnities	3,000	3,000	0
43.0 Interest and dividends	374,000	377,000	3,000
44.0 Refunds	0	0	0
Subtotal, Non-Pay Costs	1,263,975,000	1,303,545,000	39,570,000
Total Budget Authority by Object	\$1,487,788,000	\$1,535,397,000	\$47,609,000

Includes FTEs which are reimbursed from the NIH Common Fund

**NATIONAL INSTITUTES OF HEALTH
NIH Service and Supply Fund**

Detail of Positions

GRADE	FY 2009 Actual	FY 2010 Estimate	FY 2011 President's Budget
Total, ES Positions	2	2	2
Total, ES Salary	\$329,234	\$337,201	\$341,922
GM/GS-15	67	70	70
GM/GS-14	187	185	185
GM/GS-13	389	386	386
GS-12	269	268	268
GS-11	132	130	130
GS-10	3	3	3
GS-9	105	108	108
GS-8	41	41	41
GS-7	102	102	102
GS-6	26	25	25
GS-5	31	30	30
GS-4	15	14	14
GS-3	9	6	6
GS-2	5	5	5
GS-1	3	3	3
Subtotal	1,384	1,376	1,376
Grades established by Act of July 1, 1944 (42 U.S.C. 207):			
Assistant Surgeon General	0	0	0
Director Grade	8	5	5
Senior Grade	0	3	3
Full Grade	4	2	2
Senior Assistant Grade	3	3	3
Assistant Grade	2	0	0
Subtotal	17	13	13
Ungraded	348	358	358
Total permanent positions	1,695	1,697	1,697
Total positions, end of year	1,751	1,749	1,749
Total full-time equivalent (FTE) employment, end of year	1,659	1,926	2,012
Average ES salary	164,617	168,601	170,961
Average GM/GS grade	11.5	11.6	11.6
Average GM/GS salary	80,874	86,559	87,771

Includes FTEs which are reimbursed from the NIH Common Fund