

PRIOR PROVISIONS

Another prior section 287c, act July 1, 1944, ch. 373, title IV, § 483, as added Nov. 20, 1985, Pub. L. 99-158, § 2, 99 Stat. 867, and amended, which related to purpose of National Center for Nursing Research, was renumbered section 464V of act July 1, 1944, by Pub. L. 103-43, title XV, § 1511(b)(2), June 10, 1993, 107 Stat. 179, and transferred to section 285q of this title.

A prior section 287c-1, act July 1, 1944, ch. 373, title IV, § 484, as added Nov. 20, 1985, Pub. L. 99-158, § 2, 99 Stat. 867, and amended, which related to specific authorities of the Director of the Center, was renumbered section 464W of act July 1, 1944, by Pub. L. 103-43, title XV, § 1511(b)(2), June 10, 1993, 107 Stat. 179, and transferred to section 285q-1 of this title.

A prior section 287c-2, act July 1, 1944, ch. 373, title IV, § 485, as added Nov. 20, 1985, Pub. L. 99-158, § 2, 99 Stat. 867, and amended, which related to the advisory council for the Center, was renumbered section 464X of act July 1, 1944, by Pub. L. 103-43, title XV, § 1511(b)(2), June 10, 1993, 107 Stat. 179, and transferred to section 285q-2 of this title.

A prior section 287c-3, act July 1, 1944, ch. 373, title IV, § 486, as added Nov. 20, 1985, Pub. L. 99-158, § 2, 99 Stat. 869, and amended, which related to biennial report of activities of the Center, was renumbered section 464Y of act July 1, 1944, by Pub. L. 103-43, title XV, § 1511(b)(2), June 10, 1993, 107 Stat. 179, and transferred to section 285q-3 of this title. Section 285q-3 was subsequently repealed by Pub. L. 114-255, div. A, title II, § 2042(h)(1), Dec. 13, 2016, 130 Stat. 1073.

SUBPART 4—OFFICE OF DIETARY SUPPLEMENTS

§ 287c-11. Dietary supplements

(a) Establishment

The Secretary shall establish an Office of Dietary Supplements within the National Institutes of Health.

(b) Purpose

The purposes of the Office are—

- (1) to explore more fully the potential role of dietary supplements as a significant part of the efforts of the United States to improve health care; and
- (2) to promote scientific study of the benefits of dietary supplements in maintaining health and preventing chronic disease and other health-related conditions.

(c) Duties

The Director of the Office of Dietary Supplements shall—

- (1) conduct and coordinate scientific research within the National Institutes of Health relating to dietary supplements and the extent to which the use of dietary supplements can limit or reduce the risk of diseases such as heart disease, cancer, birth defects, osteoporosis, cataracts, or prostatism;
- (2) collect and compile the results of scientific research relating to dietary supplements, including scientific data from foreign sources or the Office of Alternative Medicine;¹
- (3) serve as the principal advisor to the Secretary and to the Assistant Secretary for Health and provide advice to the Director of the National Institutes of Health, the Director of the Centers for Disease Control and Prevention, and the Commissioner of Food and Drugs on issues relating to dietary supplements including—

- (A) dietary intake regulations;
- (B) the safety of dietary supplements;
- (C) claims characterizing the relationship between—
 - (i) dietary supplements; and
 - (ii)(I) prevention of disease or other health-related conditions; and
 - (II) maintenance of health; and
- (D) scientific issues arising in connection with the labeling and composition of dietary supplements;

(4) compile a database of scientific research on dietary supplements and individual nutrients; and

(5) coordinate funding relating to dietary supplements for the National Institutes of Health.

(d) “Dietary supplement” defined

As used in this section, the term “dietary supplement” has the meaning given the term in section 321(ff) of title 21.

(July 1, 1944, ch. 373, title IV, § 485C, as added Pub. L. 103-417, § 13(a), Oct. 25, 1994, 108 Stat. 4334; amended Pub. L. 109-482, title I, § 103(b)(43), Jan. 15, 2007, 120 Stat. 3688.)

REFERENCES IN TEXT

The Office of Alternative Medicine, referred to in subsec. (c)(2), probably should be a reference to the National Center for Complementary and Integrative Health. Establishment of the Office of Alternative Medicine was repealed and authority for the National Center for Complementary and Alternative Medicine was enacted by Pub. L. 105-277, div. A, § 101(f) [title VI, § 601], Oct. 21, 1998, 112 Stat. 2681-337, 2681-387. The National Center for Complementary and Alternative Medicine was renamed the National Center for Complementary and Integrative Health by Pub. L. 113-235, div. G, title II, § 224(1), Dec. 16, 2014, 128 Stat. 2490. See section 287c-21 of this title and Prior Provisions note under section 283g of this title.

AMENDMENTS

2007—Subsec. (e). Pub. L. 109-482 struck out heading and text of subsec. (e). Text read as follows: “There are authorized to be appropriated to carry out this section \$5,000,000 for fiscal year 1994 and such sums as may be necessary for each subsequent fiscal year.”

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.

SUBPART 5—NATIONAL CENTER FOR COMPLEMENTARY AND INTEGRATIVE HEALTH

AMENDMENTS

2014—Pub. L. 113-235, div. G, title II, § 224(1), Dec. 16, 2014, 128 Stat. 2490, substituted “NATIONAL CENTER FOR COMPLEMENTARY AND INTEGRATIVE HEALTH” for “NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE” in subpart heading.

§ 287c-21. Purpose of Center

(a) In general

The general purposes of the National Center for Complementary and Integrative Health (in this subpart referred to as the “Center”) are the conduct and support of basic and applied research (including both intramural and extra-

¹ See References in Text note below.

mural research), research training, the dissemination of health information, and other programs with respect to identifying, investigating, and validating complementary and integrative health, diagnostic and prevention modalities, disciplines and systems. The Center shall be headed by a director, who shall be appointed by the Secretary. The Director of the Center shall report directly to the Director of NIH.

(b) Advisory council

The Secretary shall establish an advisory council for the Center in accordance with section 284a of this title, except that at least half of the members of the advisory council who are not ex officio members shall include practitioners licensed in one or more of the major systems with which the Center is concerned, and at least 3 individuals representing the interests of individual consumers of complementary and integrative health.

(c) Integration of new and non-traditional approaches

In carrying out subsection (a), the Director of the Center shall, as appropriate, study the integration of new and non-traditional approaches to health care treatment and consumption, including but not limited to non-traditional treatment, diagnostic and prevention systems, modalities, and disciplines.

(d) Appropriate scientific expertise and coordination with institutes and Federal agencies

The Director of the Center, after consultation with the advisory council for the Center and the division of research grants, shall ensure that scientists with appropriate expertise in research on complementary and integrative health are incorporated into the review, oversight, and management processes of all research projects and other activities funded by the Center. In carrying out this subsection, the Director of the Center, as necessary, may establish review groups with appropriate scientific expertise. The Director of the Center shall coordinate efforts with other Institutes and Federal agencies to ensure appropriate scientific input and management.

(e) Evaluation of various disciplines and systems

In carrying out subsection (a), the Director of the Center shall identify and evaluate complementary and integrative health, diagnostic and prevention modalities in each of the disciplines and systems with which the Center is concerned, including each discipline and system in which accreditation, national certification, or a State license is available.

(f) Ensuring high quality, rigorous scientific review

In order to ensure high quality, rigorous scientific review of complementary and alternative, diagnostic and prevention modalities, disciplines and systems, the Director of the Center shall conduct or support the following activities:

- (1) Outcomes research and investigations.
- (2) Epidemiological studies.
- (3) Health services research.
- (4) Basic science research.
- (5) Clinical trials.

(6) Other appropriate research and investigational activities.

The Director of NIH, in coordination with the Director of the Center, shall designate specific personnel in each Institute to serve as full-time liaisons with the Center in facilitating appropriate coordination and scientific input.

(g) Data system; information clearinghouse

(1) Data system

The Director of the Center shall establish a bibliographic system for the collection, storage, and retrieval of worldwide research relating to complementary and integrative health, diagnostic and prevention modalities, disciplines and systems. Such a system shall be regularly updated and publicly accessible.

(2) Clearinghouse

The Director of the Center shall establish an information clearinghouse to facilitate and enhance, through the effective dissemination of information, knowledge and understanding of integrative health treatment, diagnostic and prevention practices by health professionals, patients, industry, and the public.

(h) Research centers

The Director of the Center, after consultation with the advisory council for the Center, shall provide support for the development and operation of multipurpose centers to conduct research and other activities described in subsection (a) with respect to complementary and integrative health, diagnostic and prevention modalities, disciplines and systems. The provision of support for the development and operation of such centers shall include accredited complementary and integrative health research and education facilities.

(i) Availability of resources

After consultation with the Director of the Center, the Director of NIH shall ensure that resources of the National Institutes of Health, including laboratory and clinical facilities, fellowships (including research training fellowship and junior and senior clinical fellowships), and other resources are sufficiently available to enable the Center to appropriately and effectively carry out its duties as described in subsection (a). The Director of NIH, in coordination with the Director of the Center, shall designate specific personnel in each Institute to serve as full-time liaisons with the Center in facilitating appropriate coordination and scientific input.

(j) Availability of appropriations

Amounts appropriated to carry out this section for fiscal year 1999 are available for obligation through September 30, 2001. Amounts appropriated to carry out this section for fiscal year 2000 are available for obligation through September 30, 2001.

(July 1, 1944, ch. 373, title IV, §485D, as added Pub. L. 105-277, div. A, §101(f) [title VI, §601(2)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-387; amended Pub. L. 113-235, div. G, title II, §224, Dec. 16, 2014, 128 Stat. 2490.)

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-235, §224(1), (3), substituted “National Center for Complementary and Inte-

grative Health” for “National Center for Complementary and Alternative Medicine” and “complementary and integrative health” for “complementary and alternative treatment”.

Subsec. (b). Pub. L. 113-235, § 224(2), substituted “integrative health” for “alternative medicine”.

Subsec. (c). Pub. L. 113-235, § 224(5), added subsec. (c) and struck out former subsec. (c). Prior to amendment, text read as follows: “In carrying out subsection (a) of this section, the Director of the Center shall, as appropriate, study the integration of alternative treatment, diagnostic and prevention systems, modalities, and disciplines with the practice of conventional medicine as a complement to such medicine and into health care delivery systems in the United States.”

Subsec. (d). Pub. L. 113-235, § 224(2), substituted “integrative health” for “alternative medicine”.

Subsec. (e). Pub. L. 113-235, § 224(3), substituted “complementary and integrative health” for “alternative and complementary medical treatment”.

Subsec. (g)(1). Pub. L. 113-235, § 224(3), substituted “complementary and integrative health” for “complementary and alternative treatment”.

Subsec. (g)(2). Pub. L. 113-235, § 224(4), substituted “integrative health treatment” for “alternative medical treatment”.

Subsec. (h). Pub. L. 113-235, § 224(2), (3), substituted “complementary and integrative health,” for “complementary and alternative treatment,” and “integrative health research” for “alternative medicine research”.

TERMINATION OF ADVISORY COUNCILS

Advisory councils established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by Congress, its duration is otherwise provided by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

Pub. L. 93-641, § 6, Jan. 4, 1975, 88 Stat. 2275, set out as a note under section 217a of this title, provided that an advisory committee established pursuant to the Public Health Service Act shall terminate at such time as may be specifically prescribed by an Act of Congress enacted after Jan. 4, 1975.

EXECUTIVE ORDER No. 13147

Ex. Ord. No. 13147, Mar. 7, 2000, 65 F.R. 13233, as amended by Ex. Ord. No. 13167, Sept. 15, 2000, 65 F.R. 54079 [57079], 65 F.R. 57436, which established White House Commission on Complementary and Alternative Medicine Policy, was revoked by Ex. Ord. No. 13316, § 3(i), Sept. 17, 2003, 68 F.R. 55256, eff. Sept. 30, 2003.

SUBPART 6—TRANSFERRED

CODIFICATION

Subpart 6 of part E of title IV of act July 1, 1944, comprising this subpart, was renumbered subpart 20 of part C of title IV by Pub. L. 111-148, title X, § 10334(c)(1)(A)–(C), Mar. 23, 2010, 124 Stat. 973, and is classified to subpart 20 (§ 285t et seq.) of part C of this subchapter.

§§ 287c-31 to 287c-34. Transferred

CODIFICATION

Section 287c-31, act July 1, 1944, ch. 373, title IV, § 485E, as added Pub. L. 106-525, title I, § 101(a), Nov. 22, 2000, 114 Stat. 2497; amended Pub. L. 109-482, title I, § 103(b)(44), 104(b)(1)(N), Jan. 15, 2007, 120 Stat. 3688, 3693, which set out the purpose of the National Center on Minority Health and Health Disparities, was renum-

bered section 464z-3 of act July 1, 1944, and transferred to section 285t of this title.

Section 287c-32, act July 1, 1944, ch. 373, title IV, § 485F, as added Pub. L. 106-525, title I, § 102, Nov. 22, 2000, 114 Stat. 2501; amended Pub. L. 109-482, title I, § 103(b)(45), Jan. 15, 2007, 120 Stat. 3688, which related to centers of excellence for research education and training, was renumbered section 464z-4 of act July 1, 1944, and transferred to section 285t-1 of this title.

Section 287c-33, act July 1, 1944, ch. 373, title IV, § 485G, as added Pub. L. 106-525, title I, § 103, Nov. 22, 2000, 114 Stat. 2503; amended Pub. L. 109-482, title I, § 103(b)(46), Jan. 15, 2007, 120 Stat. 3688, which related to loan repayment program for minority health disparities research, was renumbered section 464z-5 of act July 1, 1944, and transferred to section 285t-2 of this title, prior to repeal by Pub. L. 114-255, div. A, title II, § 2022(c)(1), Dec. 13, 2016, 130 Stat. 1054.

Section 287c-34, act July 1, 1944, ch. 373, title IV, § 485H, as added Pub. L. 106-525, title I, § 104, Nov. 22, 2000, 114 Stat. 2503; amended Pub. L. 109-482, title I, § 104(b)(1)(O), Jan. 15, 2007, 120 Stat. 3693, which related to administrative support and support services, was renumbered section 464z-6 of act July 1, 1944, and transferred to section 285t-3 of this title.

PART F—RESEARCH ON WOMEN’S HEALTH

§ 287d. Office of Research on Women’s Health

(a) Establishment

There is established within the Office of the Director of NIH an office to be known as the Office of Research on Women’s Health (in this part referred to as the “Office”). The Office shall be headed by a director, who shall be appointed by the Director of NIH and who shall report directly to the Director.

(b) Purpose

The Director of the Office shall—

(1) identify projects of research on women’s health that should be conducted or supported by the national research institutes;

(2) identify multidisciplinary research relating to research on women’s health that should be so conducted or supported;

(3) carry out paragraphs (1) and (2) with respect to the aging process in women, with priority given to menopause;

(4) promote coordination and collaboration among entities conducting research identified under any of paragraphs (1) through (3);

(5) encourage the conduct of such research by entities receiving funds from the national research institutes;

(6) recommend an agenda for conducting and supporting such research;

(7) promote the sufficient allocation of the resources of the national research institutes for conducting and supporting such research;

(8) assist in the administration of section 289a-2 of this title with respect to the inclusion of women as subjects in clinical research; and

(9) prepare the report required in section 287d-2 of this title.

(c) Coordinating Committee

(1) In carrying out subsection (b), the Director of the Office shall establish a committee to be known as the Coordinating Committee on Research on Women’s Health (in this subsection referred to as the “Coordinating Committee”).

(2) The Coordinating Committee shall be composed of the Directors of the national research