TITLE I—SHORT TITLE AND DEFINITIONS

SHORT TITLE

Public Health Service Act.

SECTION 1. Titles I to V, inclusive, of this Act may be cited as the "Public Health Service Act".

DEFINITIONS

SEC. 2. When used in this Act—

"Service."

(a) The term "Service" means the Public Health Service;

"Surgeon General."

(b) The term "Surgeon General" means the Surgeon General of the Public Health Service;

"Administrator."

(c) The term "Administrator" means the Federal Security Administrator;

"Regulations."

(d) The term "regulations", except when otherwise specified, means rules and regulations made by the Surgeon General with the approval of the Administrator;

"Executive department."

(e) The term "executive department" means any executive department, agency, or independent establishment of the United States or any corporation wholly owned by the United States;

"State."

(f) The term "State" means a State or the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands, except that as

used in section 361 (d) such term means a State, the District of Columbia, or Alaska; *Post*, p. 704.

(g) The term "possession" includes, among other possessions, Puerto Rico and the Virgin Islands; "Possession."

(h) The term "seamen" includes any person employed on board in the care, preservation, or navigation of any vessel, or in the service, on board, of those engaged in such care, preservation, or navigation; "Seamen."

(i) The term "vessel" includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, exclusive of aircraft and amphibious contrivances; "Vessel."

(j) The term "habit-forming narcotic drug" or "narcotic" means opium and coca leaves and the several alkaloids derived therefrom, the best known of these alkaloids being morphia, heroin, and codeine, obtained from opium, and cocaine derived from the coca plant; all compounds, salts, preparations, or other derivatives obtained either from the raw material or from the various alkaloids; Indian hemp and its various derivatives, compounds, and preparations, and peyote in its various forms; and "Habit-forming narcotic drug"; "narcotic."

(k) The term "addict" means any person who habitually uses any habit-forming narcotic drugs so as to endanger the public morals, health, safety, or welfare, or who is or has been so far addicted to the use of such habit-forming narcotic drugs as to have lost the power of self-control with reference to his addiction. "Addict."

TITLE II—ADMINISTRATION

PUBLIC HEALTH SERVICE

Sec. 201. The Public Health Service in the Federal Security Agency shall be administered by the Surgeon General under the supervision and direction of the Administrator.

ORGANIZATION

SEC. 202. The Service shall consist of (1) the Office of the Surgeon General, (2) the National Institute of Health, (3) the Bureau of Medical Services, and (4) the Bureau of State Services. The Surgeon General is authorized and directed to assign to the Office of the Surgeon General, to the National Institute of Health, to the Bureau of Medical Services, and to the Bureau of State Services, respectively, the several functions of the Service, and to establish within them such divisions, sections, and other units as he may find necessary; and from time to time abolish, transfer, and consolidate divisions, sections, and other units and assign their functions and personnel in such manner as he may find necessary for efficient operation of the Service. No division shall be established, abolished, or transferred, and no divisions shall be consolidated, except with the approval of the Administrator. The National Institute of Health shall be administered as a part of the field service. The Surgeon General may delegate to any officer or employee of the Service such of his powers and duties under this Act, except the making of regulations, as he may deem necessary or expedient.

Assignment of functions.

National Institute of Health.

Delegation of powers.

COMMISSIONED CORPS

SEC. 203. There shall be in the Service a commissioned Regular Corps and, for the purpose of securing a reserve for duty in the Service in time of national emergency, a Reserve Corps. All commissioned officers shall be citizens and shall be appointed without

Regular Corps and Reserve Corps.

Citizenship requirement.

42 Stat. 1488. 5 U. S. C. § 661; Supp. III, § 661 *et seq.* Appointment.

regard to the civil-service laws and compensated without regard to the Classification Act of 1923, as amended. Commissioned officers of the Reserve Corps shall be appointed by the President and commissioned officers of the Regular Corps shall be appointed by him by and with the advice and consent of the Senate. Commissioned officers of the Reserve Corps shall at all times be subject to call to active duty by the Surgeon General, including active duty for the purpose of training and active duty for the purpose of determining their fitness for appointment in the Regular Corps. All active service in the Reserve Corps, as well as service in the Regular Corps, shall be credited for the purpose of promotion in the Regular Corps.

Active-service credit for promotion.

SURGEON GENERAL

SEC. 204. The Surgeon General shall be appointed from the Regular Corps for a four-year term by the President by and with the advice and consent of the Senate. Upon the expiration of such term the Surgeon General, unless reappointed, shall revert to the grade and number in the Regular Corps that he would have occupied had he not served as Surgeon General.

DEPUTY SURGEON GENERAL AND ASSISTANT SURGEONS GENERAL

Assignments.

SEC. 205. (a) The Surgeon General shall assign one commissioned officer from the Regular Corps to administer the Office of the Surgeon General, to act as Surgeon General during the absence or disability of the Surgeon General or in the event of a vacancy in that office, and to perform such other duties as the Surgeon General may prescribe, and while so assigned he shall have the title of Deputy Surgeon General.

(b) The Surgeon General shall assign six commissioned officers from the Regular Corps to be, respectively, the Director of the National Institute of Health, the Chief of the Bureau of State Services, the Chief of the Bureau of Medical Services, the Chief Medical Officer of the United States Coast Guard, the Chief Dental Officer of the Service, and the Chief Sanitary Engineering Officer of the Service, and while so serving they shall each have the title of Assistant Surgeon General.

Designation.

(c) The Surgeon General shall designate the Assistant Surgeon General who shall serve as Surgeon General in case of absence or disability, or vacancy in the offices, of both the Surgeon General and the Deputy Surgeon General.

GRADES, RANKS, AND TITLES OF THE COMMISSIONED CORPS

Surgeon General.

Deputy Surgeon General and Assistant Surgeons General.

Commissioned officers.

SEC. 206. (a) The Surgeon General, during the period of his appointment as such, shall be of the same grade, with the same pay and allowances, as the Surgeon General of the Army; and the Deputy Surgeon General and Assistant Surgeons General, while assigned as such, shall have the grade corresponding with the grade of Brigadier General, with the same pay and allowances. The grades of commissioned officers of the Service shall correspond with grades of officers of the Army as follows:

(1) Officers of the director grade—colonel;
(2) Officers of the senior grade—lieutenant colonel;
(3) Officers of the full grade—major;
(4) Officers of the senior assistant grade—captain;
(5) Officers of the assistant grade—first lieutenant; and
(6) Officers of the junior assistant grade—second lieutenant.

(b) The titles of medical officers of the foregoing grades shall be respectively (1) medical director, (2) senior surgeon, (3) surgeon, (4) senior assistant surgeon, (5) assistant surgeon, and (6) junior assistant surgeon. The President is authorized to prescribe titles, appropriate to the several grades, for commissioned officers of the Service other than medical officers. All titles of the officers of the Reserve Corps shall have the suffix "Reserve".

Titles of medical officers.

SPECIAL TEMPORARY POSITIONS

SEC. 207. (a) When necessary for the accomplishment of important temporary work in time of war, or of emergency proclaimed by him, the President may establish special temporary positions in the Service and prescribe grades which shall be applicable to officers during periods they are assigned to such positions. While assigned to any such position an officer shall receive the pay and allowances applicable to the grade so prescribed. Not more than three such positions existing at any one time shall have the grade of Assistant Surgeon General. The Surgeon General shall assign commissioned officers to such positions.

Emergency assignments.

(b) Commissioned officers and qualified technical or professional noncommissioned personnel may be assigned by the Surgeon General to be chiefs of administrative units. Such assignments shall not affect the pay of commissioned officers so assigned, except that when any commissioned officer below the grade of director is assigned to serve as chief of a division such officer during the period so assigned shall have the temporary grade and receive the pay and allowances applicable to the director grade.

Chiefs of administrative units.

APPOINTMENT OF PERSONNEL

SEC. 208. (a) (1) Except as provided in subsection (b) of this section, original appointments to the Regular Corps may be made only in the junior assistant, assistant, and senior assistant grades and original appointments to a grade above junior assistant shall be made only after passage of an examination, given in accordance with regulations of the President, in one or more of the several branches of medicine, surgery, dentistry, hygiene, sanitary engineering, pharmacy, nursing, or related scientific specialties in the field of public health.

Regular Corps.

(2) Original appointments to the Reserve Corps may be made to any grade up to and including the director grade but only after passage of an examination given in accordance with regulations of the President. Reserve commissions shall be for a period of not more than five years and any such commission may be terminated by the President at any time, in his discretion.

Reserve Corps.

(b) Whenever commissioned officers of the Service are not available for the performance of permanent duties requiring highly specialized training and experience in special fields related to public health, the Administrator on recommendation of the Surgeon General shall report that fact to the President and the President is authorized to appoint, by and with the advice and consent of the Senate, not to exceed three persons in any one fiscal year to grades in the Regular Corps of the Service above that of senior assistant, but not to a grade above that of director; and for purposes of pay and pay period any person appointed under the provisions of this section shall be considered as having had on the date of appointment service equal to that of the junior officer of the grade to which appointed.

When commissioned officers are not available for permanent duties.

Special consultants.

(c) In accordance with regulations, special consultants may be employed to assist and advise in the operations of the Service. Such consultants may be appointed without regard to the civil-service laws and their compensation may be fixed without regard to the Classification Act of 1923, as amended.

42 Stat. 1488. 5 U. S. C. § 661; Supp. III, § 661 *et seq.*

Fellowships, etc., for individual scientists.

(d) In accordance with regulations, individual scientists, other than commissioned officers of the Service, may be designated by the Surgeon General to receive fellowships, appointed for duty with the Service without regard to the civil-service laws and compensated without regard to the Classification Act of 1923, as amended, may hold their fellowships under conditions prescribed therein, and may be assigned for studies or investigations either in this country or abroad during the terms of their fellowships.

42 Stat. 1488. 5 U. S. C. § 661; Supp. III, § 661 *et seq.*

Employment of persons who are not citizens.

(e) Persons who are not citizens may be employed as consultants pursuant to subsection (c) and may be appointed to fellowships pursuant to subsection (d). Unless otherwise specifically provided, any prohibition in any other Act against the employment of aliens, or against the payment of compensation to them, shall not be applicable in the case of persons employed or appointed pursuant to such subsections.

Civil-service appointments.

(f) The appointment of any officer or employee of the Service made in accordance with the civil-service laws shall be made by the Administrator, and may be made effective as of the date on which such officer or employee enters upon duty.

PAY AND ALLOWANCES

Commissioned officers of Regular Corps.

SEC. 209. (a) Commissioned officers of the Regular Corps shall receive such pay and allowances as are or may hereafter be provided by law.

Reserve officers.

(b) Reserve officers shall receive the same pay and allowances when on active duty as commissioned officers of the Regular Corps, including allowances for travel and transportation of household goods and effects.

Allotments from pay.

Leaves of absence.

Quartermaster supplies.

(c) In accordance with regulations of the President, commissioned officers of the Regular Corps and officers of the Reserve on active duty may make allotments from their pay and may be granted leaves of absence without any deduction from their pay. Such officers shall also be permitted to purchase quartermaster supplies from the Army, Navy, and Marine Corps at the same price as is charged officers of the Army, Navy, and Marine Corps.

Female commissioned officers.

(d) Female commissioned officers of the Service shall receive the same pay and allowances as male officers of corresponding grades, including allowances for dependents, except that no allowance shall be paid to any female commissioned officer on account of any dependent who is not in fact dependent upon such officer for his or her chief support. For the purposes of this subsection the term "dependent" shall include a husband, father, mother, and unmarried children (including stepchildren and adopted children) under twenty-one years of age.

"Dependent."

Members of National Advisory Health and Cancer Councils.

(e) Members of the National Advisory Health Council and members of the National Advisory Cancer Council, other than ex officio members, while attending conferences or meetings of their respective Councils or while otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Administrator, but not exceeding $25 per diem, and shall also be entitled to receive an allowance for actual and necessary traveling and subsistence expenses while so serving away from their places of residence.

(f) Field employees of the Service, except those employed on a per diem or fee basis, who render part-time duty and are also subject to call at any time for services not contemplated in their regular part-time employment, may be paid annual compensation for such part-time duty and, in addition, such fees for such other services as the Surgeon General may determine; but in no case shall the total paid to any such employee for any fiscal year exceed the amount of the minimum annual salary rate of the classification grade of the employee.

Field employees rendering part-time duty.

(g) Whenever any commissioned or other officer or employee of the Service is assigned for duty which the Surgeon General finds requires intimate contact with persons afflicted with leprosy, he may receive, as provided by regulations of the President, in addition to the pay and any allowances of his grade, not more than one-half the pay of such grade, and such allowances or increased allowances as may be provided for by such regulations.

Contact with persons afflicted with leprosy.

(h) Individuals appointed under section 208 (d) shall have included in their fellowships such stipends or allowances, including travel and subsistence expenses, as the Surgeon General may deem necessary to procure qualified fellows.

Fellowships. *Ante*, p. 686.

PROMOTIONS AND SEPARATION OF COMMISSIONED OFFICERS IN THE REGULAR CORPS

SEC. 210. (a) Promotions of commissioned officers of the Regular Corps to any grade up to and including the director grade shall be made only after examination given in accordance with regulations of the President and shall be made according to the same length of service as is now or may hereafter be prescribed for promotion of officers of corresponding grades of the Medical Corps of the Army, except that—

Promotions up to and including director grade.

(1) In time of war, or of national emergency proclaimed by the President, any commissioned officer of the Regular Corps may be appointed to a higher temporary grade with the pay and allowances thereof without examination and without vacating his permanent appointment, and, if his service shall have been continuous, without renewing his oath of office;

Temporary promotions.

(2) For purposes of promotion, an officer whose original appointment to the Regular Corps was above the assistant grade shall be considered as having had on the date of such original appointment service equal to that of the junior officer of the grade to which he was appointed, except that if his active commissioned service in the Service exceeds that of the junior officer of the grade, such service (not exceeding ten years for an officer appointed in the senior assistant grade and fourteen years for an officer appointed in the full grade) shall be credited for purposes of promotion;

Original appointments above assistant grade.

(3) Officers commissioned in the grade of junior assistant shall be examined for promotion in accordance with regulations of the President and if qualified shall be promoted to the next higher grade; and

Officers in grade of junior assistant.

(4) Commissioned officers other than medical, dental, sanitary engineering, and pharmacist officers shall be promoted in accordance with regulations of the President.

Officers other than medical, etc.

(b) At the end of his first three years of service, the record of each commissioned officer in the Regular Corps originally appointed in or above the grade of senior assistant shall be reviewed in accordance with regulations of the President and if found not fully qualified for further service he shall be separated from the Service and paid six months' pay and allowances.

Separations.

Disqualifications other than physical.

(c) When a commissioned officer in the Regular Corps is found, after examination, to be not qualified for promotion for reasons other than physical disability incurred in line of duty—

(1) If below the full grade he shall be separated from the Service, and if in the assistant grade he shall be separated and paid six months' pay and allowances, and if in the senior assistant grade he shall be separated and paid one year's pay and allowances; and

(2) If in the full or senior grade he shall be reported as not in line of promotion, or shall be retired and paid at the rate of 2½ per centum for each complete year of active commissioned service in the Service, but in no case to exceed 60 per centum of his active pay at the time he is retired.

RETIREMENT OF COMMISSIONED OFFICERS

Pay if retired for disability.

SEC. 211. (a) A commissioned officer of the Regular Corps retired for disability from disease or injury incurred in line of duty, or a commissioned officer of the Reserve Corps retired for disability from disease or injury incurred in line of duty in time of war, shall be entitled, except as provided in subsection (c), to receive retired pay at the rate of 75 per centum of his active pay at the time of retirement.

Retirement age.

Pay of officer in Regular Corps.

(b) A commissioned officer shall be retired on the first day of the month following his sixty-fourth birthday. If he is an officer in the Regular Corps, he shall, except as provided in subsection (c), be entitled to receive retired pay at the rate of 75 per centum of his active pay at the time of retirement.

Officers of Regular Corps over 45 when originally appointed.

(c) (1) Any commissioned officer of the Regular Corps who at the time of his original appointment was more than forty-five years of age shall upon retirement, unless retired for disability from disease or injury incurred in time of war, be entitled to retired pay only at the rate of 4 per centum of his active pay at the time of retirement for each twelve months of active commissioned service, including any such service in the Army, Navy, or Coast Guard, but in no case more than 75 per centum of such active pay.

Surgeon General or Deputy Surgeon General.

(2) The retired pay of any commissioned officer who has served four years or more as Surgeon General or Deputy Surgeon General shall be based on the pay of the highest grade held by him as such Surgeon General or Deputy Surgeon General.

Nonpromotion owing to disability.

(3) The retired pay of an officer of the Regular Corps who has failed, by reason of disability incurred in line of duty, to receive a promotion to which he would otherwise have been entitled, shall be based on the pay of the grade to which, but for such disability, he would have been promoted.

Recall to active duty.

(d) An officer retired for disability who is found to have recovered from his disability, and in time of war an officer who has been retired for age, may in accordance with regulations of the President be recalled to active duty.

Voluntary retirement after service as Surgeon General.

(e) With the approval of the President a commissioned officer who has served four years or more as Surgeon General and who has had not less than twenty-five years of active commissioned service in the Service may retire voluntarily, either at the termination of his term as Surgeon General or at any time thereafter; and his retired pay shall be at the rate of 75 per centum of the pay of the highest grade held by him as such Surgeon General.

Reserve Corps officers on active duty.

44 Stat. 905.
5 U. S. C., Supp. III, § 693.

(f) Commissioned officers of the Reserve Corps, while on active duty, shall be deemed to be officers of the executive branch of the Government within the meaning of section 3 of the Civil Service Retirement Act, as amended (U. S. C., 1940 edition, title 5, section 693).

MILITARY BENEFITS

SEC. 212. (a) For the purposes of this section—

(1) the term "full military benefits" means all rights, privileges, immunities, and benefits provided under any law of the United States in the case of commissioned officers of the Army (including their surviving beneficiaries) on account of active military service, including, but not limited to, burial payments in the event of death, six months' pay in case of death, veterans' compensation and pensions and other veterans' benefits, the rights provided under the Soldiers' and Sailors' Civil Relief Act, as amended, and under the National Service Life Insurance Act, as amended, travel allowances, including per diem allowances for travel without regard to repeated travel between two or more places in the same vicinity, exemption from payment of postage on mail, exemption of certain pay from Federal income taxation, and other benefits, privileges and exceptions under the Internal Revenue laws; excluding, however, retired pay, uniform allowances, the right to be awarded military ribbons, medals, and decorations, and the benefits of the Mustering-out Payment Act of 1944, and excluding reemployment rights with respect to any commissioned officer of the Service except officers of the Reserve Corps called to active duty after November 11, 1943; and

"Full military benefits."

54 Stat. 1178, 1008. 50 U. S. C. app. §§ 501–585; Supp. III, app. § 501 *et seq.*; 38 U. S. C. §§ 801–818; Supp. III, § 801 *et seq.* *Post*, pp. 722, 762, 764.

Ante, p. 8.

(2) the term "limited military benefits" means full military benefits, except veterans' compensation and pensions and other veterans' benefits, and eligibility under the National Service Life Insurance Act, as amended.

"Limited military benefits."

54 Stat. 1008. 38 U. S. C. §§ 801–818; Supp. III, § 801 *et seq.* *Post*, pp. 762, 764.

(b) Commissioned officers of the Service (including their surviving beneficiaries)—

Benefits.

(1) shall be entitled to limited military benefits with respect to all active service in time of war;

(2) shall be entitled to full military benefits with respect to active service performed while detailed for duty with the Army, Navy, or Coast Guard:

(3) shall be entitled to full military benefits with respect to active service outside the continental limits of the United States, or in Alaska, in time of war;

(4) shall be entitled to full military benefits with respect to active service performed while the Service is part of the military forces of the United States pursuant to executive order of the President.

(c) The authority vested by law in the War Department, the Secretary of War, or other officers of the War Department with respect to rights, privileges, immunities, and benefits referred to in subsection (a) shall be exercised, with respect to commissioned officers of the Service, by the Surgeon General under the supervision and direction of the Administrator.

Authority of Surgeon General.

(d) The President may prescribe the conditions under which commissioned officers of the Service may be awarded military ribbons, medals, and decorations.

Awards.

ALLOWANCES FOR UNIFORMS

SEC. 213. An allowance of $250 for uniforms and equipment is authorized to be paid to each commissioned officer of the Service who is hereafter, in time of war, appointed to the Regular Corps or called to active duty in the Reserve Corps, or who is hereafter on active duty in either corps at the commencement of any war, if at such time

the officer is in the grade of junior assistant, assistant, or senior assistant, and is receiving the pay of the first, second, or third pay period; except that no officer who has received such an allowance from the Service shall at any time thereafter be entitled to any further allowance.

DETAIL OF PERSONNEL

Details to Federal agencies.

SEC. 214. (a) The Administrator is authorized, upon the request of the head of an executive department, to detail officers or employees of the Service to such department for duty as agreed upon by the Administrator and the head of such department in order to cooperate in, or conduct work related to, the functions of such department or of the Service. When officers or employees are so detailed their salaries and allowances may be paid from working funds established as provided by law or may be paid by the Service from applicable appropriations and reimbursement may be made as agreed upon by the Administrator and the head of the executive department concerned. Officers detailed for duty with the Army, Navy, or Coast Guard shall be subject to the laws for the government of the service to which detailed.

To State agencies.

(b) Upon the request of any State health authority, personnel of the Service may be detailed by the Surgeon General for the purpose of assisting such State or a political subdivision thereof in work related to the functions of the Service.

To nonprofit institutions.

(c) The Surgeon General may detail personnel of the Service to nonprofit educational, research, or other institutions engaged in health activities for special studies of scientific problems and for the dissemination of information relating to public health.

Pay.

(d) Personnel detailed under subsections (b) and (c) shall be paid from applicable appropriations of the Service, except that, in accordance with regulations such personnel may be placed on leave without pay and paid by the State, subdivision, or institution to which they are detailed. The services of personnel while detailed pursuant to this section shall be considered as having been performed in the Service for purposes of longevity pay, promotion, retirement, compensation for injury or death, and the benefits provided by section 212.

Longevity credits.

REGULATIONS

Appointment, etc., of commissioned corps.

SEC. 215. (a) The President shall from time to time prescribe regulations with respect to the appointment, promotion, retirement, termination of commission, titles, pay, uniforms, allowances (including increased allowances for foreign service), and discipline of the commissioned corps of the Service.

Promulgation of other regulations by Surgeon General.

(b) The Surgeon General, with the approval of the Administrator, unless specifically otherwise provided, shall promulgate all other regulations necessary to the administration of the Service, including regulations with respect to travel, transportation of household goods and effects, and uniforms for employees, and regulations with respect to the custody, use, and preservation of the records, papers, and property of the Service.

Schools of medicine, nonpreference.

(c) No regulation relating to qualifications for appointment of medical officers or employees shall give preference to any school of medicine.

USE OF SERVICE IN EMERGENCY

Function as a military service.

SEC. 216. In time of war, or of emergency proclaimed by the President, he may utilize the Service to such extent and in such manner as shall in his judgment promote the public interest, and in time of war he may by Executive order declare the commissioned

corps of the Service to be a military service. Upon such declaration, and during the period of such war or such part thereof as the President shall prescribe, the commissioned corps (1) shall constitute a branch of the land and naval forces of the United States, and (2) to the extent prescribed by regulations of the President, shall be subject to the Articles of War and to the Articles for the Government of the Navy: *Provided*, That during such period or part thereof the commissioned corps shall continue to operate as part of the Service except to the extent that the President may direct as Commander in Chief.

41 Stat. 787; 12 Stat. 600.
10 U. S. C. § 1471 *et seq.*; Supp. III, ch. 36; 34 U. S. C. § 1200; Supp. III, ch. 21.

NATIONAL ADVISORY HEALTH AND CANCER COUNCILS

SEC. 217. (a) The National Advisory Health Council shall consist of fourteen members. The Director of the National Institute of Health, and three experts, one each from the Army, the Navy, and the Bureau of Animal Industry, to be detailed by the Secretary of War, the Secretary of the Navy, and the Secretary of Agriculture, respectively, shall be ex officio members of the Council. The Surgeon General, with the approval of the Administrator, shall appoint, without regard to the civil-service laws, ten members of the Council who shall be persons, not otherwise in the employ of the United States, skilled in the sciences related to health. Each appointed member shall hold office for a term of five years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. An appointed member shall not be eligible to serve continuously for more than five years but shall be eligible for reappointment if he has not served immediately preceding his reappointment.

National Advisory Health Council. Members.

(b) The National Advisory Health Council shall advise, consult with, and make recommendations to, the Surgeon General on matters relating to health activities and functions of the Service. The Surgeon General is authorized to utilize the services of any member or members of the Council, and where appropriate, any member or members of the National Advisory Cancer Council in connection with matters related to the work of the Service, for such periods, in addition to conference periods, as he may determine.

Duties.

(c) The National Advisory Cancer Council shall consist of the Surgeon General ex officio, who shall be Chairman, and of six members to be appointed without regard to the civil-service laws by the Surgeon General with the approval of the Administrator. The six appointed members shall be selected from leading medical or scientific authorities who are outstanding in the study, diagnosis, or treatment of cancer. Each appointed member shall hold office for a term of three years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. An appointed member shall not be eligible to serve continuously for more than three years but shall be eligible for reappointment if he has not served immediately preceding his reappointment.

National Advisory Cancer Council. Members.

TITLE III—GENERAL POWERS AND DUTIES OF PUBLIC HEALTH SERVICE

PART A—RESEARCH AND INVESTIGATIONS

IN GENERAL

SEC. 301. The Surgeon General shall conduct in the Service, and encourage, cooperate with, and render assistance to other appropriate

Duties and authority of Surgeon General.

public authorities, scientific institutions, and scientists in the conduct of, and promote the coordination of, research, investigations, experiments, demonstrations, and studies relating to the causes, diagnosis, treatment, control, and prevention of physical and mental diseases and impairments of man, including water purification, sewage treatment, and pollution of lakes and streams. In carrying out the foregoing the Surgeon General is authorized to—

Collection and dissemination of information.

(a) Collect and make available through publications and other appropriate means, information as to, and the practical application of, such research and other activities;

Research facilities.

(b) Make available research facilities of the Service to appropriate public authorities, and to health officials and scientists engaged in special study;

Research fellowships.

(c) Establish and maintain research fellowships in the Service with such stipends and allowances, including traveling and subsistence expenses, as he may deem necessary to procure the assistance of the most brilliant and promising research fellows from the United States and abroad;

Grants in aid to institutions and individuals.

(d) Make grants in aid to universities, hospitals, laboratories, and other public or private institutions, and to individuals for such research projects as are recommended by the National Advisory Health Council, or, with respect to cancer, recommended by the National Advisory Cancer Council;

Assistance of experts.

(e) Secure from time to time and for such periods as he deems advisable, the assistance and advice of experts, scholars, and consultants from the United States or abroad;

Admission of cases for study.

(f) For purposes of study, admit and treat at institutions, hospitals, and stations of the Service, persons not otherwise eligible for such treatment; and

Adoption of additional means for research and investigations.

(g) Adopt, upon recommendation of the National Advisory Health Council, or, with respect to cancer, upon recommendation of the National Advisory Cancer Council, such additional means as he deems necessary or appropriate to carry out the purposes of this section.

NARCOTICS

Studies and investigations.

SEC. 302. (a) In carrying out the purposes of section 301 with respect to narcotics, the studies and investigations shall include the use and misuse of narcotic drugs, the quantities of crude opium, coca leaves, and their salts, derivatives, and preparations, together with reserves thereof, necessary to supply the normal and emergency medicinal and scientific requirements of the United States. The results of studies and investigations of the quantities of crude opium, coca leaves, or other narcotic drugs, together with such reserves thereof, as are necessary to supply the normal and emergency medicinal and scientific requirements of the United States, shall be reported not later than the 1st day of September each year to the Secretary of the Treasury, to be used at his discretion in determining the amounts of crude opium and coca leaves to be imported under the Narcotic Drugs Import and Export Act, as amended.

Reports.

35 Stat. 614.
21 U. S. C. §§ 171–184.
Post, p. 721.

Cooperation with States.

(b) The Surgeon General shall cooperate with States for the purpose of aiding them to solve their narcotic drug problems and shall give authorized representatives of the States the benefit of his experience in the care, treatment, and rehabilitation of narcotic addicts to the end that each State may be encouraged to provide adequate facilities and methods for the care and treatment of its narcotic addicts.

PART B—FEDERAL-STATE COOPERATION

IN GENERAL

SEC. 311. The Surgeon General is authorized to accept from State and local authorities any assistance in the enforcement of quarantine regulations made pursuant to this Act which such authorities may be able and willing to provide. The Surgeon General shall also assist States and their political subdivisions in the prevention and suppression of communicable diseases, shall cooperate with and aid State and local authorities in the enforcement of their quarantine and other health regulations and in carrying out the purposes specified in section 314, and shall advise the several States on matters relating to the preservation and improvement of the public health.

Enforcement of quarantine regulations.

Prevention of communicable diseases. *Post*, p. 857.

HEALTH CONFERENCES

SEC. 312. A conference of the health authorities of the several States shall be called annually by the Surgeon General. Whenever in his opinion the interests of the public health would be promoted by a conference, the Surgeon General may invite as many of such health authorities to confer as he deems necessary or proper. Upon the application of health authorities of five or more States it shall be the duty of the Surgeon General to call a conference of all State and Territorial health authorities joining in the request. Each State represented at any conference shall be entitled to a single vote.

COLLECTION OF VITAL STATISTICS

SEC. 313. To secure uniformity in the registration of mortality, morbidity, and vital statistics the Surgeon General shall prepare and distribute suitable and necessary forms for the collection and compilation of such statistics which shall be published as a part of the health reports published by the Surgeon General.

GRANTS AND SERVICES TO STATES

SEC. 314. (a) To enable the Surgeon General to carry out the purposes of section 301 with respect to developing more effective measures for the prevention, treatment, and control of venereal diseases, and to assist, through grants and as otherwise provided in this section, States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate measures for the prevention, treatment, and control of such diseases, including the training of personnel for State and local health work, and to enable him to prevent and control the spread of the venereal diseases in interstate traffic, and to meet the cost of pay, allowances, and traveling expenses of commissioned officers and other personnel of the Service detailed to assist in carrying out the purposes of this section with respect to the venereal diseases, and to administer this section with respect to such diseases, there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this subsection.

Control of venereal diseases. *Ante*, p. 691.

Appropriations authorized.

(b) To enable the Surgeon General to carry out the purposes of section 301 with respect to developing more effective measures for the prevention, treatment, and control of tuberculosis, and to assist, through grants and as otherwise provided in this section, States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate measures for the prevention, treatment, and control of such disease, including the

Control of tuberculosis. *Ante*, p. 691. *Post*, p. 857.

provision of appropriate facilities for care and treatment and including the training of personnel for State and local health work, and to enable him to prevent and control the spread of tuberculosis in interstate traffic, and to meet the cost of pay, allowances, and traveling expenses of commissioned officers and other personnel of the Service detailed to assist in carrying out the purposes of this section with respect to tuberculosis, and to administer this section with respect to such disease, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1945, the sum of $10,000,000, and for each fiscal year thereafter a sum sufficient to carry out the purposes of this subsection.

Appropriation authorized.

State and local health services.

(c) To enable the Surgeon General to assist, through grants and as otherwise provided in this section, States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate public health services, including grants for demonstrations and for the training of personnel for State and local health work, there is hereby authorized to be appropriated for each fiscal year a sum not to exceed $20,000,000. Of the sum appropriated for each fiscal year pursuant to this subsection there shall be available an amount, not to exceed $2,000,000, to enable the Surgeon General to provide demonstrations and to train personnel for State and local health work and to meet the cost of pay, allowances, and traveling expenses of commissioned officers and other personnel of the Service detailed to assist States in carrying out the purposes of this subsection.

Appropriation authorized.

Demonstrations and training of personnel.

Determination of State allotments.

(d) For each fiscal year, the Surgeon General, with the approval of the Administrator, shall determine the total sum from the appropriation under subsection (a), the total sum from the appropriation under subsection (b), and, within the limits specified in subsection (c), the total sum from the appropriation under that subsection which shall be available for allotment among the several States. He shall, in accordance with regulations, from time to time make allotments from such sums to the several States on the basis of (1) the population, (2) the size of the venereal-disease problem, the size of the tuberculosis problem, and the size of other special health problems, respectively, and (3) the financial need of the respective States. Upon making such allotments the Surgeon General shall notify the Secretary of the Treasury of the amounts thereof.

Certification and payment.

(e) The Surgeon General, with the approval of the Administrator, shall from time to time determine the amounts to be paid to each State from the allotments to such State, and shall certify to the Secretary of the Treasury, the amounts so determined, reduced or increased, as the case may be, by the amounts by which he finds that estimates of required expenditures with respect to any prior period were greater or less than the actual expenditures for such period. Upon receipt of such certification, the Secretary of the Treasury shall, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay in accordance with such certification.

Method of expenditure.

(f) The moneys so paid to any State shall be expended solely in carrying out the purposes specified in subsection (a), or subsection (b), or subsection (c) of this section, as the case may be, and in accordance with plans presented by the health authority of such State and approved by the Surgeon General.

Local contributions.

(g) Money so paid shall be paid upon the condition that there shall be spent in such State for the same general purpose from funds of such State and its political subdivisions an amount determined in accordance with regulations.

(h) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the health authority of the State, finds that, with respect to money paid to the State out of appropriations under subsection (a), or subsection (b), or subsection (c), as the case may be, there is a failure to comply substantially with either— Failure to comply with requirements.

(1) the provisions of this section;
(2) the plan submitted under subsection (f); or
(3) the regulations;

the Surgeon General shall notify such State health authority either that further payments will not be made to the State from appropriations under such subsection (or in his discretion that further payments will not be made to the State from such appropriations for activities in which there is such failure), until he is satisfied that there will no longer be any such failure. Until he is so satisfied the Surgeon General shall make no further certification for payment to such State from appropriations under such subsection, or shall limit payment to activities in which there is no such failure.

(i) All regulations and amendments thereto with respect to grants to States under this section shall be made after consultation with a conference of the State health authorities. Insofar as practicable, the Surgeon General shall obtain the agreement of the State health authorities prior to the issuance of any such regulations or amendments. Consultations with State health authorities.

(j) Funds appropriated under subsection (a) and funds appropriated under subsection (b), in addition to being available for payments to States, shall also be available for expenditure by the Surgeon General in otherwise carrying out the respective subsections, including expenditures for printing and binding of the findings of investigations, and for pay and allowances and traveling expenses of personnel of the Service engaged in activities authorized by the respective subsections. Expenditures by Surgeon General.

HEALTH EDUCATION AND INFORMATION

SEC. 315. From time to time the Surgeon General shall issue information related to public health, in the form of publications or otherwise, for the use of the public, and shall publish weekly reports of health conditions in the United States and other countries and other pertinent health information for the use of persons and institutions engaged in work related to the functions of the Service.

PART C—HOSPITALS, MEDICAL EXAMINATIONS, AND MEDICAL CARE

HOSPITALS

SEC. 321. The Surgeon General, pursuant to regulations, shall—

(a) Control, manage, and operate all institutions, hospitals, and stations of the Service, and provide for the care, treatment and hospitalization of patients, including the furnishing of prosthetic and orthopedic devices; and from time to time, with the approval of the President, select suitable sites for and establish such additional institutions, hospitals, and stations in the States and possessions of the United States as in his judgment are necessary to enable the Service to discharge its functions and duties; Functions and duties. General.

(b) Provide for the transfer of Public Health Service patients, in the care of attendants where necessary, between hospitals and stations operated by the Service or between such hospitals and stations and other hospitals and stations in which Public Health Transfer of patients.

Service patients may be received, and the payment of expenses of such transfer;

Disposal of articles produced by patients.

(c) Provide for the disposal of articles produced by patients in the course of their curative treatment, either by allowing the patient to retain such articles or by selling them and depositing the money received therefor to the credit of the appropriation from which the materials for making the articles were purchased; and

Deceased patients.

(d) Provide for the disposal of money and effects, in the custody of the hospitals or stations, of deceased patients.

CARE AND TREATMENT OF SEAMEN AND CERTAIN OTHER PERSONS

Persons entitled to free treatment.

SEC. 322. (a) The following persons shall be entitled, in accordance with regulations, to medical, surgical, and dental treatment and hospitalization without charge at hospitals and other stations of the Service:

(1) Seamen employed on vessels of the United States registered, enrolled, and licensed under the maritime laws thereof, other than canal boats engaged in the coasting trade;

(2) Seamen employed on United States or foreign flag vessels as employees of the United States through the War Shipping Administration;

(3) Seamen, not enlisted or commissioned in the military or naval establishments, who are employed on State school ships or on vessels of the United States Government of more than five tons' burden;

(4) Cadets at State maritime academies or on State training ships;

(5) Seamen on vessels of the Mississippi River Commission and, upon application of their commanding officers, officers and crews of vessels of the Fish and Wildlife Service;

(6) Enrollees in the United States Maritime Service on active duty and members of the Merchant Marine Cadet Corps; and

(7) Employees and noncommissioned officers in the field service of the Public Health Service when injured or taken sick in line of duty.

Seamen on foreign-flag vessels. Treatment.

(b) When suitable accommodations are available, seamen on foreign-flag vessels may be given medical, surgical, and dental treatment and hospitalization on application of the master, owner, or agent of the vessel at hospitals and other stations of the Service at rates fixed by regulations. All expenses connected with such treatment, including burial in the event of death, shall be paid by such master, owner, or agent. No such vessel shall be granted clearance until such expenses are paid or their payment appropriately guaranteed to the Collector of Customs.

Persons under quarantine, etc.

(c) Any person when detained in accordance with quarantine laws, or, at the request of the Immigration and Naturalization Service, any person detained by that Service, may be treated and cared for by the Public Health Service.

Temporary treatment in case of emergency.

(d) Persons not entitled to treatment and care at institutions, hospitals, and stations of the Service may, in accordance with regulations of the Surgeon General, be admitted thereto for temporary treatment and care in case of emergency.

Care and treatment at non-Service facilities.

(e) Persons entitled to care and treatment under subsection (a) of this section may, in accordance with regulations, receive such care and treatment at the expense of the Service from public or private medical or hospital facilities other than those of the Service, when authorized by the officer in charge of the station at which the application is made.

CARE AND TREATMENT OF FEDERAL PRISONERS

SEC. 323. The Service shall supervise and furnish medical treatment and other necessary medical, psychiatric, and related technical and scientific services, authorized by the Act of May 13, 1930, as amended (U. S. C., 1940 edition, title 18, secs. 751, 752), in penal and correctional institutions of the United States.

46 Stat. 273.

EXAMINATION AND TREATMENT OF FEDERAL EMPLOYEES

SEC. 324. The Surgeon General is authorized to provide at institutions, hospitals, and stations of the Service medical, surgical, and hospital services and supplies for persons entitled to treatment under the United States Employees' Compensation Act and extensions thereof. The Surgeon General may also provide for making medical examinations of—

Medical, etc., services and supplies.

39 Stat. 742. 5 U. S. C. §§ 751–791, 793; Supp. III, ch. 15. *Post*, pp. 712, 887.

(a) employees of the Alaska Railroad and employees of the Federal Government for retirement purposes;

(b) employees in the Federal classified service, and applicants for appointment, as requested by the Civil Service Commission for the purpose of promoting health and efficiency;

(c) seamen for purposes of qualifying for certificates of service; and

(d) employees eligible for benefits under the Longshoremen's and Harbor Workers' Compensation Act, as amended (U. S. C., 1940 edition, title 33, chapter 18), as requested by any deputy commissioner thereunder.

44 Stat. 1424. 33 U. S. C., Supp. III, ch. 18 note.

EXAMINATION OF ALIENS

SEC. 325. The Surgeon General shall provide for making, at places within the United States or in other countries, such physical and mental examinations of aliens as are required by the immigration laws, subject to administrative regulations prescribed by the Attorney General and medical regulations prescribed by the Surgeon General with the approval of the Administrator.

SERVICES TO COAST GUARD, COAST AND GEODETIC SURVEY, AND PUBLIC HEALTH SERVICE

SEC. 326. (a) Subject to regulations of the President—

(1) commissioned officers, chief warrant officers, warrant officers, cadets, and enlisted personnel of the Regular Coast Guard, including those on shore duty and those on detached duty, whether on active duty or retired; and Regular and temporary members of the United States Coast Guard Reserve when on active duty or when retired for disability;

Regular Coast Guard.

Coast Guard Reserve.

(2) commissioned officers, ships' officers, and members of the crews of vessels of the United States Coast and Geodetic Survey, including those on shore duty and those on detached duty, whether on active duty or retired; and

Coast and Geodetic Survey.

(3) commissioned officers of the Regular Corps of the Public Health Service, whether on active duty or retired, and commissioned officers of the Reserve Corps when on active duty or when retired for disability;

Public Health Service.

shall be entitled to medical, surgical, and dental treatment and hospitalization by the Service. The Surgeon General may detail commissioned officers for duty aboard vessels of the Coast Guard or the Coast and Geodetic Survey.

Duty aboard designated vessels.

(b) Subject to regulations of the President, the dependent members of families (as defined in such regulations) of persons specified

Dependent members of families of specified persons. Treatment.

in subsection (a), other than temporary members of the United States Coast Guard Reserve, shall be furnished medical advice and out-patient treatment by the Service at its hospitals and relief stations, and they shall also be furnished hospitalization at hospitals of the Service, if suitable accommodations are available, at a per diem cost to the officer, enlisted person, or member of a crew concerned. Such cost shall be at such uniform rate as may be prescribed from time to time by the President for the hospitalization of dependents of naval and Marine Corps personnel at any naval hospital, pursuant to section 2 of the Act of May 10, 1943 (57 Stat. 80).

24 U. S. C., Supp. III, § 32.

Services required by Coast Guard.

(c) The Service shall provide all services referred to in subsection (a) required by the Coast Guard and shall perform all duties prescribed by statute in connection with the examinations to determine physical or mental condition for purposes of appointment, enlistment, and reenlistment, promotion and retirement, and officers of the Service assigned to duty on Coast Guard vessels may extend aid to the crews of American vessels engaged in deep-sea fishing.

Aid to crews of designated American vessels.

INTERDEPARTMENTAL WORK

SEC. 327. Nothing contained in this part shall affect the authority of the Service to furnish any materials, supplies, or equipment, or perform any work or services, requested in accordance with section 7 of the Act of May 21, 1920, as amended (U. S. C., 1940 edition, title 31, sec. 686), or the authority of any other executive department to furnish any materials, supplies, or equipment, or perform any work or services, requested by the Federal Security Agency for the Service in accordance with that section.

41 Stat. 613.
31 U. S. C., Supp. III, § 686.

PART D—LEPERS

RECEIPT OF LEPERS

Admission into appropriate Service hospitals.

SEC. 331. The Service shall, in accordance with regulations, receive into any hospital of the Service suitable for his accommodation any person afflicted with leprosy who presents himself for care, detention, or treatment, or who may be apprehended under section 332 or 361 of this Act, and any person afflicted with leprosy duly consigned to the care of the Service by the proper health authority of any State, Territory, or the District of Columbia. The Surgeon General is authorized, upon the request of any health authority, to send for any person within the jurisdiction of such authority who is afflicted with leprosy and to convey such person to the appropriate hospital for detention and treatment. When the transportation of any such person is undertaken for the protection of the public health the expense of such removal shall be met from funds available for the maintenance of hospitals of the Service.

Infra.
Post, p. 703.

APPREHENSION, DETENTION, TREATMENT, AND RELEASE

SEC. 332. The Surgeon General may provide by regulation for the apprehension, detention, treatment, and release of persons being treated by the Service for leprosy.

PART E—NARCOTICS ADDICTS

CARE AND TREATMENT

SEC. 341. The Surgeon General is authorized to provide for the confinement, care, protection, treatment, and discipline of persons addicted to the use of habit-forming narcotic drugs who voluntarily

submit themselves for treatment and addicts who have been or are hereafter convicted of offenses against the United States, including persons convicted by general courts martial and consular courts. Such care and treatment shall be provided at hospitals of the Service especially equipped for the accommodation of such patients and shall be designed to rehabilitate such persons, to restore them to health, and, where necessary, to train them to be self-supporting and self-reliant.

EMPLOYMENT OF ADDICTS

SEC. 342. Narcotic addicts in hospitals of the Service designated for their care shall be employed in such manner and under such conditions as the Surgeon General may direct. In such hospitals the Surgeon General may, in his discretion, establish industries, plants, factories, or shops for the production and manufacture of articles, commodities, and supplies for the United States Government. The Secretary of the Treasury may require any Government department, establishment, or other institution, for whom appropriations are made directly or indirectly by the Congress of the United States, to purchase at current market prices, as determined by him or his authorized representative, such of the articles, commodities, or supplies so produced or manufactured as meet their specifications; and the Surgeon General shall provide for payment to the inmates or their dependents of such pecuniary earnings as he may deem proper. The Administrator shall establish a working-capital fund for such industries, plants, factories, and shops out of any funds appropriated for Public Health Service hospitals at which addicts are treated and cared for; and such fund shall be available for the purchase, repair, or replacement of machinery or equipment, for the purchase of raw materials and supplies, for the purchase of uniforms and other distinctive wearing apparel of employees in the performance of their official duties, and for the employment of necessary civilian officers and employees. The Surgeon General may provide for the disposal of products of the industrial activities conducted pursuant to this section, and the proceeds of any sales thereof shall be covered into the Treasury of the United States to the credit of the working-capital fund.

Purchase of products.

Payment to inmates of earnings.

Working-capital fund.

Disposal of products.

CONVICTS

SEC. 343. (a) The authority vested with the power to designate the place of confinement of a prisoner shall transfer to hospitals of the Service especially equipped for the accommodation of addicts, if accommodations are available, all addicts who have been or are hereafter sentenced to confinement, or who are now or shall hereafter be confined, in any penal, correctional, disciplinary, or reformatory institution of the United States, including those addicts convicted of offenses against the United States who are confined in State and Territorial prisons, penitentiaries, and reformatories, except that no addict shall be transferred to a hospital of the Service who, in the opinion of the officer authorized to direct the transfer, is not a proper subject for confinement in such an institution either because of the nature of the crime he has committed or because of his apparent incorrigibility. The authority vested with the power to designate the place of confinement of a prisoner shall transfer from a hospital of the Service to the institution from which he was received, or to such other institution as may be designated by the proper authority, any addict whose presence at a hospital of the Service is detrimental to the well-being of the hospital or who does not continue to be a narcotic addict. All transfers of such prisoners to or from a hospital of the Service shall be accompanied by neces-

Transfer of addicts sentenced to confinement.

Addicts convicted of offenses against U. S.

Transfers of prisoners to or from Service hospital.

sary attendants as directed by the officer in charge of such hospital and the actual and necessary expenses incident to such transfers shall be paid from the appropriation for the maintenance of such Service hospital except to the extent that other Federal agencies are authorized or required by law to pay expenses incident to such transfers. When sentence is pronounced against any person whom the prosecuting officer believes to be an addict, such officer shall report to the authority vested with the power to designate the place of confinement, the name of such person, the reasons for his belief, all pertinent facts bearing on such addiction, and the nature of the offense committed. Whenever an alien addict transferred to a Service hospital pursuant to this subsection is entitled to his discharge but is subject to deportation, in lieu of being returned to the penal institution from which he came he shall be deported by the authority vested by law with power over deportation.

Alien addicts subject to deportation.

Commutation of sentence or parole.
32 Stat. 397.
46 Stat. 392.
36 Stat. 819.

(b) The provisions of the Act of June 21, 1902, as amended (U. S. C., 1940 edition, title 18, secs. 710–712a), regulating commutation of sentence for good conduct of United States prisoners, section 8 of the Act of May 27, 1930 (U. S. C., 1940 edition, title 18, sec. 744h), regulating commutation of sentence for employment in industry, and the Act of June 25, 1910, as amended (U. S. C., 1940 edition, title 18, secs. 714–723c), relating to parole, shall be applicable to any narcotic addict confined in any institution in execution of a judgment or sentence upon conviction of an offense against the United States; except that no narcotic addict confined in any institution, whether or not an institution of the Public Health Service, shall be released by reason of commutation of sentence or parole until the Surgeon General shall have certified that such individual is no longer an addict.

Certificate requirement for release.

Examination prior to expiration of sentence.
Further treatment.

(c) Not later than one month prior to the expiration of the sentence of any addict confined in a Service hospital, he shall be examined by the Surgeon General or his authorized representative. If the Surgeon General believes the person to be discharged is still an addict and that he may by further treatment in a Service hospital be cured of his addiction, the addict shall be informed, in accordance with regulations, of the advisability of his submitting himself to further treatment. The addict may then apply in writing to the Surgeon General for further treatment in a Service hospital for a period not exceeding the maximum length of time considered necessary by the Surgeon General. Upon approval of the application by the Surgeon General or his authorized agent, the addict may be given such further treatment as is necessary to cure him of his addiction.

Gratuities and transportation.

(d) Every person convicted of an offense against the United States, upon discharge, or upon release on parole, from a hospital of the Service, shall be furnished with the gratuities and transportation authorized by law to be furnished to prisoners upon release from a penal, correctional, disciplinary, or reformatory institution.

Hospital treatment as a condition to probation.

(e) Any court of the United States having the power to suspend the imposition or execution of sentence and to place a defendant on probation under any existing laws may impose as one of the conditions of such probation that the defendant, if an addict, shall submit himself for treatment at a hospital of the Service especially equipped for the accommodation of addicts until discharged therefrom as cured and that he shall be admitted thereto for such purpose. Upon the discharge of any such probationer from a hospital of the Service, he shall be furnished with the gratuities and transportation authorized by law to be furnished to prisoners upon release from a penal, correctional, disciplinary, or reformatory institution. The actual and necessary expense incident to transporting such probationer to such

Gratuities and transportation upon discharge.

Payment.

hospital and to furnishing such transportation and gratuities shall be paid from the appropriation for the maintenance of such hospital except to the extent that other Federal agencies are authorized or required by law to pay the cost of such transportation: *Provided*, That where existing law vests a discretion in any officer as to the place to which transportation shall be furnished or as to the amount of clothing and gratuities to be furnished, such discretion shall be exercised by the Surgeon General with respect to addicts discharged from hospitals of the Service.

Discretionary power of Surgeon General.

VOLUNTARY PATIENTS

SEC. 344. (a) Any addict, whether or not he shall have been convicted of an offense against the United States, may apply to the Surgeon General for admission to a hospital of the Service especially equipped for the accommodation of addicts.

Application for admission.

(b) Any applicant shall be examined by the Surgeon General who shall determine whether the applicant is an addict, whether by treatment in a hospital of the Service he may probably be cured of his addiction, and the estimated length of time necessary to effect his cure. The Surgeon General may, in his discretion, admit the applicant to a Service hospital. No such addict shall be admitted unless he agrees to submit to treatment for the maximum amount of time estimated by the Surgeon General to be necessary to effect a cure, and unless suitable accommodations are available after all eligible addicts convicted of offenses against the United States have been admitted. Any such addict may be required to pay for his subsistence, care, and treatment at rates fixed by the Surgeon General and amounts so paid shall be covered into the Treasury of the United States to the credit of the appropriation from which the expenditure for his subsistence, care, and treatment was made.

Examination.

Conditions of admission.

Payment of cost.

(c) Any addict admitted for treatment under this section, including any addict, not convicted of an offense, who voluntarily submits himself for treatment, may be confined in a hospital of the Service for a period not exceeding the maximum amount of time estimated by the Surgeon General as necessary to effect a cure of the addiction or until such time as he ceases to be an addict.

Length of confinement.

(d) Any addict admitted for treatment under this section shall not thereby forfeit or abridge any of his rights as a citizen of the United States; nor shall such admission or treatment be used against him in any proceeding in any court; and the record of his voluntary commitment shall be confidential and shall not be divulged.

Preservation of rights.

PENALTIES

SEC. 345. (a) Any person not authorized by law or by the Surgeon General who introduces or attempts to introduce into or upon the grounds of any hospital of the Service at which addicts are treated and cared for, any habit-forming narcotic drug, weapon, or any other contraband article or thing, or any contraband letter or message intended to be received by an inmate thereof, shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not more than ten years.

Contraband articles.

(b) It shall be unlawful for any person properly committed thereto to escape or attempt to escape from a hospital of the Service at which addicts are treated and cared for, and any such person upon apprehension and conviction in a United States court shall be punished by imprisonment for not more than five years, such sentence to begin upon the expiration of the sentence for which such person was originally confined.

Escapes.

Accomplices.

(c) Any person who procures the escape of any person admitted to a hospital of the Service at which addicts are treated and cared for, or who advises, connives at, aids, or assists in such escape, or who conceals any such inmate after such escape, shall be punished upon conviction in a United States court by imprisonment in the penitentiary for not more than three years.

PART F—BIOLOGICAL PRODUCTS

REGULATION OF BIOLOGICAL PRODUCTS

Sale, barter, or exchange in D. C., etc.

SEC. 351. (a) No person shall sell, barter, or exchange, or offer for sale, barter, or exchange in the District of Columbia, or send, carry, or bring for sale, barter, or exchange from any State or possession into any other State or possession or into any foreign country, or from any foreign country into any State or possession, any virus, therapeutic serum, toxin, antitoxin, or analogous product, or arsphenamine or its derivatives (or any other trivalent organic arsenic compound), applicable to the prevention, treatment, or cure of diseases or injuries of man, unless (1) such virus, serum, toxin, antitoxin, or other product has been propagated or manufactured and prepared at an establishment holding an unsuspended and unrevoked license, issued by the Administrator as hereinafter authorized, to propagate or manufacture, and prepare such virus, serum, toxin, antitoxin, or other product for sale in the District of Columbia, or for sending, bringing, or carrying from place to place aforesaid; and (2) each package of such virus, serum, toxin, antitoxin, or other product is plainly marked with the proper name of the article contained therein, the name, address, and license number of the manufacturer, and the date beyond which the contents cannot be expected beyond reasonable doubt to yield their specific results. The suspension or revocation of any license shall not prevent the sale, barter, or exchange of any virus, serum, toxin, antitoxin, or other product aforesaid which has been sold and delivered by the licensee prior to such suspension or revocation, unless the owner or custodian of such virus, serum, toxin, antitoxin, or other product aforesaid has been notified by the Administrator not to sell, barter, or exchange the same.

Manufacturers of virus, etc. License requirement.

Package marking requirement.

Effect of license suspension, etc.

False labels, etc.

(b) No person shall falsely label or mark any package or container of any virus, serum, toxin, antitoxin, or other product aforesaid; nor alter any label or mark on any package or container of any virus, serum, toxin, antitoxin, or other product aforesaid so as to falsify such label or mark.

Inspection of establishments for manufacture of virus, etc.

(c) Any officer, agent, or employee of the Federal Security Agency, authorized by the Administrator for the purpose, may during all reasonable hours enter and inspect any establishment for the propagation or manufacture and preparation of any virus, serum, toxin, antitoxin, or other product aforesaid for sale, barter, or exchange in the District of Columbia, or to be sent, carried, or brought from any State or possession into any other State or possession or into any foreign country, or from any foreign country into any State or possession.

Issuance of licenses. Standards required.

(d) Licenses for the maintenance of establishments for the propagation or manufacture and preparation of products described in subsection (a) of this section may be issued only upon a showing that the establishment and the products for which a license is desired meet standards, designed to insure the continued safety, purity, and potency of such products, prescribed in regulations made jointly by the Surgeon General, the Surgeon General of the Army, and the Surgeon General of the Navy, and approved by the Administrator,

and licenses for new products may be issued only upon a showing that they meet such standards. All such licenses shall be issued, suspended, and revoked as prescribed by regulations and all licenses issued for the maintenance of establishments for the propagation or manufacture and preparation, in any foreign country, of any such products for sale, barter, or exchange in any State or possession shall be issued upon condition that the licensees will permit the inspection of their establishments in accordance with subsection (c) of this section.

Conditions.

(e) No person shall interfere with any officer, agent, or employee of the Service in the performance of any duty imposed upon him by this section or by regulations made by authority thereof.

Interference with Service officer, etc.

(f) Any person who shall violate, or aid or abet in violating, any of the provisions of this section shall be punished upon conviction by a fine not exceeding $500 or by imprisonment not exceeding one year, or by both such fine and imprisonment, in the discretion of the court.

Punishment for violations.

(g) Nothing contained in this Act shall be construed as in any way affecting, modifying, repealing, or superseding the provisions of the Federal Food, Drug, and Cosmetic Act (U. S. C., 1940 edition, title 21, ch. 9).

52 Stat. 1040. 21 U. S. C. § 301 *et seq.*; Supp. III, ch. 9.

PREPARATION OF BIOLOGICAL PRODUCTS

SEC. 352. (a) The Service may prepare for its own use any product described in section 351 and any product necessary to carrying out any of the purposes of section 301.

Ante, p. 702.

Ante, p. 691.

(b) The Service may prepare any product described in section 351 for the use of other Federal departments or agencies, and public or private agencies and individuals engaged in work in the field of medicine when such product is not available from establishments licensed under such section.

PART G—QUARANTINE AND INSPECTION

CONTROL OF COMMUNICABLE DISEASES

SEC. 361. (a) The Surgeon General, with the approval of the Administrator, is authorized to make and enforce such regulations as in his judgment are necessary to prevent the introduction, transmission, or spread of communicable diseases from foreign countries into the States or possessions, or from one State or possession into any other State or possession. For purposes of carrying out and enforcing such regulations, the Surgeon General may provide for such inspection, fumigation, disinfection, sanitation, pest extermination, destruction of animals or articles found to be so infected or contaminated as to be sources of dangerous infection to human beings, and other measures, as in his judgment may be necessary.

Regulations.

(b) Regulations prescribed under this section shall not provide for the apprehension, detention, or conditional release of individuals except for the purpose of preventing the introduction, transmission, or spread of such communicable diseases as may be specified from time to time in Executive orders of the President upon the recommendation of the National Advisory Health Council and the Surgeon General.

Limitation on apprehension, etc., of individuals.

(c) Except as provided in subsection (d), regulations prescribed under this section, insofar as they provide for the apprehension, detention, examination, or conditional release of individuals, shall be applicable only to individuals coming into a State or possession from a foreign country, the Territory of Hawaii, or a possession.

Applicability.

Interstate spread of diseases.

(d) On recommendation of the National Advisory Health Council, regulations prescribed under this section may provide for the apprehension and examination of any individual reasonably believed to be infected with a communicable disease in a communicable stage and (1) to be moving or about to move from a State to another State; or (2) to be a probable source of infection to individuals who, while infected with such disease in a communicable stage, will be moving from a State to another State. Such regulations may provide that if upon examination any such individual is found to be infected, he may be detained for such time and in such manner as may be reasonably necessary.

SUSPENSION OF ENTRIES AND IMPORTS FROM DESIGNATED PLACES

SEC. 362. Whenever the Surgeon General determines that by reason of the existence of any communicable disease in a foreign country there is serious danger of the introduction of such disease into the United States, and that this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce such persons and property is required in the interest of the public health, the Surgeon General, in accordance with regulations approved by the President, shall have the power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate in order to avert such danger, and for such period of time as he may deem necessary for such purpose.

SPECIAL POWERS IN TIME OF WAR

SEC. 363. To protect the military and naval forces and war workers of the United States, in time of war, against any communicable disease specified in Executive orders as provided in subsection (b) of section 361, the Surgeon General, on recommendation of the National Advisory Health Council, is authorized to provide by regulations for the apprehension and examination, in time of war, of any individual reasonably believed (1) to be infected with such disease in a communicable stage and (2) to be a probable source of infection to members of the armed forces of the United States or to individuals engaged in the production or transportation of arms, munitions, ships, food, clothing, or other supplies for the armed forces. Such regulations may provide that if upon examination any such individual is found to be so infected, he may be detained for such time and in such manner as may be reasonably necessary.

QUARANTINE STATIONS

Control, etc.
40 Stat. 220.
50 U. S. C., Supp. III, § 192.

SEC. 364. (a) Except as provided in title II of the Act of June 15, 1917, as amended (U. S. C., 1940 edition, title 50, secs. 191–194), the Surgeon General shall control, direct, and manage all United States quarantine stations, grounds, and anchorages, designate their boundaries, and designate the quarantine officers to be in charge thereof. With the approval of the President he shall from time to time select suitable sites for and establish such additional stations, grounds, and anchorages in the States and possessions of the United States as in his judgment are necessary to prevent the introduction of communicable diseases into the States and possessions of the United States.

Additional stations.

Quarantine inspection.

(b) The Surgeon General shall establish the hours during which quarantine service shall be performed at each quarantine station, and, upon application by any interested party, may establish quar-

antine inspection during the twenty-four hours of the day, or any fraction thereof, at such quarantine stations as, in his opinion, require such extended service. He may restrict the performance of quarantine inspection to hours of daylight for such arriving vessels as cannot, in his opinion, be satisfactorily inspected during hours of darkness. No vessel shall be required to undergo quarantine inspection during the hours of darkness, unless the quarantine officer at such quarantine station shall deem an immediate inspection necessary to protect the public health. Uniformity shall not be required in the hours during which quarantine inspection may be obtained at the various ports of the United States.

CERTAIN DUTIES OF CONSULAR AND OTHER OFFICERS

Reports of health conditions.

SEC. 365. (a) Any consular or medical officer of the United States, designated for such purpose by the Administrator, shall make reports to the Surgeon General, on such forms and at such intervals as the Surgeon General may prescribe, of the health conditions at the port or place at which such officer is stationed.

Enforcement of regulations.

(b) It shall be the duty of the customs officers and of Coast Guard officers to aid in the enforcement of quarantine rules and regulations; but no additional compensation, except actual and necessary traveling expenses, shall be allowed any such officer by reason of such services.

BILLS OF HEALTH

Procurement by vessel at port of departure.

SEC. 366. (a) Except as otherwise prescribed in regulations, any vessel at any foreign port or place clearing or departing for any port or place in a State or possession shall be required to obtain from the consular officer of the United States or from the Public Health Service officer, or other medical officer of the United States designated by the Surgeon General, at the port or place of departure, a bill of health in duplicate, in the form prescribed by the Surgeon General. The President, from time to time, shall specify the ports at which a medical officer shall be stationed for this purpose. Such bill of health shall set forth the sanitary history and condition of said vessel, and shall state that it has in all respects complied with the regulations prescribed pursuant to subsection (c). Before granting such duplicate bill of health, such consular or medical officer shall be satisfied that the matters and things therein stated are true. The consular officer shall be entitled to demand and receive the fees for bills of health and such fees shall be established by regulation.

Contents.

Fees.

Delivery of originals and duplicates.

(b) Original bills of health shall be delivered to the collectors of customs at the port of entry. Duplicate copies of such bills of health shall be delivered at the time of inspection to quarantine officers at such port. The bills of health herein prescribed shall be considered as part of the ship's papers, and when duly certified to by the proper consular or other officer of the United States, over his official signature and seal, shall be accepted as evidence of the statements therein contained in any court of the United States.

Regulations.

(c) The Surgeon General shall from time to time prescribe regulations, applicable to vessels referred to in subsection (a) of this section for the purpose of preventing the introduction into the States or possessions of the United States of any communicable disease by securing the best sanitary condition of such vessels, their cargoes, passengers, and crews. Such regulations shall be observed by such vessels prior to departure, during the course of the voyage, and also during inspection, disinfection, or other quarantine procedure upon arrival at any United States quarantine station.

Excepted vessels.

(d) The provisions of subsections (a) and (b) of this section shall not apply to vessels plying between such foreign ports on or near the frontiers of the United States and ports of the United States as are designated by treaty.

Certificate of quarantine officer.

(e) It shall be unlawful for any vessel to enter any port in any State or possession of the United States to discharge its cargo, or land its passengers, except upon a certificate of the quarantine officer that regulations prescribed under subsection (c) have in all respects been complied with by such officer, the vessel, and its master. The master of every such vessel shall deliver such certificate to the collector of customs at the port of entry, together with the original bill of health and other papers of the vessel. The certificate required by this subsection shall be procurable from the quarantine officer, upon arrival of the vessel at the quarantine station and satisfactory inspection thereof, at any time within which quarantine services are performed at such station.

CIVIL AIR NAVIGATION AND CIVIL AIRCRAFT

SEC. 367. The Surgeon General is authorized to provide by regulations for the application to air navigation and aircraft of any of the provisions of sections 364, 365, and 366 and regulations prescribed thereunder (including penalties and forfeitures for violations of such sections and regulations), to such extent and upon such conditions as he deems necessary for the safeguarding of the public health.

PENALTIES

SEC. 368. (a) Any person who violates any regulation prescribed under sections 361, 362, or 363, or any provision of section 366 or any regulation prescribed thereunder, or who enters or departs from the limits of any quarantine station, ground, or anchorage in disregard of quarantine rules and regulations or without permission of the quarantine officer in charge, shall be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or both.

Unlawful entry or departure.

Forfeitures.

(b) Any vessel which violates section 366, or any regulations thereunder or under section 364, or which enters within or departs from the limits of any quarantine station, ground, or anchorage in disregard of the quarantine rules and regulations or without permission of the officer in charge, shall forfeit to the United States not more than $5,000, the amount to be determined by the court, which shall be a lien on such vessel, to be recovered by proceedings in the proper district court of the United States. In all such proceedings the United States district attorney shall appear on behalf of the United States; and all such proceedings shall be conducted in accordance with the rules and laws governing cases of seizure of vessels for violation of the revenue laws of the United States.

Proceedings.

Remission or mitigation.

(c) With the approval of the Administrator, the Surgeon General may, upon application therefor, remit or mitigate any forfeiture provided for under subsection (b) of this section, and he shall have authority to ascertain the facts upon all such applications.

ADMINISTRATION OF OATHS

SEC. 369. Medical officers of the United States, when performing duties as quarantine officers at any port or place within the United States, are authorized to take declarations and administer oaths in matters pertaining to the administration of the quarantine laws and regulations of the United States.

TITLE IV—NATIONAL CANCER INSTITUTE

TO BE A DIVISION IN NATIONAL INSTITUTE OF HEALTH

SEC. 401. The National Cancer Institute shall be a division in the National Institute of Health.

CANCER RESEARCH, AND SO FORTH

SEC. 402. In carrying out the purposes of section 301 with respect to cancer the Surgeon General, through the National Cancer Institute and in cooperation with the National Cancer Advisory Council, shall— *Ante*, p. 691.

(a) conduct, assist, and foster researches, investigations, experiments, and studies relating to the cause, prevention, and methods of diagnosis and treatment of cancer; Fostering of research, etc.

(b) promote the coordination of researches conducted by the Institute and similar researches conducted by other agencies, organizations, and individuals; Coordination of researches.

(c) provide training and instruction in technical matters relating to the diagnosis and treatment of cancer; Technical training.

(d) provide fellowships in the Institute from funds appropriated or donated for such purpose; Fellowships.

(e) secure for the Institute consultation services and advice of cancer experts from the United States and abroad; Consultations.

(f) cooperate with State health agencies in the prevention, control, and eradication of cancer; Cooperation with States.

(g) procure, use, and lend radium as provided in section 403. Radium.

ADMINISTRATION

SEC. 403. (a) In carrying out the provisions of section 402 all appropriate provisions of section 301 shall be applicable to the authority of the Surgeon General, and he is authorized—

(1) to purchase radium, from time to time, without regard to section 3709 of the Revised Statutes, to make such radium available for the purposes of this title, both to the Service and by loan to other agencies and institutions for such consideration and subject to such conditions as he may prescribe; Purchase of radium without advertising; availability. 41 U. S. C. § 5.

(2) to provide the necessary facilities where training and instruction may be given in all technical matters relating to diagnosis and treatment of cancer to persons found by the Surgeon General to have proper technical qualifications, and designated by him for such training or instruction, and to fix and pay them a per diem allowance during such training or instruction of not to exceed $10. Instruction of qualified persons. Allowance while training.

(b) The Surgeon General shall recommend acceptance of conditional gifts pursuant to section 501 of this Act, for study, investigation, or research into the cause, prevention, and methods of diagnosis and treatment of cancer, or for the acquisition of grounds or for the erection, equipment, or maintenance of premises, buildings, or equipment of the Institute, only after consultation with the National Cancer Advisory Council. Donations of $50,000 or over in aid of research under this title may be acknowledged by the establishment within the Institute of suitable memorials to the donors. Acceptance of conditional gifts. *Post*, p. 709.

(c) In carrying out the purposes of section 402 grants-in-aid for cancer projects shall be made only after review and recommendation of the National Cancer Advisory Council made pursuant to section 404. Grants-in-aid for cancer projects.

FUNCTIONS OF COUNCIL

Review of research projects.

SEC. 404. The council is authorized—

(a) to review research projects or programs submitted to or initiated by it relating to the study of the cause, prevention, or methods of diagnosis and treatment of cancer, and certify approval to the Surgeon General, for prosecution under section 402, of any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis and treatment of cancer;

Collection and dissemination of information.

(b) to collect information as to studies which are being carried on in the United States or any other country as to the cause, prevention, and methods of diagnosis and treatment of cancer, by correspondence or by personal investigation of such studies, and with the approval of the Surgeon General make available such information through the appropriate publications for the benefit of health agencies and organizations (public or private), physicians, or any other scientists, and for the information of the general public;

Review of applications for grants-in-aid.

(c) to review applications from any university, hospital, laboratory, or other institution whether public or private, or from individuals, for grants-in-aid for research projects relating to cancer, and certify to the Surgeon General its approval of grants-in-aid in the cases of such projects which show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis or treatment of cancer;

Recommendations.

(d) to recommend to the Surgeon General for acceptance conditional gifts pursuant to section 501 of this Act; and

(e) to make recommendations to the Surgeon General with respect to carrying out the provisions of this title.

APPROPRIATIONS

Limitation on use for sites and construction.
Personal services.

41 U. S. C. § 5.

SEC. 405. Appropriations to carry out the purposes of this title shall be available for the acquisition of land or the erection of buildings only if so specified, but in the absence of express limitation therein may be expended in the District of Columbia for personal services, stenographic recording and translating services, by contract if deemed necessary, without regard to section 3709 of the Revised Statutes; traveling expenses (including the expenses of attendance at meetings when specifically authorized by the Surgeon General); rental, supplies and equipment, purchase and exchange of medical books, books of reference, directories, periodicals, newspapers, and press clippings; purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles; printing and binding (in addition to that otherwise provided by law); and for all other necessary expenses in carrying out the provisions of this title.

OTHER WORK WITH RESPECT TO CANCER

SEC. 406. This title shall not be construed as limiting (a) the functions or authority of the Surgeon General or the Public Health Service under any other title of this Act, or of any other officer or agency of the United States, relating to the study of the prevention, diagnosis, and treatment of cancer; or (b) the expenditure of money therefor.

TITLE V—MISCELLANEOUS

GIFTS

SEC. 501. (a) The Administrator is authorized to accept on behalf of the United States gifts made unconditionally by will or otherwise for the benefit of the Service or for the carrying out of any of its functions. Conditional gifts may be so accepted if recommended by the Surgeon General, and the principal of and income from any such conditional gift shall be held, invested, reinvested, and used in accordance with its conditions, but no gift shall be accepted which is conditioned upon any expenditure not to be met therefrom or from the income thereof unless such expenditure has been approved by Act of Congress.

Acceptance of unconditional gifts.

Certain conditional gifts.

(b) Any unconditional gift of money accepted pursuant to the authority granted in subsection (a) of this section, the net proceeds from the liquidation (pursuant to subsection (c) or subsection (d) of this section) of any other property so accepted, and the proceeds of insurance on any such gift property not used for its restoration, shall be deposited in the Treasury of the United States and are hereby appropriated and shall be held in trust by the Secretary of the Treasury for the benefit of the Service, and he may invest and reinvest such funds in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. Such gifts and the income from such investments shall be available for expenditure in the operation of the Service and the performance of its functions, subject to the same examination and audit as is provided for appropriations made for the Service by Congress.

Money.

(c) The evidences of any unconditional gift of intangible personal property, other than money, accepted pursuant to the authority granted in subsection (a) of this section shall be deposited with the Secretary of the Treasury and he, in his discretion, may hold them, or liquidate them except that they shall be liquidated upon the request of the Administrator, whenever necessary to meet payments required in the operation of the Service or the performance of its functions. The proceeds and income from any such property held by the Secretary of the Treasury shall be available for expenditure as is provided in subsection (b) of this section.

Intangible personal property.

Expenditure of income.

(d) The Administrator shall hold any real property or any tangible personal property accepted unconditionally pursuant to the authority granted in subsection (a) of this section and he shall permit such property to be used for the operation of the Service and the performance of its functions or he may lease or hire such property, and may insure such property, and deposit the income thereof with the Secretary of the Treasury to be available for expenditure as provided in subsection (b) of this section: *Provided*, That the income from any such real property or tangible personal property shall be available for expenditure in the discretion of the Administrator for the maintenance, preservation, or repair and insurance of such property and that any proceeds from insurance may be used to restore the property insured. Any such property when not required for the operation of the Service or the performance of its functions may be liquidated by the Administrator, and the proceeds thereof deposited with the Secretary of the Treasury, whenever in his judgment the purposes of the gifts will be served thereby.

Real property and tangible personal property.

Use of income.

Liquidation of property.

(e) Donations of $50,000 or over in aid of research may be acknowledged by the establishment within the National Institute of Health of suitable memorials to the donors.

USE OF IMMIGRATION STATION HOSPITALS

Reimbursements.

SEC. 502. The Immigration and Naturalization Service may, by agreement of the heads of the departments concerned, permit the Public Health Service to use hospitals at immigration stations for the care of Public Health Service patients. The Surgeon General shall reimburse the Immigration and Naturalization Service for the actual cost of furnishing fuel, light, water, telephone, and similar supplies and services, which reimbursement shall be covered into the proper Immigration and Naturalization Service appropriation, or such costs may be paid from working funds established as provided by law, but no charge shall be made for the expense of physical upkeep of the hospitals. The Immigration and Naturalization Service shall reimburse the Surgeon General for the care and treatment of persons detained in hospitals of the Public Health Service at the request of the Immigration and Naturalization Service unless such persons are entitled to care and treatment under section 322 (a).

Ante, p. 696.

MONEY COLLECTED FOR CARE OF PATIENTS

SEC. 503. Money collected as provided by law for expenses incurred in the care and treatment of foreign seamen, and money received for the care and treatment of pay patients, including any amounts received from any executive department on account of care and treatment of pay patients, shall be covered into the appropriation from which the expenses of such care and treatment were paid.

CARE OF PUBLIC HEALTH SERVICE PATIENTS AT SAINT ELIZABETHS HOSPITAL

SEC. 504. Insane patients entitled to treatment by the Service shall be admitted, upon order of the Administrator, into Saint Elizabeths Hospital or, upon order of the Surgeon General, into any hospital, institution, or station of the Service especially equipped for the accommodation of such patients and shall be cared for and treated therein until cured or until ordered removed by the officer authorizing such admittance.

SETTLEMENT OF CLAIMS

Post, p. 857.

SEC. 505. The Administrator may consider, ascertain, adjust, and determine any claim which shall accrue, on account of damages occasioned by collisions or incident to the operation of vessels of the Service, and for which damages such vessels are found by him to be responsible. To be considered for settlement under this section, claims must be presented to the Administrator within one year of their accrual. The amount ascertained and determined to be due any claimant, not exceeding $3,000 in any one case, shall be certified to Congress as a legal claim for payment out of appropriations that may be made therefor by Congress, together with a brief statement of the character of each claim, the amount claimed, and the amount allowed. Acceptance by any claimant of the amount determined to be due under this section shall be deemed to be in full and final settlement of such claim against the Government of the United States.

TRANSPORTATION OF REMAINS OF OFFICERS

SEC. 506. Appropriations available for traveling expenses of the Service shall be available for meeting the cost of preparation for burial and of transportation to the place of burial of remains of commissioned officers, and of personnel specified in regulations, who die in line of duty.

SETTLEMENT OF ACCOUNTS OF DECEASED OFFICERS

SEC. 507. (a) In the settlement of the accounts of deceased commissioned officers where the amount due the decedent's estate is less than $1,000 and no demand is presented by a duly appointed representative of the estate, the accounting officers may allow the amount found due to the decedent's widow or legal heirs in the following order of precedence: First, to the widow; second, if the decedent left no widow, or the widow be dead at time of settlement, then to the children or their issue, per stirpes; third, if no widow or children or their issue, then to the father and mother in equal parts, provided the father has not abandoned the support of his family, in which case to the mother alone; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes.

(b) Subsection (a) shall not be construed so as to prevent payment of funeral expenses from the amount due the decedent's estate if a claim therefor is presented, before settlement by the accounting officers, by the person or persons who actually paid such expenses. Funeral expenses.

TRANSFER OF FUNDS

SEC. 508. For the purpose of any reorganization under section 202, the Administrator, with the approval of the Director of the Bureau of the Budget, is authorized to make such transfers of funds between appropriations as may be necessary for the continuance of transferred functions. *Ante*, p. 683.

AVAILABILITY OF APPROPRIATIONS

SEC. 509. Appropriations for carrying out the provisions of section 301 shall be available for expenditure for personal services and rent at the seat of Government, for books of reference, periodicals, and exhibits, and for printing and binding.

UNAUTHORIZED WEARING OF UNIFORMS

SEC. 510. Except as may be authorized by regulations of the President, the insignia and uniform of commissioned officers of the Service, or any distinctive part of such insignia or uniform, or any insignia or uniform any part of which is similar to a distinctive part thereof, shall not be worn, after the promulgation of such regulations, by any person other than a commissioned officer of the Service, and any person violating this section shall be subject to the penalties provided by the Act of June 3, 1916, as amended (U. S. C., 1940 edition, title 10, sec. 1393), in the case of unlawful wearing of the uniform of commissioned officers of the Army. 39 Stat. 216. 10 U. S. C., Supp. III, § 1393.

ANNUAL REPORT

SEC. 511. The Surgeon General shall transmit to the Administrator, for submission to the Congress at the beginning of each regular session, a full report of the administration of the functions of the Service under this Act, including a detailed statement of receipts and disbursements.

TITLE VI—TEMPORARY AND EMERGENCY PROVISIONS AND AMENDMENTS AND REPEALS

EXISTING POSITIONS, PROCEDURES, AND SO FORTH

SEC. 601. (a) The provisions of this Act shall not affect the term or tenure of office or employment of the Surgeon General, or of any

officer or employee of the Service, or of any member of the National Advisory Health Council or the National Advisory Cancer Council, in office or employed at the time of its enactment.

(b) Notwithstanding the provisions of this Act, existing positions, divisions, committees, and procedures in the Service shall continue unless and until abolished, changed, or transferred pursuant to authority granted in this Act.

EXISTING REGULATIONS, AND SO FORTH

SEC. 602. Notwithstanding the provisions of this Act, existing rules, regulations of or applicable to the Service, and Executive orders, shall remain in effect until repealed, or until modified or superseded by regulations made in accordance with the provisions of this Act.

FUNDS, APPROPRIATIONS, AND PROPERTY

SEC. 603. All appropriations, allocations, and other funds, and all properties available for use by the Public Health Service or any division or unit thereof shall continue to be available to the Service.

APPROPRIATIONS FOR EMERGENCY HEALTH AND SANITATION ACTIVITIES

SEC. 604. For each fiscal year during the continuance of the present war and during any period of demobilization after the war, there is hereby authorized to be appropriated such sum as may be necessary to enable the Surgeon General, either directly or through State health authorities, to conduct health and sanitation activities in areas adjoining military or naval reservations within or without the United States, in areas where there are concentrations of military or naval forces, in Government and private industrial plants engaged in defense work, and in areas adjoining such industrial plants.

EMPLOYEES' COMPENSATION

SEC. 605. (a) Section 7 of the Act of September 7, 1916, entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", as amended (U. S. C., 1940 edition, title 5, sec. 757), is amended by changing the period at the end thereof to a colon and adding the following: "*Provided*, That whenever any person is entitled to receive any benefits under this Act by reason of his injury, or by reason of the death of an employee, as defined in section 40, and is also entitled to receive from the United States any payments or benefits (other than the proceeds of any insurance policy), by reason of such injury or death under any other Act of Congress, because of service by him (or in the case of death, by the deceased) as an employee, as so defined, such person shall elect which benefits he shall receive. Such election shall be made within one year after the injury or death, or such further time as the Commission may for good cause allow, and when made shall be irrevocable unless otherwise provided by law."

39 Stat. 743.

Election of benefits.

Infra.

(b) The definition of the term "employee" in section 40 of such Act of September 7, 1916, as amended (U. S. C., 1940 edition, title 5, sec. 790), is amended to read as follows:

39 Stat. 750.

"Employee."

"The term 'employee' includes all civil employees of the United States and of the Panama Railroad Company, commissioned officers of the Regular Corps of the Public Health Service, officers in the Reserve of the Public Health Service on active duty, and all persons, other than independent contractors and their employees, employed on

the Menominee Indian Reservation in the State of Wisconsin, subsequent to September 7, 1916, in operations conducted pursuant to the Act entitled 'An Act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin,' approved March 28, 1908, as amended, or any other Act relating to tribal timber and logging operations on the Menominee Reservation."

Menominee Indian Reservation, Wis.

35 Stat. 51.

(c) In the case of injury or death of a commissioned officer of the Service occurring after November 10, 1943, and on or before the date of the termination of the present war, the election required by section 7 of such Act of September 7, 1916, as amended (U. S. C., 1940 edition, title 5, sec. 757), may be made, and the notice required by section 15 thereof and the written claim required by section 18 thereof may be filed, within such time as may be provided by regulations of the United States Employees' Compensation Commission, but not later than the expiration of one year following the termination of the present war. Prior to the expiration of such year any such election may be revised, and such revision shall operate retroactively to the date of death or injury, but there shall be deducted from the compensation or other benefit payable pursuant to a revised election any sum (except the proceeds of any insurance policy) theretofore paid on account of such death or injury.

Commissioned officers of the Service.

39 Stat. 743.

Ante, p. 712.
39 Stat. 746.
5 U. S. C. §§ 765, 768.

Revision of election.

(d) In the case of death of a commissioned officer of the Service which occurred after December 7, 1941, and prior to November 11, 1943, the rights provided to surviving beneficiaries by section 10 of the Public Health Service Act of 1943 shall continue notwithstanding the repeal of that Act. Such beneficiaries, in addition to the right to receive six months' pay, shall have the same right of election and of revising elections as is provided by subsection (c) of this section, except that in case of a revised election no deduction shall be made on account of such six months' pay.

57 Stat. 589.
42 U. S. C., Supp. III, § 1i.
Post, p. 719.

COMPUTATION OF RETIRED PAY IN CERTAIN CASES

SEC. 606. In the case of commissioned officers of the Service appointed prior to the enactment of this Act, there shall be included, in determining retired pay pursuant to section 211 (c) (1), noncommissioned service in the Public Health Service, as well as all commissioned service.

Ante, p. 688.

ALLOWANCES FOR UNIFORMS TO CERTAIN COMMISSIONED PERSONNEL

SEC. 607. Each commissioned officer of the Service who was appointed to the Regular Corps or called to active duty in the Reserve Corps since December 7, 1941, and prior to the enactment of this Act, and who on or after November 11, 1943, was on active duty in the grade of junior assistant, assistant, or passed assistant and was receiving the pay of the first, second, or third pay period, shall be entitled to receive an allowance of $250 for uniforms and equipment.

Post, p. 856.

PATIENTS OF SAINT ELIZABETHS HOSPITAL IN PUBLIC HEALTH SERVICE HOSPITALS

SEC. 608. Insane patients entitled to treatment in Saint Elizabeths Hospital who may heretofore or hereafter, during the continuance of the present war, or during the period of six months thereafter, have been admitted to hospitals of the Service, may continue to be cared for and treated in such hospitals notwithstanding the termination of such period.

ELIGIBILITY OF OSTEOPATHS TO APPOINTMENT IN THE RESERVE CORPS

SEC. 609. For the duration of the present war and for six months thereafter graduates of reputable osteopathic colleges shall be eligible for appointment as reserve officers in the Service.

TEMPORARY PROVISIONS RESPECTING MEDICAL AND HOSPITAL BENEFITS

Women's Reserve of Coast Guard. Benefits. *Ante*, p. 697.

SEC. 610. (a) Subject to regulations of the President, members of the Women's Reserve of the Coast Guard, or their dependents, shall be entitled to the benefits provided by section 326 for male officers and enlisted men of the Coast Guard or their dependents: *Provided*, That the husbands of such members shall not be considered dependents, and the children of such members shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support.

Husbands and children of members.

Lightkeepers, etc.

(b) Subject to regulations of the President, lightkeepers, assistant lightkeepers, and officers and crews of vessels of the former Lighthouse Service, including any such persons who subsequent to June 30, 1939, have involuntarily been assigned to other civilian duty in the Coast Guard, who were entitled to medical relief at hospitals and other stations of the Public Health Service prior to enactment of this Act, and who are now or hereafter on active duty or who have been or may hereafter be retired under the provisions of section 6 of the Act of June 20, 1918, as amended (U. S. C., 1940 edition, title 33, sec. 763), shall be entitled to medical, surgical, and dental treatment and hospitalization at hospitals and other stations of the Public Health Service: *Provided*, That such persons while on active duty shall also be entitled to care and treatment in accordance with the provisions of section 322 (e) of this Act.

40 Stat. 608.

Ante, p. 696.

(c) For the duration of the present war and for six months thereafter, seamen employed on foreign-flag vessels which are owned or operated by citizens of the United States or by corporations incorporated under the law of the United States or of any State shall be entitled to the same benefits as are provided by section 322 (a) (1) for seamen employed on vessels of the United States.

Ante, p. 696.

REPEAL OF EXISTING LAW

SEC. 611. The following statutes or parts of statutes are hereby repealed:

The two paragraphs under the subheading "Marine—hospital establishment (customs:)" under the heading "Under the Treasury Department" in section 3689 in title XLI of the Revised Statutes of the United States;

31 U. S. C. § 711.

Sections 4801, 4802, 4803, 4804, 4805, and 4806 in title LIX of the Revised Statutes of the United States;

24 U. S. C. § 2; 42 U. S. C. §§ 4, 11; 24 U. S. C. §§ 26a, 12, 11a, 7.

The last paragraph under the heading "Miscellaneous" in chapter 130, 18 Statutes at Large 371, which paragraph is the seventh beginning on page 377;

42 U. S. C. § 10.

Chapter 156, 18 Statutes at Large 485;

24 U. S. C. §§ 1, 7, 193, 11, 11a.

Chapter 66, 20 Statutes at Large 37;

42 U. S. C. §§ 86, 92a.

Chapter 202, 20 Statutes at Large 484;

Chapter 61, 21 Statutes at Large 46;

Section 1, and the final clause of section 2 (which reads as follows: "and the said quarantine stations when so established shall be conducted by the Marine Hospital Service under regulations framed in accordance with the Act of April twenty-ninth, eighteen hundred and seventy-eight"), of chapter 727, 25 Statutes at Large 355;

42 U. S. C. § 106.

Chapter 19, 25 Statutes at Large 639;

42 U. S. C. §§ 12, 13.

Chapter 51, 26 Statutes at Large 31; 42 U. S. C. §§ 95, 107, 108.

The last sentence of the paragraph headed "Office of the Supervising Surgeon General, Marine Hospital Service" in chapter 541, 26 Statutes at Large 908, which appears at page 923 and reads as follows: "And hereafter, the Supervising Surgeon General is hereby authorized to cause the detail of two surgeons and two passed assistant surgeons for duty in the Bureau, who shall each receive the pay and allowances of their respective grades in the general service."; 42 U. S. C. § 15.

Chapter 114, 27 Statutes at Large 449; 42 U. S. C. § 81 *et seq.*

The last sentence of the paragraph headed "Office of Supervising Surgeon General, Marine Hospital Service", in chapter 174, 28 Statutes at Large 162, which appears at page 179 and which reads as follows: "And hereafter the Supervising Surgeon General of the Marine Hospital Service is hereby authorized to cause the detail of an additional medical officer and one hospital steward for duty in the Bureau, who shall each receive the pay and allowances of his respective grade in the general service."; 42 U. S. C. § 15.

Chapter 213, 28 Statutes at Large 229; 24 U. S. C. § 8.

Chapter 300, 28 Statutes at Large 372; 42 U. S. C. § 82.

The last sentence of the paragraph headed "Office of Supervising Surgeon General, Marine Hospital Service", in chapter 177, 28 Statutes at Large 764, which appears at page 780 and which reads as follows: "And hereafter the Supervising Surgeon General of the Marine Hospital Service is hereby authorized to cause the detail of two hospital attendants from the port of New York for duty in the laboratory of the Bureau, and who shall each receive the pay equivalent to the compensation of a first-class hospital attendant."; 42 U. S. C. § 15a.

The proviso at the end of the paragraph headed "Office of Supervising Surgeon-General Marine-Hospital Service" in chapter 265, 29 Statutes at Large 538, which appears at page 554 and which reads as follows: "*Provided*, That the Secretary of the Treasury is hereby authorized, in his discretion, to grant to the medical officers of the Marine-Hospital Service commissioned by the President, without deduction of pay, leaves of absence for the same period of time and in the same manner as is now authorized to be granted to officers of the Army by the Secretary of War"; 42 U. S. C. § 19.

Chapter 349, 30 Statutes at Large 976;

Section 10, chapter 191, 31 Statutes at Large 77, at page 80; 48 U. S. C. § 743.

The first paragraph of section 97 of chapter 339, 31 Statutes at Large 141; 48 U. S. C. § 508.

Chapter 836, 31 Statutes at Large 1086; 42 U. S. C. §§ 83, 99, 102.

That portion of the third paragraph of section 84 of chapter 1369, 32 Statutes at Large 691, which appears at page 711 and which reads as follows: "and the provisions of law relating to the public health and quarantine shall apply in the case of all vessels entering a port of the United States or its aforesaid possessions from said islands, where the customs officers at the port of departure shall perform the duties required by such law of consular officers in foreign ports"; 48 U. S. C. § 1011.

Chapter 1370, 32 Statutes at Large 712; 42 U. S. C. § 1 *et seq.*

Chapter 1378, 32 Statutes at Large 728; 42 U. S. C. §§ 141–148.

Chapter 1443, 33 Statutes at Large 1009; 42 U. S. C. §§ 121–125.

The last sentence of the last paragraph under the heading "Public Health and Marine Hospital Service" in chapter 1484, 33 Statutes at Large 1214, which appears at page 1217 and which reads as follows: "And the Secretary of the Treasury shall, for the fiscal year nineteen hundred and seven, and annually thereafter, submit to Congress, in the regular Book of Estimates, detailed estimates of the expenses of maintaining the Public Health and Marine Hospital Service,"; 31 U. S. C. § 583 (6).

Public Resolution Numbered 21, 33 Statutes at Large 1283;

42 U. S. C. §§ 85, 96, 101, 103–105.

Chapter 3433, 34 Statutes at Large 299;

Section 17 of chapter 1134, 34 Statutes at Large 898, at page 903;

That portion of the third paragraph under the heading "Back Pay and Bounty" in chapter 200, 35 Statutes at Large 373, as amended by chapter 213, 52 Statutes at Large 352, which is at page 352 of 52 Statutes at Large and which reads as follows: "and of deceased commissioned officers of the Public Health Service";

42 U. S. C., Supp. III, § 69.

The proviso in the tenth paragraph under the heading "Public Health and Marine Hospital Service" in chapter 285, 36 Statutes at Large 1363, which appears in the eighth paragraph on page 1394 and which reads as follows: "*Provided*, That there may be admitted into said hospitals, for study, persons with infectious or other diseases affecting the public health, and not to exceed ten cases in any one hospital at one time", and the substantially similar provisions appearing under the heading "Public Health and Marine Hospital Service" or the heading "Public Health Service" in the following statutes: Chapter 355, 37 Statutes at Large 417, at page 435; chapter 3, 38 Statutes at Large 4, at page 24; chapter 209, 39 Statutes at Large 262, at page 278; chapter 28, 40 Statutes at Large 459, at page 468; chapter 113, 40 Statutes at Large 634, at page 644; chapter 24, 41 Statutes at Large 163, at page 175;

42 U. S. C. § 1 *et seq.*

Chapter 288, 37 Statutes at Large 309;

The proviso at the end of the last paragraph under the heading "Public Health Service" in chapter 149, 37 Statutes at Large 912, which appears at page 915 and which reads as follows: "*Provided*, That hereafter the director of the Hygienic Laboratory shall receive the pay and allowances of a senior surgeon";

That portion of the second paragraph under the heading "Public Health Service" in chapter 3, 38 Statutes at Large 4, which appears at page 23 and which reads as follows: "at least six of the assistant surgeons provided for hereunder shall be required to have had a special training in the diagnosis of insanity and mental defect for duty in connection with the examination of arriving aliens with special reference to the detection of mental defection;";

24 U. S. C. § 9.

The proviso at the end of the twelfth paragraph under the heading "Public Health Service" in chapter 3, 38 Statutes at Large 4, which appears at page 24 and which reads as follows: "*Provided*, That hereafter commissioned officers and pharmacists, and those employees of the Service devoting all their time to field work, shall be entitled to hospital relief when taken sick or injured in line of duty";

14 U. S. C. § 59.

The last clause of chapter 124, 38 Statutes at Large 387, which reads as follows: "and the said Secretary is hereby authorized to detail for duty on revenue cutters such surgeons and other persons of the Public Health Service as he may deem necessary";

Section 5 of chapter 414, 39 Statutes at Large 536, at page 538;

42 U. S. C. §§ 131–135.

Chapter 26, 39 Statutes at Large 872;

8 U. S. C. § 152.

That portion of section 16 of chapter 29, 39 Statutes at Large 874, which appears at page 885 and which reads as follows: "who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine, and";

42 U. S. C. § 87.

The sixth paragraph under the heading "Public Health Service" in chapter 3, 40 Statutes at Large 2, at page 6;

42 U. S. C. § 16.

The seventh paragraph under the heading "Bureau of Mines" in chapter 27, 40 Statutes at Large 105, which is the third full paragraph appearing on page 146;

42 U. S. C. § 20.

Chapter 37, 40 Statutes at Large 242;

The proviso in the fourth paragraph under the heading "Public Health Service" in chapter 113, 40 Statutes at Large 634, which

appears at page 644 and which reads as follows: "*Provided*, That the pay of attendants at marine hospitals, quarantine and immigration stations, whose present compensation is less than the rate of $1,200 per annum, may be increased to a rate not to exceed $1,200 per annum";

The proviso in the eleventh paragraph under the heading "Public Health Service" in chapter 113, 40 Statutes at Large 634, which appears at page 644 and which reads as follows: "*Provided*, That the Public Health Service, from and after July first, nineteen hundred and eighteen, shall pay to Saint Elizabeths Hospital the actual per capita cost of maintenance in the said hospital of patients committed by that Service"; 24 U. S. C. § 193.

The sixtieth paragraph under the heading "Bureau of Fisheries" in chapter 113, 40 Statutes at Large 634, which is the fourth full paragraph appearing on page 694; 24 U. S. C. § 10.

Sections 1, 3, 4, 6, and 7 of chapter XV of chapter 143, 40 Statutes at Large 845, at page 886; 42 U. S. C. §§ 24, 25, 28.

The thirteenth paragraph under the heading "General Expenses, Bureau of Chemistry" in chapter 178, 40 Statutes at Large 973, which is the second full paragraph appearing on page 992; 42 U. S. C. § 17.

Section 2 of chapter 179, 40 Statutes at Large 1008; 42 U. S. C. § 9.

Chapter 196, 40 Statutes at Large 1017; 42 U. S. C. § 18.

Chapter 98, 40 Statutes at Large 1302; 24 U. S. C. §§ 20, 26; 42 U. S. C. § 43.

The last paragraph under the heading "Public Health Service" in chapter 6, 41 Statutes at Large 35, which is the sixth full paragraph appearing on page 45;

The proviso at the end of the first paragraph under the heading "Public Health Service" in chapter 94, 41 Statutes at Large 503, which appears at page 507, and which reads as follows: "*Provided*, That the Secretary of the Treasury is authorized to make regulations governing the disposal of articles produced by patients in the course of their curative treatment, either by allowing the patient to retain same or by selling the articles and depositing the money received to the credit of the appropriation from which the materials for making the articles were purchased";

The second paragraph under the heading "Public Health Service" in chapter 94, 41 Statutes at Large 503, which is the seventh full paragraph appearing on page 507; 42 U. S. C. § 32.

The last paragraph under the heading "Public Health Service" in chapter 94, 41 Statutes at Large 503, which is the seventh full paragraph appearing on page 508, and the substantially similar provisions in chapter 161, 41 Statutes at Large 1367, at page 1378; 42 U. S. C. § 33.

The fourth paragraph under the heading "Quarantine Stations" in chapter 235, 41 Statutes at Large 874, which is the eighth full paragraph appearing on page 875;

The third paragraph under the heading "Public Health Service" in chapter 235, 41 Statutes at Large 874, which is the ninth full paragraph appearing on page 883; 42 U. S. C. § 31.

Chapter 80, 41 Statutes at Large 1149; 42 U. S. C. § 82.

The second paragraph under the heading "Public Health Service" in chapter 23, 42 Statutes at Large 29, which is the thirteenth full paragraph appearing on page 38;

The proviso at the end of section 4 of chapter 57, 42 Statutes at Large 147, which appears at page 148, and which reads as follows: "*Provided*, That all commissioned personnel detailed or hereafter detailed from the United States Public Health Service to the Veterans' Bureau, shall hold the same rank and grade, shall receive the same pay and allowances, and shall be subject to the same rules for relative rank and promotion as now or hereafter may be provided

by law for commissioned personnel of the same rank or grade or performing the same or similar duties in the United States Public Health Service";

42 U. S. C. § 16 and note.

The ninth paragraph under the heading "Bureau of Mines", in chapter 199, 42 Statutes at Large 552, which is the fourth full paragraph on page 588, and the substantially similar provisions in chapter 42, 42 Statutes at Large 1174, at page 1210; chapter 264, 43 Statutes at Large 390, at page 422; chapter 462, 43 Statutes at Large 1141, at page 1175;

The last sentence of the paragraph under the heading "Public Health Service" in chapter 258, 42 Statutes at Large 767, which appears at page 776 and which reads as follows: "The Immigration Service shall reimburse the Public Health Service on the basis of per capita rates fixed by the Secretary of the Treasury and the sums received by the Public Health Service from this source shall be covered into the Treasury as miscellaneous receipts";

8 U. S. C. § 117 and note; Supp. III, § 117.

The first proviso at the end of the ninth paragraph under the heading "Public Health Service" in chapter 84, 43 Statutes at Large 64, which appears at page 75 and which reads as follows: "*Provided*, That the Immigration Service shall permit the Public Health Service to use the hospitals at Ellis Island Immigration Station for the care of the Public Health Service patients, free of expense for physical upkeep, but with a charge of actual cost for fuel, light, water, telephone, and similar supplies and services, to be covered into the proper Immigration Service appropriations; and moneys collected by the Immigration Service on account of hospital expenses of persons detained under the immigration laws and regulations at Ellis Island Immigration Station shall be covered into the Treasury as miscellaneous receipts:",

and substantially similar provisions under the heading "Public Health Service" in chapter 87, 43 Statutes at Large 763, at page 775; chapter 43, 44 Statutes at Large 136, at page 147; chapter 126, 45 Statutes at Large 162, at page 174; chapter 39, 45 Statutes at Large 1028, at page 1039; chapter 289, 46 Statutes at Large 335, at page 347; chapter 110, 49 Statutes at Large 218, at page 229; chapter 725, 49 Statutes at Large 1827, at page 1839; chapter 180, 50 Statutes at Large 137, at page 149; chapter 55, 52 Statutes at Large 120, at page 133; chapter 428, 54 Statutes at Large 574, at page 585; chapter 269, 55 Statutes at Large 466, at page 481; and chapter 475, 56 Statutes at Large 562, at page 581;

42 U. S. C. § 82.

Chapter 146, 43 Statutes at Large 809;

49 U. S. C. § 177 (b).

The words "and public health" in the last sentence of section 7 (b) of chapter 344, 44 Statutes at Large 568, at page 572;

49 U. S. C. § 181 (b).

The words "or public-health" in section 11 (b) (2) of chapter 344, 44 Statutes at Large 568, at page 574, as amended;

Section 3 of chapter 371, 44 Statutes at Large 622, at page 626;

Chapter 625, 45 Statutes at Large 603;

The proviso at the end of the fifth paragraph under the heading "Public Health Service" in chapter 39, 45 Statutes at Large 1028, which appears at page 1039, and which reads as follows: "*Provided*, That funds expendable for transportation and traveling expenses may also be used for preparation for shipment and transportation to their former homes of remains of officers who die in line of duty",

and substantially similar provisions appearing under the heading "Public Health Service" in chapter 289, 46 Statutes at Large 335, at page 346; chapter 110, 49 Statutes at Large 218, at page 228; chapter 725, 49 Statutes at Large 1827, at page 1839; chapter 180, 50 Statutes at Large 137, at page 148; chapter 55, 52 Statutes at

Large 120, at page 132; chapter 428, 54 Statutes at Large 574, at page 584; chapter 269, 55 Statutes at Large 466, at page 480; — 42 U. S. C. § 68.

Chapter 82, 45 Statutes at Large 1085; — 21 U. S. C. §§ 221–237.

The second paragraph under the heading "Government in the Territories" in chapter 707, 45 Statutes at Large 1623, which is the seventh full paragraph on page 1644; — 48 U. S. C. § 46a.

So much of chapter 70, 46 Statutes at Large 81, as reads: ", and at his discretion to permit the erection of other buildings which may in the future be donated to promote the welfare of patients and personnel";

Chapter 125, 46 Statutes at Large 150; — 42 U. S. C. § 8a *et seq.*

Chapter 320, 46 Statutes at Large 379; — 42 U. S. C. §§ 21, 22, 23a–23g; 44 U. S. C. § 286.

Section 4 of chapter 488, 46 Statutes at Large 585; — 21 U. S. C. §§ 225, 196.

Chapter 597, 46 Statutes at Large 807; — 33 U. S. C. § 763b.

Chapter 409, 46 Statutes at Large 1491; — 42 U. S. C. §§ 82a, 94a–94e.

The words "or public health" in the last sentence of section 2 of chapter 656, 48 Statutes at Large 1116; — 49 U. S. C. § 181 (b).

The ninth paragraph under the heading "Public Health Service" in chapter 110, 49 Statutes at Large 218, which is the second full paragraph appearing on page 229; — 31 U. S. C. § 486a.

Title VI of chapter 531, 49 Statutes at Large 620, at page 634; — 42 U. S. C. §§ 801–803.

Chapter 161, 49 Statutes at Large 1185; — 42 U. S. C. § 6a.

That portion of chapter 550, 49 Statutes at Large 1514, which reads as follows: "or of the United States Public Health Service"; — 14 U. S. C. § 71.

The proviso at the end of the thirteenth paragraph under the heading "Public Health Service" in chapter 725, 49 Statutes at Large 1827, which appears at page 1840 and which reads as follows: "*Provided*, That on and after July 1, 1936, the Narcotic Farm at Lexington, Kentucky, shall be known as United States Public Health Service Hospital, Lexington, Kentucky, but such change in designation shall not affect the status of any person in connection therewith or the status of such institution under any Act applicable thereto"; — 21 U. S. C. § 222a.

The fourth paragraph under the heading "Public Health Service" in chapter 180, 50 Statutes at Large 137, which is the sixth full paragraph on page 148; — 42 U. S. C. § 67.

Section 2 of chapter 545, 50 Statutes at Large 547, at page 548; — 24 U. S. C. § 8.

Chapter 565, 50 Statutes at Large 559; — 42 U. S. C. §§ 137–137g.

The first proviso in the paragraph having the subhead "Division of Mental Hygiene" under the heading "Public Health Service" in chapter 55, 52 Statutes at Large 120, which appears at page 134 and which reads as follows: "*Provided*, That on and after July 1, 1938, the United States Narcotic Farm, Fort Worth, Texas, shall be known as United States Public Health Service Hospital of Fort Worth, Texas, but such change in designation shall not affect the status of any person in connection therewith or the status of such institution under any Act applicable thereto:"; — 21 U. S. C. § 222b.

Chapter 267, 52 Statutes at Large 439; — 42 U. S. C. §§ 25a–25e.

Chapter 92, 53 Statutes at Large 620; — 42 U. S. C. § 17c; 33 U. S. C. § 869.

Chapter 606, 53 Statutes at Large 1266; — 42 U. S. C. § 11b.

Chapter 636, 53 Statutes at Large 1338; — 42 U. S. C. § 21a.

Section 509 of chapter 666, 53 Statutes at Large 1360, at page 1381; — 42 U. S. C. § 801.

Section 205 (b) of Reorganization Plan Numbered I, 53 Statutes at Large 1423, at page 1425; — 5 U. S. C. § 133t note.

Chapter 566, 54 Statutes at Large 747; — 42 U. S. C. § 82.

The fourth paragraph under the heading "Public Health Service" in Public Law 11, Seventy-eighth Congress; and — 57 Stat. 24. 42 U. S. C., Supp. III, §§ 37 note, 18b.

Public Law 184, Seventy-eighth Congress. — 57 Stat. 587. 42 U. S. C., Supp. III, §§ 1a–1j, 37.

PRESERVATION OF RIGHTS AND LIABILITIES

SEC. 612. The repeal of the several statutes or parts of statutes accomplished by section 611 shall not affect any act done, or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause, before such repeal, but all rights and liabilities under the statutes or parts thereof so repealed shall continue, and may be enforced in the same manner, as if such repeal had not been made.

Approved July 1, 1944.