

86TH CONGRESS
1ST SESSION

H. J. RES. 370

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 1959

Mr. FOGARTY introduced the following joint resolution; which was referred to the Committee on Interstate and Foreign Commerce

JOINT RESOLUTION

To establish a National Institute for International Health and Medical Research, to provide for international cooperation in health research, research training, and research planning, and for other purposes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That this joint resolution may be cited as the "International
4 Health and Medical Research Act of 1959".

5 SEC. 2. It is the purpose of this joint resolution to
6 advance the status of the health sciences in the United States,
7 the health standards of the American people, and those of
8 other countries and peoples, by cooperative endeavors in
9 health research, research planning, and research training

1 with the scientists, research workers, technicians, experts,
2 and teachers of other countries; and to that end to help
3 mobilize the health sciences in the United States as a force
4 for peace, progress, and good will among the peoples of the
5 world.

6 SEC. 3. There is hereby established in the Public Health
7 Service, within the National Institutes of Health, the Na-
8 tional Institute for International Health and Medical Re-
9 search (hereinafter referred to as the "Institute").

10 SEC. 4. Subject to the supervision and direction of the
11 Secretary of Health, Education, and Welfare (hereinafter
12 referred to as the "Secretary"), the Surgeon General of the
13 United States Public Health Service, through the Institute
14 and in cooperation with the National Advisory Council for
15 International Health and Medical Research hereinafter
16 established, shall carry out the provisions of this joint resolu-
17 tion, and for such purpose may utilize, in addition to the
18 Institute, other units of the Public Health Service and, sub-
19 ject to the approval of the Secretary, the Office of Vocational
20 Rehabilitation, the Children's Bureau, and such other
21 agencies and offices in the Department of Health, Education,
22 and Welfare (hereinafter referred to as the "Department")
23 as he may deem advisable.

24 SEC. 5. (a) There is hereby established a National Ad-
25 visory Council for International Health and Medical Re-

1 search (hereinafter referred to as the "Council"), consist-
2 ing of the Surgeon General, who shall be Chairman, the Di-
3 rector of the Office of Vocational Rehabilitation or his rep-
4 resentative, and the Chief of the Children's Bureau or his
5 representative, who shall be ex officio members, and sixteen
6 members appointed by the Secretary without regard to the
7 civil service laws, twelve nominated by the Surgeon Gen-
8 eral, two nominated by the Director of the Office of Voca-
9 tional Rehabilitation, and two nominated by the Chief of the
10 Children's Bureau. The sixteen appointed members shall be
11 leaders in the fields of health research; health sciences; teach-
12 ing and training in the health sciences; and public and in-
13 ternational affairs; and shall include, among others, leaders
14 in fields related to the health of mothers and children and in
15 the field of rehabilitation. Each appointed member shall hold
16 office for a term of four years, except that (1) any member
17 appointed to fill a vacancy occurring prior to the expiration
18 of the term for which his predecessor was appointed shall be
19 appointed for the remainder of such term, and (2) the
20 terms of the members first taking office after the date of en-
21 actment of this joint resolution shall expire, as designated by
22 the Secretary at the time of appointment, four at the end
23 of four years after such date, four at the end of three years
24 after such date, four at the end of two years after such
25 date, and four at the end of one year after such date. None

1 of the appointed members shall be eligible for reappointment
2 until a year has elapsed since the end of his preceding term.

3 (b) The Council is authorized to—

4 (1) advise, consult with, and make recommenda-
5 tions to the Secretary and the Surgeon General on mat-
6 ters relating to the purposes and activities authorized by
7 this joint resolution;

8 (2) review applications for financial grants under
9 section 6 (a) and recommend to the Surgeon General
10 its approval of those applications which it believes show
11 promise of making valuable contributions to carrying
12 out the purposes of this joint resolution, and no financial
13 grant made under the terms of this joint resolution shall
14 be approved by the Surgeon General except after review
15 and recommendation for approval by the Council; and

16 (3) review, and make recommendations to the
17 Surgeon General with respect to, such other research
18 projects or programs or proposals therefor, relating to
19 the purposes of this joint resolution, as may be sub-
20 mitted to or initiated by it.

21 (c) Appointed members of the Council who are not
22 otherwise in the employ of the United States, while attending
23 meetings of the Council or otherwise serving at the request of
24 the Surgeon General, shall be entitled to receive compensation
25 at a rate to be fixed by the Secretary, but not exceeding \$50

1 per diem, including travel time, and while away from their
2 homes or regular places of business they may be allowed
3 travel expenses, including per diem in lieu of subsistence, as
4 authorized by law (5 U.S.C. 73b-2) for persons in the
5 Government service employed intermittently.

6 (d) (1) Any appointed member of the Council is hereby
7 exempted, with respect to such appointment, from the opera-
8 tion of sections 281, 283, 284, and 1914 of title 18 of the
9 United States Code, and section 190 of the Revised Statutes
10 (5 U.S.C. 99), except as otherwise specified in paragraph
11 (2) of this subsection.

12 (2) Such exemption shall not extend—

13 (A) to the receipt or payment of salary, in connec-
14 tion with the appointee's service as a member of the
15 Council, from any source other than the private em-
16 ployer of the appointee at the time of his appointment, or

17 (B) during the period of such appointment, and the
18 further period of two years after the termination thereof,
19 to the prosecution or participation in the prosecution, by
20 any person so appointed, of any claim against the Gov-
21 ernment involving any matter concerning which the ap-
22 pointee had any responsibility arising out of his appoint-
23 ment during the period of such appointment.

24 (e) Provision shall be made by the Secretary for repre-
25 sentatives of other Federal departments or agencies engaged

1 in or supporting research in the sciences relating to health
2 to be invited to meet with the Surgeon General, and, when
3 appropriate, with the Council, to discuss programs and
4 problems of common interest.

5 SEC. 6. (a) In carrying out the purposes of this joint
6 resolution, the Surgeon General is authorized to encourage,
7 support, promote the coordination of, and otherwise cooperate
8 and assist in the training for, and the planning and conduct
9 of, in foreign countries and (when deemed necessary to
10 carry out such purpose) in the United States, research, in-
11 vestigations, experiments, and studies relating to the causes,
12 diagnosis, treatment, control, and prevention of physical and
13 mental diseases and impairments of mankind (including
14 nutritional and other health deficiencies), or relating to the
15 rehabilitation of the physically or mentally handicapped, and
16 to these ends—

17 (1) make financial grants to universities, hospitals,
18 laboratories, or other public or private institutions or
19 agencies, or to individuals, in foreign countries or in the
20 United States, or contract with such institutions, agencies,
21 or individuals without regard to sections 3648 and 3709
22 of the Revised Statutes;

23 (2) make grants or loans of equipment, or of medi-
24 cal, biological, physical, or chemical substances or other

1 materials, for use by such institutions, agencies, or indi-
2 viduals;

3 (3) furnish technical assistance and advice to such
4 institutions or agencies;

5 (4) provide to such institutions or agencies, and pay
6 the compensation and expenses of, scientists and experts
7 from the United States and other countries and facilitate
8 the interchange among foreign countries of scientists and
9 experts (including the payment of travel and subsistence
10 for such scientists and experts when away from their
11 places of residence) ;

12 (5) cooperate and assist in the planning and con-
13 duct of research, research planning, and research train-
14 ing programs and projects by the World Health
15 Organization and other international organizations or
16 groups engaged in, or concerned with, research or
17 research training endeavors in the health sciences, and,
18 through financial grants or other appropriate means,
19 assist in special research, research planning, or research
20 training projects conducted by or under the auspices of
21 such organizations where they can effectively carry out
22 such activities contemplated by this joint resolution;

23 (6) encourage and support the coordination of ex-
24 periments and programs of research conducted in the

1 United States with related programs conducted abroad,
2 by facilitating the interchange of research scientists and
3 experts between the United States and foreign countries
4 and among other countries who are engaged in such
5 experiments and programs of research, including the
6 payment of per diem compensation, subsistence, and
7 travel for such scientists and experts when away from
8 their places of residence, as provided for experts and
9 consultants in subsection (b) hereof;

10 (7) establish and maintain research fellowships
11 within the National Institutes of Health and elsewhere
12 with such allowances (including travel and subsistence
13 expenses) as may be deemed necessary to train United
14 States research workers, research teachers, technicians,
15 and experts in the laboratories of other countries and
16 to provide for the training of talented research fellows
17 from abroad in the United States or in other countries,
18 and, in addition, provide for such fellowships and other
19 research training through financial grants to public and
20 other nonprofit institutions or agencies in the United
21 States or other countries;

22 (8) provide, through financial grants, loans, or con-
23 tracts (without regard to the provisions of sections 3648
24 and 3709 of the Revised Statutes), for the improvement
25 or alteration of facilities, including the erection of tem-

1 porary facilities, for research and research training
2 purposes when necessary to carry out the purposes of
3 this joint resolution with respect to any project;

4 (9) conduct research, investigations, experiments,
5 and studies in foreign countries or in the United States;

6 (10) encourage and support international communi-
7 cation in the sciences relating to health by means of
8 calling or cooperating in the convening, and financing
9 or contributing to the financing of the expenses of, inter-
10 national scientific meetings and conferences; and provide,
11 or arrange for the provision of, translating and other
12 services, and issue or finance publications, leading to a
13 more effective dissemination of relevant scientific in-
14 formation with respect to research conducted in the
15 United States or foreign countries; and

16 (11) upon recommendation of the Council, employ
17 such other means as he may deem necessary or appro-
18 priate for carrying out the purposes of this joint resolu-
19 tion.

20 (b) The Surgeon General is authorized, to the extent he
21 deems it necessary to carry out the provisions of this joint
22 resolution, (1) to employ experts and consultants or organi-
23 zations thereof, as authorized by section 15 of the Act of
24 August 2, 1946 (5 U.S.C. 55a); individuals so employed
25 shall be entitled to compensation and allowances as provided

1 in section 5 (c) for members of the Council; and (2) to
2 employ and make payments of compensation to aliens not-
3 withstanding any prohibition in any other law.

4 (c) The Secretary is authorized to establish and fix the
5 compensation for, within the Department (including any
6 agency thereof), in addition to other positions for carrying
7 out this joint resolution, not more than ten scientific, pro-
8 fessional, and administrative positions to effectuate those
9 activities in the Department in carrying out this joint resolu-
10 tion which require the services of specially qualified scientific,
11 professional, or administrative personnel, in the same manner
12 and subject to the same limitations as in the case of the posi-
13 tions authorized under section 208 (g) of the Public Health
14 Service Act.

15 (d) In carrying out the provisions of this joint resolu-
16 tion the Surgeon General is authorized to establish offices in
17 foreign countries, for such areas as he may deem advisable,
18 and for such purpose appropriations for carrying out this
19 joint resolution shall be available for rental or lease outside
20 the United States of offices, buildings, grounds, and living
21 quarters to house personnel; maintenance, furnishings, neces-
22 sary repairs, improvements, and alterations to properties
23 owned or rented by the United States Government abroad;
24 and costs of fuel, water, and utilities for such properties.

1 SEC. 7. In the exercise of his authority under the pro-
2 visions of this joint resolution the Secretary shall take such
3 steps as in his judgment are necessary or appropriate to
4 assure that, in the administration of the program—

5 (a) the facilities and services of agencies and offices
6 of the Department other than the Public Health Service
7 are utilized to the optimum extent;

8 (b) provision is made for coordination of the work
9 of, and consultation between, the Public Health Service
10 and such other agencies and offices of the Department;

11 (c) in determining (within the limits of available
12 appropriations) the relative emphasis, priorities, and
13 fund allocations for the various areas within the overall
14 program, appropriate weight and recognition is given to
15 research and research-training needs in fields involving
16 or related to rehabilitation and to maternal health and
17 child health; and

18 (d) this joint resolution shall be administered con-
19 sistently with the foreign policy of the United States as
20 determined by the President and the Secretary of State.

21 SEC. 8. (a) There is hereby authorized to be appropri-
22 ated to the Surgeon General the sum of \$50,000,000 annu-
23 ally, to carry out the provisions of this joint resolution.
24 Amounts appropriated for any fiscal year and remaining

1 unobligated at the end of such year shall be available for
2 obligation during the next fiscal year in addition to the
3 amounts appropriated for such next fiscal year.

4 (b) The Secretary is authorized to transfer, from ap-
5 propriations made hereunder, to other agencies and offices
6 of the Department utilized in carrying out this joint resolu-
7 tion, such amounts as the Secretary may determine to be
8 necessary for the payment of salaries and expenses of such
9 agencies and offices.

10 SEC. 9. (a) The Surgeon General is authorized to make,
11 with the approval of the Secretary, such administrative and
12 other regulations as he finds necessary to carry out the pro-
13 visions of this joint resolution.

14 (b) The Surgeon General may delegate to any officer or
15 employee of the Service such of his powers and duties under
16 this joint resolution, except the making of regulations, as he
17 may deem necessary or expedient.

18 SEC. 10. The activities authorized herein shall not ex-
19 tend to the support of public health, medical care, or other
20 programs of an operational nature as contrasted with re-
21 search, research planning, and research training, nor shall
22 any of the grants herein authorized include grants for the
23 improvement or extension of public health administration in
24 other countries except for necessary research, research plan-

1 ning, and research training in the science of public health
2 and public health administration.

3 SEC. 11. Nothing in this joint resolution shall be con-
4 strued to repeal or restrict authority otherwise vested in
5 the Secretary, the Surgeon General, or any other officer or
6 agency of the Department, or in any other officer or agency
7 of the United States.

8 SEC. 12. The Surgeon General shall transmit to the
9 Secretary, for transmission to the Congress at the beginning
10 of each regular session, a report summarizing the activities
11 under this joint resolution and making such recommenda-
12 tions as he may deem appropriate. The Surgeon General
13 shall include in his annual report a statement covering
14 recommendations made by the Council and the disposition
15 thereof.

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