

87<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 27

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 1961

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

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## A BILL

To authorize a ten-year program of grants for construction of medical, dental, and public health educational facilities, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*  
3        That this Act may be cited as the "Health Educational Fa-  
4        cilities Construction Act of 1961".

5        GRANTS FOR HEALTH EDUCATIONAL FACILITIES

6        SEC. 2. The Public Health Service Act (42 U.S.C.,  
7        chapter 6A) is amended by adding at the end thereof the  
8        following new title:

1           “TITLE VIII—HEALTH EDUCATIONAL  
2           FACILITIES CONSTRUCTION PROGRAM

3           “SEC. 801. The Congress hereby finds and declares  
4 that—

5           “(a) increased demand for health services and  
6 health research necessitates the expansion and improve-  
7 ment of existing health educational facilities;

8           “(b) steadily increasing tuition fees and increasing  
9 contributions from private citizens, associations, funds,  
10 and foundations, and from the health professions them-  
11 selves have proven insufficient to provide the necessary  
12 capital funds required for such expansion and im-  
13 provement;

14           “(c) it is, therefore, the policy of the Congress to  
15 provide funds for construction of health educational  
16 facilities for our public and nonprofit medical, dental,  
17 and public health schools, thus insuring the continued  
18 production of an adequate number of properly qualified  
19 and trained physicians, dentists, teachers, and research  
20 scientists.

21   “DEFINITIONS

22           “SEC. 802. As used in this title—

23           “(1) The term ‘Council’ means the National Advisory  
24 Council on Health Educational Facilities established by  
25 section 803.

1       “(2) The terms ‘construction’ and ‘cost of construction’  
2 include (A) the construction of new buildings and the ex-  
3 pansion, remodeling, and alteration of existing buildings,  
4 including architects’ fees in excess of amounts granted under  
5 section 804 (c) (3), but not including the cost of acquisition  
6 of land or off-site improvements, except in the case of exist-  
7 ing structures suitable for use as health educational facilities,  
8 and (B) equipping new buildings and existing buildings,  
9 whether or not expanded, remodeled, or altered.

10       “(3) The term ‘nonprofit’, as applied to a school, means  
11 a school owned and operated by one or more nonprofit cor-  
12 porations or associations no part of the net earnings of which  
13 inures, or may lawfully inure, to the benefit of any private  
14 shareholder or individual.

15       “(4) The term ‘medical school’ includes two-year  
16 schools and means a school providing training leading to the  
17 degree of doctor of medicine or osteopathy, approved or  
18 accredited by a recognized body or bodies approved by the  
19 Surgeon General after he had obtained the advice and recom-  
20 mendation of the Council, except that a new school which  
21 (by reason of no, or an insufficient, period of operation)  
22 is not, at the time of application for a grant to construct a  
23 facility under this title, eligible for accreditation by such a  
24 recognized body or bodies, shall be deemed accredited for  
25 purposes of this title if the Surgeon General finds, after

1 consultation with the appropriate accreditation body or  
2 bodies, that there is reasonable assurance that the school will,  
3 upon completion of such facility, meet the accreditation  
4 standards of such body or bodies.

5       “(5) The term ‘dental school’ means a school which  
6 provides training leading to the degree of doctor of dental  
7 surgery, or an equivalent degree, approved or accredited by  
8 a recognized body or bodies approved by the Surgeon Gen-  
9 eral after he has obtained the advice and recommendation of  
10 the Council, except that a new school which (by reason of  
11 no, or an insufficient, period of operation) is not, at the time  
12 of application for a grant to construct a facility under this  
13 title, eligible for accreditation by such a recognized body or  
14 bodies, shall be deemed accredited for purposes of this title  
15 if the Surgeon General finds, after consultation with the  
16 appropriate accreditation body or bodies, that there is rea-  
17 sonable assurance that the school will, upon completion of  
18 such facility, meet the accreditation standards of such body  
19 or bodies.

20       “(6) The term ‘public health school’ means a school  
21 which provides comprehensive professional training, special-  
22 ized consultative services, and technical assistance in the  
23 fields of public health and in the administration of State and  
24 local public health programs, except that a new school which  
25 (by reason of no, or an insufficient, period of operation) is

1 not, at the time of application for a grant to construct a  
2 facility under this title, eligible for accreditation by such a  
3 recognized body or bodies, shall be deemed accredited for  
4 purposes of this title if the Surgeon General finds, after con-  
5 sultation with the appropriate accreditation body or bodies,  
6 that there is reasonable assurance that the school will, upon  
7 completion of such facility, meet the accreditation standards  
8 of such body or bodies.

9 “(7) The term ‘health educational facilities’ includes  
10 educational and related research facilities in medicine, den-  
11 tistry, and public health.

12 “NATIONAL ADVISORY COUNCIL ON HEALTH EDUCATIONAL  
13 FACILITIES

14 “SEC. 803. (a) There is hereby established in the  
15 Public Health Service a National Advisory Council on  
16 Health Educational Facilities, consisting of the Surgeon  
17 General of the Public Health Service, who shall be Chair-  
18 man, and the Commissioner of Education, who shall be ex  
19 officio members, and ten members appointed by the Secretary  
20 without regard to the civil service laws. The ten appointed  
21 members shall be leaders in the fields of health sciences,  
22 education, or public affairs, and four of the ten shall be  
23 persons active in the fields of professional health education.

24 “(b) The Council shall—

1           “(1) advise and assist the Surgeon General in the  
2           preparation of general regulations and with respect to  
3           policy matters arising in the administration of this title;  
4           and

5           “(2) consider all applications for grants under this  
6           title and make to the Surgeon General such recom-  
7           mendations as it deems advisable with respect to (a)  
8           the approval of such applications, and (b) the amount  
9           which should be granted to each institution whose appli-  
10          cation, in its opinion, should be approved.

11          “(c) Appointed members of the Council, while attend-  
12          ing conferences or meetings of the Council or while other-  
13          wise serving at the request of the Secretary, shall be entitled  
14          to receive compensation at a rate to be fixed by the Secre-  
15          tary but not exceeding \$50 per diem, including travel time,  
16          and while away from their homes or regular places of busi-  
17          ness they may be allowed travel expenses, including per  
18          diem in lieu of subsistence, as authorized by law (5 U.S.C.  
19          73b-2) for persons in the Government service employed  
20          intermittently.

21          “AUTHORIZATION OF APPROPRIATIONS

22          “SEC. 804. (a) To assist in the construction of health  
23          educational facilities, as provided in this title, there is hereby  
24          authorized to be appropriated—

25          “(1) \$50,000,000 for the fiscal year beginning

1 July 1, 1961, and each of the four succeeding fiscal  
2 years for grants for the expansion and improvement of  
3 existing schools of medicine, dentistry, and public  
4 health; and

5 “(2) \$100,000,000 for the period beginning July  
6 1, 1961, and ending June 30, 1971, for grants for the  
7 construction of new schools of medicine, dentistry, or  
8 public health.

9 “(b) Sums appropriated pursuant to this section shall  
10 remain available until expended.

11 “(c) No such grant shall be in excess of 50 per centum  
12 of the cost of construction with respect to which it is made,  
13 except that—

14 “(1) in the case of new schools, grants may be  
15 made in an amount not to exceed  $66\frac{2}{3}$  per centum of the  
16 cost of construction; and

17 “(2) in the case of existing schools, grants may be  
18 made in an amount not to exceed  $66\frac{2}{3}$  per centum of  
19 that portion of the costs of construction found by the  
20 Surgeon General to be reasonably attributable to ex-  
21 panded capacity for freshman enrollment; and

22 “(3) upon application of any medical, dental, or  
23 public health school, a grant of not to exceed \$25,000  
24 may be made for the purpose of preparing initial plans  
25 with estimates for the proposed new construction.



1 United States or of any territory or of the District of Colum-  
2 bia, but shall not include any employee employed as a sea-  
3 man.

4 (b) This Act shall not apply to contracts for transporta-  
5 tion by land, air, or water, or for the transmission of intelli-  
6 gence, or for the purchase of supplies or materials or articles  
7 ordinarily available in the open market. This Act shall not  
8 apply with respect to any work required to be done in ac-  
9 cordance with the provisions of the Walsh-Healey Public  
10 Contracts Act (49 Stat. 2036; 41 U.S.C. 35-45).

11 SEC. 104. (a) Any officer or person designated as in-  
12 spector of the work to be performed under any contract of  
13 the character specified in section 103, or to aid in the en-  
14 forcement or fulfillment thereof shall, upon observation or  
15 investigation, forthwith report to the proper officer of the  
16 United States, of any territory or possession, or of the  
17 District of Columbia, all violations of the provisions of this  
18 Act occurring in the performance of such work, together  
19 with the name of each laborer or mechanic who was required  
20 or permitted to work in violation of such provisions and the  
21 day or days of such violation. The amount of unpaid wages  
22 and liquidated damages owing under the provisions of this  
23 Act shall be administratively determined and the officer or  
24 person whose duty it is to approve the payment of moneys

1 (b) Section 1 of the Public Health Service Act is  
2 amended to read as follows:

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

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