

88TH CONGRESS
1ST SESSION

H. R. 9161

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 1963

Mr. FOGARTY introduced the following bill; which was referred to the Committee on Government Operations

A BILL

To establish the Department of Health.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That there is hereby established an executive department, which shall be known as the Department of Health (hereafter in this Act referred to as the Department): There shall be at the head of the Department a Secretary of Health (hereafter in this Act referred to as the Secretary), who shall be appointed by the President, by and with the advice and consent of the Senate, whose tenure of office shall be like that of the heads of other executive departments, and who shall receive compensation at the rate now or hereafter prescribed

1 by law for the heads of executive departments. The Depart-
2 ment shall be administered under the supervision and direc-
3 tion of the Secretary.

4 SEC. 2. (a) There shall be in the Department an Under
5 Secretary of Health and four Assistant Secretaries, each of
6 whom shall be appointed by the President, by and with the
7 advice and consent of the Senate, and who shall receive com-
8 pensation at the rate now or hereafter provided by law for
9 Under Secretaries and Assistant Secretaries, respectively, of
10 executive departments. The Under Secretary and the Assist-
11 ant Secretaries shall perform such functions as the Secretary
12 may prescribe; however, each Assistant Secretary shall be
13 responsible, primarily, for activities of the Department in one
14 of the following areas (1) research, (2) training, (3) regu-
15 latory functions, and (4) administration.

16 (b) There shall be in the Department a General Counsel
17 who shall be appointed by the President, by and with the
18 advice and consent of the Senate, and shall receive compensa-
19 tion at the rate now or hereafter provided by law for Assist-
20 ant Secretaries of executive departments. The General Coun-
21 sel shall be the chief legal officer of the Department and shall
22 perform such functions as the Secretary may prescribe.

23 SEC. 3. The Under Secretary shall act as Secretary dur-
24 ing the absence or disability of the Secretary or in the event
25 of a vacancy in the Office of the Secretary. During the ab-

1 sence or disability of both the Secretary and the Under Sec-
2 retary, or in the event of a vacancy in both offices, an Assist-
3 ant Secretary determined according to such order as the
4 Secretary shall prescribe shall act as Secretary.

5 SEC. 4. The United States Public Health Service, the
6 Food and Drug Administration, the Vocational Rehabilita-
7 tion Administration, and St. Elizabeths Hospital, together
8 with their respective functions, personnel, property, records,
9 and unexpended balances of appropriations, allocations, and
10 other funds (available or to be made available) are hereby
11 transferred to the Department.

12 SEC. 5. The Secretary is authorized to adopt an official
13 seal to be used as directed by the Secretary on appropriate oc-
14 casions in connection with the functions of the Department,
15 and such seal shall be judicially noticed. Copies of any books,
16 records, papers, or other documents in the Department shall
17 be admitted in evidence equally with the originals thereof
18 when authenticated under such seal.

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