

Adjustment of tolls
to pay bonds, etc.

Maintenance as free
bridge.

Rights reserved.

June 16, 1948
[S. 2215]
[Public Law 655]

National Heart Act.
Post, p. 1032.

58 Stat. 707.
42 U. S. C. §§ 281-
286.
Post, p. 598.

the principal and interest on revenue bonds issued for financing such costs, and such portion of the aggregate cost not yet amortized of the said bridges across the Susquehanna River and the Potomac River included in the project, and their approaches, including reasonable interest and financing costs, as soon as possible under reasonable charges but within a period not exceeding forty years from the date of completion of the last completed structure or facility included in the project. Within the afore-mentioned period of forty years, tolls may be charged and continued to be charged for the use of any of the structures or facilities included in any such project and adjusted at such rates as may be necessary to provide a fund sufficient to pay any revenue bonds, with interest thereon and any lawful premium for the retirement thereof before maturity, heretofore or hereafter issued for the financing of such project or any of the structures or facilities included therein, or for the refunding from time to time of said bonds, or any of them, or of any such refunding bonds. Nothing in this Act shall be construed as authorizing tolls to be charged for the use of any one or more of the hereinabove named structures or facilities for the purpose of financing any structure or facility not authorized by this Act and by said Act of April 7, 1938.

SEC. 4. After a sinking fund sufficient to amortize the cost of the structures or facilities in any such project and sufficient to pay the principal and interest and any lawful retirement premium on revenue bonds issued as aforesaid with respect to such project shall have been so provided the structures or facilities included in such project shall be maintained and operated free of tolls.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved June 16, 1948.

[CHAPTER 481]

AN ACT

To amend the Public Health Service Act to support research and training in diseases of the heart and circulation, and to aid the States in the development of community programs for the control of these diseases, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Heart Act".

PURPOSE

SEC. 2. The purpose of this Act is to improve the health of the people of the United States through the conduct of researches, investigations, experiments, and demonstrations relating to the cause, prevention, and methods of diagnosis and treatment of diseases of the heart and circulation; assist and foster such researches and other activities by public and private agencies, and promote the coordination of all such researches and activities and the useful application of their results; provide training in matters relating to heart diseases, including refresher courses for physicians; and develop, and assist States and other agencies in the use of, the most effective methods of prevention, diagnosis, and treatment of heart diseases.

RESEARCH AND TRAINING

SEC. 3. (a) The heading of title IV of the Public Health Service Act (42 U. S. C., ch. 6A) is amended to read "TITLE IV—NATIONAL CANCER AND HEART INSTITUTES".

(b) Title IV of such Act is further amended by inserting "PART A—NATIONAL CANCER INSTITUTE" between the heading of such title IV

and the heading of section 401, and by adding immediately after section 406 the following new part:

“PART B—NATIONAL HEART INSTITUTE

“ESTABLISHMENT OF INSTITUTE

“SEC. 411. There is hereby established in the Public Health Service a National Heart Institute (hereafter in this part referred to as the ‘Institute’).

“HEART DISEASE RESEARCH AND TRAINING

“SEC. 412. In carrying out the purposes of section 301 with respect to heart diseases the Surgeon General, through the Institute and in cooperation with the National Advisory Heart Council (hereinafter in this part referred to as the ‘Council’), shall—

“(a) conduct, assist, and foster researches, investigations, experiments, and demonstrations relating to the cause, prevention, and methods of diagnosis and treatment of heart diseases;

“(b) promote the coordination of research and control programs conducted by the Institute, and similar programs conducted by other agencies, organizations, and individuals;

“(c) make available research facilities of the Service to appropriate public authorities, and to health officials and scientists engaged in special studies related to the purposes of this part;

“(d) make grants-in-aid to universities, hospitals, laboratories, and other public or private agencies and institutions, and to individuals for such research projects relating to heart diseases as are recommended by the Council, including grants to such agencies and institutions for the construction, acquisition, leasing, equipment, and maintenance of such hospital, clinic, laboratory, and related facilities, and for the care of such patients therein, as are necessary for such research;

“(e) establish an information center on research, prevention, diagnosis, and treatment of heart diseases, and collect and make available, through publications and other appropriate means, information as to, and the practical application of, research and other activities carried on pursuant to this part;

“(f) secure from time to time, and for such periods as he deems advisable, the assistance and advice of persons from the United States or abroad who are experts in the field of heart diseases;

“(g) in accordance with regulations and from funds appropriated or donated for the purpose (1) establish and maintain research fellowships in the Institute and elsewhere with such stipends and allowances (including travel and subsistence expenses) as he may deem necessary to train research workers and procure the assistance of the most brilliant and promising research fellows from the United States and abroad, and, in addition, provide for such fellowships through grants, upon recommendation of the Council, to public and other nonprofit institutions; and (2) provide training and instruction and establish and maintain traineeships, in the Institute and elsewhere in matters relating to the diagnosis, prevention, and treatment of heart diseases with such stipends and allowances (including travel and subsistence expenses) for trainees as he may deem necessary, the number of persons receiving such training and instruction, and the number of persons holding such traineeships, to be fixed by the Council, and, in addition, provide for such training, instruction, and traineeships through grants, upon recommendation of the Council, to public and other nonprofit institutions.

58 Stat. 708.
42 U. S. C. § 286.

58 Stat. 691.
42 U. S. C. § 241.
Post, pp. 467, 468,
601, 1017.

Fostering of researches, etc.

Coordination of programs.

Grants-in-aid.

Information center.

Assistance of heart experts.

Research fellowships.

Traineeships.

"ADMINISTRATION

"SEC. 413. (a) In carrying out the provisions of section 412 all appropriate provisions of section 301 shall be applicable to the authority of the Surgeon General, and grants-in-aid for heart disease research and training projects shall be made only after review and recommendation of the Council made pursuant to section 414.

"(b) The Surgeon General shall recommend to the Administrator acceptance of conditional gifts, pursuant to section 501, for study, investigation, or research into the cause, prevention, or methods of diagnosis or treatment of heart diseases, or for the acquisition of grounds or for the erection, equipment, or maintenance of premises, buildings, or equipment of the Institute. Donations of \$50,000 or over for carrying out the purposes of this part may be acknowledged by the establishment within the Institute of suitable memorials to the donors.

"FUNCTIONS OF THE COUNCIL

"SEC. 414. The Council is authorized to—

"(a) review research projects or programs submitted to or initiated by it relating to the study of the cause, prevention, or methods of diagnosis or treatment of heart diseases, and certify approval to the Surgeon General, for prosecution under section 412, 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 or treatment of heart diseases;

"(b) review applications from any university, hospital, laboratory, or other institution or agency, whether public or private, or from individuals, for grants-in-aid for research projects relating to heart diseases, 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 heart disease;

"(c) review applications from any public or other nonprofit institution for grants-in-aid for training, instruction, and traineeships in matters relating to the diagnosis, prevention, and treatment of heart diseases, and certify to the Surgeon General its approval of such applications for grants-in-aid as it determines will best carry out the purposes of this Act;

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

"(e) recommend to the Surgeon General for acceptance conditional gifts pursuant to section 501 for carrying out the purposes of this part; and

"(f) advise, consult with, and make recommendations to the Surgeon General with respect to carrying out the provisions of this part.

"OTHER AUTHORITY WITH RESPECT TO HEART DISEASES

"SEC. 415. This part shall not be construed as superseding or limiting (a) the functions or authority of the Surgeon General or the Service, or of any other officer or agency of the United States, relating to the

58 Stat. 691.
42 U. S. C. § 241.
Post, pp. 467, 468,
601, 1017.

Acceptance of con-
ditional gifts.
58 Stat. 709.
42 U. S. C. § 219.

Review of research
projects.

Review of applica-
tions for grants-in-
aid.

Collection and dis-
semination of infor-
mation.

Recommendations.
58 Stat. 709.
42 U. S. C. § 219.

study of the causes, prevention, or methods of diagnosis or treatment of heart diseases; or (b) the expenditure of money therefor.”

NATIONAL ADVISORY HEART COUNCIL

SEC. 4. (a) Section 217 of such Act is amended by adding at the end thereof the following new subsection:

“(f) The National Advisory Heart Council shall consist of the Surgeon General or his representative, the chief medical officer of the Veterans' Administration or his representative, the Surgeon General of the Army or his representative, the Surgeon General of the Navy or his representative, who shall be ex officio members, and twelve members appointed without regard to the civil-service laws by the Surgeon General with the approval of the Administrator. The twelve appointed members shall be leaders in the fields of fundamental sciences, medical sciences, education, or public affairs, and six of such twelve shall be selected from leading medical or scientific authorities who are outstanding in the study, diagnosis, or treatment of heart diseases. Each appointed member of the Council shall hold office for a term of four 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, and except that, of the members first appointed, three shall hold office for a term of three years, three shall hold office for a term of two years, and three shall hold office for a term of one year, as designated by the Surgeon General at the time of appointment. None of such twelve members shall be eligible for reappointment until a year has elapsed since the end of his preceding term. Every two years the Council shall elect one member to act as Chairman for the succeeding two-year period.”

(b) Subsection (b) of section 217 of such Act is amended to read as follows:

“(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, the National Advisory Mental Health Council, or the National Advisory Heart Council, in connection with matters related to the work of the Service, for such periods, in addition to conference periods, as he may determine.”

(c) The heading of section 217 of such Act is amended to read as follows: “NATIONAL ADVISORY HEALTH, CANCER, HEART, AND MENTAL HEALTH COUNCILS”.

(d) Subsection (e) of section 208 of such Act is amended to read as follows:

“(e) Members of the National Advisory Health Council, members of the National Advisory Mental Health Council, members of the National Advisory Cancer Council, and members of the National Advisory Heart 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 \$50 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.”

(e) Paragraph (d) of section 301 of such Act is amended to read as follows:

“(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

58 Stat. 691.
42 U. S. C. § 218.
Post, p. 600.
Members.

Term of office.

58 Stat. 691.
42 U. S. C. § 218 (b).
Post, p. 600.
National Advisory
Health Council.

Post, p. 600.

58 Stat. 686.
42 U. S. C. § 210 (e).
Ante, p. 40; post,
p. 601.
Compensation of
members.

58 Stat. 691.
42 U. S. C. § 241 (d).
Post, pp. 601, 1017.
Grants-in-aid to in-
stitutions and indi-
viduals.

Council, or, with respect to cancer, recommended by the National Advisory Cancer Council, or, with respect to mental health, recommended by the National Advisory Mental Health Council, or, with respect to heart diseases, recommended by the National Advisory Heart Council;”.

58 Stat. 692.
42 U. S. C. § 241 (g).
Post, p. 601.
Additional means of research, etc.

(f) Paragraph (g) of such section 301 is amended to read as follows:

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

CONTROL GRANTS

58 Stat. 694.
42 U. S. C. § 246 (e)-(j).

SEC. 5. (a) Section 314 of such Act is amended by redesignating subsections (e) to (j), inclusive, as subsections (f), (g), (h), (i), (j), and (k), respectively, and by inserting after subsection (d) the following new subsection:

Organized community programs.
Ante, p. 465.

“(e) To enable the Surgeon General to carry out the purposes of part B of title IV and to assist, through grants, States, counties, health districts, and other political subdivisions of the State, and public and nonprofit agencies, institutions, and other organizations, in establishing and maintaining organized community programs of heart disease control, including grants for demonstrations and the training of personnel, there is hereby authorized to be appropriated for each fiscal year such sums as may be necessary for such purposes. For each fiscal year, the Surgeon General, with the approval of the Administrator, shall determine the total sum from the appropriation under this subsection which shall be available for allotment among the several States, and shall, in accordance with regulations, from time to time make allotments from such sum to the several States on the basis of (1) the population and (2) 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.”

Determination of State allotments.

58 Stat. 694.
42 U. S. C. § 246 (e).

(b) The subsection of such section 314 herein redesignated as subsection (f) is amended by striking out the period at the end of the first sentence of such subsection and inserting in lieu thereof the following: “: *Provided*, That in the case of amounts to be paid from allotments to any State under subsection (e), the Surgeon General may determine and certify to the Secretary of the Treasury amounts to be paid to a county, health district, other political subdivision of the State or to any public or nonprofit agency, institution, or other organization in the State, if he finds that payment to such subdivision or other organization has been recommended by the State health authority of the State, and (1) that the State health authority has not, prior to August 1 of the fiscal year for which the allotment is made, presented and had approved a plan in accordance with subsection (g), or (2) that the State health authority is not authorized by law to make payments to such other organization.”

Certification of amounts for local groups.

58 Stat. 694.
42 U. S. C. § 246 (f).

(c) The subsection of such section 314 herein redesignated as subsection (g) is amended to read as follows:

Method of expenditure.

“(g) The moneys so paid to any State, or to any political subdivision or other organization, shall be expended solely in carrying out the purposes specified in subsection (a), or subsection (b), or subsection (c), or subsection (e), as the case may be, and in accordance with plans, approved by the Surgeon General, which have been presented by the health authority of such State, or, under the circum-

stances specified in subsection (f) (1), by the political subdivision, or the agency, institution or other organization to whom the payment is made, and, to the extent that any such plan contains provisions relating to mental health, by the mental health authority of such State."

(d) The subsection of such section 314 herein redesignated as subsection (h) is amended to read as follows:

"(h) Money so paid from allotments under subsections (a), (b), (c), and (e), 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 (or in the case of payments to a political subdivision or to an agency, institution or other organization under circumstances specified in subsection (f) (1), from funds of such political subdivision or organization), an amount determined in accordance with regulations."

(e) The subsection of such section 314 herein redesignated as subsection (i) is amended to read as follows:

"(i) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the health authority or, where appropriate, the mental health authority of the State (or, in the case of payments to any political subdivision or any agency, institution, or other organization under the circumstances specified in subsection (f) (1), such subdivision or organization) finds that, with respect to money paid to the State, subdivision, or organization out of appropriations under subsection (a), or subsection (b), or subsection (c), or subsection (e), as the case may be, there is a failure to comply substantially with either—

"(1) the provisions of this section;

"(2) the plan submitted under subsection (g); or

"(3) the regulations;

the Surgeon General shall notify such State health authority or mental health authority, political subdivision, or organization that further payments will not be made to the State subdivision, or organization from appropriations under such subsection (or in his discretion that further payments will not be made to the State, subdivision, or organization 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, subdivision, or organization from appropriations under such subsection, or shall limit payment to activities in which there is no such failure."

GENERAL PROVISIONS

SEC. 6. (a) Section 2 of the Public Health Service Act, as amended, is amended by striking out the word "and" at the end of paragraph (l), by striking out the period at the end of paragraph (m) and inserting in lieu thereof "; and", and by inserting after paragraph (m) the following new paragraph:

"(n) The term 'heart diseases' means diseases of the heart and circulation."

(b) The term "National Institute of Health", wherever appearing in the Public Health Service Act, is hereby changed to "National Institutes of Health".

(c) The word "title", wherever appearing in sections 403, 404, and 406 of the Public Health Service Act, is hereby changed to "part".

Approved June 16, 1948.

58 Stat. 694.
42 U. S. C. § 246 (g).
Ante, p. 468.
Local contributions.

58 Stat. 695.
42 U. S. C. § 246 (h).
Ante, p. 468.
Failure to comply
with requirements.

60 Stat. 421.
42 U. S. C. § 201 (l),
(m).
Post, p. 601.

"Heart diseases."

"National Institute
of Health."

58 Stat. 707, 708.
42 U. S. C. §§ 283,
284, 286.