Public Law 835 CHAPTER 779

AN ACT

July 30, 1956
[S. 849]

To amend the Public Health Service Act, so as to provide for grants-in-aid to non-Federal public and nonprofit institutions for the constructing and equipping of facilities for research in the sciences related to health.

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 "Health Research Facilities Act of 1956".

Health Research Facilities Act of 1956.
58 Stat. 682.

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

"TITLE VII—HEALTH RESEARCH FACILITIES

"DECLARATION OF POLICY

"SEC. 701. (a) The Congress hereby finds and declares that (1) the Nation's economy, welfare, and security are adversely affected by many crippling and killing diseases the prevention and control of which require a substantial increase, in all areas of the Nation, of research activities in the sciences related to health, and (2) funds for the construction of new and improved non-Federal facilities to house such activities are inadequate.

"(b) It is therefore the purpose of this title to assist in the construction of facilities for the conduct of research in the sciences related to health by providing grants-in-aid on a matching basis to public and nonprofit institutions for such purpose.

"DEFINITIONS

"SEC. 702. As used in this title—

"(1) the term 'Council' means the National Advisory Council on Health Research Facilities established by section 703;

"(2) the terms 'construction' and 'cost of construction' include (A) the construction of new buildings and the expansion, remodeling and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not expanded, remodeled, or altered;

"(3) the term 'nonprofit institution' means an institution owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

"(4) the term 'sciences related to health' includes medicine, osteopathy, dentistry, and public health, and fundamental and applied sciences when related thereto.

"NATIONAL ADVISORY COUNCIL ON HEALTH RESEARCH FACILITIES

"SEC. 703. (a) There is hereby established in the Public Health Service a National Advisory Council on Health Research Facilities, consisting of the Surgeon General of the Public Health Service, who shall be Chairman, and an official of the National Science Foundation designated by the National Science Board, who shall be ex officio members, and twelve members appointed by the Secretary without regard to the civil-service laws. Four of the appointed members shall be selected from the general public and eight shall be selected from among leading medical, dental, or scientific authorities who are skilled in the sciences related to health. In selecting persons for appointment to the Council, consideration shall be given to such

factors, among others, as (1) experience in the planning, constructing, financing, and administration of institutions engaged in the conduct of research in the sciences related to health, and (2) familiarity with the need for research facilities in all areas of the Nation.

"(b) The Council shall—

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

"(2) consider all applications for grants under this title and make to the Surgeon General such recommendations as it deems advisable with respect to (A) the approval of such applications, and (B) the amount which should be granted to each applicant whose application, in its opinion, should be approved.

"(c) The Surgeon General is authorized to use the services of any member or members of the Council, and where appropriate, any member or members of the Federal Hospital Council, the National Advisory Health Council or the other national advisory councils referred to in section 217 of this Act, in connection with matters related to the administration of this title, for such periods, in addition to conference periods, as he may determine. The Surgeon General shall, in addition, make appropriate provision for consultation between and coordination of the work of the Council, the Federal Hospital Council, the National Advisory Health Council and such other national advisory councils, with respect to matters bearing on the purposes and administration of this title.

"(d) Appointed members of the Council, while attending conferences or meetings of the Council or while otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary but not exceeding $50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b-2) for persons in the Government service employed intermittently.

60 Stat. 808; 69 Stat. 394.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 704. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1957, and for each of the two succeeding fiscal years, not to exceed $30,000,000, for making grants-in-aid for the construction of facilities for research in the sciences related to health; and any sums appropriated pursuant to this section shall remain available until expended.

"APPROVAL OF APPLICATIONS

"SEC. 705. (a) Applications for grants under this title shall be made not later than June 30, 1958.

"(b) To be eligible to apply for a grant under this title, the applicant must be a public or nonprofit institution, determined by the Surgeon General, after consultation with the Council, to be competent to engage in the type of research for which the facility is to be constructed.

"(c) A grant under this title may be made only if the application therefor is recommended for approval by the Council and is approved by the Surgeon General upon his determination that—

"(1) the applicant meets the eligibility conditions set forth in subsection (b);

"(2) the application contains or is supported by reasonable assurances that (A) for not less than ten years after completion of construction, the facility will be used for the purposes of research in the sciences related to health for which it is to be con-

structed, (B) subject to subsection (d), sufficient funds will be available to meet the non-Federal share of the cost of constructing the facility, and (C) sufficient funds will be available, when construction is completed, for effective use of the facility for the research for which it is being constructed; and

"(3) the proposed construction will expand the applicant's capacity for research in the sciences related to health, or is necessary to improve or maintain the quality of the applicant's research in the sciences related to health.

"(d) Within such aggregate monetary limit as the Surgeon General may prescribe, after consultation with the Council, applications which (solely by reason of the inability of the applicants to give the assurance required by clause (B) of subsection (c) (2)) fail to meet the requirements for approval set forth in subsection (c) may be approved upon condition that the applicants give the assurance required by such clause (B) within a reasonable time and upon such other reasonable terms and conditions as he may determine after consultation with the Council.

"(e) In acting upon applications for grants, the Council and the Surgeon General shall take into consideration the relative effectiveness of the proposed facilities in expanding capacity for research in the sciences related to health, in improving the quality of such research, and in promoting an equitable geographical distribution of such research (giving due consideration to population, available scientific research workers, and available research resources in various areas of the Nation).

"AMOUNT OF GRANT; PAYMENTS

"SEC. 706. (a) The amount of any grant made under this title shall be that recommended by the Council or such lesser amount as the Surgeon General determines to be appropriate; except that in no event may such amount exceed 50 per centum of the necessary cost of the construction of such facility, as determined by him, or in the case of a multipurpose facility, 50 per centum of that part of the necessary cost of construction which the Surgeon General determines to be proportionate to the contemplated use of the facility for research in the sciences related to health.

"(b) Upon approval of any application for a grant under this title, the Surgeon General shall reserve, from any appropriation available therefor, the amount of such grant as determined under subsection (a), and shall pay such amount, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine. Such payments shall be made through the disbursement facilities of the Department of the Treasury. The Surgeon General's reservation of any amount under this section may be amended by him, either upon approval of an amendment of the application or upon revision of the estimated cost of construction of the facility.

"(c) In determining the amount of any grant under this title, there shall be excluded from the cost of construction an amount equal to the sum of (1) the amount of any other Federal grant which the applicant has obtained, or is assured of obtaining, with respect to the construction which is to be financed in part by grants authorized under this title, and (2) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant.

"RECAPTURE OF PAYMENTS

"SEC. 707. If, within ten years after completion of any construction for which funds have been paid under this title—

"(a) the applicant or other owner of the facility shall cease to be a public or nonprofit institution, or

"(b) the facility shall cease to be used for the research purposes for which it was constructed, unless the Surgeon General determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to do so,

the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States District Court for the district in which such facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of such facility.

"NONINTERFERENCE WITH ADMINISTRATION OF INSTITUTIONS

"SEC. 708. Except as otherwise specifically provided in this title, nothing contained in this title shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or impose any requirement or condition with respect to, the research conducted by, and the personnel or administration of, any institution.

"REGULATIONS

"SEC. 709. (a) Within six months after the enactment of this title, the Surgeon General, after consultation with the Council and with the approval of the Secretary, shall prescribe general regulations covering the eligibility of institutions, and the terms and conditions for approving applications.

"(b) The Surgeon General is authorized to make, with the approval of the Secretary, such administrative and other regulations as he finds necessary to carry out the provisions of this title.

"REPORTS

"SEC. 710. On or before January 15, 1957, and annually thereafter, the Surgeon General, in consultation with the Council, shall prepare an annual report and submit it to the President for transmission to the Congress, summarizing the activities under this title and making such recommendations as he may deem appropriate. The report to be submitted on or before January 15, 1958, shall include an appraisal of the current program under this title in the light of its adequacy to meet the long-term needs for funds for the construction of non-Federal facilities for research in the sciences related to health. Such reports and appraisals shall include minority views and recommendations, if any, of members of the Council."

60 Stat. 1049.
42 USC 201 note.

SEC. 3. (a) Section 1 of the Public Health Service Act is amended to read as follows:

"SHORT TITLE

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

(b) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title VII (as in effect prior to the enactment of this Act) as title VIII, and by renumbering sections 701 through 714 (as in effect prior to the enactment of this Act), and references thereto, as sections 801 through 814, respectively.

60 Stat. 1049; 62 Stat. 47.

Approved July 30, 1956.

Public Law 836 CHAPTER 780

AN ACT

July 30, 1956 [S. 3592]

To provide in certain additional cases for the granting of the status of regular substitute in the postal field service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the appointment of each employee of the Post Office Department who—

Postal employees. Career appointments.

(1) on the effective date of this Act and on the date of application prescribed in this section is on the rolls under an indefinite or temporary appointment in a position in the competitive civil service for which the salary is fixed by the Postal Field Service Compensation Act of 1955 (Public Law 68, Eighty-fourth Congress);

69 Stat. 88. 39 USC 951 note.

(2) during each of the three consecutive years ending on the date of his application, has been paid for not less than seven hundred hours of satisfactory work in a position or positions for which the salary is fixed by said Act; and

(3) meets such noncompetitive examination standards as the United States Civil Service Commission shall prescribe with respect to the position held at the time he makes application;

shall, upon application by such employee made within one year after the effective date of this Act to the Postmaster General, or to such officials as he may designate, and upon recommendation by the Postmaster General or his designated representative, be converted to a career appointment subject to applicable law.

SEC. 2. Any person who would meet the conditions of section 1 except for absence in the Armed Forces of the United States on the effective date of this Act and is reemployed in the postal field service in accordance with United States Civil Service Commission regulations, shall, upon application made within one year of reemployment, have his former appointment converted in accordance with this Act.

Absence in Armed Forces.

SEC. 3. This Act shall not apply to positions of rural carrier and postmaster.

Nonapplicability.

SEC. 4. The United States Civil Service Commission is hereby authorized and directed to promulgate regulations to carry out the provisions of this Act.

Regulations.

SEC. 5. This Act shall take effect on the ninetieth day following the date of its enactment.

Effective date.

Approved July 30, 1956.

Public Law 837 CHAPTER 781

AN ACT

July 30, 1956 [S. 3926]

To authorize the Secretary of the Interior to charge for special services to purchasers of timber from Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to charge purchasers of timber on Indian

Timber on Indian lands. Service charges.