

**NEW  
FILE  
BEGINS**

*Doc # 75*

**B&B INFORMATION & IMAGE MANAGEMENT  
300 PRINCE GEORGE'S BOULEVARD  
UPPER MARLBORO, MARYLAND 20772 • USA • (301) 249-0110**

Prepared for the National Advisory Council  
on Regional Medical Programs  
by Legislative Reference and Liaison Branch,  
Office of Program Planning, OD, NIH  
February 1966

## LEGISLATIVE DEVELOPMENTS

89th Congress - Second Session

January 10 - February 14, 1966

	<u>Page</u>
I. <u>Administration Sponsored Bills in the Health Field</u>	
International Education and Health Programs	1
International Health Act of 1966	2
International Education Act of 1966	5
II. <u>Other Legislation in the Health and Related Fields</u>	
A. <u>New Legislation</u>	
Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1966	7
National Eye Institute	9
B. <u>Legislation Carried over from the First Session</u>	
Humane Treatment of Laboratory Animals	11
Regulation of Transportation, Sale, and Handling of Dogs and Cats Intended for Research or Experimentation Purposes	12
III. <u>Congressional Committee Action</u>	13

## International Education and Health Programs

On February 2, 1966, President Johnson sent to the Congress an International Education and Health Message outlining his program to improve the education and health of peoples in other countries.

### Health

The President proposed a program to:

- create an International Career Service in Health;
- help meet health manpower needs in developing Nations;
- combat malnutrition;
- control and eradicate disease;
- cooperate in worldwide efforts to deal with population problems."

The President stated that "The programs in International Education and Health...will total \$524 million:

- \$354 million in the foreign assistance program.
- \$103 million in the Health, Education, and Welfare Department program.
- \$11 million in the Peace Corps Program.
- \$56 million in the State Department cultural and education program."

### Education

The President proposed a program to:

1. Strengthen international educational cooperation--to include establishment within the DHEW of a center for Educational Cooperation and the appointment of a Council on International Education.
2. Stimulate exchange with the students and teachers in other countries--to include the establishment of an exchange Peace Corps and an American Education Placement Service.
3. Assist the progress of education in developing nations--to include enlargement of AID programs of education assistance, HEW support of basic education research, and support of Bi-National Educational Foundations.
4. Build new bridges of international understanding--to include an increase in the flow of books and other educational material, the stimulation of conferences of leaders and experts by departments and agencies, and the creation of special programs for "future leaders studying in the United States" financed by grants provided by DHEW and AID.

Legislation embodying the Administration's proposals for international cooperation in education and health was introduced in the Congress as the International Education Act of 1966 and the International Health Act of 1966.

International Health Act of 1966

H.R. 12452, introduced by Chairman Staggers, House Interstate and Foreign Commerce Committee, on February 2, 1966. (S. 2873, Chairman Hill, Senate Labor and Public Welfare Committee.)

H.R. 12453, "To amend the Public Health Service Act so as to help train and otherwise provide professional health personnel for health work abroad, and for other purposes."

Major Provisions:

A. Grants to schools for training for international health work.

1. Amends Sec. 308 of the PHS Act to read "Training for International Health Work; International Cooperation in Health Research and Services."
2. Provides a five-year program of grants to accredited public or nonprofit private schools of health to train professional health personnel for international health work. (The President's Message stated that "our first-year goal will be to increase by at least 500 the number of graduate students preparing to participate in international health activities.")
  - (a) Such grants shall be used to pay all or part of the cost of establishment, expansion, and operation of programs for special training of persons who are, or are training to become, members of any of the health professions for health work in foreign countries.
  - (b) Such grants shall include foreign travel costs for the staff of the school and travel costs of foreign scholars to enable them to teach or assist in teaching under this program.
  - (c) Such grants shall include funds for stipends (amounts to be determined in accordance with regulations) to individuals undergoing training, allowances for dependents, and allowances for travel here and abroad.

(i) Grants would be made pursuant to such conditions as the Surgeon General determines to be necessary to carry out purposes of this subsection.

3. Authorizes an appropriation of \$10 million for fiscal year 1957 and such sums as may be necessary for the succeeding four fiscal years.

B International Health Associates and Fellows in International Health.

1. Amends PHS Act by inserting after Sec. 212 the following new section: "International Health Associates and Fellows; Establishment of a Career Service in International Health."
2. Associate in international health. Provides that any person who is a member of one of the health professions may be appointed to the Regular Corps or the Reserve Corps pursuant to Sec. 207, for duty with the Service or for detail, to any other executive department or international organization (entitled to the privileges, exemptions, and immunities under the International Organizations Immunities Act) for the purpose of acquiring training and experience in matters related to health work in foreign countries. (The President "recommended recruitment of 100 outstanding young Americans to be the freshman class of International Health Associates.")
3. Special fellowship in international health. Provides that any person who is a member of any of the health professions with experience in foreign health work or work related thereto may be appointed to a special fellowship in the Service for the purpose of securing advanced training at accredited public or nonprofit private schools of health. (The President proposed that "50 special fellowships be awarded.")
  - (a) Advanced training may also be provided for PHS commissioned officers pursuant to Sec. 218.
  - (b) Such fellowships shall include the cost of school tuition and fees plus stipend and allowances, and allowances for dependents and for travel, as prescribed in accordance with regulations.
4. Provides that any person who is a member of any of the health professions may be appointed to the Regular Corps or to the Reserve Corps for detail to another executive department or to an international organization (covered by the International Organizations Immunities Act) to assist in carrying out the responsibilities of such department or organization in matters relative to health work in foreign countries. Such detail shall be pursuant to Sec. 214, PHS Act.

5. Provides that any person who is a member of one of the health professions may be appointed to the Regular Corps or the Reserve Corps for detail to any foreign country at the request of the Department of State. Such detail shall be pursuant to Sec. 214, PHS Act.
6. Persons appointed as associates in international health or those appointed for detail to another executive department, or to an international organization, or for detail at the request of the Department of State, shall not be counted as commissioned officers of the Regular Corps for purposes of the limitations in the Appropriation Act on the number of commissioned officers who may be on active duty in the Regular Corps.

C. Definitions

"School of health" is defined as "a school of medicine, dentistry, osteopathy, pharmacy, optometry, podiatry, public health, or nursing, as defined for purposes of Part B of Title VII, or any other school providing training, leading to a baccalaureate or higher degree, in any of the other health professions, or allied health profession, or other professions related thereto, which are included in regulations."

International Education Act of 1966

S. 2874, introduced by Senator Morse, Chairman of the Senate Labor and Public Welfare Subcommittee on Education, on February 3, 1966 (H.R. 12451, Chairman Powell, House Education and Labor Committee).

S. 2874, "To provide for the strengthening of American educational resources for international studies and research."

Major Provisions:

A. Centers for Advanced International Studies

1. Provides authority for the Secretary of HEW to arrange a five-year program of grants to institutions of higher education for the establishment, strengthening, and operation of graduate centers which will become national and international resources for research and training in international studies.
  - (a) Activities carried on in such centers may be concentrated either on specific geographical areas of the world or on particular fields or issues in international affairs concerning one or more countries or both.
  - (b) Such grants may be used to cover part or all of the cost of establishing, strengthening, equipping, and operating research and training centers including
    - (1) cost of teaching and research materials and resources, and
    - (2) cost of programs for bringing to the centers scholars and faculty as well as funding the travel of the staff.
  - (c) Such grants may also include funds for stipends (in such amounts as may be determined in accordance with regulations of the Secretary) to individuals undergoing training, allowances for dependents, and for travel.
2. Authorizes an appropriation of such sums as may be necessary for fiscal year 1967 and each of the four succeeding fiscal years.

B. Grants to Strengthen Undergraduate Programs in International Studies

1. Provides authority for the Secretary of HEW to initiate a five-year program of grants to institutions of higher education to assist in planning, developing, and carrying out a comprehensive program to strengthen and improve undergraduate instruction in international studies.
2. Such grants may be made for projects and activities which are an integral part of a comprehensive program which is:
  - (a) planning for development and expansion of undergraduate programs in international studies;
  - (b) training of faculty members in foreign countries;
  - (c) expansion of foreign language courses;
  - (d) work in social sciences and humanities related to international studies;
  - (e) planned and supervised student work-study-travel programs; and
  - (f) programs under which foreign teachers and scholars may visit institutions as visiting faculty or resource persons.
3. Authorizes the Secretary of HEW to provide an equitable distribution of the grants to institutions throughout the 50 States, while at the same time giving a preference to those institutions which are most in need of additional funds for programs in international studies and which show a real promise of being able to use the funds provided in an effective manner.
4. Authorizes an appropriation of such sums as may be necessary for fiscal year 1967 and each of the four succeeding fiscal years.

C. Method of Payment; Federal Administration

Provides method by which funds may be advanced and enables the Secretary to use the resources of other governmental, public, and private nonprofit institutions in administering the Act.

D. Amendments to Strengthen Title VI of the National Defense Education Act of 1958

Provides for amendments to the NDEA by striking the present limitation in the Act precluding instruction in a foreign language if adequate instruction is not readily available in the U.S.; by making more flexible the present matching requirements--removes the existing 50% ceiling on Federal participation; and by permitting grant programs as well as contractual arrangements to be made for language and area centers.



New LegislationMental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1966

S. 2836, introduced by Senator Javits on January 26, 1966, referred to the Senate Labor and Public Welfare Committee.

"To authorize assistance in meeting the initial cost of professional and technical personnel for community mental retardation facilities, and for other purposes."

Major Provisions:

This bill would provide the same portion of Federal aid for mental retardation facilities as PL 89-105 provided for Community Mental Health Centers.

1. Amends the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to authorize financial assistance to pay part of the cost of technical and professional personnel staffing for such mental retardation facilities or new services in existing facilities.
  - (a) Provides grants for staffing or new services not to exceed 75% for the first 15 months, 60% during the next year, 45% the following year, and 30% for the final year.
  - (b) Authorizes appropriations for initial grants as follows: \$8 million for fiscal year 1967, \$10 million for fiscal year 1968, and \$12 million for fiscal year 1969. Further authorizes appropriations of such sums as may be necessary for fiscal year 1968 and each of the five succeeding fiscal years to make continuation grants to such facilities.
2. Further amends the 1963 Act to include the cost of acquiring sites as part of construction costs for community mental health centers and mental retardation facilities.
  - (a) Defines the term "cost of construction" as "includes the cost of architects' fees and acquisition of land in connection with construction, but does not include the cost of offsite improvements."

(d) Defines the term "construction" as "includes construction of new buildings, acquisition of existing buildings, and expansion, remodeling, alteration, and renovation of existing buildings, and initial equipment of such new, acquired, expanded, remodeled, altered, or renovated buildings."

National Eye Institute

H.R. 12373, introduced by Mr. Rooney (Pa.) on January 27, 1966.  
 (A number of companion bills have been introduced in the House.)  
 Referred to the House Interstate and Foreign Commerce Committee.

"To amend the Public Health Service to provide for the establishment of a National Eye Institute in the National Institutes of Health."

Major Provisions:

Amends Title IV of the PHS Act by adding a new Part F entitled "National Eye Institute."

1. Authorizes the Surgeon General, with the approval of the Secretary, to establish an institute for the conduct and support of research and training relating to blinding eye diseases and visual disorders, including research and training in the special health problems and requirements of the blind and in the basic sciences relating to the mechanism of sight and visual function.
2. Provides that the Surgeon General shall, through the National Eye Institute, carry out the purposes of Sec. 301, PHS Act, with respect to the conduct and support of research relating to blinding eye diseases and visual disorders, including the special health problems and requirements of the blind and the mechanism of sight and visual function.
  - (a) The Surgeon General shall, with the approval of the Secretary, determine the areas in which and the extent to which he shall carry out such purposes of Sec. 301 through such Institute or an institute established pursuant to this Act, or both of them, when both such institutes have functions with respect to the same subject matter.
3. Authorizes the Surgeon General to provide training and instruction and establish and maintain traineeships and fellowships, in the National Eye Institute and elsewhere, in matters relating to diagnosis, prevention, and treatment of blinding eye diseases and visual disorders with
  - (a) such stipends and allowances (including travel and subsistence expenses) for trainees and fellows as he deems necessary; and
  - (b) provision for such training, instruction, and traineeships and fellowships through grants to public or other nonprofit institutions.

4. Authorizes the Surgeon General, with the approval of the Secretary, to establish an advisory council to advise, consult with, and make recommendations to the Surgeon General on matters relating to the activities of the National Eye Institute.
- (a) The provisions relating to composition, terms of office of members, and reappointment of members of advisory councils under Sec. 432(a), PHS Act, shall be applicable.
  - (b) The Surgeon General may, with the approval of the Secretary, include such additional ex officio members as he deems necessary.
  - (c) The Council shall assume such duties, functions, and powers of the National Advisory Health Council relating to research or training projects and such portion of the duties, functions, and powers of any other advisory council with which such council established under this part is concerned as the Surgeon General may specify, with the approval of the Secretary.

Legislation Carried over from the First Session

Legislation Relating to the Humane Treatment  
of Laboratory Animals

At the close of the First Session, there were 16 bills pending before House and Senate Committees dealing with the humane care and treatment of laboratory animals.

Two additional bills have been introduced in the Second Session: H.R. 11904, Congressman King (N.Y.), on January 10, and H.R. 12040, Congressman Gilligan (Ohio), on January 13. Both of these bills are identical to H.R. 10049 introduced by Congressman Rogers (Fla.) during the First Session and provide for:

- (1) establishment in the DHEW of an Office of Laboratory Animal Welfare headed by a Coordinator to be appointed by the President;
- (2) issuance by the Coordinator of certificates of approval to the heads of laboratories as a prerequisite to federally supported research involving use of animals;
- (3) submission of annual report and such additional reports as the Coordinator may require;
- (4) authorization for representatives of the Coordinator to inspect laboratories to assure compliance; and
- (5) issuance of standards and directives by the Coordinator relative to insuring humane treatment of laboratory animals.

Legislation Regulating Transportation, Sale, and Handling of  
Dogs and Cats Intended for Research or Experimental Purposes

H.R. 9743 introduced by Congressman Resnick (N. Y.) during the First Session typifies the bills introduced on this subject by authorizing the Secretary of Agriculture to license all dealers in dogs and cats intended for research and requiring that research facilities be licensed in order to obtain dogs and cats for laboratory use. In a report issued in September by the House Agriculture Subcommittee, Congressman Resnick indicated that he was willing to have the provision relating to licensing of research facilities deleted from his bill.

Three bills have been introduced in the Second Sessions:

H.R. 12295, Congressman Long (La.) (identical to H.R. 9743);  
H.R. 12483, Congressman Poage (Texas); and  
H.R. 12667, Congressman May (Wash.).

H.R. 12483 and H.R. 12667 (identical bills) differ from H.R. 9743 in certain major respects, as follows:

- (1) extend coverage to "other animals" (vertebrate animals) in addition to dogs and cats;
- (2) authorize the Secretary of Agriculture to promulgate "humane standards" to govern handling and transportation of dogs, cats, and other animals;
- (3) require as a prerequisite to licensing of research facilities and dealers that applicant demonstrate his facilities comply with "humane standards" as promulgated by the Secretary of Agriculture;
- (4) require that research facilities and dealers not only make and keep records but hold such records open at all reasonable times to inspection by the Secretary or his authorized representative;
- (5) contain no provision barring the sale or purchase of dogs or cats at public auction or by weight; and
- (6) provide for judicial review of license suspensions.

Congressional Committee ActionNew Committee Chairmen

Congressman Harley O. Staggers (D., W. Va.) was elected Chairman of the House Interstate and Foreign Commerce Committee on January 13, replacing Congressman Oren Harris who resigned from Congress to accept a Federal judgeship.

On January 21, John Jarman (D., Okla.) was appointed Chairman of the Subcommittee on Public Health and Welfare.

Population Control

The Senate Government Operations Subcommittee on Foreign Aid Expenditures, Chairman Gruening (Alaska), resumed its hearings in January on S. 1676, proposing certain reorganizations within the Departments of State and HEW relating to population control problems.

Balance of Payments and Foreign Research Support

The House Government Operations Subcommittee on Research and Technical Programs, under the Chairmanship of Congressman Reuss (Wis.), held a one-day hearing, February 10, on the impact on balance of payments caused by U.S. research support of foreign scientists.

Witnesses included HEW Comptroller, James F. Kelly; NIH Director, James A. Shannon; and representatives from AEC, NASA, NSF, and DoD Research and Engineering.

The Committee indicated particular interest in 17 research projects supported by the NIH and requested that additional information be supplied on these projects and also on the activities and expenditures related to NIH's scientific operations overseas.

Previously the Reuss Subcommittee held a three-day hearing, January 7, 11, and 12, on "decision making in allocation of Federal research and development funds." These particular hearings were limited to the subjects: Air and water pollution, urban transportation, and the cost of low-income housing and hospital construction. Testimony was received from Government and public witnesses.

International Health Act of 1966

The House Interstate and Foreign Commerce Committee has scheduled hearings by the full Committee, February 15 and 16, on the Administration-sponsored International Health Act of 1966. Secretary John Gardner will testify for the DHEW on the opening day.

Judicial Review of Certain Grants or Loans

The Senate Judiciary Subcommittee on Constitutional Rights announced that it expects to hold hearings early in March on S. 2097, a bill which would permit institutions and taxpayers to bring civil action in Federal courts to test the constitutionality of grants and loans made under certain education and health programs. Hearings originally scheduled for February 1-3 were postponed.

S. 2097 would provide for judicial review of grants or loans under the following Acts:

- (1) Higher Education Facilities Act of 1963
- (2) Title VII of the PHS Act
- (3) National Defense Education Act of 1958
- (4) Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963
- (5) Title II of P.L. 874, 81st Congress  
(Title I of P.L. 89-10)
- (6) Elementary and Secondary Education Act of 1965
- (7) Cooperative Research Act
- (8) Any other Act administered by the DHEW and enacted after January 1, 1965.



Federal Research and Development Programs

Last August, Chairman McClellan of the Senate Government Operations Committee, set up a special Subcommittee on Government Research, under Fred R. Harris (D., Okla.), to make a study of Federal research and development programs.

On February 1, 1966, the Committee requested Senate authorization of funds in the amount of \$66,000 to enable the Committee or any Subcommittee to make studies as to the efficiency and economy of all branches and functions of the Government with particular reference to:

- "(1) the operation of research and development programs financed by departments and agencies of the Federal Government, including research in such fields as economics and social science, as well as basic science, research, and technology;
- "(2) review those programs now being carried out through contracts with higher educational institutions and private organizations, corporations, and individuals to determine the need for the establishment of national research, development, and manpower policies and programs, in order to bring about Governmentwide coordination and elimination of overlapping and duplication of scientific and research activities; and
- "(3) examine existing research-information operations, the impact of Federal research and development programs on institutions of higher learning, and to recommend the establishment of programs to insure equitable distribution of research and development contracts among such institutions and other contractors."