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Public Health
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Bill to Establish a Bureau of
Public Health within the Treasury
Department of the United States

PREPARED BY

THE NATIONAL QUARANTINE COMMITTEE OF
THE NEW YORK ACADEMY OF MEDICINE

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The Bill of the National Quarantine Committee of the New York Acad- emy of Medicine.

THE following is the final draft of the bill of the Committee on Quarantine of the New York Academy of Medicine, which is to be presented to Congress during its coming session :

A Bill to establish within the Treasury Department a Bureau of Public Health.

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

Creating Sanitary Districts.

SECTION 1. That for the purposes of this Act the States and Territories of the United States be, and are hereby, grouped into districts, to be known as "The Sanitary Districts of the United States," as follows :

The Northern Sanitary District shall include the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Ohio, Wisconsin.

The Northeastern Sanitary District shall include the States of Connecticut, Massachusetts, Maine, New Hampshire, New York, Rhode Island, Vermont.

The Northwestern Sanitary District shall include the States of Idaho, Montana, North Dakota, Oregon, Washington, and the Territory of Alaska.

The Eastern Sanitary District shall include the States

of Delaware, Maryland, New Jersey, Pennsylvania, Virginia, West Virginia, and the District of Columbia.

The Western Sanitary District shall include the States of California, Nevada, and the Territories of Arizona and Utah.

The Southern Sanitary District shall include the States of Arkansas, Alabama, Kentucky, Louisiana, Missouri, Mississippi, Tennessee.

The Southeastern Sanitary District shall include the States of Florida, Georgia, North Carolina, South Carolina.

The Southwestern Sanitary District shall include the State of Texas and the Territories of Indian Territory, New Mexico, Oklahoma.

The Central Sanitary District shall include the States of Colorado, Kansas, Nebraska, South Dakota, Wyoming.

SEC. 2. That there shall be established in the Treasury Department, under the direction and supervision of the Secretary thereof, a Bureau of Public Health, to consist of a commission of fifteen, of whom eleven shall be appointed by the President, by and with the advice and consent of the Senate, as follows, viz.: One Medical Commissioner from each of the "Sanitary Districts of the United States," provided in section one of this Act, and two commissioners at large; the compensation of the appointed commissioners, when actually engaged in the performance of their duties under this Act, shall be ten dollars per diem and reasonable expenses. The other four members of the Commission shall be the Surgeon-General of the Army, the Surgeon-General of the Navy, and the Supervising Surgeon General of the Marine Hospital Service, and an officer, learned in the law, detailed by the Attorney-General from the Department of Justice; these four members shall receive no compensation.

SEC. 3. That the members of the Commission shall meet at such time and place as may be designated by the

Secretary of the Treasury, and organize by the election, from their own number, of a president who shall be one of the members at large, and who shall receive five dollars per diem, in addition to the ten dollars per diem provided in the last section, when actually engaged in the performance of his duties under this Act. The other member-at-large shall be Vice-President of the Commission who shall perform the duties of President when the latter is unable to do so. The Commission may appoint a Secretary not one of its number, and fix his salary at a sum not exceeding three thousand dollars annually. The Commission shall thereafter meet annually, at Washington, on the first Tuesday of October, and at such other times and places as the President of the Commission, with the approval of the Secretary of the Treasury, may designate. At the first meeting of the Commission, the members appointed from sanitary districts shall be divided into three classes of three members each, and they shall determine by lot to which class each member shall belong; the first class shall serve for one year, the second class for two years, and the third class for three years; the two members at large shall serve, one for three years, and the other for six years and they shall determine by lot their respective terms of service; thereafter the terms of service of each member appointed from a sanitary district shall be for three years, and each member appointed at large shall be for six years; all appointments to fill vacancies shall be for the unexpired term.

SEC. 4. That there shall be an Executive Committee of the Commission, consisting of its President, the Surgeon-General of the Army, the Surgeon-General of the Navy, and the Supervising Surgeon-General of the Marine Hospital Service, and the officer detailed by the Attorney General. The Commission shall from time to time prescribe the duties of the Executive Committee, and may make all needful rules and regulations for its own control and for the guidance and discipline of all its officers and employees, and shall establish all rules and

regulations for the government of national sanitation in all of its foreign and interstate relations, and special departments in the enforcement of the provisions of this Act.

SEC. 5. That when, in the opinion of the President of the Commission, the interest of the public health would be promoted by a conference of the Commission with the State Boards of Health of the several States, or of any sanitary district or districts, he is hereby authorized to invite, with the approval of the Secretary of the Treasury, said State Boards of Health, or such number thereof as he may designate, each to delegate one of its members to meet the Commission in conference at such time and place as he may appoint; the President of the Commission shall be the President, and the Secretary of the Commission shall be the Secretary of any such conference; the delegate in attendance upon the conference from each State Board of Health shall be entitled to receive reasonable compensation for expenses for a session not exceeding three days, to be paid on vouchers provided by the Secretary of the Treasury.

SEC. 6. That the duties of the Bureau of Public Health shall be to collect and diffuse information upon all matters affecting the public health; to advise the several departments of the Government, the executives of the several States, and all health authorities on all questions submitted to it, or whenever in the opinion of the Bureau such advice may tend to the preservation and improvement of the public health; to secure the best sanitary condition of vessels from foreign ports; to prevent the introduction of contagious and infectious diseases into the United States, and their spread from one State into another; to co operate with and aid State and municipal health authorities in the execution and enforcement of rules and regulations to suppress contagious and infectious diseases; and, in general, to be the medium through which the General Government shall adopt such measures and take such action as will most effectually

protect and promote the health of the people of the United States.

SEC. 7. That the Bureau of Public Health may, with the approval of the Secretary of the Treasury, make investigations, both in the United States and, if necessary, in foreign countries, into the nature, origin, and prevention of contagious, epidemic, and other diseases, as well as the causes and conditions of particular outbreaks of disease in the United States, and may employ such experts and for such time and in such manner as the exigencies of the service may require. When requested by the Bureau of Public Health, and when the same can be done without prejudice to the public service, the President may detail officers from the several Departments of the Government for temporary duty to act under the direction of said Bureau, to carry out the provisions of this act; and such officers shall receive no additional compensation except for actual and necessary expenses incurred in the performance of such duties.

SEC. 8. That as soon as practicable after this act shall take effect the Commissioners appointed from the Sanitary Districts shall each in his respective District examine all the means and measures employed by State, municipal, and other health authorities to prevent the introduction of contagious and infectious diseases into the United States, and their spread from one State or Territory into another, and report the fact to the Bureau of Public Health, and the Commission shall embody these facts in a report to the Secretary of the Treasury, who shall transmit the same to Congress with such recommendations as he may deem important. Thereafter each Commissioner shall annually, on or before October 1st, report upon the measures employed, with the result, in his Sanitary District to prevent the introduction, origin, and spread of contagious and infectious diseases, and the Commission shall embody the facts in its annual report to the Secretary of the Treasury.

SEC. 9. That it shall also be the duty of the Bureau of

Public Health to obtain information of the sanitary condition of foreign ports and places from which contagious and infectious diseases are or may be imported into the United States, and to this end the consular officers of the United States at such ports and places as shall be designated by the Bureau of Public Health shall make to said Bureau weekly reports of the sanitary condition of the ports and places at which they are respectively stationed, according to such forms as said Bureau may prescribe; and the Bureau of Public Health shall also obtain, through all sources accessible, including State and municipal sanitary authorities throughout the United States, weekly reports of the sanitary condition of ports and places within the United States; and shall also, as far as it may be able, by means of the voluntary co-operation of State and municipal authorities, of public associations, and private persons, procure information relating to the climatic and other conditions affecting the public health, and the existence of epidemic, endemic, and other diseases; also statistics relating to marriages, births, and deaths.

SEC. 10. That the Commission shall prepare, publish, and transmit to the medical officers of the Army, Navy, and the Marine Hospital Service, to collectors of customs, and to State and municipal health officers and authorities, weekly abstracts of the consular sanitary reports and other pertinent information received by the Bureau of Public Health.

SEC. 11. That whenever any department of Government or the Executive of any State or Territory, or the authorities of the District of Columbia, or the health authorities of any State or municipality, shall request information from the Bureau of Public Health in regard to any matter pertaining to the protection or promotion of the public health, said Bureau shall promptly furnish such information as it may have on record, together with any necessary or pertinent advice; and whenever information shall be received by the Bureau which the interests of the

public health require should be promptly communicated to any department of the Government, or to any State or municipal officer, such information shall be forthwith furnished to the respective department or officer.

SEC. 12. That the Commission shall take such action by correspondence or conference as will tend most effectually to secure the co-operation of State, municipal, and local boards of health in establishing and maintaining an efficient and accurate system of notification of the existence and progress of contagious and infectious diseases in the United States, and said Commission shall also by co-operation with the proper health authorities of foreign nationalities and municipalities endeavor to extend to the United States a reliable system of international notification of the existence and progress of such diseases as cholera, yellow fever, typhus fever, and small-pox.

SEC. 13. That the Bureau of Public Health shall make such rules and regulations, with the approval of the Secretary of the Treasury, as are necessary to be observed by vessels at the port of departure and on the voyage, where such vessels sail from any foreign port or place, to secure the best sanitary condition of such vessel, her cargo, passengers, and crew, which shall be published and communicated to and enforced by the consular officers of the United States. None of the penalties herein imposed shall attach to any vessel, or owner or officer thereof, until a copy of this act, with the rules and regulations made in pursuance thereof, has been posted up in the office of the consul or other consular officer of the United States for ten days, in the port from which said vessel sailed; and the certificate of such consul or consular officer over his official signature shall be competent evidence of such posting in any court of the United States.

SEC. 14. That the Bureau of Public Health shall, with the approval of the Secretary of the Treasury, from time to time issue to the consular officers of the United States, and to the medical officers serving at any foreign port, and otherwise make publicly known, the rules and regu-

lations made by it, and approved by the Secretary of the Treasury, to be used and complied with by vessels in foreign ports for securing the best sanitary condition of such vessels, their cargoes, passengers, and crew, before their departure for any port in the United States, and in the course of the voyage, and all such other rules and regulations as shall be observed in the inspection of the same on the arrival thereof at any quarantine station at the port of destination, and for the disinfection and isolation of the same, and the treatment of cargo and persons on board, so as to prevent the introduction of cholera, yellow fever, or other contagious or infectious diseases.

SEC. 15. That it shall be unlawful for any merchantship or other vessel from any foreign port or place to enter any port of the United States except in accordance with the provisions of this act, and with such rules and regulations of State and municipal health authorities as may be made in pursuance of, or consistent with, this act; and any such vessel which shall enter, or attempt to enter, a port of the United States in violation thereof shall forfeit to the United States a sum, to be awarded at the discretion of the court, not exceeding \$5,000, which shall be a lien upon said vessel, to be recovered by proceedings in the proper district court of the United States. In all such proceedings the United States district attorney for such district shall appear on behalf of the United States; and all such proceedings shall be conducted in accordance with the rules and laws governing cases of seizure of vessels for violation of the revenue laws of the United States.

SEC. 16. That any vessels at any foreign port clearing for any port or place in the United States shall be required to obtain from the consul, vice-consul, or other consular officer of the United States at port of departure, or from the medical officer where such officer has been detailed for that purpose, a bill of health, in duplicate, in the form prescribed by the Secretary of the Treasury,

setting forth the sanitary history and condition of said vessel, and that it has in all respects complied with the rules and regulations in such cases prescribed for securing the best sanitary condition of the said vessel, its cargo, passengers, and crew; and said consular or medical officer is required, before granting such duplicate bill of health, to be satisfied that the matters and things stated therein are true; and for his services in that behalf he shall be entitled to demand and receive such fees as shall by lawful regulation be allowed, to be accounted for as required in other cases.

The President, in his discretion, is authorized to detail any medical officer of the Government to serve in the office of the consul at any foreign port for the purpose of furnishing information and making the inspection and giving the bills of health hereinbefore mentioned. Any vessel clearing and sailing from any such port without such bill of health, and entering any port of the United States, shall forfeit to the United States not more than \$5,000, the amount to be determined by the court, which shall be a lien on the same, to be recovered by proceedings in the proper district court of the United States. In all such proceedings the United States district attorney for such district shall appear on behalf of the United States; and all such proceedings shall be conducted in accordance with the rules and laws governing cases of seizure of vessels for violation of the revenue laws of the United States.

SEC. 17. That it shall not be lawful for any vessel to enter any port of the United States to discharge its cargo, or land its passengers, except upon a certificate of the health officer at such quarantine station certifying that said rules and regulations have in all respects been observed and complied with, as well on his part as on the part of the said vessel and its master, in respect to the same and to its cargo, passengers and crew; and the master of every such vessel shall produce and deliver to the collector of customs at said port of entry, together

with the other papers of the vessel, the said bills of health required to be obtained at the port of departure, and the certificate herein required to be obtained from the health officer at the port of entry; and that the bills of health herein prescribed shall be considered as part of the ship's papers, and when duly certified to by the proper consular or other officer of the United States, over his official signature and seal, shall be accepted as evidence of the statements therein contained in any court of the United States.

SEC. 18. That the Commission, with the approval of the Secretary of the Treasury, shall have authority to forbid entry of vessels from ports known or suspected to be infected with cholera, yellow fever, small-pox, or other declared quarantinable disease into all minor approaches to a port of entry or into any inlet or place within the jurisdiction of the United States not provided with a complete quarantine plant, in order to compel such vessels to be subjected to maritime sanitation at the quarantine station equipped for that purpose and commanding the scope of region in question.

SEC. 19. That on the arrival of an infected vessel at any port not provided with proper facilities for treatment of the same, the Commission may remand said vessel, at its own expense, to the nearest national or other quarantine station where accommodations and appliances are provided for the necessary disinfection and treatment of the vessel, passengers, and cargo; and after treatment of any infected vessel at a national quarantine station, and after certificate shall have been given by the United States quarantine officer at said station that the vessel, cargo, and passengers are each and all free from infectious disease, or danger of conveying the same, said vessel shall be admitted to entry to any port of the United States named within the certificate. But at any ports where sufficient quarantine provision has been made by State or local authorities, the Commission may direct vessels bound for said ports to undergo quarantine at said State or local station.

SEC. 20. That when cholera or yellow fever shall be ascertained by the Bureau to exist in any port or place within any one of the United States or Territories, or the District of Columbia, in such form as threatens its spread to other ports and places within other States, or Territories or the District of Columbia, by means of vessels and vehicles engaged in the transportation of goods or passengers between two or more States, or States and Territories, and the District of Columbia, whether by land or water, the Commission is authorized to adopt such rules and regulation with the approval of the Secretary of the Treasury, as, in its judgment, may be necessary in order to prevent the spread thereof from one State or Territory to another or to the District of Columbia, and to employ such inspectors and other persons as may be necessary for the purpose aforesaid; the Commission may select suitable localities for establishing stations on rivers and other lines of inter-State commerce and travel by railroads, and may cause to be erected necessary temporary buildings for the disinfection of passengers, baggage, cargoes, vessels, and vehicles, and may enforce such rules and regulations relating thereto as may have been prescribed therefor; it shall be lawful for the Commission to confer upon any local health officer or health board within or near the locality where his or its authority is exercised, power also to enforce the provisions of this act and any rules and regulations made in pursuance thereof; and any person who shall knowingly disobey or violate any order, rule, or regulation made pursuant to the authority herein conferred shall be deemed guilty of a misdemeanor, punishable by a fine of not less than five hundred dollars, and by imprisonment for a period of not less than one year.

SEC. 21. That the Commission shall, under the direction of the Secretary of the Treasury, co-operate with and aid State and municipal health authorities in the execution and enforcement of the rules and regulations of such authorities, and in the execution and enforcement

of the rules and regulations made by the Commission and approved by the Secretary of the Treasury to prevent the introduction of contagious or infectious diseases into the United States from foreign countries, and into one State or Territory or the District of Columbia from another State or Territory or the District of Columbia; and all rules and regulations made by the Commission and approved by the Secretary of the Treasury shall operate uniformly and in no manner discriminate against any port or place; and at such ports and places within the United States as have no quarantine regulations under State or municipal authority, where such regulations are, in the opinion of the Commission, necessary to prevent the introduction of contagious or infectious diseases into the United States from foreign countries, or into one State or Territory or the District of Columbia from another State or Territory or the District of Columbia, and at such ports and places within the United States where quarantine regulations exist under the authority of the State or municipality which, in the opinion of the Commission, are not sufficient to prevent the introduction of such diseases into the United States, or into one State or Territory or the District of Columbia from another State or Territory or the District of Columbia, the Commission shall, if in its judgment it is necessary and proper, make such additional rules and regulations as are necessary to prevent the introduction of such diseases into the United States from foreign countries, or into one State or Territory or the District of Columbia from another State or Territory or the District of Columbia, and when said rules and regulations have been made they shall be promulgated by the Commission and enforced by the sanitary authorities of the States and municipalities, where the State or municipal health authorities will undertake to execute and enforce them; but if the State or municipal authorities shall fail or refuse to enforce said rules and regulations, the President shall execute and enforce the same and adopt such measures as in his judgment

shall be necessary to prevent the introduction or spread of such diseases, and may detail or appoint officers for that purpose.

SEC. 22. That whenever the proper authorities of a State shall surrender to the United States the use of the buildings and disinfecting apparatus at a State quarantine station, the Commission shall cause an examination thereof to be made by its own members or by a competent person, or persons, and if the said station, buildings, and disinfecting apparatus be found adapted to the purposes of a quarantine, and the Commission approve of their use as such, the Secretary of the Treasury shall be authorized to receive them, and to pay a reasonable compensation to the State for their use.

SEC. 23. That all orders, rules, and regulations of the Bureau of Public Health relating to Sanitation in any branch of the Public Service, or to prevent the introduction of contagious and infectious diseases into the United States, and their spread from one State or Territory into another State or Territory, or the District of Columbia, through or by means of any branch of the Public Service, the medical officers of such Service shall execute such orders, rules, and regulations, and to this end the Surgeon-General of the Army shall perform all such duties in respect to the Army, the Surgeon-General of the Navy shall perform all such duties in respect to the Navy, and the Surgeon-General of the Marine Hospital Service shall perform all such duties in respect to quarantine and quarantine regulations which are provided by this act.

SEC. 24. That whenever the Commission shall certify to the President, and it shall appear to his satisfaction that, by reason of the existence of cholera or other infectious or contagious diseases in a foreign country, there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defence this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded in the in-

terest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate, and for such period of time as he may deem necessary.

SEC. 25. That the Bureau of Public Health shall make an annual report of its operations to the Secretary of the Treasury, who shall transmit the same to Congress, with such recommendations as he may deem important to the public interests; and said report, if ordered to be printed by Congress, shall be done under the direction of the Board; and that all mail matter of whatever class relative to the Bureau of Public Health and its duties, and addressed to its secretary and indorsed "Official Business, Bureau of Public Health," shall be transported free of postage; and if any person shall make use of any such indorsement to avoid the payment of postage on his private letter, package, or other matter in the mail, the person so offending shall be guilty of a misdemeanor, and be subject to a fine of five hundred dollars, to be prosecuted in any Court of competent jurisdiction.

SEC. 26. That there shall be, and hereby is, appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of one million dollars, to be expended, or so much of the same as may be necessary from time to time, under the direction of the President and according to his discretion, to meet emergencies arising in the execution of the provisions of this act.

SEC. 27. Repealing Section.



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