45TH CONGRESS,
3D SESSION.

S. 1752.

NLM

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 3, 1879.

Mr. HARRIS, from the Select Committee to investigate and report the best means of preventing the introduction and spread of Epidemic Diseases, reported the following bill; which was read the first and second times by unanimous consent and recommitted to the same committee.

A BILL

To prevent the introduction of contagious or infectious diseases into the United States, and to establish a Bureau of Public Health.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established in the Treasury Department a Bureau of Health, which shall consist of one chief executive officer, to be called the Director-General of Health, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of four thousand five hundred dollars per annum, and a Board of Health, to consist of seven members, to be appointed in like manner, whose compensation shall be ten dollars per diem and reasonable expenses incurred during the time when actually engaged in the performance of their duties under this act. The Surgeon-General of the Army and the Surgeon-General

of the Navy shall be ex officio additional members of said board, but without additional pay. Said board shall meet in Washington or elsewhere within thirty days after the passage of this act, and from time to time upon notice from the Director-General of Health, or upon its own adjournments, and shall frame all rules and regulations authorized or required by this act, and shall make, or cause to be made, by members of their own body, such special examinations and investigations, at any place or places within the United States, as they may order, to aid in the execution of this act and the promotion of its objects, subject to the approval of the Secretary of the Treasury. The Director-General of Health shall be ex officio a member and president of said Board of Health. All rules and regulations under this act, framed by said Board of Health, shall be uniform and subject to the approval of the President, and shall then be enforced by the Director-General of Health.

SEC. 2. That there shall be appointed by the Secretary of the Treasury, in said Bureau of Health, in addition to the clerks and assistants necessary to perform duties in connection with the Marine Hospital Service, and whose salaries are payable out of the Marine Hospital fund, one chief clerk, at a salary of two thousand dollars, and such other clerks, in number and grade as may be found necessary, not to exceed three.

SEC. 3. That the Bureau of Health shall be charged with the supervision of all matters connected with

the Marine Hospital Service; and the Director-General of Health shall perform all the duties and exercise all the powers now devolving upon the Supervising Surgeon General of the Marine Hospital Service, which office is hereby abolished, and all the records, papers, and other matters belonging thereto transferred to the Bureau of Health; and said bureau is charged with the execution of the provisions of this and all other acts and measures to prevent the introduction of contagious or infectious diseases into the United States, and the enforcement of all quarantine regulations, lawfully established, in respect to all vessels and vehicles engaged in commerce with foreign nations and among the States, whether by land or water. The Bureau of Health shall also be charged with the execution of all laws and orders, rules and regulations, made in pursuance thereof, for the improvement of the sanitary condition of the District of Columbia. The Bureau of Health shall also be charged with the duty of obtaining information of the sanitary condition of foreign ports and places from which contagious or infectious diseases are or may be imported into the United States; and to this end the consular officers of the United States, at all ports and places, who may be required to do so, by notice from the Secretary of the Treasury, shall make to the Director-General of Health weekly reports of the sanitary condition of the ports and places at which they are

respectively stationed, according to such forms as he may prescribe; and the Bureau of Health shall also obtain, through the medical officers of the Marine Hospital Service, collectors of customs, and such other sources as are accessible, including State and municipal health officers and authorities throughout the United States, weekly reports of the sanitary condition of ports and places within the United States; and the Director-General of Health shall prepare and transmit to the medical officers of 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 him; and said Bureau of Health 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 Director-General of Health shall make an annual report to the Secretary of the Treasury of the operations of the Bureau of Health, for transmission to Congress, with such recommendations as he may deem important to the public interests.

SEC. 4. That it shall be unlawful for any vessel engaged in the transportation of goods or persons from any foreign country to and into the United States to enter any port of the United States except in accordance with the provisions of

this act, and all rules and regulations made in pursuance thereof and applicable thereto; 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 in the discretion of the court, not exceeding five thousand dollars, which shall be a lien upon said vessel to be recovered by proceedings in admiralty in the proper district court of the United States.

SEC. 5. All such vessels shall be required to obtain from the consul, vice-consul, or other consular officer of the United States at the port of departure, a certificate, in duplicate, setting forth that said vessel has in all respects complied with the rules and regulations in such cases prescribed, and herein authorized, for the disinfection of the said vessel, its cargo, passengers, and crew; and said consular officer is required, before granting such certificate, to be satisfied that the matters and things therein stated are true, and for his services in that behalf shall be entitled to demand and receive such fees as shall by lawful regulation be allowed, to be accounted for as is required in other cases.

And all vessels sailing from the port of Havana, in the island of Cuba, and bound for any port in the United States, shall be required to obtain from a medical officer, serving in the office of the consul of the United States at that port, to be appointed by the President for that purpose, and who

shall receive a salary of three thousand five hundred dollars per annum, his certificate, setting forth that he has personally inspected said vessel, her cargo, crew, and passengers; that the rules and regulations prescribed by the Bureau of Health in respect thereto have been fully complied with; and that, in his opinion, the said vessel may be allowed to enter a port of the United States and land its cargo and passengers, without danger to the health thereof on account of any infectious disease; and any vessel sailing from said port without such certificate of said medical officer, entering any port of the United States, shall forfeit to the United States the sum of five hundred dollars, which shall be a lien on the same, to be recovered by proceedings in admiralty in the proper district court of the United States.

SEC. 6. The Director-General of Health shall, from time to time, issue to the consular officers of the United States, and to the medical officer serving at the port of Havana, and otherwise make publicly known, in such manner as shall be therein prescribed, the rules and regulations framed by the Board of Health and approved by the President, to be used and complied with by vessels in foreign ports, for disinfecting 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 also such other rules and regulations which 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 spread of cholera, yellow fever, or other contagious or infectious disease; and it shall not be lawful for any vessel to enter said port, to discharge its cargo, or land its passengers, except upon a permit from 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 certificates required to be obtained at the port of departure, and the permit and certificate herein required to be obtained from the health-officer at the port of entry. In case the health-officer at any such port appointed by local authority shall refuse to adopt and observe the rules and regulations prescribed by the Bureau of Health for the inspection, disinfection, and treatment of vessels, their cargoes, passengers, and crews, or, in the opinion of the Board of Health, shall neglect or fail so to do, it shall be the duty of the Secretary of the Treasury to appoint a health-officer of the United States for said port, who shall perform the duties thereof, as

prescribed by said Bureau of Health, according to the rules and regulations as prescribed by the Board of Health, as provided by the first section of this act; and to provide for the salary of such health-officer and the necessary expenses of his office, the collector of customs at said port shall demand and collect from every such vessel a fee of six dollars and fifty cents; but it shall be the duty of the medical officers of the Marine Hospital Service and of customs-officers to aid in the enforcement of the rules and regulations authorized by this act, without additional compensation, except for actual and necessary traveling expenses incurred in the performance of such duties.

SEC. 7. That rules and regulations framed and approved as hereinbefore authorized shall be promulgated, so that when cholera, yellow fever, or other similar contagious or infectious disease shall be ascertained by the Director-General of Health to exist in any port or place within any one of the United States, in such form as threatens its spread, as to prevent, as far as practicable, the communication of the same to other ports and places within other States, by means of vessels and vehicles engaged in the transportation of goods or passengers between two or more States, whether by land or water; and in that case, the Director-General of Health shall select suitable localities for establishing quarantine stations on the 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.

SEC. 8. That it shall be the duty of the Director-General of Health and of the Board of Health, so far as they lawfully may, in the execution of their powers conferred upon them by law, to correspond and co-operate with similar local officers, boards, and authorities acting under laws of the States in sanitary measures, to prevent the introduction and spread of contagious and infectious diseases from foreign countries into the United States, and from one State into any other State, by means of commercial intercourse, or upon and along the lines of inter-State trade and travel; and to that end it shall be lawful for said Board of Health and Director-General of Health to confer upon any such local officer or 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.

SEC. 9. That a commission is hereby constituted, to consist of three persons, one of whom shall be a medical expert, one a microscopist, and one a sanitary engineer, eminent for scientific attainments, to be appointed by the President, by and with the advice and consent of the Senate, who

shall visit the port of Havana and there investigate the nature and history of yellow fever and the conditions of its origin and spread at that place and vicinity. The members of said commission shall be paid for their services at the rate of ten dollars per diem while actually engaged in the performance of the same, and their actual reasonable expenses, and shall report to Congress at its next session their proceedings and recommendations. And said commission shall be authorized to employ one clerk and one stenographer, at rates of compensation to be fixed by the Secretary of the Treasury. And to pay the expenses attending the execution of this section of this act, there is hereby appropriated the sum of twenty thousand dollars, out of any money in the Treasury not otherwise appropriated; and that the President be requested to invite the concurrence and co-operation of the Spanish Government in the examinations and experiments of this commission in furtherance of international commerce and the sanitary interests of mankind.

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