

for reasons other than physical disability incurred in line of duty—

(1) If in the grade of assistant surgeon, he shall be separated from the service and paid six months' pay and allowances;

(2) If in the grade of passed assistant surgeon, he shall be separated from the service and paid one year's pay and allowances; and

(3) If in the grade of surgeon or of senior surgeon, he shall be reported as not in line of promotion, or placed on waiting orders and paid at the rate of 2½ per centum for each complete year of active commissioned service in the Public Health Service, but in no case to exceed 60 per centum of his native pay at the time he is placed on waiting orders. (Apr. 9, 1930, c. 125, § 9, 46 Stat. 151.)

In connection with this section see § 13 of this title.

**71k. Commissioned officers other than medical officers; titles.**—The President is authorized to prescribe appropriate titles for commissioned officers of the Public Health Service other than medical officers, corresponding to the grades of medical officers. (Apr. 9, 1930, c. 125, § 10 (a), 46 Stat. 152.)

In connection with this section see § 34 of this title.

**71l. Officers in grade of Assistant Surgeons General; designation as medical directors.**—Officers of the Public Health Service in the grade of Assistant Surgeon General (except those in charge of bureau divisions) shall be known and designated as medical directors. (Apr. 9, 1930, c. 125, § 10 (a), 46 Stat. 152.)

**71m. Senior surgeons and Assistant Surgeons General; repeal of limitation upon number.**—The limitation as of April 9, 1930, imposed by law upon the number of senior surgeons and Assistant Surgeons General at large of the Public Health Service on active duty is hereby repealed. (Apr. 9, 1930, c. 125, § 10 (a), 46 Stat. 152.)

**71n. Surgeon General; pay and allowances; reversion in grade on expiration of his commission.**—The Surgeon General of the Public Health Service shall be entitled to the same pay and allowances as the Surgeon General of the Army; and a regular commissioned officer of the Public Health Service who serves as Surgeon General shall, upon the expiration of his commission, if not reappointed as Surgeon General, revert to the grade and number in the regular corps that he would have occupied had he not served as Surgeon General. (Apr. 9, 1930, c. 125, § 10 (b), 46 Stat. 152.)

**71o. Chief of narcotic division; rank.**—The officer detailed as chief of the narcotics division of the Public Health Service shall, while thus serving, be an Assistant Surgeon General, subject to the provisions of law applicable to Assistant Surgeons General in charge of other administrative divisions of the Public Health Service. (Apr. 9, 1930, c. 125, § 10 (c), 46 Stat. 152.)

**71p. Officers and employees other than commissioned officers; appointment; qualification.**—The Secretary of the Treasury shall appoint, in accordance with the civil service laws, all officers and employees, other than commissioned officers, of the Public Health Service, and may make any such appointment effective as of the date on which the officer or employee enters upon duty: *Provided*, That any regulations which may be prescribed as to the qualifications as to the appointment of medical officers or employees shall give no preference to any school of medicine. (Apr. 9, 1930, c. 125, § 11, 46 Stat. 152.)

**71q. Officers disabled by sickness or injury; medical, surgical and hospital services and supplies.**—Officers of the Public Health Service when disabled on account of sickness or injury incurred in line of duty shall be entitled to medical, surgical, and hospital services and supplies under such regulations as the Secretary of the Treasury may prescribe. (Apr. 9, 1930, c. 125, § 12, 46 Stat. 152.)

**71r. Advisory board for National Institute of Health; name changed to National Advisory Health Council; additional members; appointment; qualifications; service; compensation; allowances; duties.**—The advisory board for the National Institute of Health shall be known as the National Advisory Health Council, and the Surgeon General of the Public Health Service, with the approval of the Secretary of the Treasury, is authorized to appoint, from representatives of the public-health profession, five additional members of such council. The terms of service, compensation, and allowances of such additional members shall be the same as the other members of such council not in the regular employment of the Government, except that the terms of service of the members first appointed shall be so arranged that the terms of not more than two members shall expire each year. Such council, in addition to its other function, shall advise the Surgeon General of the Public Health Service in respect to public-health activities. (Apr. 9, 1930, c. 125, § 13, 46 Stat. 152; May 26, 1930, c. 320, § 1, 46 Stat. 379.)

In connection with this section see § 21 of this title, which creates the advisory board for the Hygienic Laboratory.

## Chapter 2.—SANITATION AND QUARANTINE.

**★ Section 91. Extending time for entry of vessels subject to quarantine.**—

"or according to the regulations hereinafter established" in last two lines of this section should read "or according to the regulations established by sections 88 and 90 of this title."

**★92a. National quarantine system; powers of State and municipal authorities; duties of officers of Public Health Service.**—Wherever, at any port of the United States, any State or municipal quarantine system may exist, the officers or agents of such system shall, upon the application of the respective State or municipal authorities, be authorized and empowered to act as officers or agents of the national quarantine system, and shall be clothed with all the powers of United States officers for quarantine purposes, but shall receive no pay or emoluments from the United States. At all other ports where, in the opinion of the Secretary of the Treasury, it shall be deemed necessary to establish quarantine, the medical officers or other agents of the Public Health Service shall perform such duties in the enforcement of the quarantine rules and regulations as may be assigned them by the Surgeon General of that service under this Act: *Provided*, That there shall be no interference in any manner with any quarantine laws or regulations as they existed on April 29, 1878, or may thereafter be adopted under State laws. (Apr. 29, 1878, c. 60, § 5, 20 Stat. 38; July 1, 1902, c. 1370, § 1, 32 Stat. 712; Aug. 14, 1912, c. 288, § 1, 37 Stat. 300.)

This section, which was omitted from the Code, constitutes § 5 of Act Apr. 29, 1878, c. 60, 20 Stat. 38, entitled "An Act to prevent the introduction of contagious or infectious diseases into the United States."

Act July 1, 1902, c. 1370, cited to the text, entitled "An Act to increase the efficiency and change the name of the United States Marine-Hospital Service," substituted "Public Health and Marine-Hospital Service" for "United States Marine-Hospital Service," and "Surgeon General" for "Supervising Surgeon General."

Act Aug. 14, 1912, c. 288, cited to the text, entitled "An Act to change the name of the Public Health and Marine-Hospital Service to the Public Health Service, to increase the pay of officers of said service, and for other purposes," substituted "Public Health Service" for "Public Health and Marine-Hospital Service."

The changes are incorporated in the text.

The words "this Act" before the word "Provided" refer to the Act of Apr. 29, 1878, cited above, and cannot be translated since that Act, with the exception of section 1, incorporated in § 88 of this title, and § 5, set out above, are impliedly repealed or superseded. Provisions somewhat similar to those superseded may be found in sections 81, 82, 92, and 93 of this title.

**★ 97. State health laws observed by United States officers.**—

"revenue" in line 6 of this section should read "Coast Guard" by authority of § 1 of Title 14.

★ 106. **Trespass on quarantine reservations; vessels entering United States in violation of laws.**—

"acting under proper authority" at end of this section should read "acting under section 92a of this title."

109. **Report of expenditures to prevent epidemics.**—[Repealed.]

This section is repealed by Act May 29, 1928, c. 901, § 1, 45 Stat. 986, 988, entitled "An Act to discontinue certain reports now required by law to be made to Congress," which provides, "That the following reports and statements now required by law to be made to Congress are hereby discontinued, and all Acts or parts of Acts herein cited as requiring the submission of such statements and reports are hereby repealed to the extent of such requirement: \* \* \* 24. Detailed report of expenditures under the appropriation 'Preventing the spread of epidemic diseases.' (Statutes at Large, volume 40, part 1, page 121; Statutes at Large, volume 41, part 1, page 885; title 42, section 100, United States Code.)"

**Chapter 5.—MATERNITY AND INFANCY WELFARE AND HYGIENE.**

**Chapter 5 without force and effect after June 30, 1929.**—Act Nov. 23, 1921, c. 135, 42 Stat. 224, constituting chapter 5 of Title 42, has been limited as to time by Act Jan. 22, 1927, c. 53, § 2, 44 Stat. 1024, providing that it "shall, after June 30, 1929, be of no force and effect."

★ **Section 162. Appropriation for.**—

"In this chapter" should be added at the end of this section, inasmuch as § 1 of Act Nov. 23, 1921, constituting the section, read "as hereinafter provided" and said Act constitutes the entire

chapter except section 175 which merely extends its provisions to Hawaii.

163. **Same; amount; apportionment to States; additional apportionment.**—For the purpose of carrying out the provisions of this chapter, there is authorized to be appropriated annually until June 30, 1929, out of any money \* \* \* (As amended Jan. 22, 1927, c. 53, § 1, 44 Stat. 1024.)

The effect of the amendment was to extend the period for annual appropriation two years; in other words, from June 30, 1927, shown in the Code section, to June 30, 1929.

★ 164. **Acceptance of provisions by States.**—

"herein provided in the administration of the provisions of this chapter" in lines 7 and 8 of this section should read "as provided in this chapter, in the administration of the provisions thereof"

★ 167. **Apportionment of appropriation to States.**—

After the words "provided for" in line 4 of this section should be added "in this chapter" as a translation of the word "herein" contained in the original section.

★ 171. **Reports by States; withholding certifications to States.**—

After the word "moneys" in line 10 of this section, should be added the words "by this chapter" as a translation of the word "herein" contained in the original section.

★ 173. **Children's Bureau to perform duties of chapter; report to Congress.**—

"herein" in line 6 of this section should be omitted and "thereby" added after the word "authorized."