**Section 301 of the Public Health Service Act [42 U.S.C. 241]**

**TITLE 42 > CHAPTER 6A > SUBCHAPTER II > Part A > § 241**

**§ 241. Research and investigations generally**

**(a) Authority of Secretary**

The Secretary shall conduct in the Service, and encourage, cooperate with, and

render assistance to other appropriate public authorities, scientific institutions, and

scientists in the conduct of, and promote the coordination of, research,

investigations, experiments, demonstrations, and studies relating to the causes,

diagnosis, treatment, control, and prevention of physical and mental diseases and

impairments of man, including water purification, sewage treatment, and pollution of

lakes and streams. In carrying out the foregoing the Secretary is authorized to—

**(1)** collect and make available through publications and other appropriate means,

information as to, and the practical application of, such research and other

activities;

**(2)** make available research facilities of the Service to appropriate public

authorities, and to health officials and scientists engaged in special study;

**(3)** make grants-in-aid to universities, hospitals, laboratories, and other public or

private institutions, and to individuals for such research projects as are

recommended by the advisory council to the entity of the Department supporting

such projects and make, upon recommendation of the advisory council to the

appropriate entity of the Department, grants-in-aid to public or nonprofit

universities, hospitals, laboratories, and other institutions for the general support

of their research;

**(4)** secure from time to time and for such periods as he deems advisable, the

assistance and advice of experts, scholars, and consultants from the United States

or abroad;

**(5)** for purposes of study, admit and treat at institutions, hospitals, and stations of

the Service, persons not otherwise eligible for such treatment;

**(6)** make available, to health officials, scientists, and appropriate public and other

nonprofit institutions and organizations, technical advice and assistance on the

application of statistical methods to experiments, studies, and surveys in health

and medical fields;

**(7)** enter into contracts, including contracts for research in accordance with and

subject to the provisions of law applicable to contracts entered into by the military

departments under sections 2353 and 2354 of title 10, except that determination,

approval, and certification required thereby shall be by the Secretary of Health and

Human Services; and

**(8)** adopt, upon recommendations of the advisory councils to the appropriate

entities of the Department or, with respect to mental health, the National Advisory

Mental Health Council, such additional means as the Secretary considers necessary

or appropriate to carry out the purposes of this section.

The Secretary may make available to individuals and entities, for biomedical and

behavioral research, substances and living organisms. Such substances and

organisms shall be made available under such terms and conditions (including

payment for them) as the Secretary determines appropriate.

**(b) Testing for carcinogenicity, teratogenicity, mutagenicity, and other**

**harmful biological effects; consultation**

**(1)** The Secretary shall conduct and may support through grants and contracts

studies and testing of substances for carcinogenicity, teratogenicity, mutagenicity,

and other harmful biological effects. In carrying out this paragraph, the Secretary

shall consult with entities of the Federal Government, outside of the Department of

Health and Human Services, engaged in comparable activities. The Secretary, upon

request of such an entity and under appropriate arrangements for the payment of

expenses, may conduct for such entity studies and testing of substances for

carcinogenicity, teratogenicity, mutagenicity, and other harmful biological effects.

**(2)**

**(A)** The Secretary shall establish a comprehensive program of research into the

biological effects of low-level ionizing radiation under which program the

Secretary shall conduct such research and may support such research by others

through grants and contracts.

**(B)** The Secretary shall conduct a comprehensive review of Federal programs of

research on the biological effects of ionizing radiation.

**(3)** The Secretary shall conduct and may support through grants and contracts

research and studies on human nutrition, with particular emphasis on the role of

nutrition in the prevention and treatment of disease and on the maintenance and

promotion of health, and programs for the dissemination of information respecting

human nutrition to health professionals and the public. In carrying out activities

under this paragraph, the Secretary shall provide for the coordination of such of

these activities as are performed by the different divisions within the Department

of Health and Human Services and shall consult with entities of the Federal

Government, outside of the Department of Health and Human Services, engaged in

comparable activities. The Secretary, upon request of such an entity and under

appropriate arrangements for the payment of expenses, may conduct and support

such activities for such entity.

**(4)** The Secretary shall publish a biennial report which contains—

**(A)** a list of all substances

**(i)** which either are known to be carcinogens or may reasonably be anticipated

to be carcinogens and

**(ii)** to which a significant number of persons residing in the United States are

exposed;

**(B)** information concerning the nature of such exposure and the estimated

number of persons exposed to such substances;

**(C)** a statement identifying

**(i)** each substance contained in the list under subparagraph (A) for which no

effluent, ambient, or exposure standard has been established by a Federal

agency, and

**(ii)** for each effluent, ambient, or exposure standard established by a Federal

agency with respect to a substance contained in the list under subparagraph

(A), the extent to which, on the basis of available medical, scientific, or other

data, such standard, and the implementation of such standard by the agency,

decreases the risk to public health from exposure to the substance; and

**(D)** a description of (i) each request received during the year involved—

**(I)** from a Federal agency outside the Department of Health and Human

Services for the Secretary, or

**(II)** from an entity within the Department of Health and Human Services to

any other entity within the Department,

to conduct research into, or testing for, the carcinogenicity of substances or to

provide information described in clause (ii) of subparagraph (C), and (ii) how

the Secretary and each such other entity, respectively, have responded to each

such request.

**(5)** The authority of the Secretary to enter into any contract for the conduct of any

study, testing, program, research, or review, or assessment under this subsection

shall be effective for any fiscal year only to such extent or in such amounts as are

provided in advance in appropriation Acts.

**(c) Diseases not significantly occurring in United States**

The Secretary may conduct biomedical research, directly or through grants or

contracts, for the identification, control, treatment, and prevention of diseases

(including tropical diseases) which do not occur to a significant extent in the United

States.

**(d) Protection of privacy of individuals who are research subjects**

The Secretary may authorize persons engaged in biomedical, behavioral, clinical, or

other research (including research on mental health, including research on the use

and effect of alcohol and other psychoactive drugs) to protect the privacy of

individuals who are the subject of such research by withholding from all persons not

connected with the conduct of such research the names or other identifying

characteristics of such individuals. Persons so authorized to protect the privacy of

such individuals may not be compelled in any Federal, State, or local civil, criminal,

administrative, legislative, or other proceedings to identify such individuals.