PUBLIC HEALTH SERVICE, FOREIGN QUARANTINE DIVISION, H. R. 6253

H. R. 6253. I am withholding my approval of a bill to amend Public Law 410, 78th Congress, with regard to compensation for overtime, Sunday, and holiday work of employees of the United States Public Health Service, Foreign Quarantine Division.

This bill would amend the Public Health Service Act in two major respects. First, it would establish special rates of overtime, Sunday, and holiday pay for the Foreign Quarantine Division personnel of the Public Health Service comparable to those received by customs inspectors of the Treasury Department and inspectors of other divisions of the Department of Justice under special premium pay statutes enacted many years ago. Second, with certain important exceptions, it would require that when night, Sunday, or holiday inspections are performed at the request of the owner, agent, master, or other shipping company representatives, the requesting party shall reimburse the United States for the overtime pay represented by over-time compensation.

It is important to note that no charges would be payable by the carrier for services performed in connection with the inspection of persons arriving by international highways, ferries, bridges, or tunnels, (2) regularly scheduled aircraft or trains, or (3) regularly scheduled Great Lakes vessels or vessels operated between Canada and the United States. However, the Surgeon General, under his statutory authority to fix the regular hours of quarantine service from 6 a.m. to 6 p.m., 7 days a week (Sunday and holidays included). If a vessel arrives within that time, quarantine service is rendered, and rendered free, regardless of the hour at which they are arrived. However, the Surgeon General, under his statutory authority to fix the regular hours of quarantine service as established by the Department of Health, Education, and Welfare, under the authority of law.

The bill provides that when any Sunday or holiday inspection is performed at the request of the owner, agent, master, or other shipping company representatives, the requesting party shall reimburse the United States for the overtime pay represented by over-time compensation.

The special rates of pay proposed for these employees have been justified on the ground that these rates, and to a large extent the provisions of the bill, are patterned after similar legislation which has long been in effect for customs and immigration inspectors (19 U. S. C. 287, 1451; 5 U. S. C. 342c), and that, likewise, such premium pay features are subject to the same reasonable conditions.

Examining the claims of the inspectional employees for out-of-hours service have merit. The claims of the inspectional employees for equalization of premium pay features are subject to the same reasonable conditions. The special rates of pay proposed for these employees have been justified on the ground that these rates, and to a large extent the provisions of the bill, are patterned after similar legislation which has long been in effect for customs and immigration inspectors (19 U. S. C. 287, 1451; 5 U. S. C. 342c), and that, likewise, such premium pay features are subject to the same reasonable conditions.

The bill provides for a direct payment of $6,125 to Mrs. McQuilkin, who claims that her brother, a World War I veteran who died in the service in 1918, applied for and was issued yearly renewals of life insurance policies for $10,000 and that she is entitled to the proceeds thereof as the sole beneficiary.

The Veterans' Administration and predecessor agencies have disputed her claim on the ground that their records and those of the Mili-