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72D CONGRESS }
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SENATE

{ REPORT
No. 394 }

DR. B. W. BLACK

MARCH 2 (calendar day, MARCH 7), 1932.—Ordered to be printed

Mr. WALSH of Massachusetts, from the Committee on Finance, submitted the following

REPORT

[To accompany S. 697]

The Committee on Finance, to whom was referred the bill (S. 697) to authorize the reimbursement of Dr. B. W. Black, formerly a commissioned officer of the United States Public Health Service, for travel performed subsequent to June 7, 1924, under orders of the Secretary of the Treasury issued prior to that date, having considered the same, report it back to the Senate and recommend that the bill do not pass.

PURPOSE

The purpose of this bill is to authorize a reimbursement to Dr. B. W. Black for expenses incurred by him for travel. The amount involved is \$446.68 for packing, crating, and shipping the personal effects from Salt Lake City to Washington, D. C., and \$249.66 for transportation of his dependents from Salt Lake City to Washington, D. C.

FACTS

Dr. B. W. Black was a commissioned officer in the United States Public Health Service stationed at Salt Lake City, Utah, until June 27, 1924. An Executive order of June 27, 1924, assigned him to duty in the Medical Division, United States Veterans' Bureau. Prior to the Executive order of June 27, 1924, namely, March 8, 1924, the Surgeon General of the Public Health Service notified Doctor Black that he was relieved from duty at Salt Lake City and directed him to proceed to Denver and report to the district manager of that station, and from thence to Washington, D. C., for permanent duty in the United States Veterans' Bureau.

He was authorized by the same communication to use Treasury Department transportation requests for railroad transportation purposes and also advised that actual transportation expenses of the

dependent members of his family would be allowed. Government bills of lading for the shipment of his household effects were also inclosed.

Later Doctor Black was allowed his own transportation expenses for the reason the travel was performed prior to June 27, 1924. The expenses of packing and shipping his personal effects and the transportation of his dependents from Salt Lake City to Washington, D. C., were disallowed because the same was accomplished subsequent to June 27, 1924. In some cases commissioned officers were allowed reimbursement for the transfer of their household effects, etc., because such was accomplished prior to June 27, 1924. In other cases, including Doctor Black's, where all the transportation was not effected until after June 27, 1924, the accounts were disallowed by the General Accounting Office, the Comptroller General having ruled that subsequent to June 27, 1924, those medical officers, as civilian employees of the Veterans' Bureau, were entitled only to actual traveling expenses. Other officers can present claims of equal merit with the one presented by Doctor Black. Some of these officers, including Doctor Black, are no longer permanently employed by the Veterans' Bureau, though the claims of all are on file in the Comptroller General's office. If any one of these claims is allowed, all should be allowed and this should be done, if at all, through a general bill extending relief to all these claimants.

The report of the Veterans' Administrator is as follows:

VETERANS' ADMINISTRATION,
Washington, January 29, 1932.

Hon. REED SMOOT,

Chairman Committee on Finance, United States Senate,
Washington, D. C.

MY DEAR SENATOR SMOOT: Receipt is acknowledged of your letter of December 29, 1931, with which you forwarded for report a copy of S. 697, Seventy-second Congress, a bill to authorize reimbursement of Dr. B. W. Black, formerly a commissioned officer of the United States Public Health Service, for travel performed subsequent to June 7, 1924; under orders of the Secretary of the Treasury issued prior to that date. It appears that this bill is identical in substance with S. 3403, Seventieth Congress, on which a report was made to your committee on March 12, 1928.

The committee is advised that the records of the Veterans' Administration show that Dr. B. W. Black, formerly the medical director of the United States Veterans' Bureau, was, prior to the Executive order of June 7, 1924, a commissioned officer in the United States Public Health Service stationed at Salt Lake City, Utah; that on March 8, 1924, the Surgeon General of the Public Health Service addressed a communication to Doctor Black, advising him that he was relieved from further duty at Salt Lake City, Utah, and directing him to proceed to Denver, Colo., and report to the district manager at that station, and thence to Washington, D. C., for permanent duty in the medical division of the United States Veterans' Bureau. He was authorized by the same communication to use Treasury Department transportation requests for railroad transportation purposes (but not for sleeping and parlor car accommodations) and was also advised that the actual transportation expenses of the dependent members of his family would be allowed. Government bills of lading for the shipment of his household effects were also inclosed. Doctor Black was allowed his own transportation and traveling expenses in accordance with the terms of this order for the reason that his traveling was performed prior to June 7, 1924. The expense of packing, crating, and shipment of his personal effects from Salt Lake City to Washington, D. C., in the amount of \$446.68, and the transportation of his dependents from Salt Lake City to Washington, D. C., in the amount of \$249.66 have, however, been disallowed because the same was accomplished subsequent to June 7, 1924.

Prior to June 7, 1924, the medical service of the bureau was to a large extent performed by officers of the Public Health Service detailed for that purpose. On

June 7, 1924, an Executive order was signed under which all commissioned officers of the United States Public Health Service detailed to the bureau were transferred to and given appointments in the bureau without reference to the civil service laws and regulations. Prior to June 7, 1924, many of these officers were issued travel orders by the Public Health Service under which they were authorized to use Government transportation requests for railroad transportation (but not for sleeping and parlor car accommodations), or were allowed mileage at the rate of \$0.08 per mile in case transportation was not furnished by the Government, and the actual transportation expenses of the dependent members of their families, and in addition thereto the cost of transportation of their household effects. In several cases, however, all the transportation was not accomplished until subsequent to that date. Upon presentation of reimbursement vouchers the accounts were disallowed by the General Accounting Office, the Comptroller General having ruled that subsequent to June 7, 1924, these medical officers, being civilian employees of the bureau, were entitled only to reimbursement of actual traveling expenses.

It is suggested that each officer of the above group may present a claim of equal merit with the one now under consideration. Many of these officers, including Doctor Black, are no longer permanently employed on the medical staff of the Veterans' Administration. The claims of all are of record in the General Accounting Office.

It is believed that the committee will be able to determine from the above report the merits of this bill and the propriety of its enactment.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES,
Administrator.

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