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SENATE

} REPORT
No. 774

PROVIDING INCREASES IN THE RATES OF PENSION PAYABLE TO VETERANS OF INDIAN WARS AND THE DEPENDENTS OF SUCH VETERANS

DECEMBER 12 (legislative day, DECEMBER 4), 1947.—Ordered to be printed

Mr. MILLIKIN, from the Committee on Finance, submitted the following

REPORT

[To accompany H. R. 4055]

The Committee on Finance, to whom was referred the bill (H. R. 4055) to provide increases in the rates of pension payable to veterans of Indian wars and the dependents of such veterans, having considered the same, report favorably thereon with an amendment, and recommend that the bill, as so amended, do pass.

The amendment is as follows:

On page 1, line 5, after the word "any", insert the word "public".

EXPLANATION OF THE AMENDMENT

The bill proposes a 20-percent increase in service pensions of Indian war veterans and the widows and children of such veterans, which are payable under any public law, not private laws, administered by the Veterans' Administration.

APPROVAL OF BILL

The bill has the approval of the Veterans' Administration and the Bureau of the Budget.

ESTIMATED NUMBER OF PERSONS AFFECTED

It is estimated that the bill would affect approximately 790 veterans and some 2,200 dependents on the rolls under public laws.

ESTIMATE OF COST

The cost for the veterans is estimated to be \$138,000 for the first year. The cost for the widows and children is estimated to be \$204,000 for the first year. Accordingly, the total cost would approximate \$342,000 for the first year.

GENERAL STATEMENT

The following factors were considered by the committee in recommending favorable action on this bill:

(1) Pensions to Spanish War veterans and their dependents payable under public laws were increased by the act of July 30, 1947 (Public Law 270, 80th Cong.), whereas the Indian war veterans and their dependents have received no increase since March 3, 1944.

(2) Pensions to Civil War veterans and their dependents payable under public laws were increased by the act of July 30, 1947 (Public Law 270, 80th Cong.).

(3) World War I and World War II veterans received an increase in pension payable under public laws for permanent and total disability by the act of August 8, 1946 (Public Law 662, 79th Cong.).

(4) Widows of World War I and World War II veterans receive pensions of \$42 per month, whereas widows of Indian war veterans (1817-98) generally receive pensions of \$40 per month.

(5) The average age of veterans of Indian wars is 85 years and the average age of the widows is 80 years.

(6) The increased cost of living, the age and mortality rate of the groups to be benefited, and the recent increases granted to the other groups.

(7) No additional pensioners will be added to the rolls under this bill.

The report from the Administrator of Veterans' Affairs on this bill is self-explanatory and is as follows:

OCTOBER 29, 1947.

HON. EUGENE D. MILLIKIN,
*Chairman, Committee on Finance,
United States Senate, Washington 25, D. C.*

DEAR SENATOR MILLIKIN: Further reference is made to your letter of September 3, 1947, requesting a report on H. R. 4055, Eightieth Congress, an act to provide increases in the rates of pension payable to veterans of Indian wars and the dependents of such veterans, which reads as follows:

"That all monthly rates of pension payable to veterans of the Indian wars and dependents of such veterans which are payable under any laws administered by the Veterans' Administration are hereby increased by 20 per centum.

"The increases provided by this section shall be effective from the first day of the second calendar month following the date of enactment of this Act."

With respect to the form of the bill, it is observed that provision is made for an increase of 20 percent in all monthly rates of pension "which are payable under any laws administered by the Veterans' Administration." [Italic supplied.] However, the report of the House Committee on Veterans' Affairs to accompany the bill (H. Rept. 794, 80th Cong.) states in this connection:

"The bill proposes a 20-percent increase in service pensions to veterans of Indian wars and the widows and children of such veterans, which are payable under any *public* laws administered by the Veterans' Administration." [Italic supplied.]

In order to clarify the apparent intention of the bill as set forth in the foregoing quotation from the House report, it is suggested that the bill be amended to restrict specifically the increase provided therein to pension payable under

"Public acts." This could readily be accomplished by inserting the word "public" before the word "laws" in line 5.

The pension benefits which are currently payable to veterans of the Indian wars and their dependents are authorized by the act of March 3, 1927, as amended and supplemented by the acts of August 25, 1937, and March 3, 1944 (38 U. S. C. 381-381e). The act of March 3, 1944, Public Law 245, Seventy-eighth Congress, provided increases and adjustments in certain pension rates payable to Indian war veterans and their dependents, in addition to establishing new benefits and liberalizing eligibility requirements. There have been no increases authorized since the last-mentioned date in the rates of non-service-connected benefits payable to this group. The attached chart outlines existing rates, as well as changes proposed by H. R. 4055.

The bill is designed to provide the same percentage of increase in pension rates for Indian war veterans and their dependents as the act of July 30, 1947 (Public Law 270, 80th Cong.); provided for veterans of the Civil War and the Spanish-American War and their dependents. The legislative history of the bill (H. R. 3961) which became the act of July 30, 1947, discloses that in acting favorably thereon the Congress considered, among other things, the increased cost of living, the age and mortality rate of the groups to be benefited, and recent increases granted to other veteran groups. Such factors appear to be equally pertinent in considering H. R. 4055. The average age of veterans of the Indian wars is 85 years and that of their dependents is 80 years. The number of such persons presently on the rolls is relatively small and undoubtedly will decrease rapidly in view of the high mortality rate of persons in the mentioned age groups.

It is estimated that H. R. 4055, if enacted, would affect approximately 790 veterans taking under public laws at a cost of approximately \$138,000 the first year. In addition, some 2,200 dependents would be affected whose increases would cost approximately \$204,000 the first year. Accordingly the total cost would approximate \$342,000 the first year.

Under the foregoing circumstances, and subject to the suggested amendment, the Veterans' Administration would interpose no objection to the favorable consideration of H. R. 4055 by your committee.

Advice has been received from the Bureau of the Budget that there would be no objection by that office to the submission of this report to your committee.

Sincerely yours,

OMAR N. BRADLEY,
General, United States Army, Administrator.

PENSION INCREASES TO VETERANS OF INDIAN WARS

Pension rates payable to veterans of the Indian wars and their dependents

Class of pensioners affected	Rates payable under act of Mar. 3, 1927, as amended	Change proposed by H. R. 4055, 80th Cong.	Rates payable under act of Aug. 25, 1937 ¹	Change proposed by H. R. 4055, 80th Cong.
Veterans:				
Rates for non-service-connected disability:				
No disability.....	0	\$21.00	\$20	\$24.00
1/4 disability.....	25	30.00	25	30.00
1/2 disability.....	35	42.00	35	42.00
3/4 disability.....	50	60.00	45	54.00
Total disability.....	60	72.00	55	66.00
Rates based on age:				
Age 62.....	30	36.00	25	30.00
Age 65.....	60	72.00		
Age 68.....			35	42.00
Age 72.....			45	54.00
Age 75.....			55	66.00
Rates payable where veteran is helpless or blind or so nearly helpless or blind as to require regular aid and attendance.....	100	120.00	72	86.40
Dependents (non-service-connected death cases):				
Widow, no child or children:				
Under age 70.....	30	36.00		
Age 70, or over.....	40	48.00		
Wife during service.....	50	60.00		
Widow, with a child or children:				
Under age 70, with 1 child.....	36	43.20		
Age 70 or over, with 1 child.....	48	55.20		
Wife during service, with 1 child.....	56	67.20		
Each additional child.....	6	7.20		
No widow, 1 or more children:				
1 child.....	36	43.20		
Each additional child.....	6	7.20		

¹ Certain Indian war veterans are currently receiving the rates payable under the act of Aug. 25, 1937, rather than the higher rates under the act of Mar. 3, 1927, as amended, because of their failure to file application therefor as required by sec. 2 of the amendatory act of Mar. 3, 1944 (Public Law 245, 78th Cong.).

The committee is in accord with the purposes of the bill and recommends its enactment.

