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SENATE

{ REPORT
No. 295

AUTHORIZING ADDITIONAL HOSPITAL AND DOMICILIARY FACILITIES FOR VETERANS

FEBRUARY 24, 1932.—Ordered to be printed

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

REPORT

[To accompany S. 695]

The Committee on Finance, to whom was referred the bill (S. 695) authorizing additional hospital and domiciliary facilities for veterans of all wars, having considered the same, report it back to the Senate with an amendment and as amended recommend that the bill do pass.

The committee amendment is as follows:

Strike out all after the enacting clause down to and including line 24 on page 4.

Page 5, line 14, after the word "wife" and comma, strike out the word "a" and insert "an unmarried"; line 15 strike out the word "sixteen" and insert "eighteen".

The report of the Veterans' Administration is as follows:

VETERANS ADMINISTRATION,
Washington, January 16, 1932.

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

MY DEAR SENATOR SMOOT: This is in reply to your communication of December 17, 1931, with which you forwarded for report a copy of S. 695, Seventy-second Congress, "A bill authorizing hospital and domiciliary facilities for veterans of all wars."

The provisions of this bill in sections 1 to 5, inclusive, seem identical in substance with the terms of Public 868, Seventy-first Congress, approved March 4, 1931, which authorized an appropriation in the amount of \$20,877,000 for additional hospital and domiciliary facilities for veterans of all wars. Reference is also made to Public Resolution No. 3, Seventy-second Congress, approved December 12, 1931, which authorized the Administrator of Veterans' Affairs to enter into contracts and incur obligations in the full amount of the authorizations provided in Public 868.

It seems doubtful whether there should be authorized at the present time an amount in the same sum as you will probably agree that this matter should be considered in connection with the legislative program of the administration and such other proposals as are considered by the Congress in connection with additional appropriations for hospital facilities.

Section 6 of the bill now under consideration would limit the monthly amount of compensation, pension, disability allowance, or retirement pay under the

emergency officers' retirement act in the case of any veteran maintained by the Veterans' Administration in an institution, to not more than 50 per cent of the amount to which such veteran would otherwise be entitled so long as he shall remain in such institution. Certain additional provisos are to the effect that the amount payable shall not be reduced to less than \$20 per month and that no reduction shall be made in those cases where the amount payable is less than \$20 per month; a further conditional provision would allow certain amounts to dependents of institutionalized veterans.

The provisions of this section are similar in purpose to an original provision of section 202, paragraph 7, of the World War veterans' act, which was enacted on June 7, 1924, and repealed by the act of March 3, 1927, before it became effective. Prior to that repeal, section 202 (7) of the World War veterans' act read as follows: "After June 30, 1927, the monthly rate of compensation for all veterans (other than those totally and permanently disabled), who are being maintained by the bureau in an institution of any description, and who are without wife, child, or dependent parents shall not exceed \$40."

A study of inequalities in laws relating to veterans which is now being made by the Veterans' Administration has revealed serious inequities in payments made to veterans being maintained in institutions by the Veterans' Administration. If a veteran of a war prior to the World War is receiving pension for a disability incurred in service, there is no provision of law requiring reduction of such pension while in a home or hospital. The act of June 9, 1930, authorizing a service pension for veterans of the Civil War provides that the pension paid under that act "to any Civil War veteran for any period during which he was actually residing in the United States Soldiers' Home or in any National or State soldiers' home shall be reduced at the rate of \$25 per month" (46 Stat. 529, U. S. C., title 38, sec. 341d). The act of June 2, 1930, authorizing a service pension for veterans of the War with Spain, the Philippine insurrection, or China relief expedition provides "That no one while an inmate of the United States Soldiers' Home or of any National or State soldiers' home shall be paid more than \$50 per month under this act" (46 Stat. 492, U. S. C., title 38, secs. 365a and 365c). The compensation paid to World War veterans is not reduced while they are in soldiers' homes, but since compensation is paid only for disabilities incurred in service it is, on this point, on a parity with pensions paid for disabilities incurred in service.

Furthermore, it is accepted that the economical need of the average veteran who is without dependents and who is being maintained by the administration in an institution may be expected to be less during the period of his maintenance than at any other time. It is further agreed that where veterans have dependents it is proper to provide for the allowance of appropriate amounts to such dependents. This office is favorable to the reduction of the amounts payable to veterans while maintained in institutions by the Veterans' Administration.

The third proviso of section 6 of this proposed measure fixes the age limit of child or children at 16 years unless there exists permanent incapacity for self-support by reason of mental or physical defect. For the sake of uniformity and avoidance of confusion in awarding benefits, it is suggested that this provision should define those persons who are to be considered as "child" or "children" according to the manner in which such persons are defined by section 3 of the World War veterans' act, as amended, and that it should, so far as the age limit of "child" or "children" and the incapacity of such person is concerned, be similar in effect to section 201, paragraph 3, of the World War veterans' act, 1924, as amended, which reads as follows:

"The payment of compensation to or for a child shall continue until such child reaches the age of 18 years or marries, or if such child be permanently incapable of self-support by reason of mental or physical defect, then during such incapacity * * *"

As stated above, a study of inequalities in laws relating to veterans is now being made by the Veterans' Administration, and it is my hope at some time in the future to present to the Congress a report indicating these many inequalities and make definite recommendation as to the future general policy of the Government in dealing with veterans. However, you will appreciate that such study and report will require careful consideration, and I can not, at this time, forecast when the same will be ready for submission.

While it is my belief that it would, in general, be desirable to have all inequalities considered together, it may appear to the Congress that some disparities are so unjust as to require early adjustment.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Administrator.*