

# Calendar No. 2108

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SENATE }

REPORT  
No. 2061

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## VETERANS' BURIAL ALLOWANCE

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JULY 30, 1958.—Ordered to be printed

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

### REPORT

[To accompany H. R. 11801]

The Committee on Finance, to whom was referred the bill (H. R. 11801) to amend sections 802 and 803 of the Veterans' Benefits Act of 1957 to increase the burial allowance for deceased veterans from \$150 to \$250, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### EXPLANATION OF THE BILL

Under Public Law 85-56, sections 802 and 803, the Veterans' Administration is authorized to pay a sum not exceeding \$150 for the funeral and burial expenses of a deceased veteran. This bill would increase this amount from \$150 to \$250.

This benefit is payable for a veteran who served during a period of war or who had been discharged from the service with a service-connected disability or who was receiving disability compensation.

The last time this benefit was increased was by Public Law 529 of the 79th Congress, which raised the benefit from \$100 to \$150. The present increase in this rate simply reflects the economic facts of life—the increase in the cost of living.

The Veterans' Administration favors the legislation, while the Bureau of the Budget is opposed to it.

The Veterans' Administration states that the first-year cost would approximate \$14,070,000 and rise to a cost of \$17,850,000 in the fiscal year 1963. In addition, the increase in the annual cost to the Veterans' Administration of contract burials is estimated at \$1,200,000.

The report of the Veterans' Administration follows:

VETERANS' ADMINISTRATION,  
July 10, 1958.

Hon. HARRY F. BYRD,  
*Chairman, Committee on Finance,  
United States Senate, Washington, D. C.*

DEAR SENATOR BYRD: The following report is submitted on H. R. 11801, 85th Congress, a bill to increase from \$150 to \$250 the maximum amount payable by the Veterans' Administration for the funeral and burial expenses of deceased veterans.

The law now provides that where a veteran dies who (1) was a veteran of any war, (2) had been discharged from the service for a service-connected disability, or (3) was receiving disability compensation, the Administrator may pay a sum not exceeding \$150 to such person as he prescribes to cover the burial and funeral expenses of the deceased veteran and the expense of preparing the body and transporting it to the place of burial.

Where death occurs in one of its facilities to which the deceased was properly admitted for hospital or domiciliary care, the Veterans' Administration pays the actual cost (not to exceed \$150) of the burial and funeral. In addition, in such cases, this agency transports the body to the place of burial (within certain limitations).

The burial allowance referred to in the preceding paragraphs was last increased (from a maximum of \$100 to \$150) by Public Law 529, 79th Congress, approved July 24, 1946.

On November 8, 1955, in reporting to the Committee on Veterans' Affairs, House of Representatives, on H. R. 3707, 84th Congress, a bill to increase the burial allowance to \$250, the Veterans' Administration stated:

"The experience of the Veterans' Administration in seeking bids for contract burials in cases in which a veteran dies in a Veterans' Administration facility demonstrates that in many places burial firms will not enter a contract for complete burial for the present maximum allowance of \$150. This situation has arisen for the reason that the costs of burial services have increased considerably since the enactment of Public Law 529. In many cases, the cemetery costs now exceed \$100, leaving less than \$50 to cover the costs of a casket, preparation of the body, use of rolling stock, chapel, and slumber room. The cemetery costs include the grave plot, opening and closing of the grave, and, in many cemeteries, a concrete liner vault is now required. In the opinion of the Veterans' Administration, an increase of the maximum cost of the present burial allowance from \$150 to a maximum of \$200 would be adequate at this time, and the Veterans' Administration would recommend favorable consideration of such proposal."

Considering the further advance in prices and costs since 1955, the proposed increase to \$250 is believed justified.

In those cases involving statutory burial allowances, it is estimated that the cost of the proposed increase would be approximately \$14,070,000 in the first year and that this cost would increase progressively by about 6.1 percent each year to approximately \$17,850,000 in fiscal year 1963. In addition, the increase in the annual cost to the Veterans' Administration of contract burials is estimated at \$1,200,000.

The Veterans' Administration recommends favorable consideration of H. R. 11801 by your committee.

With respect to a similar report to the House Committee on Veterans' Affairs on other bills having an identical purpose, the Bureau of the Budget advised that there would be no objection to the submission of such report, but that the Bureau recommended against favorable consideration of the proposals. A copy of the Bureau's letter is enclosed for your information.

Sincerely yours,

SUMNER G. WHITTIER, *Administrator.*

#### CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets; new matter is printed in italic; existing law in which no change is proposed is shown in roman):

#### SECTIONS 802 AND 803 OF THE VETERANS' BENEFITS ACT OF 1957

##### FUNERAL EXPENSES

SEC. 802. (a) Where a veteran dies who—

- (1) was a veteran of any war;
  - (2) had been discharged from the active military, naval, or air service for a disability incurred or aggravated in line of duty;
- or

(3) was in receipt of disability compensation;

the Administrator, in his discretion having due regard to the circumstances in each case, may pay a sum not exceeding ~~[\$150]~~ \$250 to such person as he prescribes to cover the burial and funeral expenses of the deceased veteran and the expense of preparing the body and transporting it to the place of burial.

(b) Except as hereafter provided in this subsection, no deduction shall be made from the burial allowance because of the veteran's net assets at the time of his death, or because of any contribution from any source toward the burial and funeral expenses (including transportation) unless the amount of expenses incurred is covered by the amount actually paid therefor by the United States, a State, any agency or political subdivision of the United States or of a State, the employer of the deceased veteran, or a burial association. No claim shall be allowed for more than the difference between the entire amount of the expenses incurred, and the amount paid by any or all of the foregoing. The Administrator shall not deny or reduce the amount of the burial allowance otherwise payable because of a cash contribution made by a burial association to any person other than the person rendering burial and funeral services. The burial allowance or any part thereof shall not be paid in any case where specific provision is otherwise made for payment of expenses of funeral, transportation, and interment under any other Act.

## DEATH IN VETERANS' ADMINISTRATION FACILITY

SEC. 803. (a) Where death occurs in a Veterans' Administration facility to which the deceased was properly admitted for hospital or domiciliary care under authority of section 510 or 511 (a) of this Act, the Administrator shall pay the actual cost (not to exceed **[\$150]** **\$250**) of the burial and funeral.

(b) In addition to the foregoing, when such a death occurs in the continental United States, the Administrator shall transport the body to the place of burial in the United States, or to the place of burial within Alaska if the deceased was a resident of Alaska who had been brought to the United States as a beneficiary of the Veterans' Administration for hospital or domiciliary care. Where such a death occurs in a Territory, a Commonwealth, or a possession of the United States, the Administrator shall transport the body to the place of burial within such Territory, Commonwealth, or possession.

(c) Within the limits prescribed in subsection (a), the Administrator may make contracts for burial and funeral services without regard to the laws requiring advertisement for proposals for supplies and services for the Veterans' Administration.

