

VETERAN'S LEGISLATION

HEARINGS

BEFORE A

SUBCOMMITTEE ON THE COMMITTEE ON FINANCE UNITED STATES SENATE

SEVENTY-EIGHTH CONGRESS

FIRST SESSION

ON

S. 786

A BILL TO AMEND TITLE I OF PUBLIC LAW NO. 2,
SEVENTY-THIRD CONGRESS, MARCH 2, 1933, AND
AND VETERANS' REGULATIONS TO PROVIDE
FOR REHABILITATION OF DISABLED VET-
ERANS, AND FOR OTHER PURPOSES

S. 740

A BILL EXTENDING THE PROVISIONS OF THE NATIONAL
SERVICE LIFE INSURANCE ACT OF 1940 TO
AMERICAN WAR CORRESPONDENTS

S. 230

A BILL TO AMEND VETERANS' REGULATIONS NO. 10,
AS AMENDED, TO GRANT HOSPITALIZATION,
DOMICILIARY CARE, AND BURIAL BENEFITS
TO CERTAIN WORLD WAR II CASES

S. 622, S. 668, S. 180, S. 187

FEBRUARY 25, MARCH 1, 1943

Printed for the use of the Committee on Finance



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VETERANS' LEGISLATION

THURSDAY, FEBRUARY 26, 1943

UNITED STATES SENATE,
SUBCOMMITTEE ON VETERANS' LEGISLATION
OF THE COMMITTEE ON FINANCE,
Washington, D. C.

The subcommittee met, pursuant to call, at 11:15 a. m. in room 312 Senate Office Building, Senator Bennett Champ Clark (chairman), presiding.

Senator CLARK. We will now take up S. 622, S. 668, and H. R. 801. (S. 622, S. 668, and H. R. 801 are as follows:)

[S. 622, 78th Cong., 1st sess.]

A BILL To authorize and to direct the Veterans' Administration to provide vocational rehabilitation and assistance in securing suitable employment for service-connected disabled veterans in need thereof, and feasible therefor, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1, title I, Public, Numbered 2, Seventy-third Congress, approved March 20, 1933, be amended by adding at the end thereof a new section known as subsection (f) and to read as follows:

"(f) Any person who served in the active military or naval forces shall be entitled to vocational rehabilitation, subject to the provisions and limitations of Veterans Regulation Numbered 1 (a), as amended, part VII."

Sec. 2. Veterans Regulation Numbered 1 (a), as amended, is hereby amended by adding at the end thereof a new part to be known as part VII and to provide as follows:

"PART VII

"1. Any person who has served in the active military or naval service at any time and who was or is honorably discharged therefrom and who has a disability incurred in or aggravated by such service for which pension or compensation is payable under laws administered by the Veterans' Administration, or would be but for receipt of retirement pay, and is in need of vocational rehabilitation to overcome the handicap of such disability, shall be entitled to such vocational rehabilitation as may be prescribed by the Administrator of Veterans' Affairs to fit him for, and place him in suitable employment consistent with the degree of his disablement: *Provided*, That no course of training under this Act in excess of a period of four years shall be approved.

"2. The Administrator shall have the power and duty to prescribe and provide suitable training and other services to persons included in paragraph 1, and for such purposes may employ such additional personnel and experts as are deemed necessary, and may utilize and extend existing Veterans' Administration facilities and utilize those of any other governmental agency as well as those maintained by joint Federal and State contribution; and, in addition, he may, by agreement or contract with public or private institutions or establishments, provide for such additional training facilities as may be suitable and necessary to accomplish the purposes of this part.

"3. While pursuing training prescribed herein, and for two months after his employability is determined, each veteran will be rated as totally disabled by reason of service-connected disability, and pension and compensation shall be payable to him accordingly: *Provided*, That when the course of vocational rehabilitation furnished to any person as herein provided consists of training on the

job by an employer, such employer shall be required to submit monthly to the Administrator a statement under oath showing any wage, compensation, or other income paid by him to such person during the month, directly or indirectly, and based upon such sworn statements, the Administrator is authorized to reduce the pension of such person to an amount considered equitable and just, but not below the amount of pension, compensation, or retirement pay to which he would be entitled for service-connected disability if not following a course of vocational rehabilitation.

"4. Where any person while following a course of vocational rehabilitation as provided for in this part suffers an injury or an aggravation of any injury, as a result of the pursuit of such course of vocational rehabilitation, and not the result of his own willful misconduct, and such injury or aggravation results in additional disability to or death of such person, the benefits under laws applicable to such veterans shall be awarded in the same manner and extent as if such disability, aggravation, or death were service connected within the meaning of such laws; except that no benefits under this paragraph shall be awarded unless application be made therefor within two years after such injury or aggravation was suffered, or such death occurred.

"5. (a) The purpose of rehabilitation is to restore employability lost by virtue of a material and permanent handicap due to service-incurred disability. The Administrator shall have the power and duty to cooperate with and employ the facilities of other governmental and State employment agencies for the purpose of placing service-connected disabled veterans in suitable gainful employment.

"(b) To remove the prejudice against employment of honorably discharged veterans having 10 per centum or more service-connected disability, and to aid in securing employment of such veterans, where an injury or death of such veteran is incurred under such circumstances as to result in payment of benefits under State employees' compensation laws or by recovery from or settlement with or on behalf of the employer, the Administrator of Veterans' Affairs shall reimburse the insurer or the fund from which such payment is made to the extent of the net loss suffered by such insurer or fund: *Provided*, That nothing herein shall be construed as authorizing payment of benefits under an Employees' Compensation Act for such injury or death, and under paragraph 4 hereof for the same period of time to a veteran or his dependents, but such veteran or his dependents may elect which benefit to receive: *And provided further*, That the appropriations of the Veterans' Administration shall be available for any expenses incurred under this section.

"6. The Administrator is hereby authorized to make such rules and regulations as may be deemed necessary in order to promote good conduct and cooperation on the part of persons who are following courses of vocational rehabilitation provided by this part. Penalties for the breach of such rules and regulations may, with the approval of the Administrator, extend to a forfeiture by the offender for a period of three months of such portion of the pension herein provided as will leave him not less than the amount of the monthly pension, compensation, or retirement pay to which such person is entitled for service-connected disability, and such penalties may also extend to permanent discontinuances of all further benefits of this part.

"7. The Administrator is hereby authorized to make such rules and regulations as may be deemed necessary for the granting of leave of absence to those following courses of vocational rehabilitation provided by this part where in his opinion such leaves do not materially interfere with the pursuit of such courses. Such leaves of absence shall not in the case of any person be granted in excess of thirty days in any consecutive twelve months except in exceptional circumstances as determined by the Administrator: *Provided*, That during leave of absence under this paragraph such person shall be considered to be pursuing his course of vocational rehabilitation under this part.

"8. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, available immediately and until expended, the sum of \$500,000 to be utilized by the Veterans' Administration under such rules and regulations as the Administrator may prescribe, as a revolving fund for the purpose of making advancements not exceeding \$100 in any case, to persons commencing or undertaking courses of vocational rehabilitation under this part, such advancement to bear no interest and to be reimbursed in such installments as may be determined by the Administrator by proper deductions from any future payments of pension or retirement pay.

"9. The Administrator shall have the power to provide courses of instruction for personnel and may detail employees to attend the same and may detail any

such personnel to attend courses conducted by other than Veterans' Administration agencies, including private organizations, and such employees in addition to their salaries shall be entitled to the payment of expenses incident to such detail, including transportation and tuition, as the Administrator by rules and regulations shall provide; and also in his discretion, to make, or, as by agreement with other agency or institution, cause to be made, studies, investigations, and reports inquiring into the rehabilitation of disabled persons and the relative abilities, aptitudes, and capacities of the several groups of the variously handicapped and as to how their potentialities can best be developed and their services best utilized in gainful and suitable employment, including the rehabilitation programs of foreign nations. For this purpose he shall have the power to cooperate with such public and private agencies as he may deem advisable and to call in consultants who shall receive as compensation for their services a reasonable per diem, which the Administrator shall by rules and regulations provide, for each day actually spent in the work provided for herein and shall in addition be reimbursed for their necessary traveling and other expenses. For the purpose of this part, the Administrator may accept uncompensated services upon such agreement as he may deem feasible."

SEC. 3. The appropriations for the Veterans' Administration, "Salaries and expenses, medical and hospital, and compensation and pensions", shall be available for necessary expenses, including but not confined to necessary medical care, and pension payment, payment or reimbursement of expenses in connection with supplying suitable training under this Act; and there is hereby authorized to be appropriated such additional amount or amounts as may be necessary to accomplish the purpose of this Act.

[S. 668, 78TH CONG., 1ST SESS.]

A BILL To authorize and to direct the Veterans' Administration to provide vocational rehabilitation and assistance in securing suitable employment for service-connected disabled veterans in need thereof, and feasible therefor, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1, title I, Public, Numbered 2, Seventy-third Congress, approved March 20, 1933, be amended by adding at the end thereof a new section known as subsection (f) and to read as follows:

"(f) Any person who served in the active military or naval forces shall be entitled to vocational rehabilitation, subject to the provisions and limitations of Veterans Regulation Numbered 1 (a), as amended, part VII."

SEC. 2. Veterans Regulation Numbered 1 (a), as amended, is hereby amended by adding at the end thereof, a new part to be known as part VII and to provide as follows:

"PART VII

"1. Any person who has served in the active military or naval service at any time and who was or is honorably discharged therefrom and who has a disability incurred in or aggravated by such service for which pension or compensation is payable under laws administered by the Veterans' Administration, or would be but for receipt of retirement pay, and is in need of vocational rehabilitation to overcome the handicap of such disability, shall be entitled to such vocational rehabilitation as may be prescribed by the Administrator of Veterans' Affairs to fit him for, and place him in, suitable employment consistent with the degree of his disablement: *Provided*, That no course of training under this Act in excess of a period of four years shall be approved.

"2. The Administrator shall have the power and duty to prescribe and provide suitable training and other services to persons included in paragraph 1, and for such purposes may employ such additional personnel and experts as are deemed necessary, and may utilize and extend existing Veterans' Administration facilities and utilize those of any other governmental agency as well as those maintained by joint Federal and State contribution; and, in addition, he may, by agreement or contract with public or private institutions or establishments, provide for such additional training facilities as may be suitable and necessary to accomplish the purposes of this part.

"3. While pursuing training prescribed herein, and for two months after his employability is determined, each veteran will be rated as totally disabled by reason of service-connected disability, and pension or compensation shall be payable to him accordingly: *Provided*, That when the course of vocational rehabilitation furnished to any person as herein provided consists of training on the job by an employer, such employer shall be required to submit monthly to the Administrator a statement under oath showing any wage, compensation, or other income

paid by him to such person during the month, directly or indirectly, and based upon such sworn statements, the Administrator is authorized to reduce the pension of such person to an amount considered equitable and just, but not below the amount of pension, compensation, or retirement pay to which he would be entitled for service-connected disability if not following a course of vocational rehabilitation.

"4. Where any person, while following a course of vocational rehabilitation as provided for in this part, suffers an injury or an aggravation of any injury, as a result of the pursuit of such course of vocational rehabilitation, and not the result of his own willful misconduct, and such injury or aggravation results in additional disability to or death of such person, the benefits under laws applicable to such veterans shall be awarded in the same manner and extent as if such disability, aggravation, or death were service connected within the meaning of such laws; except that no benefits under this paragraph shall be awarded unless application be made therefor within two years after such injury or aggravation was suffered, or such death occurred.

"5. (a) The purpose of rehabilitation is to restore employability lost by virtue of a material and permanent handicap due to service-incurred disability. The Administrator shall have the power and duty to cooperate with and employ the facilities of other governmental and State employment agencies for the purpose of placing service-connected disabled veterans in suitable, gainful employment.

"(b) To remove the prejudice against employment of honorably discharged veterans having 10 per centum or more service-connected disability, and to aid in securing employment of such veterans, where an injury or death of such veteran is incurred under such circumstances as to result in payment of benefits under State employees' compensation laws or by recovery from or settlement with or on behalf of the employer, the Administrator of Veterans' Affairs shall reimburse the insurer or the fund from which such payment is made to the extent of the net loss suffered by such insurer or fund: *Provided*, That nothing herein shall be construed as authorizing payment of benefits under an employees' compensation act for such injury or death, and under paragraph 4 hereof for the same period of time to a veteran or his dependents, but such veteran or his dependents may elect which benefit to receive: *And provided further*, That the appropriations of the Veterans Administration shall be available for any expenses incurred under this section'

"6. The Administrator is hereby authorized to make such rules and regulations as may be deemed necessary in order to promote good conduct and cooperation on the part of persons who are following courses of vocational rehabilitation provided by this part. Penalties for the breach of such rules and regulations may, with the approval of the Administrator, extend to a forfeiture by the offender for a period of three months of such portion of the pension herein provided as will leave him not less than the amount of the monthly pension, compensation, or retirement pay to which such person is entitled for service-connected disability, and such penalties may also extend to permanent discontinuance of all further benefits of this part.

"7. The Administrator is hereby authorized to make such rules and regulations as may be deemed necessary for the granting of leaves of absence to those following courses of vocational rehabilitation provided by this part where in his opinion such leaves do not materially interfere with the pursuit of such courses. Such leaves of absence shall not in the case of any person be granted in excess of thirty days in any consecutive twelve months except in exceptional circumstances as determined by the Administrator: *Provided*, That during leave of absence under this paragraph such person shall be considered to be pursuing his course of vocational rehabilitation under this part.

"8. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, available immediately and until expended, the sum of \$500,000 to be utilized by the Veterans' Administration under such rules and regulations as the Administrator may prescribe, as a revolving fund for the purpose of making advancements not exceeding \$100 in any case, to persons commencing or undertaking courses of vocational rehabilitation under this part, such advancement to bear no interest and to be reimbursed in such installments as may be determined by the Administrator by proper deductions from any further payments of pension or retirement pay.

"9. The Administrator shall have the power to provide courses of instruction for personnel and may detail employees to attend the same and may detail any such personnel to attend courses conducted by other than Veterans' Administration agencies, including private organizations, and such employees in addition to their salaries shall be entitled to the payment of expenses incident to such

detail, including transportation and tuition, as the Administrator by rules and regulations shall provide; and also in his discretion, to make, or, as by agreement with other agency or institution, cause to be made, studies, investigations, and reports inquiring into the rehabilitation of disabled persons and the relative abilities, aptitudes, and capacities of the several groups of the variously handicapped and as to how their potentialities can best be developed and their services best utilized in gainful and suitable employment, including the rehabilitation programs of foreign nations. For this purpose he shall have the power to cooperate with such public and private agencies as he may deem advisable and to call in consultants who shall receive as compensation for their services a reasonable per diem, which the Administrator shall by rules and regulations provide, for each day actually spent in the work provided for herein and shall in addition be reimbursed for their necessary traveling and other expenses. For the purposes of this part, the Administrator may accept uncompensated services upon such agreement as he may deem feasible."

SEC. 3. The appropriations for the Veterans' Administration, "Salaries and expenses, medical and hospital, and compensation and pensions", shall be available for necessary expenses, including, but not confined to, necessary medical care, pension payment, and payment or reimbursement of expenses in connection with supplying suitable training under this Act; and there is hereby authorized to be appropriated such additional amount or amounts as may be necessary to accomplish the purposes of this Act.

[H. R. 801, 78th Cong., 1st sess.]

A BILL To amend title I of Public Law Numbered 2, Seventy-third Congress, March 20, 1933, and the Veterans Regulations to provide for rehabilitation of disabled veterans, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1, title I, Public, Numbered 2, Seventy-third Congress, approved March 20, 1933, be amended by adding at the end thereof a new subsection known as subsection (f) and to read as follows:

"(f) Any person who served in the active military or naval forces on or after December 7, 1941, and prior to the termination of hostilities in the present war shall be entitled to vocational rehabilitation, subject to the provisions and limitations of Veterans Regulation Numbered 1 (a), as amended, part VII."

SEC. 2. Veterans Regulation Numbered 1 (a), as amended, is hereby amended by adding at the end thereof a new part to be known as part VII and to provide as follows:

"PART VII

"1. Any person who served in the active military or naval service at any time after December 6, 1941, and prior to the termination of the present war, who is honorably discharged therefrom, and who has a disability incurred in or aggravated by such service for which pension is payable under laws administered by the Veterans' Administration, or would be but for receipt of retirement pay, and is in need of vocational rehabilitation to overcome the handicap of such disability, shall be entitled to such vocational rehabilitation as may be prescribed by the Administrator of Veterans' Affairs to fit him for employment consistent with the degree of disablement: *Provided*, That no course of training in excess of a period of four years shall be approved nor shall any training under this part be afforded beyond six years after the termination of the present war.

"2. The Administrator shall have the power and duty to prescribe and provide suitable training to persons included in paragraph 1, and for such purposes may employ such additional personnel and experts as are deemed necessary, and may utilize and extend existing Veterans' Administration facilities and utilize those of any other governmental agency as well as those maintained by joint Federal and State contribution; and, in addition, he may, by agreement or contract with public or private institutions or establishments, provide for such additional training facilities as may be suitable and necessary to accomplish the purposes of this part.

"3. While pursuing training prescribed herein, and for two months after his employability is determined, each veteran, if entitled to pension in an amount less than the amount payable in accordance with the compensation rates for total and temporary disability, including additional amounts for wife, child, or children and dependent parents, provided by section 202 World War Veterans' Act, 1924, as amended (U. S. C., title 38, sec. 475), shall be paid increased pension which when added to the amount of pension to which he is otherwise entitled will aggregate an amount equal to such rates: *Provided*, That when the course of vocational

rehabilitation furnished to any person as herein provided consists of training on the job by an employer, such employer shall be required to submit monthly to the Administrator a statement under oath showing any wage, compensation, or other income paid by him to such person during the month, directly or indirectly, and based upon such sworn statements, the Administrator is authorized to reduce the pension of such person to an amount considered equitable and just, but not below the amount of pension or retirement pay to which he would be entitled for service-connected disability if not following a course of vocational rehabilitation.

"4. Where any person while following a course of vocational rehabilitation as provided for in this part suffers an injury or an aggravation of any injury, as a result of the pursuit of such course of vocational rehabilitation, and not the result of his own willful misconduct, and such injury or aggravation results in additional disability to or death of such person, the benefits under laws applicable to veterans of the present war shall be awarded in the same manner and extent as if such disability, aggravation, or death were service connected within the meaning of such laws; except that no benefits under this paragraph shall be awarded unless application be made thereof within two years after such injury or aggravation was suffered, or such death occurred.

"5. The purpose of rehabilitation to restore employability lost by virtue of a material and permanent handicap due to service-incurred disability. The Administrator shall have the power and duty to cooperate with and employ the facilities of other governmental and State employment agencies for the purpose of placing in gainful employment persons trained under the provisions of this part.

"6. The Administrator is hereby authorized to make such rules and regulations as may be deemed necessary in order to promote good conduct and cooperation on the part of persons who are following courses of vocational rehabilitation provided by this part. Penalties for the breach of such rules and regulations may, with the approval of the Administrator, extend to a forfeiture by the offender for a period of three months of such portion of the pension herein provided as will leave him not less than the amount of the monthly pension or retirement pay to which such person is entitled for service-connected disability, and such penalties may also extend to permanent discontinuance of all further benefits of this part.

"7. The Administrator is hereby authorized to make such rules and regulations as may be deemed necessary for the granting of leaves of absence to those following courses of vocational rehabilitation provided by this part where in his opinion such leaves do not materially interfere with the pursuit of such courses. Such leaves of absence shall not in the case of any person be granted in excess of thirty days in any consecutive twelve months except in exceptional circumstances as determined by the Administrator: *Provided*, That during leave of absence under this paragraph such person shall be considered to be pursuing his course of vocational rehabilitation under this part.

"8. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, available immediately and until expended, the sum of \$500,000 to be utilized by the Veterans' Administration under such rules and regulations as the Administrator may prescribe, as a revolving fund for the purpose of making advancements not exceeding \$100 in any case, to persons commencing or undertaking courses of vocational rehabilitation under this part, and advancement to bear no interest and to be reimbursed in such installments as may be determined by the Administrator by proper deductions from any future payments of pension or retirement pay.

"9. The Administrator shall have the power to provide courses of instruction for personnel and may detail employees to attend the same and may detail any such personnel to attend courses conducted by other than Veterans' Administration agencies, including private organizations, and such employees in addition to their salaries shall be entitled to the payment of expenses incident to such detail, including transportation and tuition, as the Administrator by rules and regulations shall provide; and also in his discretion, to make, or, as by agreement with other agency or institution, cause to be made, studies, investigations, and reports inquiring into the rehabilitation of disabled persons and the relative abilities, aptitudes, and capacities of the several groups of the variously handicapped and as to how their potentialities can best be developed and their services best utilized in gainful and suitable employment, including the rehabilitation programs of foreign nations engaged in the present war. For this purpose he shall have the power to cooperate with such public and private agencies as he may deem advisable and to call in consultants who shall receive as compensation for their services a reasonable per diem, which the Administrator shall by rules and regulations provide, for each day actually spent in the work provided for

herein and shall in addition be reimbursed for their necessary traveling and other expenses. For the purposes of this part, the Administrator may accept uncompensated services upon such agreement as he may deem feasible."

SEC. 3. The appropriations for the Veterans' Administration, "Salaries and expenses, medical and hospital, and compensation and pensions", shall be available for necessary expenses, including but not confined to necessary medical care, and pension payment, payment or reimbursement of expenses in connection with supplying suitable training under this Act; and there is hereby authorized to be appropriated such additional amount or amounts as may be necessary to accomplish the purposes of this Act.

Senator CLARK. The committee would be very glad, General Hines, to have your views on the so-called rehabilitation bills, S. 622, S. 668, and H. R. 801 which is essentially the same bill except for various minor changes.

STATEMENT OF BRIG. GEN. FRANK T. HINES, ADMINISTRATOR OF VETERANS' AFFAIRS, VETERANS' ADMINISTRATION

General HINES. Mr. Chairman and gentlemen of the committee: We all seem to be in accord that we should have a rehabilitation program. There are many bills pending before the Congress, both the House and the Senate, and I have appeared before, I think, all of the committees.

The bills here—and I have four or five of them——

Senator CLARK. Incidentally, your letters on these bills to the chairman will be incorporated in the record.

(The letters referred to are as follows:)

FEBRUARY 24, 1943.

Hon. WALTER F. GEORGE,

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

MY DEAR SENATOR GEORGE: Further reference is made to your letters of February 2 and February 9, 1943, requesting reports on S. 622 and S. 668, Seventy-eighth Congress, each entitled "A bill to authorize and to direct the Veterans' Administration to provide vocational rehabilitation and assistance in securing suitable employment for service-connected disabled veterans in need thereof, and feasible therefor, and for other purposes."

These bills are identical except for minor differences in language which involve no substantial change in their common purpose.

S. 622 and S. 668 are substantially similar to H. R. 801, Seventy-eighth Congress, on which a report was furnished the chairman, Committee on World War Veterans' Legislation, House of Representatives, under date of February 12, 1943. The purpose of these bills is to provide a system of vocational rehabilitation to be administered by the Veterans' Administration for those disabled in the active military or naval forces.

S. 622 and S. 668 are unlike H. R. 801 in the following respects:

1. H. R. 801 provides vocational rehabilitation only for those disabled in the active military or naval forces who served therein on or after December 7, 1941, and prior to the termination of hostilities in the present war. S. 622 and S. 668 would provide vocational rehabilitation for any person who served in the active military or naval forces before, during, or after the present war and has a service-incurred disability.

2. H. R. 801 would limit the vocational rehabilitation program to a period within 6 years after termination of the war and to not more than 4 years' training for any individual. S. 622 and S. 668 would permit 4 years' training of a disabled veteran at any future time.

3. H. R. 801 provides that each trainee, if entitled to pension in an amount less than the amount payable for total and temporary disability, including additional amounts for wife, child, or children and dependent parents, provided by section 202, World War Veterans' Act, 1924, as amended, shall be paid increased pension, which, when added to the amount of pension to which he is otherwise

entitled, will aggregate an amount equal to such rates. S. 622 and S. 668 provide that a trainee will be rated as totally disabled by reason of service-connected disability, and pension or compensation shall be payable to him accordingly.

4. S. 622 and S. 668 provide that to remove the prejudice against employment of honorably discharged veterans having 10 percent or more service-connected disability, and to aid in securing employment of such veterans, where an injury or death of such veteran is incurred under such circumstances as to result in the payment of benefits under State employees' compensation laws or by recovery from or settlement with or on behalf of the employer, the Administrator of Veterans' Affairs shall reimburse the insurer or the fund from which such payment is made to the extent of the net loss suffered by such insurer or fund. It is provided, however, that the veteran or his dependents may not receive payment of benefits under an Employees' Compensation Act for such injury or death and at the same time receive pension for such injury or death under other provisions of the bills which authorize pension for injury or death resulting from training in the same manner as if the disability or death were service connected. The veteran or his dependents may elect to receive either benefit. There is no corresponding provision in H. R. 801.

The restriction in H. R. 801 limiting vocational training to veterans of the present war is deemed preferable to the proposal in the bills under consideration to authorize training of any person who in the past, present, or future, served or serves in the military or naval forces of the United States. It is the opinion of the Veterans' Administration that first consideration should be given to those who are disabled in active service in the present war. Those who served in the First World War were extended an opportunity to secure vocational training and many of them were in fact rehabilitated to a degree consistent to the nature of their disablement. Those who serve before or after the First World War would come under vocational training under State aid for vocational rehabilitation of disabled individuals. Any adequate system of rehabilitating those disabled in the present war will no doubt involve considerable expense.

The question as to whether proposed legislation should be favorably considered at this time, which would cover persons disabled in active military or naval service after the termination of the present war, is one of policy for the Congress in its discretion to determine. Should legislation be enacted by the Congress which would include such rehabilitation as a veteran's benefit, to be administered by the Veterans' Administration, I would not recommend against it, but I feel such legislation may well deserve future consideration.

The provision in H. R. 801 to pay trainees a definite amount of benefits in proportion to the rates for total and temporary disability is deemed preferable to the proposals in the bills under consideration to rate a trainee as totally disabled by reason of service-connected disability and to pay pension or compensation accordingly, because the rating of total disability would, in fact, be fictitious and would serve no useful purpose other than to provide a measure of determining the amount of pension or compensation to be paid. It would preserve the differentiation as to peacetime and wartime rates but would make no allowance for dependents.

The proposal in the bills under consideration to reimburse the insurer or the fund from which payments are made in the event of the injury or death of a disabled veteran incurred in the scope of his employment is a matter which would warrant careful study and consideration before definite legislative action is decided upon. The workmen's compensation laws of the various States are not uniform, and the bills do not specify the basis upon which the net loss of an insurer or the fund is to be determined. It may be that a system of paying the insurer an excess premium to cover the extra hazard resulting from employment of disabled veterans would be justifiable; but the Veterans' Administration, to date, has not made sufficient study of the proposal and has not sufficient data to justify any recommendation for use by the Congress.

Attention is invited to the fact that while the bills under consideration and H. R. 801 propose systems of vocational rehabilitation to those who serve in the military or naval forces under laws to be administered by the Veterans' Administration, there is pending in the present Congress S. 180 which would provide a system of vocational rehabilitation education, training, and other services to persons disabled while members of the armed forces, or disabled in war industries or otherwise and to render such persons fit for service in war industries, agriculture, or other useful civilian industries. The provisions of S. 180 relating to the training of disabled veterans of the present war are identical with those of H. R. 801, and place the sole responsibility therefor in the Administrator of Veterans'

Affairs. I am of the opinion, and I have so stated, that S. 180 if amended as recommended will enable me to discharge such responsibility fully.

There are enclosed for your information two printed copies of the report of the Veterans' Administration on H. R. 801 to the chairman, Committee on World War Veterans' Legislation, House of Representatives, dated February 12, 1943 and on S. 180 to the chairman, Committee on Education and Labor, United States Senate, dated February 1, 1943.

It will be noted that, as stated in the report on H. R. 801, advice has been received from the Bureau of the Budget that S. 180, Seventy-eighth Congress, with minor amendments suggested, is in accord with the program of the President and that, if enacted, it would cover the entire scope of vocational rehabilitation education, training, and other services to persons disabled while in the armed forces or in war industries or otherwise, and because H. R. 801, Seventy-eighth Congress, is confined to the rehabilitation of those disabled in the military or naval forces and because of other reasons, the enactment of H. R. 801 should not be considered as being in accord with the program of the President.

As S. 622 and S. 668 confine their provisions to persons disabled in the active military or naval service, the advice from the Bureau of the Budget as to the relationship of H. R. 801 to the program of the President is for application to these bills.

Very truly yours,

FRANK T. HINES, *Administrator.*

[No. 9]

VETERANS' ADMINISTRATION,
Washington, February 12, 1943.

Hon. J. F. RANKIN,

*Chairman, Committee on World War Veterans' Legislation,
House of Representatives, Washington, D. C.*

MY DEAR MR. RANKIN: Further reference is made to your letter dated January 18, 1943, requesting report on H. R. 801, Seventy-eighth Congress, a bill to amend title I of Public Law No. 2, Seventy-third Congress, March 20, 1933, and the Veterans Regulations to provide for rehabilitation of disabled veterans, and for other purposes.

The purpose of the bill is to provide a system of vocational rehabilitation administered by the Veterans' Administration for those disabled in the active military or naval forces on or after December 7, 1941, and prior to termination of hostilities in the present war.

Section 1 of the bill amends section 1, title I, Public Law No. 2, Seventy-third Congress, approved March 20, 1933, to include vocational rehabilitation for disabled veterans of the present war subject to the provisions and limitations in Veterans Regulation No. 1 (a), as amended, part VII. Section 2 of the bill contains the provisions of the new part VII. Section 3 of the bill makes the appropriations of the Veterans' Administration available for expenses of rehabilitation and authorizes additional amounts to be appropriated.

The effect of providing a system of vocational rehabilitation for veterans disabled in the present war by amendment of Public, No. 2, Seventy-third Congress, and Veterans Regulation No. 1 (a), would be to make administrative, definitive, and penal provisions of existing law applicable to those entitled to vocational rehabilitation under the provisions of the bill thereby avoiding the necessity of restating such provisions.

Section 2 of the bill adding part VII to Veterans Regulation No. 1 (a), as amended, contains nine paragraphs. These paragraphs provide that any person in the active military or naval service at any time after December 6, 1941, and before termination of the present war, who was honorably discharged therefrom, and who has a disability incurred or aggravated by such service for which pension is payable under the laws administered by the Veterans' Administration, or would be but for the receipt of retirement pay, and is in need of vocational rehabilitation to overcome the handicap of such disability, shall be entitled to such vocational rehabilitation as may be prescribed by the Administrator of Veterans' Affairs to fit him for employment consistent with the degree of disablement.

No course of training in excess of 4 years may be approved nor may any training be afforded beyond 6 years after termination of the present war. The Administrator of Veterans' Affairs is authorized to prescribe and provide suitable training for disabled veterans entitled thereto; to employ such additional personnel and

experts as are deemed necessary; to utilize and extend existing Veterans' Administration facilities and to utilize those of any other governmental agency, including those maintained by joint Federal and State contribution; and to agree or contract with public or private institutions or establishments for such additional training facilities as may be suitable or necessary.

While pursuing prescribed training and for 2 months after employability is determined, each veteran, if entitled to pension in an amount less than the amount payable in accordance with the compensation rates for total and temporary disability, including additional amounts for wife, child or children, and dependent parents, provided by section 202, World War Veterans' Act, 1924, as amended, will be paid increased pension, which when added to the amount of pension to which he is otherwise entitled will aggregate an amount equal to such rates. Any wage, compensation, or other income paid by an employer to trainees on the job, directly or indirectly, would be deducted from pension at the rates above prescribed to an amount considered equitable and just, but not below the amount of pension or retirement pay to which the trainee would be entitled if not following a course of vocational rehabilitation.

Any injury or aggravation of any injury resulting from the pursuit of vocational rehabilitation, not the result of trainee's willful misconduct, or death resulting from such injury or aggravation, would entitle the trainee and his dependents to benefits for such disability, aggravation, or death as if incurred in active service providing claim for such benefits is filed within 2 years after such injury, aggravation, or death.

The Administrator of Veterans' Affairs is authorized and directed to cooperate with and employ the facilities of other governmental and State employment agencies for the purpose of placing trainees in gainful employment; to make rules and regulations necessary to promote good conduct and cooperation of trainees; to penalize breach of rules and regulations; to forfeit certain portions of trainees' pension for infringement of rules and regulations. Leaves of absence of trainees may not exceed 30 days in any consecutive 12 months, except in exceptional circumstances as determined by the Administrator of Veterans' Affairs.

The sum of \$500,000 is appropriated as a revolving fund for the purpose of making advancements not exceeding \$100 in any case to persons commencing vocational rehabilitation, which are to be reimbursed without interest in such installments as may be determined by the Administrator of Veterans' Affairs by deductions from future payments of pension or retirement pay.

The Administrator of Veterans' Affairs is authorized to provide and detail employees for certain courses of instructions and to make studies, investigations, and reports, inquiring into the rehabilitation of disabled persons and the relative abilities, aptitudes, and capacities of the several groups of variously handicapped persons, and how their potentialities can be best developed and their services best utilized in gainful employment, including rehabilitation programs of foreign nations engaged in the present war. Consultants may be employed on a compensated or uncompensated basis.

Under section 3 of the bill the appropriations of the Veterans' Administration are made available for necessary expenses, including but not confined to necessary medical care, pension payments, payment or reimbursement of expenses in connection with supplying suitable training and such additional amount or amounts as may be necessary to accomplish the purposes of the act as are authorized to be appropriated.

H. R. 801 is in such form and content as to authorize, if enacted, an adequate program for the rehabilitation of disabled veterans of the present war without necessitating a duplication of existing Federal and State facilities. It would be the purpose, if the responsibility were fixed as provided in that bill, to utilize existing facilities.

H. R. 801, Seventy-eighth Congress, is similar to H. R. 7661, Seventy-seventh Congress, on which hearings were held before your committee on October 7, 1942, and which was favorably reported by your committee (Rept. No. 2521, House of Representatives). This bill was passed by the House of Representatives October 19, 1942, and referred to the Committee on Finance, United States Senate. The only difference between H. R. 7661, Seventy-seventh Congress, and H. R. 801, Seventy-eighth Congress, is that H. R. 801 makes specific inclusion for increased rates to trainees having a wife, child or children, or dependent parents.

Under date of November 13, 1942, the Veterans' Administration submitted a report on H. R. 7661 and S. 2827, Seventy-seventh Congress, companion bill to H. R. 7661, to the chairman, Committee on Finance, United States Senate, a copy of which was furnished your committee on November 24, 1942. This report, in part, stated:

"Advice has been received from the Bureau of the Budget that the bills H. R. 7661, S. 2827, and S. 2814 should not be considered as being in accord with the President's program, but that, as a result of conferences between representatives of that office and the principal agencies concerned, the attached draft of the bill has been agreed to as representing the form of legislation on this subject that would be in accord with the program of the President."

It will be recalled that S. 2714 and its companion bill H. R. 7484 were introduced in the Seventy-seventh Congress and that hearings on these bills were held before the Committee on Education, House of Representatives, and the Committee on Education and Labor, United States Senate.

These bills included civilian war-disabled and disabled individuals in a Federal program and would have liberalized Federal contributions to State rehabilitation plans. S. 180, Seventy-eighth Congress, "a bill to provide vocational rehabilitation education, training, and other services to persons disabled while members of the armed forces, or disabled in war industries or otherwise and to render such persons fit for service in war industries, agriculture, or other useful civilian industry, and for other purposes," and a companion bill H. R. 699, Seventy-eighth Congress, represent revisions of the prior bills primarily to establish responsibility in the Administrator of Veterans' Affairs for rehabilitation of the service-connected disabled of the present war. Hearings were conducted on S. 180 by a subcommittee of the Committee on Education and Labor, United States Senate, Hon. Robert M. La Follette, Jr., chairman, January 23, 1943. There are enclosed copies of the hearing and the Veterans' Administration report on S. 180, the latter stating that the Bureau of the Budget has advised the Veterans' Administration that S. 180, with the amendments proposed by me, is in accord with the program of the President.

Advice has been received from the Bureau of the Budget that S. 180, Seventy-eighth Congress, with minor amendments suggested, is in accord with the program of the President and that, if enacted, it would cover the entire scope of vocational rehabilitation education, training, and other services to persons disabled while in the armed forces or in war industries or otherwise, and because H. R. 801, Seventy-eighth Congress, is confined to the rehabilitation of those disabled in the military and naval forces and because of other reasons, the enactment of H. R. 801 should not be considered as being in accord with the program of the President.

Very truly yours,

FRANK T. HINES, *Administrator.*

Enclosure.

FEBRUARY 1, 1943.

HON. ELBERT D. THOMAS,
*Chairman, Committee on Education and Labor,
United States Senate, Washington, D. C.*

MY DEAR SENATOR THOMAS: Further reference is made to your letter dated January 11, 1943, requesting a report on S. 180, Seventy-eighth Congress, a bill to provide vocational rehabilitation education, training, and other services to persons disabled while members of the armed forces, or disabled in war industries or otherwise and to render such persons fit for service in war industries, agriculture, or other useful civilian industry, and for other purposes.

The bill, if enacted into law, would be cited as the "Vocational Rehabilitation Act of 1943."

Section 2 sets forth the purposes of the act and in so doing represents an interpretation of the President's message, Seventy-seventh Congress, second session, House Document No. 871, as applied to the existing problem, bearing in mind the organization and jurisdiction of and the benefits now administered by the Federal Security Agency and the Veterans' Administration.

Title I covers the disabled veterans of the present war by providing an amendment to the act of March 20, 1933, section 1 and an amendment to Veterans Regulation No. 1 (a), as amended, by establishing a new part therein, part VII. By these amendments the legislation is simplified as the administrative and penal provisions pertaining to Public, No. 2, and the Veterans Regulations, as amended, would automatically apply to the new benefits. It will be noted that the persons who would be entitled to rehabilitation under this title are those who served in the active military or naval service at any time after December 6, 1911, and prior to the termination of the present war and who are disabled as a result of disease or injury, or aggravation of a preexisting disease or injury, incurred in line of duty in such service after September 16, 1940, and prior to 6 months after termination of the war, for which disability a pension is payable under laws administered by the Veterans' Administration, or would be but for receipt of retirement pay. The

person must be in need of vocational rehabilitation to overcome a material and permanent handicap due to such disability. It is provided that no course of training in excess of a period of 4 years shall be prescribed, nor shall any training or other services provided for be afforded beyond 6 years after the termination of the present war. It will be noted by the language of this particular part that it is necessary in order to complete the program of rehabilitation with reference to these disabled veterans only to provide, in addition to medical and hospital treatment, or pensions to which the veteran may be entitled under laws administered by the Veterans' Administration, that he shall receive such other services, including training as may be prescribed by the Administration of Veterans' Affairs.

Part VII also provides that while pursuing training and for 60 days after completion of training, the veteran, if entitled to pension in an amount less than the amount payable in accordance with the compensation rates for total and temporary disability provided by section 202 of the World War Veterans' Act, 1924, as amended, shall be paid increased pension which, when added to the amount of pension to which he is otherwise entitled, will aggregate an amount equal to such rates. It will be noted that by making this benefit that of increased pension, there is removed the necessity for enactment of miscellaneous administrative and penal provisions which would otherwise be necessary, as under the language as provided in the bill, the pertinent existing laws, including Veterans Regulations, administered by the Veterans' Administration in that regard would be for application.

While the Veterans' Administration would have no responsibility for the administration of titles II and III, a brief statement is offered as to their effect. To the extent that it could be utilized satisfactorily for training of disabled veterans, an efficient State plan is believed desirable. It is assumed that your committee will request a report from the Federal Security Administrator concerning titles II and III.

Title II of the bill pertains to groups of civilians, section 201 covering war-disabled civilians disabled as a result of disease or injury, or aggravation of a preexisting disease or injury, incurred in line of duty, in the particular type of civilian service specified, subsequent to December 8, 1941, and prior to termination of the present war. Section 202 includes civilians not entitled under section 201 for vocational rehabilitation, except training, as prescribed by the Federal Security Administrator to fit the person for and place him in suitable employment, taking into consideration the degree of his disability. Special provisions regarding the training authorized in title II are provided in section 203.

Title III pertains to the cooperative plans for rehabilitation training involving particularly State plans. This title provides for payment of the necessary cost, under a State plan, of providing rehabilitation of civilian war-disabled, or through the Federal Security Administrator, or his designate, as to disabled veterans, and provides for two-thirds of the necessary cost under the plan providing rehabilitation training during the period for which such payment is to be made to other individuals certified to the State by the Federal Security Administrator for such training. It provides for payment of the cost of proper and efficient administration of the plan during the period for which such payment is to be made. Provision is also made with reference to States financially unable to provide funds to meet their share of the cost by increase of the share of Federal participation under certain conditions. The other provisions are essentially administrative in character, and section 310 makes provisions pertaining to the District of Columbia.

Title IV contains provisions governing administration of the act and applying to both the Administrator of Veterans' Affairs and the Federal Security Administrator. It should be stated that in drafts prior to the introduction of S. 180, inadequate consideration had been given to the fact that a considerable number of administrative provisions pertaining to the disabled veterans and disabled civilians were sufficiently common in character to be incorporated in one title, without repeating the detailed provisions. The administrative provisions, which are believed to be in satisfactory form, are briefly explained in the succeeding paragraphs.

Section 401 (a) incorporates authority of the Administrator of Veterans' Affairs and the Federal Security Administrator for utilization and extension of facilities, entering into agreements and cooperative working arrangements, provision for studies, investigations, and use of consultants, provision for courses of instruction and furnishing of any necessary supplies. In connection with this section, it has been suggested concerning section 401 (a) (6) that, considering the provisions of section 401 (a) (1) and the existing legislation, section 7 (a) of the

act of May 21, 1920, as amended by the act of June 30, 1932, and the act of July 20, 1942, Public, 670, Seventy-seventh Congress (56 Stat. 661; 31 U. S. C. 68f covering the general purposes, section 401 (a) (6) might well be deleted.

Section 401 (b) contains necessary provisions with reference to the employment of experts and consultants, and the acceptance of uncompensated services.

Section 401 (c) would establish a rehabilitation service in the Federal Security Agency, and provides for the authority and operation of such service.

Section 401 (d) provides for the utilization by the Administrator of Veterans' Affairs and the Federal Security Administrator of training facilities under State plans for the training of disabled veterans and of war-disabled civilians, respectively, and for utilization of appropriations of the Veterans' Administration on reimbursement basis where such facilities are utilized by the Veterans' Administration.

Section 401 (e) is a special administrative provision pertaining to the Federal Security Agency believed necessary by that office.

Section 401 (f) provides for promulgation of regulations and for delegation of authority by the Federal Security Administrator and by the Administrator of Veterans' Affairs, respectively.

Section 402 limits the payment of training allowances or increased pension so as to authorize the granting thereof only during training or authorized leaves of absence, and not to exceed 60 days after completion of training, and precludes payment for any period the person fails to pursue his training as required by regulations.

Section 403 provides for discontinuance of training allowances or increased pension under certain conditions involving misconduct or noncooperation of trainees.

Section 404 pertains to on-the-job training, with provision to adjust training allowance or increased pension by equitable reduction where any substantial amount of maintenance or remuneration for employment is received by the trainee. Provision is made for reports to the Administrator of Veterans' Affairs and the Federal Security Administrator, respectively, in this connection.

Section 405 makes provision for the granting of benefits where an injury or aggravation of an injury results from pursuit of a course of training prescribed under the act and not the result of the person's misconduct, and such injury or aggravation results in additional disability or death of such person. The benefits as to the disabled war veteran would be similar to those now provided under the laws administered by the Veterans' Administration. As to disabled civilians the benefit would be employees' compensation. A proviso is contained in section 405 (a) covering the matter of subrogation for the injury or aggravation or death resulting in payment of benefits under State employees' compensation laws, or recovery from or settlement with or on behalf of the employer.

Section 406 provides for annual reports by the Administrator of Veterans' Affairs and the Federal Security Administrator as to the administration of their respective functions under the act.

Section 407 contains the authorization of appropriations for the Veterans' Administration and Federal Security Agency for such sums as are necessary to carry out the provisions of the act, and authorizes utilization of the appropriations for the fiscal year ending June 30, 1943.

Section 408 provides that in the selection of cases to be served and in the character of service to be provided, and in general administration of the act, that there shall be no discrimination for or against any individual eligible for the benefits of the act because of sex, race, creed, color, national origin, or membership or nonmembership in an industrial, fraternal, or private organization of any kind. The effect of this being unknown, no comment is offered.

Section 409 provides that the amendments made by the act shall be deemed a part of the act, and the term "this act" when used in such amendments or elsewhere in the act, shall be deemed to include the provisions of such amendments and other provisions of the act. This provision was deemed advisable by the Federal Security Administrator because of the specific amendments made by this act to other acts. This and the preceding section are not needed for Veterans' Administration purposes.

This bill, outlined above, represents a revision of the draft transmitted to Hon. Robert M. La Follette, Jr., chairman, Subcommittee on Education and Labor, by the Veterans' Administration under date of November 3, 1942. In the report of the Veterans' Administration it was stated that advice had been received

from the Bureau of the Budget that that particular draft had been agreed to, enactment of which would be in accord with the program of the President.

Subsequent to the hearings before your committee October 9, 10, and November 13, 1942, on S. 2714, and the receipt by your committee of the aforementioned draft suggested by the Bureau of the Budget, further coordination and conferences were had between representatives of the Bureau of the Budget, the Federal Security Agency, and the Veterans' Administration. A conference was also had on this particular draft with representatives of the service organizations with a view to remove objections. The revisions thought necessary fall under two headings:

(1) To amend the bill in such manner as to place clearly all responsibility for rehabilitation of disabled veterans under the Veterans' Administration, but to permit the use of existing facilities, Federal and State, which are found by the Administrator of Veterans' Affairs, to be adequate for training purposes.

(2) To clarify language delineating the respective responsibility of the Administrator of Veterans' Affairs and the Federal Security Administrator, and to recast the bill so as to avoid therein duplication of administrative provisions.

These changes were coordinated with the office of the Legislative Council of the Senate. In coordinating this draft with the Bureau of the Budget, there was borne in mind the effect of such action in its relationship to the message of the President, Seventy-seventh Congress, second session, House Document No. 871. Upon completion of this particular draft, which has become S. 180, Seventy-eighth Congress, copies were furnished representatives of the service organizations and a conference was held thereon. While the Veterans' Administration was satisfied that the bill in that form would be administered in such manner as to insure the assumption of responsibility for the rehabilitation of disabled veterans by the Administrator of Veterans' Affairs, the representatives of the service organizations expressed apprehensions with reference to the sufficiency of language in the draft to insure such purpose. While not expressing concurrence in this particular form of legislation, it was suggested by them that the administrative provisions of the bill, insofar as they pertain to the disabled veterans, should be contained in title I pertaining to that particular group, so that one title would be self-sustaining in regard to rehabilitation of such persons. A draft was prepared along those lines and copies were furnished the representatives of the service organizations. Certain changes were suggested by them to further clarify the authority of the Veterans' Administration, but they uniformly indicated that they recommend a separate and self-sustaining bill pertaining solely to the disabled veterans.

However, in view of representations which were made at the time of drafting a separate and complete title for veterans, and in the interest of complete clarity with reference to the respective responsibility of the Administrator of Veterans' Affairs and of the Federal Security Administrator, certain changes are suggested for consideration by your committee. The changes are revealed in the enclosed copy of S. 180 with the proposed amendments incorporated in the body of the bill. Those changes may be briefly described as follows:

Section 2 (c), page 2:

Line 14, strike the word "veterans".

Line 14, after the word "laws" and before the comma, insert "pertaining to veterans".

Line 16, strike the words "and provision" and insert before the word "of" the word "authorization".

Line 16, after the word "benefits", insert ", and supervision of training and placement of disabled veterans,".

Line 16, strike "for them a" and before the word "responsibility" insert the word "the".

Line 17, strike the word "primarily".

Line 17, after the word "Affairs" and before the semicolon, insert ", and to this purpose, title I and other provisions of this Act pertaining to disabled veterans shall be administered by the Administrator of Veterans' Affairs".

These amendments to section 2 (c) are for the purpose of employing affirmative and supplemental language to delineate clearly the responsibility with reference to disabled veterans, including supervision of training and placement of disabled veterans.

Section 101, page 2, line 24, strike the parenthesis in both places where it appears.

Section 303 (a) (1), page 12, line 19, after the word "State" strike the remainder of subparagraph (1) and substitute the following: "for training whether by the Federal Security Administrator as civilian war disabled or through the Federal Security Administrator or his designate as disabled veterans. In any case where

pursuant to an arrangement authorized under this section payment is made on an estimated basis subject to subsequent adjustment, such adjustment may be made by reduction from the estimated amount for a subsequent period of any overage in the preceding period without regard to the fact that payment for such subsequent period is from an appropriation for a succeeding fiscal year;"

This amendment was suggested by the Federal Security Agency to meet their separate problem. In view of the legislative language used in Veterans' Administration appropriation Acts, this particular legislation is not necessary insofar as the Veterans' Administration is concerned.

Section 401 (d), page 21, line 23, strike "shall, as far as practicable," and insert in lieu thereof the word "may".

It is believed that this will avoid the criticism that the legislation would require utilization of State plans in some instances where, as to a particular type of training required, the same could not be satisfactorily furnished. It is believed the present language affords discretion, but clarification may be desirable.

Section 401 (d), page 22, line 3, insert before the period the following: "and as to disabled veterans the expense, on an actual cost basis, of the services rendered shall be reimbursed by the Veterans' Administration out of the appropriation applicable."

This language is suggested to clarify the bill pertaining to responsibility of the Veterans' Administration and use of Veterans' Administration appropriations.

In the opinion of the Veterans' Administration S. 180, with the clarifying changes herein suggested, would incorporate adequate provisions facilitating the assumption of responsibility by the Veterans' Administration for rehabilitation of the disabled veterans of the present war.

Inasmuch as there appears to be a common agreement that responsibility for the rehabilitation of disabled veterans should be with the Veterans' Administration, as stated by me in the hearings of S. 2714 Seventy-seventh Congress; it is my opinion that the Veterans' Administration should have the power to state whether an agency in a State is suitable for the training of the man, rather than to have some other agency decide that question. As is commonly understood, many of the factors of rehabilitation of disabled veterans are already covered by existing legislation in the administration of medical and hospital treatment and domiciliary care and cooperation in the placement of veterans under laws administered by the Veterans' Administration. As heretofore outlined by me, the factors of rehabilitation which would be included within the scope of responsibility to be assumed under the bill are:

1. Determination of entitlement to training.
 - (a) Honorable service in the armed forces.
 - (b) Existence of disability incurred in or aggravated by service.
 - (c) Vocational handicap caused by disability.
2. Determination that applicant is physically and mentally feasible for training.
3. Advise ment means the selection of an occupational objective in which the applicant could be reasonably expected to succeed after training regardless of his handicap.
4. The selection of the best available training facility.
5. Supervision of the trainee and the trainer to determine that the training program is being followed.
6. Decision, as training progresses, as to the proper relationship of the training and objective selected to the demonstrated aptitude or deficiencies of the trainee; including approval of change or termination of training in accordance with developments.
7. Responsibility for application of necessary sanctions to insure compliance with law and regulations pertaining to rehabilitation.
8. Placement into employment when trainee has acquired the knowledge and skill required by training objective.

The Veterans' Administration believes enactment of S. 180 in its present form would afford sufficient scope for the exercise of these responsibilities, but in view of certain doubts which have been expressed in connection with the present language, favorable consideration of the proposed changes suggested in this report is recommended by the Veterans' Administration.

Advice has been received from the Bureau of the Budget that the enactment of the proposed legislation in the amended form recommended, with the exception of the proposed amendment to paragraph F of section 303, would be in accord with the program of the President. The proposed amendment to paragraph I of section 303, as heretofore stated, was suggested by the Federal Security Agency

and that Agency and the Veterans' Administration subsequently, in conference with representatives of the Bureau of the Budget, agreed to its elimination.

Very truly yours,

FRANK T. HINES, *Administrator.*

FEBRUARY 25, 1943.

HON. WALTER F. GEORGE,
*Chairman, Committee on Finance,
United States Senate, Washington, D. C.*

MY DEAR SENATOR GEORGE: Further reference is made to your letter dated January 11, 1943, requesting report on S. 187, Seventy-eighth Congress, a bill to provide for vocational rehabilitation and the return to civil employment of certain persons disabled under circumstances entitling them after discharge or separation from the military or naval forces of the United States to a pension or retirement pay.

This bill is identical with S. 2814, Seventy-seventh Congress, on which hearings were held before your committee October 9, 1942.

The purpose of S. 187 is similar to the purpose of H. R. 801, S. 662, and S. 668, Seventy-eighth Congress, in that all of these bills would provide a system of vocational rehabilitation for those disabled in military or naval service under laws to be administered by the Veterans' Administration. S. 187 and H. R. 801, however, limit entitlement to vocational training to those who serve after December 6, 1941, and prior to termination of hostilities in the present war. S. 187 provides a training allowance of \$100 per month, whereas H. R. 801 provides for payments of an amount which when added to pension for service-connected disability would equal the amount payable for total disability, including additional amounts for a wife, child, or children, and dependent parents provided by section 202 of the World War Veterans' Act, 1924, as amended.

The chief difference between H. R. 801 and S. 187 is that H. R. 801 incorporates vocational training for disabled veterans of the present war by amendment to Public Law No. 2, Seventy-third Congress, March 20, 1933, and adding a new part VII to Veterans Regulation 1 (a), as amended, thereby making the procedural, definitive, and penal provisions of Public, No. 2, Seventy-third Congress, as amended and supplemented, applicable to vocational training, whereas S. 187 is in the form of an independent enactment. The chief objection to S. 187 is that by reason of its form it requires repetition of several administrative and penal provisions already contained in existing laws pertaining to veterans.

S. 187 substantially differs from S. 622 and S. 668 in that S. 187 would restrict vocational rehabilitation to veterans of the present war, whereas S. 622 and S. 668 would authorize vocational rehabilitation by the Veterans' Administration for those who served before, during, and after the present war.

Reference is made to the report of the Veterans' Administration on S. 622 and S. 668 made to your committee under date of February 24, 1943, with which were included copies of the Veterans' Administration reports on H. R. 801 and S. 180, Seventy-eighth Congress. The various proposals to provide a system of vocational rehabilitation for those disabled while in active military or naval service in the present war and war-disabled civilians and others are discussed in detail in these reports and for that reason are not here repeated.

Attention is invited to the statement in the printed report on H. R. 801, that advice has been received from the Bureau of the Budget that S. 180, Seventy-eighth Congress, with minor amendments suggested, is in accord with the program of the President, and that if enacted, it would cover the entire scope of vocational rehabilitation training and other services to persons while in the armed forces or in war industries or otherwise, and because H. R. 801, Seventy-eighth Congress, is confined to the rehabilitation of those disabled in the military or naval forces and because of other reasons, the enactment of H. R. 801 should not be considered as being in accord with the program of the President.

As S. 187 would limit vocational rehabilitation to those disabled in the active military or naval forces after December 6, 1941, and prior to termination of hostilities in the present war, the advice of the Bureau of the Budget as to the relationship of H. R. 801 to the program of the President is applicable to this bill.

Very truly yours,

FRANK T. HINES, *Administrator.*

General HINES. I would like to have that introduced in connection with each of the bills, although on some we haven't had the reports cleared.

There has been pending for some time, in the previous Congress, before the Senate Education and Labor Committee, a comprehensive rehabilitation bill that includes veterans as well as others. That bill is drafted and is designed to carry out, as I understand it, the message that the President sent to the Congress for a comprehensive rehabilitation bill, the same as the bill now pending, known as S. 180. Now there is pending before the similar committee in the House a parallel bill H. R. 699. Both of those bills carry in the first section a title that will permit the rehabilitation of veterans under the Veterans' Administration.

These bills are designed to cover the veterans separately, that is, they would be a part of the larger program generally but they are not dependent upon that larger program in that they contemplate separate legislation, and the sole responsibility is placed with the Veterans' Administration.

Senator CLARK. I can say, General, if I can interrupt for just a minute, that the theory of those bills is that these veterans, before they become veterans, are treated separately from the general populace of the United States, and it is the theory of the veterans' organizations—the theory on which Senator Walsh and I introduced these bills in the Senate—that the veterans ought to have special treatment. Irrespective of the merits of the general rehabilitation scheme, it is our view that since these men are treated specially when they are taken from civil life and put into the armed services, they should be treated specially when they come out of the armed services and back to civil life.

General HINES. I may say to the Senator that the other two bills will accomplish exactly the same purpose, but they would be a part of the larger program.

Senator LA FOLLETTE. I would like to have that point made clear in the record so that there won't be any misunderstanding, that under title I of S. 180—the present bill does lodge exclusive responsibility for the rehabilitation of veterans with service-connected disabilities in the Veterans' Administration, and that the only actual physical or administrative contact is one which was placed in the bill at your request, namely, the one providing that where you do utilize the Federal-State system in any instance for veterans, you be permitted to make a lump-sum reimbursement to the Federal Security Administrator and he in turn can pay directly to the States for the individual who may be in training, in order to save a duplication of bookkeeping and contacts between the Veterans' Administration and the Federal Security Administration and the Federal Government.

General HINES. That is right.

Now all of these bills, Senator, including the one that Senator La Follette has mentioned, will accomplish the rehabilitation of any veteran who receives a service-connected disability, and it is determined by the Veterans' Administration that that disability has created a vocational handicap that will prevent him from carrying on in gainful employment. The determination of his eligibility, the placing of him into training, the supervision of that training, and carrying it on to what is the primary objective—gainful employment—are all covered

in these bills. They differ somewhat in allowances, but all of them contemplate sufficient allowances to cover what I would say would be adequate allowance for a man in training.

The bills that are before you, before this committee, are in greater detail than title I of S. 180, but they would not accomplish any greater purpose than S. 180.

Now the position of the Veterans' Administration is necessarily this: We strongly recommend a rehabilitation bill for veterans. Also, for those men—

Senator CLARK. And you think it ought to be passed at the earliest possible moment; these men are beginning to come home now in large numbers?

General HINES. Yes, I would like to see it. We have a record of at least 800 that we feel should be put in training so far.

Senator CLARK. And we all know that that number is going to increase steadily from this day, to the end of the war, at least.

General HINES. We expect it to.

Now we are strongly in favor of vocational rehabilitation. We feel that any of these bills would accomplish that objective. However, the Veterans' Administration, following the usual rule in referring reports on these bills to the Budget, has been advised that the larger bill, that includes both veterans and others, is the bill that has the approval of the Budget and is in accord with the President's program. So far as the Veterans' Administration is concerned, I feel confident that the responsibility is definitely fixed so that if any of these bills go through the House or the Senate, and become law, I will be able to function under them.

Senator LA FOLLETTE. I think in fairness to the bill that is under consideration by this committee, it ought to be pointed out for the record that title I of S. 180 does not include the feature which is in S. 622, to be found near the bottom of page 4, subparagraph (b) of section 5, which authorizes the Administrator of Veterans' Affairs to reimburse any employer or the workmen's compensation fund of any State which may have to pay out any moneys under the workmen's compensation law to any rehabilitated veteran who may be injured.

General HINES. I was coming to that, Senator, in speaking of this particular bill, and that provision, in my judgment, is a dangerous provision. In the first place, there is such a lack of uniformity of State compensation laws that the administration of it would be difficult, and I had Major Clark, who is an Assistant Administrator, contact some of those familiar with compensation laws, and I would like to have him, following my statement, tell you the complications we may run into in that provision, and most certainly I would not recommend that it remain in the bill. It is not in the other bills. It is apparently one designed to overcome what the veterans' organizations feel is a handicap in getting a disabled man into employment.

Senator LA FOLLETTE. It has a very laudable purpose.

General HINES. Exactly.

Senator CLARK. Yes; the purpose is, as you have stated, to remove as far as may be, even after this rehabilitation program, the task of getting this veteran a job. In other words, a man may have an arm off, and he may have gone through rehabilitation, and he may have attained a state of proficiency that, if given a permanent job, he might be able to prove that he was equally efficient with with a man that

has two arms, but an employer might be naturally reluctant to give him a chance to work in the first place. In the first place, this provision is to help a man, who has been rehabilitated, get a job in the first instance.

General HINES. I feel, Senator, that before a provision of that kind is enacted, we certainly ought to give careful study of the set-up in the State compensation laws, and determine whether it can be reached in some other way than placing the entire burden upon the Federal Government, which may be a considerable one in cases particularly where a death occurs of a man where, under certain State compensation laws, they may allow as much as \$15,000. So you may get involved in not only a very difficult administrative problem, but you may get into a very costly one, and it should be given careful study.

I have found that employers—and mind you, we are going to have a large number of veteran employers, men who have served in the last war and this war—that they are desirous of using service men wherever they can. They have shown—of course, now to a greater extent than ever before—the employment of disabled men—

Senator CLARK. That would be a perfectly natural inclination.

General HINES. Because of the great demand for manpower. I have appeared before many employers' groups, urging the employment of veterans, I have had the cooperation of the United States Chamber of Commerce and local groups, and the tendency is to go as far as they can.

Now I haven't always felt that this provision of increased risk has always been the trouble in getting a veteran employment, it is one of the difficulties, but it is not always the sole difficulty. It is generally a question of whether you have a man that can fill a particular job.

Senator WALSH. I suppose there is a feeling, too, that the war service, while there may not be any visible effects, results in slowing a man up, and unfortunately a latent prejudice against a person who has had a long period of war service?

General HINES. Yes.

Mr. Chairman, in connection with these bills, hearings have been held and certain reports made that may be of interest to members of this subcommittee, and I will not attempt to put all of them in the record but I would just like to give the numbers of certain documents for any member who may be interested. The reports of the Veterans' Administration on H. R. 801 and S. 180, have been inserted in the first part of my testimony. Reference is made to the hearings before the Committee on World War Veterans' legislation on H. R. 801 February 9 to 9, 1943, hearings on S. 180, January 20, 1943, and Senate Report No. 53 on S. 180.

Senator CLARK. May I make this suggestion, that while Senator Walsh and myself introduced two bills in the Senate, S. 622 and S. 668, neither one of them is in the exact verbiage that is being urged upon Congress by all the veterans' organizations—I beg your pardon, S. 668 is Senator Bilbo's bill, but Senator Walsh and I did introduce two bills. But the bill I would like you to discuss is H. R. 801, which will be introduced in the Senate at the earliest date possible by Senator Walsh and myself. That is the bill that we would like to have you discuss. It is not presently before the committee, but it will be as soon as Senator Walsh and I can introduce it.

Senator WALSH. That is a bill that passed the House on the last session.

General HINES. I think I testified on that bill.

Mr. Chairman, I have introduced into the record my report on H. R. 801, which is the companion bill to the one you referred to, and will not read this report, as it will go into the record, but I would just like to comment on it.

Senator CLARK. It may be received.

(Report of Veterans' Administration on H. R. 801 printed at the beginning of hearing.)

General HINES. This bill provides that the sole responsibility for training be placed with the Veterans' Administration; that any man who has a service-connected disability of 10 percent or more, and is found to be vocationally handicapped and in need of training, can be placed in training under the Veterans' Administration.

It provides that any such man who, in the active military service after December 6, 1941, and up to the termination of the war, would be eligible for such training, not exceeding a period of 4 years, and at no time could that training go beyond 6 years after the termination of the war. During his training the veteran would be entitled to a training allowance by way of increased pension, if he was a single man, of \$80; if a married man, of \$90, plus an allowance for children, so that he could receive as much as \$120 a month. If a veteran were in receipt of benefits, veterans' benefits, beyond that, he would have the choice of receiving the highest amount.

The bill contemplates that any existing facilities in the States, or wherever suitable training facilities are found, can be used, and their use determined by the Veterans' Administrator.

It also provides that whatever appropriation is necessary to carry out the provisions of the bill be obtained by the Veterans' Administration, and also sets up a revolving fund from which allowances up to \$100 may be allowed a veteran who commences training.

Senator WALSH. Has any estimate been made of the possible cost of rehabilitation of veterans on a per capita basis?

General HINES. About the best estimate that can be made—following the last war we spent \$644,000,000 on vocational training—I feel that—

Senator CLARK. General, as a matter of fact, the Government never spent any better money than it did in that program, did it?

General HINES. I would say it was successful.

Senator CLARK. I know men all over the country who took that training, who are now successful workers or lawyers or doctors.

General HINES. Yes.

Senator WALSH. How many persons were included in that?

General HINES. One Hundred and Seventy-nine thousand entered training; 128,000 of them completed training.

Now the men were not to blame for the errors of the last program. They can be summed up very quickly under about two headings. In the first place, they were not well-advised in all cases, they were not advised to undertake the training objective that they could reach, with the result that there were changes in training during the period, and some of them undertook to train for vocations that they were not equipped to train for. The Government went into the business of establishing schools, which was very costly. I feel that that should

be avoided in any program wherever it is possible to find an existing facility or school that is suitable for training purposes.

Senator CLARK. You mean it is cheaper to send one of these fellows to a school already in existence and pay his tuition and expenses, than to set up a separate school?

General HINES. Yes; and not only that, Senator, but I don't see how the Government, in a short period, could undertake to set up a school that would be as well equipped as those that have been running for years.

For instance, one of the problems they undertook, and with some success, was to establish a school for the blind. Now there are existing schools for the blind at the present time, and very successful ones. This school which was near here, at Evergreen near Baltimore, did an immense amount of good, but at this time I feel that we should first survey the existing facilities and use those to the fullest extent, and if it is necessary to supplement them they ought to be supplemented at the point where an existing training facility doing the same thing is going on.

Senator WALSH. Can you state the per capita cost of the trainees in the last World War?

General HINES. We haven't worked that out, it can be, it is just a matter of division; but I would say that in fairness, the overhead administrative cost should be reduced first. I would say that these men ought to be trained at a cost of not more than \$1,000 per year per man. That should be my judgment. Now that will vary on the type of training, but it seems to me that we ought to be able to accomplish it at somewhere near that cost.

Senator MILLIKIN. How many casualties did we have in the last war?

General HINES. About 130,000.

Senator MILLIKIN. Is there any estimate at all of what we might have in this war?

General HINES. No; there has been a lot of guessing, but the last information released indicated that so far in this war we had 65,000 killed, wounded, or missing.

Senator LUCAS. You say there were 130,000 casualties and 170,000 applied for training?

General HINES. One hundred and seventy-nine thousand entered training.

Senator LUCAS. How does that come about?

General HINES. The officially reported casualties and those who could be accepted for training are different. There were 130,000 deaths and 192,000 wounded in action. Any man could apply for training who had a disability of 10 percent or more.

Senator LUCAS. Whether he got it in connection with service or not?

General HINES. It had to be connected with service.

Mr. ODOM. But not in combat.

Senator CLARK. There is a difference between casualties and service connected.

General HINES. Casualties include the wounded, killed, and missing.

Senator LUCAS. Let me ask you about the 120,000 that you say you took for rehabilitation. How many of that finished, of that 120,000?

General HINES. As I recall, all of that 128,000 actually completed. Mr. ODOM. One hundred and seventy-nine thousand entered and 128,000 actually completed.

I think there should be something said for the record. If one takes the total figure that you gave for the cost, and divides it by the number rehabilitated, you get a certain average figure, but that does not take into consideration, Senator, the fact that while they were receiving that training pay, which ran very high at that time, much higher than these bills provide, they were not receiving the pension or compensation which they otherwise would have been receiving, so that was not a net cost. I think it is important to bear that in mind, because that figure has sometimes been cited as a very high rehabilitation cost, but that didn't take into consideration the fact that those people were not getting the compensation during that time which they otherwise would have received it.

Senator CLARK. In other words, there is a deduction from the gross cost by the amount of the compensation which they otherwise would have received?

Mr. ODOM. Yes. This bill simply adds to his regular pension the additional amount which he would get as a training allowance.

Senator WALSH. A hundred dollars per month?

General HINES. Your bill provides \$100 per month, and the bill pending, the other bill, provides \$80 for a single man and \$90 plus allowances for dependents in the case of a married man.

Senator LA FOLLETTE. I was going to say that, in answer to Senator Lucas' question, if I understood it, I think you will find it on page 33 of the previous hearings, the paragraph reading:

Since the beginning of this work in 1918, the Bureau has determined eligibility for vocational training and registered 329,969 applicants; of this number, however, only 179,519 actually entered training; 48,773 of these were discontinued for various reasons, and 1,999 died after entering training. The number declared "rehabilitated" and employable by reason of training was 118,355 and the number classified as "completed," 10,392, making a total of 128,747 who satisfactorily completed the courses prescribed for them.

General HINES. Thank you, Senator.

Senator LUCAS. How does this measure for veterans of this war differ, if it does differ, materially from the legislation which we are now operating under for veterans of World War I?

General HINES. The World War I vocational rehabilitation was terminated July 2, 1928, by section 406, World War Veterans Act, as amended. Under existing laws disabled veterans may be rehabilitated under State plans, as other civilians. For practical purposes, the present bills differ from the prior World War law in that they place the responsibility in one agency—in the beginning of the other it was scattered, there was a Vocational Board and a Veterans' Bureau at that time—and the responsibility is definitely fixed. The allowances, as Mr. Odom has said, under the old bill were greater than they are in this. I feel that the legislation now pending is more definite in purpose than the other legislation, and it doesn't contemplate setting up a lot of separate schools.

Senator CLARK. General, the great difficulty of all the veterans' affairs in their origin early after the last war largely grew out of the division of authority, did it not? There were various boards and agencies taking a cut at the matter, and the thing never came to any

systematic regulation and operation until the Veterans' Bureau was definitely set up and all these various activities were brought within the purview of the Veterans' Bureau; isn't that a fact?

General HINES. Yes.

Senator CLARK. That is a thing we are very much concerned with, to see the same thing doesn't happen after this war.

Senator LA FOLLETTE. Not only that, but on the receiving end of the line the veterans didn't know where to go, they were passed around from one place to another, and they fell between the various chairs that had been put up. I think it is fair to say that all of these bills have been drawn in the light of our past experience, in an effort to try to avoid a number of the things which grew out of our experience and proved to be undesirable.

Senator CLARK. In my own personal experience, I have had some of my own men come to see me to ask for relief of some sort, and had the experience of writing to six or eight different agencies, and finally having none of them take jurisdiction in the case.

General HINES. Well, I think a great improvement was brought to the service of the veterans by combining the agencies. first, in the beginning, when you established the Veterans' Bureau, and then when you brought into the Veterans' Administration the Veterans' Bureau, the soldiers' homes, and the Pension Bureau. The veterans now know where to go.

Well, Senator, that covers the statement I had to make, unless there are some questions.

Senator CLARK. Are there any further questions of General Hines about these bills, particularly H. R. 801?

Senator DANAHER. I think the testimony, Mr. Chairman, which was before us on October 9, 1942, is generally applicable throughout to the bills before us now, isn't that so?

General HINES. Yes; practically the same. The real meat of the whole proposition is that we feel some authorization for vocational training should be accomplished and passed by the Congress at an early date; we feel that the responsibility for training the veterans should rest in the Veterans' Administration; that we should avoid duplications of administration and training facilities wherever that is possible; and strive to the greatest extent to obtain the real objective of vocational training, and that is getting the man into gainful employment as early as possible.

Senator DANAHER. One other question, Mr. Chairman.

Senator CLARK. Surely.

Senator DANAHER. It is your understanding that the term "any person" as used in this bill will include members of the naval nurses, Army nurses, as well as the WAVES, and with the passage of the recent—

General HINES. It would include anyone disabled in the active service of the Army, Navy, Marine Corps, and Coast Guard, for which pension is payable under laws administered by the Veterans' Administration or would be but for receipt of retirement pay.

Mr. ODOM. There is a great deal of controversy over that, and I would like to explain the technical reason for the correctness of your statement.

This bill, H. R. 801—and I am speaking about 801 at the present time—

Senator CLARK. That is the one we have asked the general to speak about.

Mr. ODOM (continuing). It is an amendment to the veterans regulations issued pursuant to Public, No. 2, of the Seventy-third Congress. In other words, it makes the training an integral part of the present pension system of the Government. In those regulations which are now law, the term "person who served" is defined; and the use of the term "person" in 801, or in title I, Senator La Follette, of S. 180, will bring into play that definition, which includes anyone, whether male or female, in the active service of the Army, Navy, or Coast Guard.

Perhaps there ought to be just one other statement made for the record, not in that connection, but Senator La Follette will be interested in having the statement made, I am sure, that 801 is identical with title I of 180. Both of them are confined to those who serve during the period of the recent war.

Senator CLARK. You mean it is identical as to definition?

Mr. ODOM. Exactly so. The other two bills, 622 and 668, are not confined to those who served during the present war, but will cover any who served during prior wars, in peacetime or subsequent to the present war.

Then there is one other bill here on which you have asked for a report, and I believe we handed it in this morning, S. 187, which virtually would reenact the laws under which the vocational program was conducted after the former war. And Senator Lucas, I believe, asked about that.

Senator WALSH. I am under the impression that care was taken in the passage of the bill creating the WAYES to remove them from the veterans' benefits by not permitting them to serve abroad, and they were subject to the compensation laws.

Mr. ODOM. The members of the Women's Army Auxiliary Corps are permitted by the act that created them to serve abroad, but they are not in the active service. Legislation is pending to put them in the active service.

The Women's Reserve Corps of the Navy are in the active service, but they are precluded from serving abroad or on ship.

Senator LUCAS. With respect to 801, which was introduced by Mr. Rankin in the House, it is my understanding that notwithstanding what the President may have said in his message with respect to this type of legislation being all-inclusive, the Veterans' Bureau feels that H. R. 801 is preferable to be passed by itself rather than having—

General HINES. We haven't taken that stand, Senator, we have said that it will accomplish exactly what the first section of S. 180 provides; and necessarily the Veterans' Administration, in face of a clearance from the Bureau of the Budget, could not express a preference for another bill that was not approved by the Budget as being in accord with the President's program.

Senator CLARK. I don't want to embarrass you, General, but the Veterans' Bureau on matters of recommendations of that sort is more or less under the control of the Budget, isn't that correct?

(No response.)

Senator LUCAS. I want to get this point straight. The veterans are not coming back.

General HINES. Yes.

Senator LUCAS. You have some 900 of them in this country that are casualties from this war?

General HINES. We have, in our check so far, found between 700 and 800 that are eligible for training.

Senator LUCAS. Between 700 and 800 for training purposes?

General HINES. Yes.

Senator LUCAS. Now as soon as that legislation is passed, the Veterans' Bureau will be in a position to start rehabilitating those men from a vocational standpoint?

General HINES. That is correct.

Senator LUCAS. Now the over-all picture of this thing includes, as we know, many, many different types of individuals that are serving as civilians or otherwise in connection with the war effort.

General HINES. Yes.

Senator LUCAS. And that might be a long-drawn-out affair.

General HINES. Yes.

Senator LUCAS. It might result in a good many administrative difficulties before you could finally get around to the point of starting as early as possible with these veterans, am I correct?

General HINES. Well, they have certain facilities set up under the Federal Security Agency which have vocational projects going on right now under State plans. To what extent they would be able to take care of these men, I wouldn't be able to give you the definite answer, but I feel that we are set up so that we can promptly put these men into training.

Senator LA FOLLETTE. In fairness to myself, General, I want the record clear, and I don't wish to leave any implication here. As a matter of fact, as I understand your position, and certainly I have tried to make title I of S. 180 and all the regulations conform to your desires in the matter, so far as rehabilitating the veterans is concerned, any one of these bills, including S. 180, being passed, there would be no difference so far as your ability to commence your training and rehabilitation of veterans is concerned?

General HINES. Not at all, I would be able to go ahead just as fast under one as the other.

Senator LUCAS. There isn't any doubt about that, that you would be able to go ahead as fast under 180 as under any other bill, but the point I raised a moment ago, I don't know how long the hearings will be in connection with the over-all picture or how much debate there will be or how much delay there will be, it might take some time; because whenever you go into the over-all picture, as I see it, under the bill introduced by the able Senator from Wisconsin, you are going to get into tremendous, long hearings, if I am any judge of the thing.

Senator LA FOLLETTE. Senator, may I interrupt? The bill is already reported and on the calendar in the Senate.

Senator LUCAS. Have hearings been held?

Senator LA FOLLETTE. Yes, and completed.

Senator LUCAS. I am sorry——

Senator LA FOLLETTE. I have no desire to delay this matter, may I say to the Senator.

Senator LUCAS. I am sorry, I didn't know hearings had been held. I am just a new member of the committee, and shouldn't have spoken.

Mr. ODOM. Mr. Chairman, I think, in connection with Senator Walsh's question, I ought to make one further statement so that we will be sure we understand the basis on which we are proceeding.

The WAVES and the SPARS, to use the terms that designate those in the Naval Reserve and those in the Coast Guard Reserve, are precluded by the acts which created them from receiving pensions under the laws pertaining to veterans. For that reason, they would not come within the definition of this act, which covers one who has a disability incurred in or aggravated by such service for which pension is payable. So that, unless they are brought within the pension laws, they would not be covered by this act.

Senator WALSH. I am glad to hear that. What I have been troubled about in connection with the WAVE'S, and I suppose it applies to the SPARS and the WAAC's, is that I can't see why one girl sitting at a desk and at a typewriter, who happens to be a WAVE, and another girl who is only a civil-service employee, should be treated differently; and that situation we are going to have, in my opinion, before we get through, the problem that every person on the civil-service list who is doing confidential work, as they all are, will be asking for the same privileges and rights.

Senator DANAHER. Does that apply alike to the women who are serving or are to serve with the Marine Corps?

Senator WALSH. Yes.

Senator MILLIKEN. General, the suggestion has been made to me that in view of the open-end nature of what we are taking on with these bills, that perhaps until we know something of the final scope of our problem—in other words, until the end of the war approaches—that perhaps we ought to approach this on a temporary basis. Would you have any comment on that?

General HINES. That applies, very definitely, to some of the other legislation pending, particularly on opening up all the hospitals; but I think on vocational training, regardless of its numbers, I feel that Congress will want to do that, will want to train these men and get them into gainful employment where they have suffered, through their service, some disability which prevents them from going back where they were or taking up gainful employment. So this would be one piece of legislation that I feel, regardless of the length of the war, or the numbers involved, we would want to undertake for the veterans.

Senator CLARK. Now, General, would you give the committee the benefit of your views on S. 230, introduced by myself, identical with S. 2832 in the last Congress, "to amend Veterans Regulation No. 10, as amended, to grant hospitalization, domiciliary care, and burial benefits to certain World War II cases"?

Senator WALSH. May I ask the general or his assistant to present us with figures of the estimated cost of rehabilitation, based upon 1,000,000 men?

General HINES. One million men?

Senator WALSH. As I gathered, it would be about a billion dollars for rehabilitation costs, and then the \$90 a month would amount to about another billion dollars. Of course, there would be a reduction, because—

General HINES. Well, we will make up the best estimates we can, and put it in the record.

Based on World War I experience, it is estimated that the cost of providing training and allowances for veterans covered by this bill would approximate \$105,090,000 for every million men who serve. Deducting from this total the cost of compensation for which these veterans would be eligible during the period of training, it is estimated the net cost would approximate \$62,880,000 for every million men who serve. It is estimated that 33,500 men in every million would complete training.

Senator CLARK. Will you now comment on S. 230?

General HINES. Mr. Chairman, when I testified before on this bill, I made a rather general statement that I would like to introduce into the record now, a report. But I would like to introduce in this record a report on this bill, if I may, and without attempting to read it I think I can give the meat of the report. It should be stated that the report has not as yet cleared the Bureau of the Budget.

Senator CLARK. It may be received.

(The report on S. 230 referred to is as follows:)

HON. WALTER F. GEORGE,
Chairman, Committee on Finance,
United States Senate, Washington D. C.

MY DEAR SENATOR GEORGE: This is in reply to request contained in your letter of January 11, 1943, for a report on S. 230, Seventy-eighth Congress, "A bill to amend Veterans' Regulation No. 10, as amended, to grant hospitalization, domiciliary care, and burial benefits to certain World War II cases."

I think I need not repeat the history of legislation with respect to hospitalization of veterans, inasmuch as this history was outlined rather fully in the hearings held October 9, 1942, on an identical bill, S. 2832, Seventy-seventh Congress (pages 11 to 14 of the report of said hearing).

Briefly, the purpose of the bill is to extend to the veterans of the present war hospitalization and domiciliary care, transportation to and from Veterans' Facilities for such care, and burial allowance as is now provided by existing law, section 6, Public, No. 2, Seventy-third Congress as amended by Public, No. 312, Seventy-fourth Congress. Except as to veterans discharged for service-incurred disability or in receipt of pension therefor, these benefits are afforded only for a "veteran of any war" as such term is used in the Veterans' Regulation (Executive order) No. 10, which this bill would amend, and the public laws mentioned. Such expression as used in the Executive order and statutes referred to prior wars and not to subsequent wars, but the effect of the proposed amendment would be to include the present war.

Upon first impression this would seem to be a logical step, and with regard to burial allowance and domiciliary care I feel that no objection can justifiably be urged at the present time. With respect to hospitalization, however, I feel and I have urged that consideration should be given to the fact that veterans of prior wars were not afforded hospital care, regardless of service-incurred disability, for many years after the termination of such wars. Further, since there is no way of anticipating at the present moment what may be the demands upon our hospital facilities growing out of the present war, I feel and I have urged before committees of the Congress that the Government should not, without careful consideration, embark upon a program of free hospitalization for all veterans.

Under the law as it exists at present, necessary hospital and medical care may be extended to any veteran of the present war who is discharged from the service for an injury or disease incurred in line of duty or who is in receipt of pension for such injury or disease and, of course, such veterans are entitled to domiciliary care, transportation, and burial benefits under the provisions of said Public, No. 312, Seventy-fourth Congress. Most of the difficulties that have arisen since the beginning of the present conflict have been due to the fact that a number of veterans have been discharged from the military forces upon a finding by the department concerned that the injury or disease is not in line of duty. Later, upon a claim being filed with the Veterans' Administration, such disease or injury may be found by the Administration, under the laws administered by it, to have been service incurred in line of duty, and hospitalization is therefore afforded. In the interim, however, particularly in the neuropsychiatric cases, much hardship may have fallen upon the discharged veteran, his relatives, and perhaps upon

an overburdened State institution. In view of these developments, arrangements have been entered into with the War Department whereby any person in the service who is in need of further hospitalization but should be discharged from the military forces, will be transferred to a designated Veterans' Administration facility, after which he will be discharged in due course, and the Veterans' Administration will determine his eligibility for and supply such hospital and medical care as the law permits. This will take care of all such cases except those wherein the Veterans' Administration, under the liberal rules of Public, No. 648, Seventy-fifth Congress, cannot find line of duty.

If it be the view of the Congress that hospitalization should be afforded also in these cases, it is my recommendation that at this time such hospitalization be confined to those diseases requiring urgent and immediate hospital care, such as neuropsychiatric diseases and tuberculosis. I feel that our present facilities, or those contemplated under the present program, will very likely permit necessary hospitalization in such cases without curtailing benefits to the service-connected cases or veterans of prior wars entitled generally to such care. This step would be in line with congressional action subsequent to World War I.

It is therefore recommended that if S. 230 is seriously considered, it be amended by adding, in line 6 within the quotation and before the word "any" the words "World War II" and that the period at the end of line 10 be changed to a colon, and the following proviso added: "Provided, however, That veterans of World War II shall be entitled to hospitalization under the proviso of section 6 of Public Numbered 2, Seventy-third Congress, March 20, 1933, as amended, (49 Stat. 729; U. S. C., title 38, sec. 706), only when needed for tubercular or neuropsychiatric disease."

A copy of the bill with proposed amendments is enclosed for ready reference.

In keeping with suggestions which were made at a hearing before a subcommittee of the Finance Committee on H. R. 7311, Seventy-seventh Congress, proposed legislation to this same effect has been included in a bill for submission to the Bureau of the Budget for determination as to relationship to the program of the President.

I have hesitated, however, to recommend even this limited step for the reason that all of my efforts have failed to secure even a minimum of personnel necessary to maintain our present hospital record. Inductions under the Selective Service and Training Act, enlistments, and industrial inducements have reduced professional and attendant personnel to the point where most of our facilities, and particularly those for treatment of neuropsychiatric cases, are dangerously understaffed. The Civil Service Commission, as well as the Manpower Commission, have attempted to help, without avail. To avoid closing some of the largest neuropsychiatric facilities recourse has been had at times to enlisted personnel of the Army. We have recruited large numbers and trained them for the work, only to lose them to industry or to the military services. We have agreed to try out conscientious objectors in certain positions. Some success has been had in filling certain positions with female employees, but there are many that cannot be so filled because of the nature of the positions. Two large facilities, evacuated some time since but now needed for the care of sick and injured veterans being released by the services cannot be reopened for lack of personnel. If the load is increased by legislation such as that under consideration, it will be impossible to operate existing facilities, as with the present reduced load we are operating close to the point of actual danger, and we must be prepared to care for those released by the Army and Navy under existing agreements.

In view of the existing situation, I am forced to recommend that the Selective Service and Training Act be amended so as to permit Veterans' Administration facilities to secure personnel from the draft, when necessary, at least for limited service. To accomplish this it is suggested that the following new section be added to the pending bill and the title be changed accordingly:

"Sec. 2. Notwithstanding the provisions of the Selective Service and Training Act of 1940, as amended, persons eligible for service under section 3 thereof but for minor physical defects may be assigned, upon certification by the Administrator of Veterans' Affairs to the Manpower Commission, to Veterans' Administration Facilities in such number and at such times as may be necessary to maintain certain facilities for the care of sick and disabled veterans of the present and prior wars."

Very truly yours,

FRANK T. HINES, Administrator.

General HINES. At the present time, all of the men of the present war, that is, World War II, that come back with service-connected disabilities, are entitled to hospitalization and domiciliary care and pensions, according to the degree of their disability.

This legislation contemplates taking in those who are discharged from service, not in line of duty, where the Army or the Navy has determined—and the Veterans' Administration, upon a review of their claim, if they have filed one—that they are not entitled to benefits, that their disability is not due to service—

Senator CLARK. Let me ask you if the disability tables of the Veterans of this war are the same as the disability tables for the veterans of the last war?

General HINES. That is right as to laws in effect in point of time.

I have suggested, because I know the group of cases that are causing the difficulty, they are the mental cases and tubercular cases—in other words, it is very difficult to get a community or a father or a mother to understand that a man can be taken into the service who at that time appears to be all right, and he comes back with the request that he be placed in a State institution or into a hospital for either a neuropsychiatric disability due to a nervous break-down or a mental break-down, that that individual did not obtain the disability in the service—

Senator LA FOLLETTE (interposing). You don't have to confine that to the mother and father, you can include me.

Senator CLARK. Put me in too.

General HINES. Well, I know that.

Now the only request that I have suggested in testifying on this type of legislation before the World War Veterans' Committee, or in making reports, is that we should proceed cautiously because this is the type of legislation that we do not know how far it is going.

It was 5½ years after World War I that we gave general hospitalization to all veterans whether their disabilities were due to service or not.

Senator CLARK. Yes, and General, isn't it true that a great deal of outrageous and unnecessary hardship resulted from that delay?

General HINES. It may have, Senator, I wouldn't dispute that.

Senator CLARK. Men died and were subjected to the most terrific hardships by reason of that delay on the part of the Congress, and I don't feel that we would, under any circumstances, be justified in permitting a repetition of what I regard as a disgraceful neglect on the part of the Federal Government as to men who have served the Government.

General HINES. I have no doubt that the Congress will treat the veterans of this war exactly as they are treating the veterans of World War I, before they get through.

The suggestion that I made was that we first undertake to take care of those cases that are causing the difficulty right now, rather than broaden it to the point where, say, those men who were in the service and were discharged because they were considered too old by the services, would all become eligible for general hospitalization.

Now these mental cases are debatable cases. In other words, no one can say, even the most outstanding psychiatrist can't say, that a young man, pulled out of a certain environment where he seems to be

carrying on all right, and then put through an intensive course of training, and even getting to the front, even though he were a potential dementia praecox or some mental case, that that change of environment may not have been responsible for his break-down.

In reviewing those cases in the Veterans' Administration we have, in a number of instances taken cases that the service departments have found not in the line of duty, and placed them in "line of duty" for this care and other benefits, and generally it has been done on the thought that it is a difficult thing, when you change the environment of these men—and I know of some typical cases—to say that that change was not responsible for it. So my thought on this bill would be that if the Congress feels that they wish to start immediately with a problem which is going to be very difficult to estimate the cost of, or how many additional beds we will need, that we should start with the mental cases and the tubercular cases.

There is another factor that is very important. If you attempt to take in all of the cases at this time it will require a building program, whereas, if fortunately the war should come to a close within the next 2 or 3 years I am sure the facilities would be available to take care of these without any building program, due to the building program of the Army and the Navy.

Now the final job of hospitalizing these men will be with the Veterans' Administration, but we have always used Army and Navy and Public Health hospitals. So whatever expansion we are now making, those facilities of a permanent nature will be available for this very job.

Senator LA FOLLETTE. How much expansion do you contemplate? I was under the impression that because of the employment situation, the manpower situation, that some of the veterans' hospitals had lost so many of their domiciliary patients, so to speak, that there were some wards that were now closed.

General HINZ. Well, the situation is this, Senator. Due to the great increase in employment we have a large number of domiciliary beds. The curve of the number of vacant beds was tending up until January, when somehow these men are starting to come back, some of them have found that they could not keep up the pace in their employment, that is of the World War I cases.

We have at the present time about 6,000 vacant beds in our hospitals. Those beds will not equal the number of patients that the Secretary of War has indicated will be turned over to us before the first of July of this year.

Now we are on a program which will give the Veterans' Administration 100,000 beds. The President has approved that we proceed with that program as rapidly as we can obtain materials. We, too, have troubles with priorities on essential materials in building. We feel sure that by building up to 100,000 beds we will not overbuild because that was the estimated number of beds for World War I, and prior wars but it was contemplated over a 10-year period.

So we will be in position to meet the load, unless legislation of this type throws a large number of cases upon us. Most certainly this is limited to the existing Veterans' Administration facilities, but you and I know, and the committee well knows, that as soon as we pass legislation giving a benefit, unless we prepare to meet that benefit, not for just the number that we can get in, then we lay the groundwork for a very serious complaint of lack of facilities in certain areas.

Senator CLARK. I suggested to you when you were up here before—and I want to repeat—that nobody on this committee or in the Senate, or any place else, is willing to spend any more money than is necessary; but it does seem to me that the obligation that the Government owes these men far outweighs the question of cost. We are spending vast sums of money in every direction, and it seems to me that if there is anybody who is entitled to a priority, so to speak, in the expenditure of money, it is these disabled soldiers, and I, of course, include sailors and marines and everybody else in the armed services.

General HINES. Don't understand me, Senator, as doing other than trying to point out to the committee the problems that we will have to face.

Senator CLARK. I understand that; I wasn't criticizing you, General.

General HINES. I feel that it isn't my business to oppose legislation, but to see that the committee has all the information that I have and can make available to them, so that they may reach the right decision.

Senator LA FOLLETTE. General, have you any estimate of how many cases you will get say in the next year or two if this bill were passed?

General HINES. Well, may I say that off the record and ask that the newspapers not repeat it; it is restricted information.

Senator LA FOLLETTE. No, no, I meant if this bill were passed. I didn't mean how many people you were going to get from the Army and Navy, but if S. 230 were passed, have you any idea how many of these non-service-connected disability cases you would get in the next year or so?

General HINES. I think I could give you a fairly good estimate of that. With a World War I strength of about 4,750,000 men we admitted to hospitals during the first 2 years after the enactment of legislation in June 1924 which permitted treatment for non-service-connected disabilities, a total of 32,567 such cases. The application of the turnover rates experienced during these 2 years results in an average load of 11,422, distributed by types as follows: Tuberculosis, 2,300; neuropsychiatric, 5,346; and general medical and surgical, 3,776. Using this experience our bed requirements for this class for any military and naval strength can be readily projected. Of course, it may be possible for the Army and Navy with their greatly expanded hospital facilities to hold cases longer before discharge and thus obviate any immediate building program for the non-service-connected class.

Senator WALSH. They are not turned over to you until they are discharged?

General HINES. Not now, Senator, but they sometimes go directly from their hospital to ours.

Senator CLARK. Although they still have an Army or Navy status?

General HINES. No, when they leave the Army or Navy hospital to go to ours they are discharged.

Senator CLARK. But when they are discharged from the Army or Navy hospitals they go directly to your hospitals?

General HINES. Yes.

Senator LA FOLLETTE. Has the priority situation materially delayed your building program?

General HINES. I wouldn't say that it has up to date. We have had excellent cooperation there; we have reached a point now where,

on certain items, it is going to require a little persuasion, but I will say they have done exceedingly well and we have no complaint to make.

Senator WALSH. Have you any idea of the number of beds in the Army and Navy hospitals throughout the country?

General HINES. Yes. I should say the Army has about 150,000 and the Navy about 60,000.

Senator MILLIKIN. Now are these 100,000 beds in addition to what you now have?

General HINES. No, we have approximately 85,000 beds and we contemplate building up to 100,000.

Senator CLARK. Are there any further questions?

(No response).

Senator CLARK. Thank you very much, General.

The Senate is meeting today and there will be some important legislation come up that some of the members of this committee are interested in.

The full Committee on Finance meets tomorrow morning, and it will therefore be necessary to adjourn this hearing until 10:30, Monday morning, March 1, at which time I hope to secure a vote on these various bills.

(Whereupon, at 12:07 p. m., the hearing was adjourned to Monday morning, March 1, 1943, at 10:30.)

Senator CLARK. The reporter is instructed to incorporate S. 740 in the record at this point.

(S. 740 is as follows:)

[S. 740, 75th Cong., 1st sess.]

A BILL Extending the provisions of the National Service Life Insurance Act of 1940 to American war correspondents

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 601 (a) of the National Service Life Insurance Act of 1940, as amended, is amended by adding at the end thereof the following: "and (6) an officially accredited American war correspondent;"

SEC. 2. Section 601 (c) of such Act, as amended, is amended by adding at the end thereof the following: "and the term 'active service,' in the case of an officially accredited American war correspondent, includes all periods of time during which such person is serving in his official capacity as an American war correspondent with any branch of the land or naval forces of the United States;"

Senator CLARK. Senator Reynolds, you desired to make a statement on Senate bill 740. The committee will be very glad to hear from you.

Senator REYNOLDS. Thank you so much.

Mr. Chairman, at the last session of Congress I introduced this identical bill, at which time it was referred to your committee, but I recognize the fact that it was introduced late in the session—

Senator CLARK (interposing). I will say, Senator, that the bill was referred to this subcommittee at a time when a quorum of the full committee had left town, during December, and there was not a quorum of the full committee present in the city, and it was therefore impossible to get any action on reports from the subcommittee.

Senator REYNOLDS. I quite understood that, and particularly was that true on account of the lateness of its introduction in Congress.

**STATEMENT OF HON. ROBERT R. REYNOLDS, SENATOR FROM
FROM THE STATE OF NORTH CAROLINA**

This bill, as you gentlemen will observe, is a bill providing for extending the provisions of the National Service Life Insurance Act of 1940 to American war correspondents.

The other day, in that connection, I read a very interesting article by the pen of Mr. Reilly, who has a daily column in one of the local papers of Washington, D. C., and he brought to the attention of his readers the fact that the war correspondents are doing great work wherever they are located throughout the world, and I believe mention was made in that particular article to the effect that up to date, as the result of the activities of the American war correspondents, some 10 of them had been killed and a number had been wounded and incapacitated; whereas in World War I it is my recollection, from information that I had from some newspaper men, that none was killed.

Senator CLARK. Well, the difference there is, isn't it Senator, that in World War I the war correspondents were not permitted to get away from G. H. Q. or not usually not farther forward than the corps or post headquarters, and were not permitted to go along with the ships or the troops, while in this war they go right with the ships and planes and convoys and troops?

Senator REYNOLDS. Exactly. And I daresay that we have some American correspondents who have visited, perhaps at least one time, the 65 or 67 fronts, that we have established in the world.

Senator CLARK. These men are subject to military discipline while they are assigned with troops; are they not?

Senator REYNOLDS. Yes; and in view of the steps that they are taking to keep the American public informed as to the progress of this war, I was rather of the opinion that they should have the benefits of this act, and I have taken the liberty of bringing Mr. William Hutchinson of the International News Service, whose organization serves all parts of the world and whose organization has, at the present time, a number of men that we refer to as war correspondents here, and if you would be good enough to hear him briefly I am sure that he, likewise, would be grateful, and his colleagues of the press no doubt would be appreciative.

Senator CLARK. The committee will be glad to hear Mr. Hutchinson. Come forward, Mr. Hutchinson.

**STATEMENT OF WILLIAM K. HUTCHINSON, BUREAU MANAGER,
INTERNATIONAL NEWS SERVICE, WASHINGTON, D. C.**

Mr. HUTCHINSON. My name is William K. Hutchinson and I am the bureau manager of the International News Service in Washington.

To what Senator Reynolds said I would like to add this: At the outbreak of the war our organization and I think all newspaper organizations including the daily newspapers which have correspondents in the field, sought insurance for their men and were utterly unable to obtain war-risk insurance of any sort at all except with Lloyds of London, at a cost that was prohibitive. It was almost as much as the insurance itself was worth. If you took out a \$10,000 policy it would probably cost you \$9,000 to get it. No American company would write such insurance.

At the start we tried to take older men and send them abroad to the war fields in the belief in our organization—and I notice that the others did likewise—that it was sort of a patriotic feeling to take men above the draft age in order to use them as correspondents.

The result was that one after one they failed on the job, the work was just too tough for them, the experiences too exhausting, with the result that all of our older men, men over 40, have come home. That meant we had to send younger fellows, fellows who had the physical ability to stay up with the troops; as both the chairman and Senator Reynolds have said, they went to the front lines and beyond, and in airplanes and submarines.

Senator CLARK. In other words they have to be able to take it just as much as the troops engaged in combat?

Mr. HUTCHINSON. And a little more. The troops might get a rest. If a division goes up to the front it may come back for a 30-day rest, and another division goes up, but the correspondent has to be up front with both of those divisions.

The result was that our organization invited me to seek war-risk insurance at the Veterans' Bureau. I had some correspondence with the Veterans' Administration in which they conceded that the correspondents took the same risk as soldiers, but stated that the law forbade it because it specifically prescribed the individuals who were subject to war-risk insurance.

Senator CLARK. Of course these men can go only with troops, or ships, or in airplanes by assignment from the departments concerned?

Mr. HUTCHINSON. Exactly, sir. Not only that, but in comparing the last war to this war, as Senator Reynolds said, no war correspondent was killed in action in the First World War. One, however, did die, I think of pneumonia in a hospital. One was wounded in action. That was the famous Floyd Gibbons who had an eye shot out when his little group accidentally stumbled on the front line without knowing they were there. In this war, however, we have had 11 correspondents killed in action; 30 or more have been wounded; and some half dozen to a dozen are missing in action.

For instance, we lost two correspondents in the Philippines and have never heard from them since the fall of Bataan; don't know where they are, they may be in a prison camp, or they may be dead.

The other services have had similar casualties. Some of the casualties among correspondents have really been heroic and it has not been exactly of their own choosing. For instance, in the landing in Africa the correspondents were assigned to different waves, they couldn't sit aboard the ship until the landing was secure and then go ashore in a dory after the French had been overcome. They were given an assignment in the second or third wave and they had to go; it didn't matter what happened.

Senator CLARK. They are literally as much subject to military orders as a soldier himself?

Mr. HUTCHINSON. Not only that, Senator, but they have to swear to it, they take out an oath when they join the war correspondents' services.

Senator CLARK. I never looked it up but I daresay that on principle they would be as much subject to court martial as a regular soldier?

Mr. HUTCHINSON. They are, sir, it is in the regulations that they are subject to court martial, and they may not retreat without the commanding officer's orders. To retreat is the same offense for them as it is for a private to retreat. They must also swear, in an oath that they take, that they will waive all damages of all sorts against the United States Government. They are utterly helpless, they must do what the commanding general says.

Senator CLARK. To all intents and purposes they are a part of the military establishment when they are assigned to troops?

Mr. HUTCHINSON. Exactly; and I want to say that there is precedent for this sort of legislation.

Senator CLARK. Are these men armed, Mr. Hutchinson?

Mr. HUTCHINSON. No sir; they go unarmed and they only wear a brassard on their arm; and they wear the same kind of uniform as an officer, without insignia of any sort.

Senator CLARK. I think I did see where one ran a tank.

Mr. HUTCHINSON. Many have performed military duties. One of our boys was in a bomber plane in the South Pacific and the gunner was killed and he took over the gunner's duties, firing the machine gun. I don't think he hit anything, but he tried.

And on all task assignments—for instance in the task force that raided Dieppe there were a number of correspondents who performed military services, owing to the shortage of men. We had one correspondent who went abroad and en route to Portugal he was sunk in a freighter. He was picked up at sea and taken aboard a destroyer which in turn was attacked, and he performed military duties aboard the destroyer, owing to the shortage of men, in an emergency, and got an award for his duties. He operated a searchlight, as I remember, in a night attack.

Senator WALSH. How are they selected?

Mr. HUTCHINSON. The newspaper or the newspaper service proposes the name of a war correspondent to the War or the Navy Department. In each instance the War Department investigates the man, his patriotism, his ability as a reporter. There are rules which say that the man who has had previous service with troops, of any sort, with a National Guard division or with an American division in the United States, shall be given preference over one who has not had such experience in reporting military manoeuvres. In some instances, however, we have to take raw men.

Senator WALSH. How many of them are there?

Mr. HUTCHINSON. In all there may be 300 or 350. That would never be the number at one moment because some of those are what we call visiting correspondents who just go out for a brief period. As I understand the existing legislation I think it is 60 or 90 days or 6 months before you are eligible for the war-risk insurance. So it would not be any come-and-go fellow that would benefit.

Senator WALSH. Do they continue for the duration or is it limited?

Mr. HUTCHINSON. Before you came in, Senator, I said that originally we sent out older men and they all came back. Now the younger fellows are for the duration. There may be instances where men are wounded or get very, very ill and have to be recalled.

I want to make one more point. During their service with the troops they are entitled to free medical attention, the same as officers. The United States Government gives that to them as a measure of

necessity. Also, when they get into cold weather and cold climates, the United States Government gives them uniforms suitable to that climate, and gives those uniforms to them free. Those uniforms, however, have to be turned back at the end of that service in that cold place.

But there are two instances where, under the urge of necessity, the Government now recognizes that they must do something for these correspondents, over and beyond what they do for a private citizen, and the rules of course make them, as the chairman said, completely under the control of the Army. They can't go forward or back or leave the assignment without the written consent of the commander.

Senator DANAHER. Is the National Service Life Insurance Act limited to citizens of the United States in its application?

Mr. HUTCHINSON. I can't say that absolutely, but I think it is.

Senator DANAHER. I haven't checked the point either. The term "officially accredited American war correspondent" is intended by you, as a proponent here, to apply only to American citizens who are acting as war correspondents?

Mr. HUTCHINSON. I don't think we can get a foreigner accredited by the War Department; he has to be an American citizen to be accredited as a war correspondent. But that term, as I interpret it, refers to our United States correspondents, for United States publications, rather than to have a man who might be an American serving an English paper, or something of that sort.

Senator DANAHER. Does it apply to a Spaniard who is serving an American paper?

Mr. HUTCHINSON. He couldn't be, the War Department wouldn't pass him.

Senator DANAHER. Thank you.

Senator LUCAS. Would it apply to an American correspondent serving with the English Army?

Mr. HUTCHINSON. Yes, it would; if it was a combat area. You could cure that by saying "serving with the United States forces" if you wished to do that.

Senator CLARK. I don't see the point in doing that. The object of having these men with the troops is to supply the American people with information as to what is going on, and an American correspondent, an accredited correspondent, who has to be accredited by our War Department, who happened to be temporarily, let us say, with the British Eighth Army rather than with the American Army just a few miles away, it seems to me ought to be included.

Senator LUCAS. I just raised the point.

Mr. HUTCHINSON. The point is that there are American troops with those British forces all the time.

Senator LUCAS. Let me ask another question along that line. Do all the American correspondents now serving, for instance, with our Allied Nations, have to be approved first by the War or the Navy Department before they can go to the English or the Australians or wherever they might be going?

Mr. HUTCHINSON. To represent an American news service, or American newspaper, yes; but there might be some Americans, like in England, who never came home, who might be working for a British paper and be assigned to British troops.

Senator CLARK. But they would not be included under the terms of this bill?

Mr. HUTCHINSON. Not as I read the bill.

Senator WALSH. These American correspondents have to have their stories censored by the Public Relations Department of the Army or the Navy, do they not?

Mr. HUTCHINSON. Stories written abroad are submitted to the censors who are appointed by the commanding general of the force, and they are censored. In some instances those stories, not telegraphic or cable stories, but sometimes mail stories, are sent here to Washington, I mean the actual physical turning over of the piece of paper is in Washington, and we have had instances where stories were passed by the censor abroad and brought into Washington and the Navy or the War Department has killed the story. If it is cable it only gets one censorship, but if it is on paper, it gets two censorships.

Senator MILLIKIN. I think you gave this, but how many correspondents are there?

Mr. HUTCHINSON. I think a total of 350 for everything, magazine correspondents, photographic correspondents, radio correspondents and news or press correspondents.

Senator MILLIKIN. I suppose that remains more or less constant?

Mr. HUTCHINSON. And lots of those just flit back and forth, they call them visiting correspondents; they don't stay long in any place. They go out for a magazine article or picture, and then come home.

Senator MILLIKIN. Is there a definite official roster of accredited war correspondents?

Mr. HUTCHINSON. Yes, in the War Department.

Senator MILLIKIN. And that would show if a man is accredited and how long he is accredited?

Mr. HUTCHINSON. Yes. When you submit a name, no matter whether the man is going to the Army or the Navy, it goes to the War Department and they make the investigation with the help of the F. B. I. and the Army Intelligence Service, and they investigate the man's character, his background, his birth; they make sure he is American-born and they even go to the town he was born in and look at the birth certificate, and that sort of thing. Then they clear him and say, "This fellow is O. K. for assignment." Then you make an assignment of him; you ask the War Department or the Navy Department to assign that particular man who has already been cleared by the War Department as to character and birth and honor and patriotism, and then if the assignment comes up then the Army or Navy accredits him to that particular assignment. Then he goes.

Now of those there may be up to 350, but no more than that; there may be only 200. But there may be 800 on those lists of ready and waiting fellows.

Senator MILLIKIN. What I was getting at is—is there some place where you can find out when a man definitely assumes that status, and some place where you can find out when a man's status as such is terminated?

Mr. HUTCHINSON. Absolutely, in the War Department. The man is given a certain book of credentials and he is given a brassard for his arm. Now it is a part of the rules of the Army, and it amounts

to law, that the minute he is recalled from assignment he must turn back the book and brassard.

Senator MILLIKIN. So that would all be a matter of record?

Mr. HUTCHINSON. Absolutely.

Senator LUCAS. What would be the position of a correspondent like Leland Stowe who, I understand, was on the Russian front at the time we got into the war?

Mr. HUTCHINSON. He was never accredited; he was a foreign news correspondent in the capital at Moscow, and as such undoubtedly he might have seen some little local activity on the part of the Russian Army, but I doubt if he got very close to the front.

Senator CLARK. The Germans got pretty close to Moscow, didn't they?

Mr. HUTCHINSON. I meant going out and seeing the action. Of course he might have seen some bombing, and things like that.

Senator DANAHER. Do you know of any man submitted as a prospective war correspondent who was rejected by the authorities for views that he might have held before?

Mr. HUTCHINSON. You don't find that out; they just don't approve the fellow.

Senator DANAHER. They don't tell you why?

Mr. HUTCHINSON. They dilly-dally with it for months and months and finally you make up your mind that there is something wrong.

Senator DANAHER. I just wondered if you had to have a certain type of war correspondent to get by?

Mr. HUTCHINSON. As to political views, no. They have passed in our organization boys that I regard as good Republicans, some good New Dealers, and some just good Democrats.

Senator DANAHER. All liberal?

Mr. HUTCHINSON. Yes, sir; or liberal.

Senator DANAHER. I said "all" liberal.

Senator MILLIKIN. Do you have the title of the regulations or whatever they are that define the rights and duties of the correspondents?

Mr. HUTCHINSON. Yes, sir; it is "Basic Field Manual—Regulations for Correspondents Accompanying U. S. Army Forces in the Field."

Senator LUCAS. Is Stanley Johnson in Australia?

Mr. HUTCHINSON. I couldn't answer that, sir. Can I submit this Manual in evidence?

Senator MILLIKIN. I was going to suggest that it be made a part of the record because it defines the more or less official status of these men.

Senator CLARK. It should be made a part of the record, yes; and it may be incorporated at this point.

(The document referred to is as follows:)

BASIC FIELD MANUAL

FM 30-26

REGULATIONS FOR CORRESPONDENTS ACCOMPANYING U. S. ARMY FORCES IN THE FIELD

Prepared under direction of the Chief of Staff

[SEAL]

WAR DEPARTMENT,
Washington, January 21, 1942.

FM 30-26, Regulations for Correspondents Accompanying U. S. Army Forces in the Field, is published for the information and guidance of all concerned.

[A. G. O. 2.11 (12-21-41).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

E. S. ADAMS,
*Major General,
The Adjutant General.*

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(For explanation of symbols see FM 21-6.)

FM 30-26

1-3

BASIC FIELD MANUAL

REGULATIONS FOR CORRESPONDENTS ACCOMPANYING U. S. ARMY FORCES IN THE FIELD

1. GENERAL.—The Army recognizes that correspondents perform an undoubted public function in the dissemination of news concerning the operations of the Army in time of war. Correspondents accompanying troops in the field occupy a dual and delicate position, being under the necessity of truthfully disclosing to the people the facts concerning the operations of the Army, and at the same time of refraining from disclosing those things which, though true, would be disastrous to us if known to the enemy. It is apparent that this important function can only be properly performed under reasonable rules and regulations.

2. DEFINITION.—The term "correspondent" as used in this manual includes journalists, feature writers, radio commentators, motion picture photographers, and still picture photographers accredited by the War Department to a theater of operations or a base command within or without the territorial limits of the United States in time of war. Correspondents are classed as "accredited" and "visiting." This manual pertains principally to the former. See paragraph 18 for instructions concerning visiting correspondents.

3. STATUS OF CORRESPONDENTS.—a. Correspondents in time of war accompanying the armies of the United States, both within and without the territorial jurisdiction of the United States, although not in the military service, are subject to military law (AW 2(d)) and are under the control of the commander of the Army force which they accompany.

b. They are not entitled to the benefits provided by laws enacted exclusively for persons in the military service and they are subject to the provisions of the Selective Training and Service Act of 1940, and regulations prescribed thereunder.

c. In the event of capture by enemy forces they are entitled to be treated as prisoners of war, provided they are in possession of a certificate from the military authorities of the armed forces which they are accompanying. (Geneva Conference, July 27, 1929, Title VII, Art. 81.)

d. Correspondents will not exercise command, be placed in a position of authority over military personnel, nor will they be armed. They are under the same restrictions as other military personnel as regards the settlement of accounts, compliance with standing orders, and the conducting of themselves with dignity and decorum.

c. A correspondent becomes subject to military law from the time at which he commences to accompany troops or personnel who are on active service. This will generally be upon his arrival at the field force to which he is accredited, but may commence earlier if he travels to the field force via Government transportation.

4. PRIVILEGES.—a. Correspondents will be given the same privileges as commissioned officers in the matter of accommodations, transportation, and messing facilities. All courtesies extended them in such matters must be without expense to the Government.

b. Every reasonable facility and all possible assistance will be given correspondents to permit them to perform efficiently and intelligently their work of keeping the public informed of the activities of our forces within the limits dictated by military necessities.

c. So far as the exigencies of the service permit, correspondents will receive, without charge, the same medical treatment as that accorded officers.

d. Correspondents are free to converse with troops whenever they wish to do so, subject to the approval of the officer present with the troops in question. They are requested and expected, however, to refrain from conversing with troops at work or on guard, or from discussing subjects or soliciting answers to matters which are clearly secret.

5. APPLICATION.—a. Application to accompany U. S. Army forces in the field will be submitted by the individual or by the agency concerned to the Director, War Department Bureau of Public Relations, Washington, D. C.

b. The application will state the name and address of the individual; qualifications and past experience in his field of work, including names of former agencies for which he worked; citizenship and place and date of birth; general health condition; the particular force it is desired he accompany; and any other pertinent information which will assist in the consideration of his application.

6. LIMIT ON NUMBER.—a. The number of correspondents which will be accredited to a particular field force will be within the quota set by the War Department and based upon the recommendation of the force commander as determined by the size of the force, the distance from the usual media of news dissemination, and the availability of accommodations within the command or adjacent communities.

b. Representation with any one field force will be limited to one correspondent each from press associations, publications, radio, news, and picture syndicates; sole exception to this ruling will be the accrediting of a two man crew in the case of news reels. The War Department objective being the widest possible distribution of information to the American people, preferences in the consideration of applications will be given to agencies representing the largest possible news or picture dissemination.

c. In view of the importance of the work of correspondents in the field, and the necessary limitations as to the numbers of correspondents accredited to the field forces in any one theater of operations, the War Department will accredit only experienced newspaper men; all other conditions being equal, preference will be given to newspaper men with past military experience or past experience in the coverage of large maneuvers.

d. No officer, enlisted man, or civilian employee of the military forces serving in the theater of operations will be permitted to be a correspondent for any publication without the written permission of the theater or base commander. Correspondents will not use military titles in signing dispatches.

7. AGREEMENT.—Before final acceptance a correspondent will be required to sign an agreement, in triplicate, as follows:

WAR DEPARTMENT
Bureau of Public Relations
Washington

.....
(Date)

AGREEMENT

In connection with authority granted by the War Department to me, the undersigned, to accompany _____ for the purpose of securing news or story material, still or motion pictures, or to _____

(Name of field force)
engage in radio broadcasting, I subscribe to the following conditions:
1. That, as a civilian accredited to the Army of the United States within or without the territorial limits of the United States, I am subject to the Articles of War and all regulations for the Government of the Army issued pursuant to law.

2. That, I will govern my movements and actions in accordance with the instructions of the War Department and the commanding officer of the Army unit to which I am accredited, which includes the submitting for the purposes of censorship all statements, written material, and all photography intended for publication or release either while with the Army or after my return, if the interviews, written matter, or photography are based on my observations made during the period or pertain to the places visited under this authority.

3. That, I waive all claims against the United States for losses, damaged, or injuries which may be suffered as a result of this authority.

4. That, this authority is for the period to, and subject to revocation at any time.

Signed:
 Representing:
 (Company, syndicate, or agency)

Witnessing officer:
 (Name)

(Grade and organization)

This form will be executed in triplicate for disposition as follows:

- 1 copy to War Department Bureau of Public Relations, for file.
- 1 copy to GHQ for transmittal to the commanding general of the field force concerned.
- 1 copy to correspondent.

8. CREDENTIALS.—*a.* When an application for appointment as a correspondent is approved, the applicant will be furnished credentials and a Correspondent's Identification Card by the director of the War Department Bureau of Public Relations. The card is similar to W. D., A. G. O. Form No. 65-1 (Identification Card—Officers, Army of the United States), but green in color, and identifies him as an accredited correspondent.

b. Correspondents will produce their identification cards whenever called for by any officer, warrant officer, or enlisted man in the execution of his duty. Failure to do so will subject the correspondent to arrest or detention.

c. In addition to the War Department credentials, the particular field force commander may issue a pass or credentials with regulations governing their use.

9. UNIFORM.—*a.* The proper uniform for accredited correspondents is that of an officer, but less all insignia of grade or arm or service, and without black and gold piping on field caps, officers' hat cords, or officers' insignia on the garrison cap if worn.

b. The uniform includes the wearing of the official brassard on the left arm. The brassard is a green cloth band, 4 inches wide, with the appropriate word, "Correspondent," "Photographer," "Radio Commentator," "Correspondent Chauffeur," "Photographer Chauffeur," "Radio News Chauffeur," "Correspondent Messenger," "Photographer Messenger," or "Radio News Messenger," in white block letters 1½ inches in height. This will be furnished by the War Department Bureau of Public Relations at the time of appointment.

c. Articles of special clothing and equipment which are issued to officers and enlisted men in cold climates may be issued to correspondents. These articles must be turned in prior to departure from the theater of operations or base command.

d. Accredited correspondents will not wear civilian clothing while serving with the field force.

10. TRANSPORTATION.—*a.* Government transportation may be given accredited correspondents with the accommodations of an officer whenever such transportation—water, troop train, air, or automobile—is available and essential military personnel is not displaced or inconvenienced.

b. The baggage of correspondents will be moved with that of the headquarters to which attached. Its weight will be within the limits prescribed by the commander concerned.

11. REPORTING UPON ARRIVAL.—*a.* Upon arrival in the theater of operations or base command to which accredited, correspondents will report to the intelligence officer of the command, presenting their credentials. It is the intelligence officer, or his assistant in charge of public relations, who will exercise control of correspondents in the name of the field force commander, and it is to him correspondents should turn for assistance and guidance, or to register complaints if believed justified.

b. All correspondents are officially attached to the headquarters of the field force commander. They may, however, at their own request be placed on duty with a subordinate headquarters nearer to the scene of action. All changes of their base of operations will be done only upon the approval of the field force commander and contingent upon the availability of accommodations at the unit they wish to accompany.

12. **FILING OF MATERIAL.**—*a.* All dispatches will be delivered, in duplicate, to the intelligence officer, or his assistant, for censorship prior to filing or mailing. In the process of censorship no changes will be made by the censor in dispatches except through deletion. Correspondents, unless the occasion is unusual, will be permitted to see their dispatches after being censored in the event they desire to make a revision, or to note the objectionable portions for future avoidance, or to recheck on wordage for cable charges.

b. Copy must be submitted for censorship on all broadcast interviews or news broadcasts.

13. **CENSORSHIP OF ARTICLES FOR PUBLICATION.**—*a. General.*—In general, articles may be released for publication to the public provided—

- (1) They are accurate in statement and implication.
- (2) They do not supply military information to the enemy.
- (3) They will not injure the morale of our forces, the people at home, or our allies.

(4) They will not embarrass the United States, its allies, or neutral countries.

b. Time element.—Intelligence officers charged with the censorship of articles for publication will take into consideration the time interval between the occurrence of events reported and the publication of the article concerning these events. If events are reported by cable, telegraph, or radio very shortly after their occurrence, the closest supervision will be necessary. If, on the other hand, the articles are forwarded by mail for printing in magazines or books, the time interval may be such as to render the information contained in the articles of little value to the enemy. Censorship regulations will be applied after consideration of this time element.

c. Specific rules governing censorship of articles for publication.—(1) The identity of organizations in the combat zone and in the communications zone will be announced only in official communiqués. When announced, they will never be associated with the name of a place.

(2) The name of an individual may be used whenever an article is materially helped by its use.

(3) Officers will not be quoted directly or indirectly nor anonymously on military matters except as specifically authorized by the theater commander.

(4) Within the combat zone no sector will be said to have any American troops in it until the enemy has established this as a fact.

(5) No town or village in the combat zone will be identified as holding American or allied forces except as an essential part of a story of an engagement and after the fact.

(6) No base port or communication center or other point of a line of communication will be mentioned by name or description as having anything to do with the activities of our forces.

(7) Ship or rail movements, real or possible, will not be discussed except as authorized by official communiqués.

(8) Plans of the Army, real or possible, will not be discussed.

(9) Number of troops as a total or as classes will not be discussed except as authorized by official communiqués.

(10) The effect of enemy fire or bombardment will not be discussed except as authorized in official communiqués.

(11) Articles for publication in the theater of operations or in allied countries or in neutral countries contiguous to the theater will be scrutinized carefully to make sure they do not hold possibilities of danger which the same stories printed in the United States would not hold. This applies not only to military information, which would thus be in the hands of the enemy within the day of writing, but also to an emphasis on small exploits which it may be extremely desirable to print in the United States but quite undesirable in the theater.

(12) Exaggerations of our activities accomplished or contemplated are prohibited.

(13) References to numbers of our own casualties will be based on the statements in official communiqués. Individual dead or wounded may be mentioned by name only when it is reasonably certain that the facts are correct and that some definite good end, such as offering examples of heroism, will be served by printing them. Mention by name will be allowed not earlier than 24 hours after the official cablegram announcement of such individual casualties has been sent to the War Department.

14. **PHOTOGRAPHIC CENSORSHIP.**—*a. Still pictures.*—(1) All photographic negatives taken by official or accredited civilian photographers may be processed in the Signal Corps field laboratory or in such other laboratory installations as the

theater commander may designate. Photographs will then be censored by a representative of G-2.

(2) No negatives or prints will be released except by authority of the theater commander. Such released prints or negatives will bear the censorship stamp and will be accompanied by suitable captions. A record of all such releases will be kept.

(3) Negatives and prints of accredited commercial correspondents not released by the censor will become the property of the United States Government, and will be forwarded through channels to the Military Intelligence Division, War Department General Staff, Washington, D. C., accompanied by full information sheet as to captions and the agency which took the photographs.

(4) Films or prints which cannot be processed locally, such as color film, will be delivered to a representative of G-2 marked, "Undeveloped film. Do not open." This will be forwarded by the fastest practicable means to the Military Intelligence Division, War Department General Staff, Washington, D. C.

(5) Regardless of the number of accredited correspondents any one agency has in the field, photographs from theaters of operation by newspaper photographers will be "rotoed." Photographs from theaters of operation of weekly magazine photographers will be rotoed.

b. *Motion pictures.*—(1) All exposed and undeveloped negative together with the dope sheets of accredited cameramen will be turned over to a representative of G-2 marked, "Unexposed film. Do not open."

(2) G-2 will forward this negative by the fastest practicable means to the Military Intelligence Division, War Department General Staff, Washington, D. C.

(3) In certain tropical climates where motion picture film deteriorates rapidly, it may be processed under the supervision of G-2 and the developed negative forwarded as directed in (2) above.

(4) By agreement between the War Department and the newsreel companies, all newsreel film from the theaters of operation will be rotoed by the Bureau of Public Relations, War Department, Washington, D. C.

c. Writers accredited as correspondents will not be permitted to take photographs. Photographers accredited as correspondents will not be permitted to file stories.

d. For the privileges of "exclusive" photographs, see paragraph 18.

15. *SIGNAL AND MAIL SERVICE.*—a. The signal system will be open to correspondents' dispatches, after censoring, when such use does not interfere with military needs. Dispatches will be sent in the order of filing. The intelligence officer under whom the correspondent serves is authorized to limit the number of words or otherwise to make an equitable adjustment of the use of the signal system among the correspondents when the system is inadequate to carry the complete text of all dispatches submitted. If commercial cable or telegraph facilities are available, credit cards may be useful.

b. All mail, including personal letters, will be through the established censorship system. The use of "blue envelopes" for the censoring of personal mail by the base censor is authorized, but these may not be used to mail photographs or dispatches for publication to avoid censoring by the immediate headquarters under which the correspondent serves.

16. *RELIEF FROM APPOINTMENT.*—a. An accredited correspondent will not leave the theater of operations or base command without the written permission of the commander.

b. If serving with troops beyond the territorial limits of the United States, relief does not become effective until arrival in the United States, if the journey is made by Government transportation.

c. Upon termination of appointment as a correspondent, either on the application of the individual or his employer, by the request of the commander concerned, or by the expiration of the period of the appointment, the individual will surrender his credentials to the War Department Bureau of Public Relations and will cease wearing the official uniform of a correspondent.

17. *DISCIPLINE.*—a. A correspondent will be suspended from all privileges for the distortion of his dispatches in the office of the publication which he represents, and also for the use of words or expressions conveying a hidden meaning which would tend to mislead or deceive the censor and cause the approval by him of otherwise objectionable dispatches.

b. In the presence of the enemy he will conform to the actions of the troops, and will not jeopardize the safety of the command or compromise the scheme of maneuver in progress.

c. He may be subject to disciplinary action because of an intentional violation of these and other regulations, either in letter or in spirit, and in extreme cases of offense, where investigation proves the circumstances warrant, the correspondent may be placed in arrest to await deportation or trial by a court martial.

18. VISITING CORRESPONDENT.—a. A visiting correspondent, as differentiated from an accredited correspondent, is one who has permission from the Commander in Chief or the Secretary of War to visit the field force for the purpose of securing information or photographic material for publication *after* return from the visit.

b. Visiting correspondents will be limited to a specific itinerary as outlined in their letter of authorization, and will be accompanied ordinarily by a conducting officer. When not so accompanied, they will carry a letter from the intelligence officer of the field force. They are treated more in the nature of visitors than correspondents. They will comply with the regulations governing accredited correspondents, with the following modifications:

(1) They will not be required to wear the prescribed uniform but will wear the proper brassard.

(2) As a measure of protection to the accredited correspondents serving with the field forces, visiting correspondents will not be permitted to mail or file dispatches or photographs intended for publication or release *during* the period of their visit. So-called "spot" news will be reserved for the accredited correspondents.

(3) Visiting photographers will have exclusive right to their photographs and may not be required to "roto."

FM 30-26
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BASIC FIELD MANUAL

REGULATIONS FOR CORRESPONDENTS ACCOMPANYING U. S. ARMY FORCES IN THE FIELD

CHANGES
No. 2 }

WAR DEPARTMENT,
WASHINGTON, July 25, 1942.

FM 30-26, January 21, 1942, is changed as follows:

2. DEFINITION.—The term "correspondent" as used * * * pertains principally to the former. See paragraph 18 for instructions concerning visiting correspondents. Correspondents have the status of noncombatants.

[A. G. 08211 (7-20-42).] (C2, July 25, 1942.)

7. AGREEMENT.—a. *Accredited correspondents.*—Before final acceptance an accredited correspondent will be required to sign an agreement, in triplicate, as follows:

* * * * *
5. That at the termination of my assignment, I will surrender my credentials without delay to the Bureau of Public Relations, War Department.
* * * * *

(Grade and organization)

b. *Visiting correspondents.*—Visiting correspondents will sign the following form:

WAR DEPARTMENT
Bureau of Public Relations
Washington

AGREEMENT (Visiting)

(Date)

In connection with recognition as a war correspondent outside the continental limits of the United States, granted by the War Department to me, the undersigned, for purpose of securing news or story material, still or motion pictures, or to engage in radio broadcasting I subscribe to the following conditions with reference to United States military and naval activities:

1. That as a civilian recognized as a war correspondent outside the continental limits of the United States, I am subject to the Articles of War and all regulations for the government of the Army issued pursuant to law, when with such forces.

2. That I will govern my movements and actions in accordance with the instructions of the War Department and the commanding officer of any Army or Navy unit which I may visit or observe, which includes the submitting, for purposes of censorship, all statements, written material intended for publication, and the undeveloped negatives of all film exposed while visiting or observing any Army or Navy unit. I further agree that I will submit for purposes of censorship all such material even though written after my return, if

the interviews, written matter, or other material, including photographic prints, are based on my observations made during the period or pertain to the units visited or observed under this authority.

It is further understood and agreed that undeveloped film which cannot be processed and passed by the unit intelligence officer will be forwarded by him to the War Department.

3. That I waive all claims against the United States for losses, damages, or injuries which may be suffered as a result of this authority.

4. That this authority is subject to revocation at any time.

5. That at the termination of my assignment I will surrender my credentials without delay to the Bureau of Public Relations, War Department.

Signature:.....

Representing:.....
(Company, syndicate, or agency)

Witnessing officer:.....

(Name)

(Grade and organization)

c. *Disposition.*—These forms will be executed in triplicate for disposition as follows:

* * * * *
[A. G. 062.11 (7-20-42.) (C2, July 25, 1942.)

9. UNIFORM.

* * * * *

b. The uniform includes the official brassard worn on the left sleeve. This is a green cloth band, 4 inches wide, with a 2-inch white block letter "C" or "P", indicating the function of the correspondent. Journalists, feature writers, and radio commentators will wear "C" brassards. Photographers operating still or motion equipment will wear "P" brassards.

* * * * *
[A. G. 062.11 (7-20-42.) (C2, July 25, 1942.)

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

J. A. ULIO,
*Major General,
The Adjutant General.*

Senator CLARK. Senator Danaher suggests an amendment to this bill as follows:

Strike out all after the colon and insert in lieu thereof—

and (6) an American war correspondent officially accredited by the War or Navy Department for active service.

Mr. HUTCHINSON. There is no objection to that whatever.

Senator CLARK. Senator Reynolds, would you have any objection to that?

Senator REYNOLDS. None whatever, I think it clarifies it.

Senator DANAHER. It ties in with your definition of "active service" in section 2.

Mr. HUTCHINSON. May I ask that this basic field manual be included as a part of the hearings, and printed, because that will explain the whole thing.

Senator CLARK. It will be included.

Senator LUCAS. Was legislation of this character introduced in the last war?

Mr. HUTCHINSON. No, sir; and for the reason that the chairman stated at the outset of the hearing, they weren't allowed at the front, they never were allowed near the front, so they never were in any real danger. Nobody was ever killed in action in the First World War, and only one man was wounded. We have 11 dead now and 30 wounded, and a number of others "missing in action." It has been a frightful cost; it is way beyond the losses of the ordinary soldier, or even the aviator, in percentage. The loss in number of correspondents

is beyond anything in the whole Army and Navy, any rating that you take, in percentage of men.

Senator REYNOLDS. And as you stated at the outset, these men are under the direct supervision of the military?

Mr. HUTCHINSON. Yes, they are; and they are subject to court martial.

Senator CLARK. And they can't fall back without orders?

Mr. HUTCHINSON. They can't leave without the written permission of their commander.

Senator LUCAS. In other words they are "in"?

Mr. HUTCHINSON. Yes.

Senator CLARK. Except that they don't carry a gun.

Mr. HUTCHINSON. That is right.

Senator LUCAS. In an extreme emergency they may even do that?

Mr. HUTCHINSON. But they do it against regulations and I think they would be subject to court martial for such action.

Senator CLARK. Thank you very much, Mr. Hutchinson.

Mr. HUTCHINSON. Thank you.

Senator REYNOLDS. And I want to thank the committee also for permitting Mr. Hutchinson and me to be heard.

Senator CLARK. General Hines, will you identify yourself for the purpose of the record?

General HINES. Yes sir.

STATEMENT OF BRIG. GEN. FRANK T. HINES, ADMINISTRATOR OF VETERANS' AFFAIRS, VETERANS' ADMINISTRATION, ACCOMPANIED BY EDWARD E. ODOM, SOLICITOR, VETERANS' ADMINISTRATION

I am Brig. Gen. Frank T. Hines, Administrator of Veterans' Affairs, and I have accompanying me here Mr. Edward E. Odom, Solicitor of the Veterans' Administration.

Senator CLARK. Do you desire to comment on S. 740?

General HINES. Yes, sir.

Senator CLARK. We would be glad if you would.

General HINES. I might state at the outset that if we were only considering this one group that occupies a civilian status, I think we would have little difficulty in agreeing upon the bill, but so far the Congress has adhered definitely to granting national service insurance, as they did the war-risk insurance in World War I, only to those men and women in the active service of the Army, Navy, or Coast Guard.

A number of civilian groups have approached the Veterans' Administration as to finding a way to be covered by the national-service insurance. There are many bills under consideration by Congress at this session that propose to take in civilians; that is, persons who occupy a civilian status. These men undoubtedly take equal risk with men in the service.

But as soon as you open the gate to one civilian group then you will be asked to take in the Red Cross; you probably will take in the WAAC's because, I think, probably legislation putting them in active service will probably go through; and seamen on cargo vessels as well as troop transports. There are bills pending before another committee of the House proposing that at this time.

Senator CLARK. There are bills also pending in the Senate to that effect.

General HINES. Yes. Now, feeling sure that some solution of this problem would have to be worked out; I have had Mr. Breining, the Assistant Administrator in Charge of Finance and Insurance, working with the insurance companies to see if we could work out a solution whereby some pooling of this extra hazard—and that is the only thing that causes the extra premium that they wish to charge—could be made, to reduce the premium.

Not long ago we had a group of public-health doctors and civilian doctors that were being sent into an area to combat typhus. They couldn't get insurance. They likewise wanted to come under this national service insurance. And we took that group and have been working with the insurance companies on it, with the hope that we could get at least the extra hazardous premium down to what would be a minimum cost, and probably in some way covering that, rather than opening up this whole national service insurance to other than those in the active service.

Now on this particular bill the War and Navy Departments could readily solve this themselves. These men are, to all intents and purposes, practically in the service.

Senator CLARK (interposing). General, you took the words right out of my mouth. I was going to ask you if that wasn't a fact. These other cases that you mention of civilians, particularly in the merchant marine, seem to me to have a very meritorious case, and provision should be made for them, but not as a part of the Military Establishment because they are not a part of it. But it seems to me that as far as these war correspondents are concerned, the accredited war correspondents, they have to be accredited by the War Department or the Navy Department, it seems to me that while they are with troops to all intents and purposes they are part of the Military Establishment and ought to be treated as such, and therefore they are different from all other civilian groups.

General HINES. Why can't they be made a part of the military? It seems to me that unless they object themselves to the military restrictions that might follow, they could very well be taken into the service either on a commissioned or enlisted basis, for the duration of the war.

Now this bill itself is broad enough—

Senator MILLIKIN (interposing). I can see an objection to that because there might be a sort of species of censorship over a correspondent if he were actually completely a part of the military service, that he is not under when he is not.

General HINES. Yes; I am sure you are quite right and I think they would probably object to that procedure.

Senator LUCAS. They are already under censorship anyway.

Senator MILLIKIN. There are certain duresses when you are a part of the military hierarchy that do not exist if you are not a part of it.

General HINES. Yes. We have also with the Army many civilians, we have engineers who are building bases, all kinds of workmen, and they are covered under the Workmen's Compensation Act at this time.

Senator LUCAS. We have got a great number of them who are prisoners in Japan right now.

General HINES. Yes. They would like to get under this national service insurance.

So the committee should remember that if we pass this type of legislation you can rest assured that it will be the precedent that they will urge upon you to pass similar legislation covering all the rest of the civilians.

Senator WALSH. Have you received requests from the members of the merchant marine?

General HINES. Yes, sir.

Senator WALSH. They do not have this insurance?

General HINES. No; they are covered under insurance of their own, and also a workmen's compensation provision.

Senator WALSH. By the Government?

General HINES. Not by the Government, except as to employees of the War Shipping Administration.

Senator WALSH. Private?

General HINES. Yes. We are studying two bills that have been introduced and are now pending before the Merchant Marine Committee, with a view of seeing what can be done, if anything further should be done.

We have been called upon for a report, gentlemen, on this S. 740. If it follows the pattern of other civilian groups undoubtedly the report will not be in accord with the President's program of opening up the national service insurance to civilian groups, unless we are prepared to take them all in, and I hesitate greatly because I realize that these men probably have greater difficulty than any civilians serving with the Army, of getting an insurance company to take their risk, because they take great risk themselves to get a story; we all know that, and they will be wherever the troops are or wherever the service is, probably, the hottest.

This bill is broad enough, however, if you will read it carefully, to cover them even though they were serving in the United States. Wherever they are accredited, and with troops, this would cover them, and I call your attention to this language:

includes all periods of time during which such person is serving in his official capacity as an American war correspondent with any branch of the land or naval forces of the United States.

That is all I have to say on this bill.

Senator CLARK. Are there any questions?

Senator WALSH. That means that a correspondent at Camp Devens would be entitled, under this bill, to apply for insurance?

General HINES. If he was accredited by the War Department in the Camp Devens case.

Senator WALSH. Or if he was assigned to a navy yard?

General HINES. Yes. I believe the intent of the proposer of the bill, however, was just to cover accredited correspondents in combat areas.

Mr. HUTCHINSON. May I answer that, Mr. Chairman?

Senator CLARK. Yes.

Mr. HUTCHINSON. No correspondent can be accredited to the United States. They must all be abroad; that is the only way you can get accredited. The assignment must be foreign except in the sense that Alaska and Hawaii are part of the United States, but no

man may be assigned to a camp here; that is not a war correspondent at all.

Senator MILLIKIN. Does that appear in the regulations, Mr. Hutchinson?

Mr. HUTCHINSON. I think it does.

General HINES. I was speaking of the language of the bill, not what the rules may be.

Senator CLARK. That of course could be remedied by a simple amendment.

Senator LUCAS. General, how many groups in civilian life have applied now for insurance of this type?

General HINES. We know that the Public Health doctors assigned to the Army and Navy have; engineers; civilian doctors sent on special missions. I know that proposals have come to us, although not in the form of bills, from other civilian groups that are with the Army and Navy. Then we have also received requests from the men on board ships, transport and cargo ships, as well as passenger vessels.

Mr. ODOM. Could I add just a little bit in answer to the Senator's question?

General HINES. Yes.

Mr. ODOM. The general was speaking more particularly of those who have had legislation considered. A number of groups, including contractors, Civil Aeronautics, and other governmental agencies who have to send civilians abroad in combat areas for construction purposes, have also inquired somewhat informally as to what the attitude would be with respect to including those employees of the Government or of the contractors under National Service Life Insurance, and of course we have always told them that that was afforded primarily for persons in the active military and naval services. But there are a number, who have not even had any legislation proposed as yet, who are interested in that feature.

Senator CLARK. What about these civilian ferry pilots?

Mr. ODOM. They have inquired also.

Senator LUCAS. What about the civilian who is working and making a tank or a plane?

Mr. ODOM. No; but the Office of Civilian Defense has been interested in the matter.

Senator LUCAS. That is what I am saying. I am just raising that as another possibility in opening up the field.

General HINES. Undoubtedly they would make the request as soon as the legislation which is pending before this committee, passes.

Senator MILLIKIN. Do they not come under State compensation systems?

General HINES. If they are in the Government employ they come under the United States Compensation Commission, and in most cases I am sure that they have some status under State compensation commissions.

Mr. ODOM. Just a further item. There are several thousand in the civilian air patrol who would like to get this insurance.

Senator LUCAS. An air-raid warden fell off a roof the other day and was killed.

Senator WALSH. There is a large corps in the Navy known as the Seabees, a construction corps, that follows the troops, moves in after a landing and constructs airports and other facilities for the Army and

Navy to operate from. They are all included in the personnel of the Army and the Navy, are they not?

General HINES. Some are and some are not. There are some in a civilian status, I am sure, in both the Army and the Navy. The Navy may have more in a commissioned or enlisted status than the Army.

Senator WALSH. How can you differentiate between a man who is in the Construction Corps and a man who is in a civilian capacity?

General HINES. If he was a member of the Construction Corps he would be either enlisted or commissioned.

Senator WALSH. But you say there are others that accompany them who are civilians?

General HINES. I understand they award contracts to civilian engineers for construction.

Senator WALSH. Right under fire?

General HINES. I don't know as to that.

Senator WALSH. I have in mind the work they did in the Solomons, and they have been very highly praised by the Navy; the officials of the Navy have been very elaborate and generous in their praise. If there are civilians accompanying them I don't see how you can differentiate.

General HINES. I have no information on how many they have, but I have always understood that the Navy, like the Army, has certain civilian personnel attached to their Engineering Corps.

Senator WALSH. And to accompany troops and be under the fire of the enemy?

General HINES. They go wherever it is necessary, to prepare docks, or airfields, or things like that.

Mr. ODOM. Those on Wake Island came under fire very decidedly.

Senator WALSH. Yes; and they were working for private contractors, weren't they, who were engaged in public works there?

Mr. ODOM. That is right.

Senator WALSH. I know that some of the best work done in Guadalcanal was done by the Construction Corps of the Navy.

General HINES. Undoubtedly that is correct, and they correspond very much to the Corps of Army Engineers of the Army.

Senator WALSH. We ought to find out whether there are any civilians attached to the personnel, in the Construction Corps.

General HINES. In making a report on this bill I would be glad to furnish that information.

Senator WALSH. Thank you.

(At 11:15 a. m., the committee took up the consideration of other bills.)

VETERANS' LEGISLATION

MONDAY, MARCH 1, 1943

UNITED STATES SENATE
SUBCOMMITTEE ON VETERANS' LEGISLATION
OF THE COMMITTEE ON FINANCE,
Washington, D. C.

The subcommittee met, pursuant to adjournment, at 10 a. m., in room 312, Senate Office Building, Senator Bennett Champ Clark (chairman) presiding.

Senator CLARK. The committee will come to order.

Mr. Odom, did you wish to amend some figures that General Hines gave the other day?

STATEMENT OF EDWARD E. ODOM, SOLICITOR, VETERANS' ADMINISTRATION

Mr. ODOM. Mr. Chairman, I was just going to say the figures General Hines gave the other day in answer to your question were not as complete as desired by him.

Senator CLARK. That was on hospitalization, S. 230?

Mr. ODOM. That is correct. We will submit the figures to the committee in perhaps the next day or two.

Senator CLARK. We will be glad to have them.

(The figures referred to above are as follows:)

While specific information on this subject must be regarded as confidential, it may be stated generally that an estimated total of approximately 60,000 persons may be discharged from the Army during the fiscal year 1943, for disability not incurred in line of duty, and of that number that approximately 13,000 might require hospitalization. For the fiscal year 1944 there would be an estimated total of 75,000 discharged for disabilities not incurred in line of duty with an estimated 16,000 who would possibly require hospitalization. These approximations do not take into consideration the number of cases where upon review of the facts under laws administered by the Veterans' Administration a determination of line of duty incurrence or aggravation may be made.

Mr. ODOM. Major Clark is here, if you want to hear him on that one point you passed the other day.

Senator CLARK. Major, will you come up, please?

STATEMENT OF OMER W. CLARK, ASSISTANT ADMINISTRATOR, VETERANS' ADMINISTRATION

Mr. CLARK. Mr. Chairman, I do not think I can add anything to the information that General Hines gave you the other day.

Senator CLARK. I asked you to come up, Major because General Hines said you had some additional figures that you might be able to give us.

Mr. CLARK. He was directing his remarks, if I remember correctly, to that section of S. 622 which provides that men who were inducted into employment and who had 10 percent disability and suffered injury and death while so employed would be covered by the Veterans' Administration, that the cost of protection provided under employees' compensation would be borne by the Veterans' Administration.

Senator CLARK. Yes, I recall that.

Mr. CLARK. In connection with that section he asked me to contact the U. S. Employees' Compensation Commission, to see if they could give us any information regarding the extent of such liability.

Senator MILLIKIN. What bill are we talking about?

Senator CLARK. We are now talking about S. 622, the rehabilitation bill.

Mr. CLARK. Section 5 (b), I think it is, Senator, on page 4.

Senator CLARK. Well, that section is not contained in S. 786.

Mr. CLARK. That is right.

Senator CLARK. As a matter of fact, I might say that S. 622 was not the correct draft. Senator Walsh introduced it under a misapprehension. S. 786 is the draft of the bill that Senator Walsh and I support.

Mr. CLARK. If I remember correctly, when the General was directing his remarks to this legislation he made some comment with regard to the cost of this particular section, and then volunteered the information that I could add something to it.

Senator CLARK. That is correct.

Mr. CLARK. As a matter of fact, the General covered the subject, and I have nothing to add to it.

Senator CLARK. Very well.

Thank you, Major.

Mr. Ketchum, will you come up, please?

STATEMENT OF OMAR B. KETCHUM, LEGISLATIVE REPRESENTATIVE, VETERANS OF FOREIGN WARS

Senator CLARK. Will you just identify yourself for the record?

Mr. KETCHUM. Omar B. Ketchum; Veterans of Foreign Wars.

Senator CLARK. You are the legislative representative of the Veterans of Foreign Wars?

Mr. KETCHUM. That is correct, Senator.

Mr. Chairman and gentlemen of the committee, I represent the Veterans of Foreign Wars of the United States, which is an organization composed of men who have served overseas on foreign soil or in hostile waters, in wars, campaigns and expeditions. I might say, to qualify myself as having some right to speak on this matter, that our organization at the present time is accepting thousands upon thousands of men who are serving in the armed forces today overseas. We have units in Newfoundland, New Guinea, on Guadalcanal, in Australia, Britain, Ireland—practically every theater of war operation.

Senator CLARK. In other words, Mr. Ketchum, you speak not only for veterans of past wars but also for men who are presently becoming veterans?

Mr. KETCHUM. That is correct, Mr. Chairman. I raised that point because in hearings before a House committee the question was voiced as to why veterans' organizations—as to why they had the

temerity to speak for the men who were serving in the war today, and I merely wanted to qualify myself as one who has some right to speak for men who are serving today.

The Veterans of Foreign Wars, in connection with two other major veterans' organizations, in the Seventy-seventh Congress agreed upon a bill—

Senator CLARK. What two veterans' organizations?

Mr. KETCHUM. American Legion and Disabled American Veterans. They agreed upon the draft of legislation which would provide vocational rehabilitation training for disabled war veterans of the present war. That bill was introduced in the Seventy-seventh Congress in the House of Representatives and also in the Senate. It was known as H. R. 7661 in the House, was reported out of the committee and passed the House of Representatives and came before this committee in the closing days of the Congress. That bill was almost identical with the bill that is before the committee here this morning and identified as S. 786. This is the bill that the veterans' organizations feel would adequately provide vocational rehabilitation training for the disabled veterans of the present war.

Now, I will explain to the committee, as briefly as possible, why we favor this particular type of legislation rather than the joint, or may I say the dual, legislation as introduced by the distinguished Senator from Wisconsin, and by Representative Barden, of North Carolina, in the House of Representatives. I first want to say that we are not opposed to vocational rehabilitation for those who are disabled as the result of industrial accidents or the result of handicaps of birth. As a matter of fact, our organizations have adopted resolutions dealing with rehabilitation for the civilian disabled in this country, but we deem the two as separate problems; that is, it has always been the traditional history and policy of this country to give special consideration and special recognition to the men who served in the armed forces.

Senator CLARK. They are two entirely different things, are they not?

Mr. KETCHUM. We know that to be correct, Senator, and we have always felt that those persons who serve in the armed forces, particularly during a period of war, are entitled to some special consideration, and to some distinction as a veteran group. So when we find legislation designed to cover not only the war disabled veterans but also the disabled civilians, even though they are in a sense divided into two categories in the one bill, we still believe that they should be separate, that each group should stand on its own legs and on its own merit, and there should be at no time any legislation dealing jointly with disabled war veterans and with disabled civilians regardless of how these civilians were disabled, whether it was in war industry or whether it was the result of an accident at birth, as long as the disability was not incurred as a member of the personnel of the armed forces.

Consequently we are deeply concerned when we see a serious effort being made to tie up disabled veterans and disabled civilians in the same piece of legislation regardless of the contention that they are going to be handled separately by, first, the Veterans' Administration and, second, by the Federal Security Agency. We still believe there is a definite tie-up in the La Follette-Barden bill between the Federal Security Agency and the Veterans' Administration.

Senator LA FOLLETTE. Would you mind pointing out, Mr. Ketchum, just what that tie-up is that you object to?

Mr. KETCHUM. I do not happen to have a copy of S. 180 in front of me, but I recall on the House bill, when I testified, I pointed out that under the provisions of the House bill, which at that time was identical with the Senate bill, it would be necessary for the Administrator of Veterans' Affairs to certify, through the Federal Security Administrator or his designate, those veterans who would be trained under the State vocational training program. In a sense, the Administrator of Veterans' Affairs had to channel through the Federal Security Administrator those disabled veterans who were to be trained under the State vocational training program.

Senator CLARK. That was the bill that was introduced at the last session?

Mr. KETCHUM. No, in this bill.

Senator LA FOLLETTE. That is not the provision in the bill as reported by the committee.

Mr. KETCHUM. A correction has been made?

Senator LA FOLLETTE. It has.

Mr. KETCHUM. That was, in fact, the bill that was introduced.

Senator LA FOLLETTE. Mr. Ketchum, could I interrupt you just a minute?

Mr. KETCHUM. Surely.

Senator LA FOLLETTE. I would like to make a brief statement for the record, because I am compelled to go to the Foreign Relations Committee this morning. My only desire in this matter has been to secure the enactment of a comprehensive legislation to meet the war emergency, so far as rehabilitation is concerned. Now, S. 180, as I see it—and I think it can be substantiated by an examination of it—as reported from the committee provides substantially the same provisions with regard to administration and control of service-connected disabled veterans' rehabilitation as do any of these other bills which have been introduced. There are certain details of administration that are spelled out in S. 786 that are not important. I think everybody would have to admit that. The only legislative or legal connection between title I of S. 180, that is, service connected disabled veterans' rehabilitation, and the Federal Security Agency that now remains in S. 180, as reported from the committee, is one which General Hines, with whom of course I have conferred all the way through this legislation, asked for; and I see no objection to it, which was that where there was a rehabilitation on the exclusive direction and decision of the Veterans' Administration of a veteran with a service-connected disability under some Federal-State supported program, that the payment for that, which would be 100 percent, of course, by the Federal Government, should be through the Federal Security Administrator's Office, in order to save the Veterans' Administration from having to set up fiscal relationships for the detailed payment of individual veterans' costs with all the 48 States, or such States, less in number, that he might have relationship with in training these veterans.

Mr. KETCHUM. Well, now, Senator, may I ask you a question for the record on that?

Senator LA FOLLETTE. Certainly.

Mr. KETCHUM. It is then your contention, as the author of S. 180, that to all intent and purposes we actually have two separate administrations for vocational rehabilitation training—one for the veterans and one for the disabled civilians?

Senator LA FOLLETTE. With this exception that I have mentioned, that there is this provision that instead of the Veterans' Administration having to issue an individual check to the State to reimburse the State for its share of the cost of any veteran that he decides to be rehabilitated under the State plan, the Federal Security Administrator may make these payments and the Veterans' Administration would reimburse the Federal Security Agency for these disbursements.

Mr. KETCHUM. But with that exception, it is the contention then of the sponsors of S. 180 that there are, in effect, two separate administrations for vocational rehabilitation training. The point I am wondering about is why then that the two are incorporated in one bill when, in a sense, it is going to give us two separate vocational rehabilitation set-ups. The argument, when the bill was first introduced in the Seventy-seventh Congress under the President's message was that all vocational rehabilitation should stem through one agency, from the standpoint of sound administration, and to prevent duplication and overlapping of cost. That was the argument for the two being combined in one bill in the Seventy-seventh Congress. Now, we find them coming back in the Seventy-eighth Congress contending that they have given the veterans separate consideration under the Veterans' Administration, and, in effect, we would have two separate administrations on vocational rehabilitation. So I now come back with the question: What is the advantage in having the two groups incorporated in one bill, unless it is because they want the veterans to carry the load for the other group in getting it through the Congress? That is what we are confronted with, Senator.

Senator LA FOLLETTE. Let me say this very frankly. When the first bill was introduced there was objection raised to it by the veterans' organizations.

Mr. KETCHUM. That is correct.

Senator LA FOLLETTE. When that legislation failed of enactment—and may I say I was not responsible for any delay—I called in General Hines and asked him if he could not get together with all of the various agencies in the executive branch of the Government that might be concerned with this whole problem, and representatives of the veterans' organizations to see if these conflicts could not be compromised in some way, so that this legislation, of a comprehensive character, could be passed. We are confronted with a different situation now than we had before. I mean there are certain people for whom the Federal Government is going to have to assume full responsibility, just as it does for the veterans. Take, for instance, a pilot serving in the civilian air patrol who crashes and is injured, he ought to be rehabilitated at Government expense, not by the same system, but it should be the responsibility of the Federal Government.

Senator CLARK. Senator, that bill for dealing with civilian pilots, and things of that sort, is also before the subcommittee, and just as soon as these bills are disposed of in the subcommittee, and just as soon as the bills are disposed of before the Foreign Relations Committee, on which committee the members of this committee are also members, it is my purpose to call a meeting of the subcommittee for

the purpose of dealing with the civilian air pilots and those other people that are carried in that bill.

Senator LA FOLLETTE. There are a number of categories, that is, people in civilian defense work, and so on. In other words, it was the desire to have some legislation passed which would modernize and make possible a comprehensive rehabilitation system to take care of the various categories, the disabled veterans, the persons engaged in war service of the United States who are not connected with veterans, who were not in the armed services, the civilians who are disabled in industry by accidents, or otherwise, who are disabled by birth, and as the result of those conferences legislation was worked out which we thought was completely satisfactory, I mean so far as the draft is concerned, although the veteran organizations did maintain that they wanted a separate piece of physical legislation passed. That bill was introduced and went to the Senate Committee on Education and Labor and is now reported. My answer is, so far as the Veterans' Administration is concerned, they have been saying this was going to result in delaying the consideration of their legislation, that they were being asked to pull the other groups along, because of the fact that there would be a more generous attitude toward the veterans in Congress than toward the other groups. But I want to say, insofar as I am aware, the only opposition to S. 180 is coming from the veterans' organizations. I have not run into any opposition, so far as the legislation is concerned, in the Senate, since it has been reported. I am proposing to take it up today and try to get action on it.

I, for the life of me, cannot understand why the veterans should keep saying that they are interested in all these other categories. They will have to acknowledge, I think, if they fairly study the provisions of S. 180 as reported, that there is no attempt in that bill whatsoever to hamper or hinder the complete control of veterans with service-connected disabilities being administered under the Veterans' Administration. Why they should now be seeking either to delay or to separate the measure, I do not know.

Mr. KETCHUM. If the Senator will permit, I will go ahead and tell you why?

Senator LA FOLLETTE. In other words, I cannot understand and never have been able to understand the logic or the reason behind physically having two separate bills.

Mr. KETCHUM. I will try and explain that, Senator, if you will give me an opportunity. I recognize all the argument you are making here. We have gone over that again and again. I know the history of that legislation. I am not questioning your good faith in the objective you had in mind when this legislation was introduced. I know you are interested in the welfare of the civilian disabled in this country; I know your history and background, and I am sympathetic to your position in this thing.

Senator CLARK. I can say for the record that heretofore in the consideration of items that affected the war veterans, the veterans never had a better friend on this committee than Senator La Follette.

Mr. KETCHUM. I know that. I also know that the Senator is interested in broad social problems in this country. If you will permit, I will try and tell you in my limited ability why we object to this thing being incorporated in the same bill. You know as well as I do the history of the veterans' efforts in this country to consolidate all of

the veterans' problems within one agency of the Federal Government. You know the history of attempting to deal through committees of Congress that are intimately acquainted with veterans' problems and who will handle legislation dealing with veterans' problems. Now, we find, for the first time—at least the first time I can recall—we find problems dealing with veterans and problems dealing with civilians tied up in the same piece of legislation, and we are wondering if this is the first step in a program which in the future will look forward to dealing with the veterans out of the common pot of all the civilians in the country.

Senator CLARK. I am talking as chairman of the committee which has heretofore had to do with the veterans' affairs.

Mr. KETCHUM. That is right. Here is what I mean by that: If it is logical to tie up the two problems here in this one bill, then why don't they tie up under veterans' compensation and pension, other legislation such as railroad retirement and employees compensation, unemployment compensation, old-age pensions—why don't they tie all that up with legislation dealing with compensation and pensions for veterans? Why do they suddenly come along and decide that when we are going to deal with a strictly veterans' problem we are also going to tie in with that problem, others dealing with civilians and establish a new precedent in the Congress? That simply means if S. 180 becomes law then in the future any amendment that may come before the Congress in connection with this would undoubtedly be referred to the Committee on Education and Labor in the Senate. It would mean the same thing in the House. It means then that more and more the problems of the veterans are going to be distributed through the various committees of Congress instead of confining them to the committees that are established to deal specifically with the veterans' problems. That is, I will tell you frankly, Senator, what I am honestly afraid of in this bill. I agree with you that this bill will provide adequate rehabilitation training for veterans under the Veterans' Administration.

Senator CLARK. S. 180?

Mr. KETCHUM. S. 180. I will agree with you on that, but I will make you this prophecy, that if S. 180 is the bill which becomes law, that then within a year they will come back to the Congress, the Federal Security Agency and those people who are interested in it will come back to the Congress and will ask for an amendment, stating that it is unnecessary to have two separate administrations; that the cost is excessive and that the sensible and sound administration method of handling this thing would be to channel it all through the Federal Security Agency and cut out the separate administration for the veterans and they will point out how they can save money in the overlapping and duplicating cost of this program, and inasmuch as the bill has once been passed linking the two together, it will sound reasonable to the Congress that maybe it should be changed. Then, you are right back to where we were in the Seventy-seventh Congress when the original bill was introduced.

We are striving, Senator, not to defeat your social objectives, not to defeat rehabilitation for disabled civilians in this country—but we are striving desperately to keep the problems of veterans segregated from the problems of civilians. I know once legislation of this character is enacted into law, it is only the first step, the preliminary step

to start lumping all of their problems together. That is the desperate fight we are making.

I will say to you, Senator, I am not challenging your integrity, your friendship in the past to the veterans, but we believe this is a mistake, to tie the two problems together.

So we say, in answer to the argument now that you do have these two segregated, if that be the case then why not consider the civilian disabled and the veteran disabled each on their own merits, letting each one stand on their own legs? Let the Congress determine whether they shall engage in a broad, social program for rehabilitation of all civilian disabled in this country, and at the same time are going to engage in a vocational rehabilitation program for disabled veterans. We are not opposing the one, but we want the two to stand on their own legs. You and I know, I am sure, if you would divorce the veterans from this bill, I am positive that the bill would not receive the favorable consideration in the Congress that it will receive if title I and the disabled veterans are left in this bill.

Senator LA FOLLETTE. Have you finished?

Mr. KETCHUM. To that extent; down to that point. I could go on, Senator, probably and clutter up the record here, but we have other representatives of veterans' organizations that want to testify.

Senator LA FOLLETTE. I do not want to take their time away from them, because I always believe in the witnesses having all the time they want. The Senators have plenty of time to testify on the floor and other places.

Mr. KETCHUM. That is right.

Senator LA FOLLETTE. I do want to make this point clear, that in my opinion, the veterans' organizations are making a mistake in their attitude toward this legislation. I am seeking to get legislation enacted, to get it on the statute books. I have tried my very best, in working on this legislation, to bring about legislation which I think will ultimately be enacted, and I firmly believe if S. 180 is passed that your fears about committee jurisdiction are entirely unfounded. If S. 180 is passed there is no reason in the world why amendments to title I should go to the Committee on Education and Labor. You must realize that in order to carry out a comprehensive program, you have got a conflict of committee jurisdiction. I mean, assuming you are going to have a comprehensive program to cover this whole program and to carry out the general objectives outlined in the President's message—

Senator CLARK. Senator, If I may interrupt right there simply to inject a thought?

Senator LA FOLLETTE. Certainly.

Senator CLARK. Hitherto, all social-security legislation as well as all veterans' legislation has come from the Finance Committee. As far as I know, this is the first encroachment by the Committee on Education and Labor on the whole social-security program.

Senator LA FOLLETTE. The Senator is entirely mistaken in that. I went back into the legislative history. All vocational rehabilitation legislation since 1920 has gone to the Committee on Education and Labor. If you are going to introduce comprehensive legislation in conformity with the general program there is a conflict of committee jurisdiction, and I just want to say I think your apprehensions are entirely unfounded, so far as the conflict of committee jurisdiction

in the future is concerned. I want to reemphasize that what I have been trying to do here is to get legislation through, to get it enacted and get it on the statute books. I think if you will read the President's message, if you will read S. 180 as reported by the committee and read the report thereon, which, in part, is some background for future interpretation, you will see I have gone a long way in that direction.

Mr. KETCHUM. Senator, do you think S. 180 in its present form as reported by the committee is in compliance with the President's original message on vocational rehabilitation? Does this answer his plea for one program on vocational rehabilitation? Is it in conformity with his program?

Senator LA FOLLETTE. I think that a lot of progress has been made in the direction of securing the enactment of legislation on this subject, which, so far as its substantive provisions are concerned, should be satisfactory to the veterans.

Mr. KETCHUM. Senator, I am not trying to heckle you or to be smart-alecky, you understand.

Senator LA FOLLETTE. I am trying, as far as possible, to be frank with you.

Mr. KETCHUM. All right. Here is what I want to ask you then: Senator, do you honestly believe if title I and the reference to disabled war veterans were cut out of S. 180—do you believe the bill would then sail through Congress without any difficulty, particularly in the House of Representatives?

Senator LA FOLLETTE. Of course, I am not so well prepared to speak about the House of Representatives. I can tell you better after we have made some effort to get S. 180 under consideration in the committee, and I can say frankly that the only opposition that has come to my attention from the time this bill was introduced up until now, of any serious nature, against this legislation, has come from the veterans' organizations.

Mr. KETCHUM. Senator, I am inclined to believe that is because the veterans are tied in with the bill. I can well see where a Member of the Senate or a Member of the House would go along on S. 180, because he would be reluctant to deny needed vocational rehabilitation training to disabled war veterans, but I predict if you divorce the two and set the civilian disabled program off in a separate bill, that you are going to find an entirely different situation.

Senator LA FOLLETTE. I want to say in all frankness that in the executive sessions of the committee, and otherwise, there have been no serious objections voiced to the major objectives of the three titles of the bill. There have been some alterations, as you know. A more important State emphasis is in the bill than when it was originally introduced. There was that objection so far as title III was concerned. Too much emphasis was placed in Federal control, but we tried to meet that in the bill.

I just wanted this record to show, as far as I am concerned I have been seriously and honestly trying to get legislation enacted and on the statute books which, to all intents and purposes, would carry out the desires of the veterans of this country, that the administration of the service-connected disabled veterans, so far as rehabilitation was concerned, would be in the hands of the Veterans' Administration, and I think this bill accomplishes that purpose.

Mr. KETCHUM. I understand. I will conclude, Mr. Chairman, by just briefly summing up again our objections to S. 180, and why we are strongly favoring S. 786. Again, I say that S. 180 would establish a new precedent in a broad, new social program for rehabilitation of disabled civilians and will tie it in with a traditional policy which has been adopted heretofore by the Government for disabled veterans of a war period, and we believe the two problems should be separated and that each should stand on its particular merit and not be tied in together. That is the reason I came here this morning, strongly urging this committee to favorably report S. 786, because it would provide, just the same as the Senator's bill would provide, adequate rehabilitation for war veterans, and it is confined to disabled war veterans and specifically establishes it within the Veterans' Administration. That, in a sense, sums up the reason why I am here in behalf of S. 786 and why we are opposing the consideration of S. 180 in its present form.

Senator CLARK. Are there any questions?

Senator MILLIKIN. No.

Mr. KETCHUM. Were you going to take up the hospitalization bill?

Senator CLARK. Yes; I was going to take that up next.

Mr. KETCHUM. Do you want me to take that up?

Senator CLARK. Yes. That is S. 230.

Mr. KETCHUM. Mr. Chairman and gentlemen of the committee. I am very happy to have the opportunity and privilege to come before you and make a plea for consideration of a bill of this character. I think we are all agreed that there are thousands of men being discharged from the armed forces today who are seriously in need of the services that can be given them by the Veterans' Administration hospitals but those men are denied the right to hospitalization unless they have been determined by the War or the Navy Department to have been discharged for disabilities incurred in line of duty. Most of us understand that there is a wide difference in the determination that the War and Navy Departments make as to the line of duty disability and the determination that the Veterans' Administration makes.

Senator CLARK. Mr. Ketchum, we have entered on the policy now of drafting 18-year old boys. It is a fact, is it not, that some of those boys are emotionally unstable. They are not cowards, but if subjected to military discipline some of them blow up and result in mental cases?

Mr. KETCHUM. That is correct.

Senator CLARK. Is it not a fact that at the present time men are being discharged and sent back either for their own families to take care of them, if they are able to, or being sent to State institutions, if they can get in? Some cannot get in.

Mr. KETCHUM. Some of them have even been incarcerated in county jails, or held in county jails until it has been determined who is going to take them over as charges. Men have been discharged and committed to the sheriff who puts them in the county jail until such time as it has been determined whether the State was going to take care of them, if their families were going to take care of them or if they were to be put in State institutions.

There is another point I wanted to make in connection with that. There was a lot of discussion here in the hearings last Friday, and someone referred to this as non-service-connected hospitalization.

That is not absolutely correct. It is true that the men who are now denied hospitalization have not been determined to be line-of-duty cases by the War or the Navy Department. That does not mean they are not going to be found service-connected disabled persons when their claims are presented to the Veterans' Administration. I say to you that a good many of these men who are being discharged as not in line of duty by the War and Navy Departments are likely to be found to be service-connected disabled men by the Veterans' Administration, but in the interim, between the time they are discharged and the time the Veterans' Administration finally determines their cases, they have no hospital advantages.

Senator CLARK. There are no provisions to take care of them at all.

Mr. KETCHUM. That is right. So I think the Congress can honestly say every one of these men may fairly be considered as potential service-connected cases, and therefore until it is determined they should be entitled to hospitalization privileges.

Senator CLARK. We had the same bill up at the last session, and as an excuse for not passing the bill, they said after the last war Congress waited 5½ years before they passed the last legislation. I know of a good many cases of the very grossest hardships that took place by reason of that congressional delay. I believe it would be a national disgrace for Congress to delay 1 day longer than necessary to set up a policy to take care of the men coming back.

Mr. KETCHUM. I quite agree with you, Senator. The point I want to get across is that sometimes they refer to this as a non-service-connected hospital privilege. We want to challenge that because it has not been proven yet that these men are not service-connected cases, these men that are discharged for disabilities. It may be that the War Department or the Navy Department, in their original determination may say it is not a line-of-duty discharge, but the Veterans' Administration may find differently. We say until every case is proved that it is not a service-connected case, there is a very strong possibility that it is a service-connected case, and certainly it should be entitled to the hospitalization privilege.

Senator LA FOLLETTE. Do you not find that these county and State institutions in many instances are reluctant to receive these cases, because they contend that they are veterans?

Mr. KETCHUM. That is right, sir.

Senator LA FOLLETTE. And therefore the Federal Government should assume the entire obligation and cost of their hospitalization, care, and treatment?

Mr. KETCHUM. You are absolutely correct, Senator.

Senator WALSH. Mr. Ketchum, only last week I had a case of a doctor who had been in the service 2 years. He was a very able surgeon, but he developed last summer up on the Maine coast, due to exposure, a tubercular trouble. The Retirement Board of the Navy sat on the case and decided that he had weak lungs before he went into the service, before they took him in. It so happens that he has money and can get along, but if he did not he would have had to go from place to place to find someone who would take care of him.

Mr. KETCHUM. That is right.

Senator WALSH. This man happens to have some means and he does not happen to be compelled to do that, but if he did not have money he would be a charge on the world.

Mr. KETCHUM. Especially, until such time that he established a claim with the Veterans' Administration. Up until the time he established his claim with the Veterans' Administration that it was service-connected disability.

I might add, Mr. Chairman and members of the committee, that a bill almost identical with this has already been reported favorably out of the World War Veterans' Committee in the House, and the only change that has been made in the language of the bill is that they have clarified the rights of the women's auxiliaries to this hospitalization. It seems that some question arose in the World War Veterans' Committee as to whether the WAAC's, WAVES, SPARS, WHIMS, WHAMS—whatever they are, would be eligible to hospitalization under the wording of this bill, and in order to make certain, there were some amendments added which clarified the position of the ladies' auxiliaries to the various armed forces. That was the only change made; otherwise, the bill is identical in its provisions with S. 230. We consider this one of the most important and vital things relative to the discharged veterans of the present war that has come before the Congress, and it is something that should be immediately given attention.

If there are no other questions and there are no other bills that you are going to take up this morning, I will be glad to yield to other representatives, sir.

Senator CLARK. Very well, Mr. Ketchum. Thank you.
Mr. Sullivan.

STATEMENT OF F. M. SULLIVAN, EXECUTIVE DIRECTOR, NATIONAL LEGISLATIVE COMMITTEE, AMERICAN LEGION

Mr. SULLIVAN. Senator Clark and members of the subcommittee, my name is F. M. Sullivan. I am the legislative representative of the American Legion. I would like to present to the subcommittee Mr. Bruce Stubblefield, executive secretary of our National Rehabilitation Committee.

In view of what has gone before, I can be quite brief on these two subjects, but I would like to state the Legion's position. Of course, as you all know, the Legion has a membership of 1,136,000 World War I veterans. We have an auxiliary of about 600,000.

The American Legion, at its last national convention, adopted a resolution asking for the immediate setting up of a vocational rehabilitation system for those that are disabled in the present war, and I would like to submit that resolution for the record.

Senator CLARK. It may be inserted in the record.

(The resolution referred to is as follows:)

RESOLUTION

Whereas members of our armed forces have already been blinded in the service of their country in the present war and there is reason to believe that a great many more will be; and

Whereas in the opinion of those who suffered this tragic disability during World War I, and other individuals, something must be done beginning right now, if these men and women are to be given the proper opportunity to reestablish themselves as useful American citizens; and

Whereas it is deemed important that proper use be made of all facilities available for the rehabilitation of these blinded veterans avoiding the mistakes, if possible, that were made following World War I; and

Whereas because no definite action has been taken by the Government to put the necessary plan into operation; and

Whereas because the Government owes to persons losing their sight in line of duty the best possible care that can be provided, and

Whereas since the fundamental reason for the existence of the American Legion has been and must continue to be the rehabilitation of our disabled comrades, various facilities of the American Legion already being used for the benefit of those who are being disabled in the present war: Now, therefore, be it

Resolved by the American Legion, That the proper Federal agencies take immediate steps to provide for the training and care of eye casualties growing out of the war in order that these disabled veterans will not be left by the Government to suffer hopeless despondency which magnifies so unnecessarily and affliction which at best is serious enough, recognizing that in those cases hope and plans for the future, based upon good judgment and experience, must be available at the earliest possible moment. We urge that the proper Federal authorities consult with those who were blinded during World War I, and, having been rehabilitated, know from experience what those who may be blinded in this war will have to go through. In this connection we call to the particular attention of the Federal authorities the recommendations for the care, training, and after-care of persons losing their sight in the present World War prepared by representative committee of the American Association of Workers for the Blind.

Submitted by,

ED RIEDEL,

Representing Department of Texas,

Mr. SULLIVAN. At our last meeting of the national executive committee this subject was discussed thoroughly. A resolution was adopted by that committee, which is in the nature of a board of directors, which decided a system should be developed to be administered by the Veterans' Administration.

We of the Legion hope that this subcommittee will favorably report S. 786 and that the Senate will pass it. In taking that position we do not want to be placed in the position of opposing vocational rehabilitation for civilians. We take absolutely no stand on that question, because our organization has not taken any position on that. We feel it is a very dangerous precedent to include disabled civilians and disabled veterans within one piece of legislation. As Mr. Ketchum so ably said, if this precedent is established there is nothing to prevent other bills coming in later on combining benefits for civilians and for disabled veterans. We feel the two are entirely different problems. We have always believed the disabled veterans are a Federal Government problem whereas the disabled civilians may be a joint Federal and State proposition, may be a State proposition, may be a local community proposition. Therefore, we are hopeful that there will be a separate bill for vocational rehabilitation of disabled veterans of this war.

Also in taking that position, we feel the Legion is thoroughly unselfish on a wide, general bill. There are some of our World War I veterans that would benefit, but we think vocational rehabilitation ought to be set up immediately for the thousands of young men who are now being discharged on medical discharges, and benefits ought to be administered through the Veterans' Administration.

S. 786 would accomplish that purpose, and we are hopeful the committee will report it immediately and that the Senate will pass it immediately.

Now, if there are any questions on that, before I go on to hospitalization, I will be glad to answer them.

Senator LA FOLLETTE. I do not want to take any more time. I will let my statement, that I made in connection with the previous witness' testimony, stand.

Mr. SULLIVAN. I listened to you, Senator La Follette, with a great deal of interest, and may I say we of the Legion regard you as a sincere friend of the veterans. We have always found you so, and we believe you are sincere in connection with S. 180.

Senator LA FOLLETTE. Thank you.

Mr. SULLIVAN. But our position is that S. 180 would set a bad precedent in including the two different classes.

Senator CLARK. Any questions, Senator Walsh?

Senator WALSH. No.

Senator CLARK. Senator Millikin?

Senator MILLIKIN. No.

Senator CLARK. Mr. Stubblefield, is there anything you wish to add to Mr. Sullivan's statement on this bill?

STATEMENT OF BRUCE STUBBLEFIELD, EXECUTIVE SECRETARY, NATIONAL REHABILITATION COMMITTEE, AMERICAN LEGION

Senator CLARK. You are the attorney of the veterans' rehabilitation committee of the American Legion?

Mr. STUBBLEFIELD. I am the executive secretary.

I would just like to emphasize that there are two reasons that we are a little apprehensive about putting the veterans' legislation in with any other Government department, even though it is rather loosely tied together. That is based entirely on the experience we have had in the last 25 years, in trying to build one organization to which the veteran might make his application for all benefits provided by the Congress. I know by our experience in the present State-Federal plan, the one we have had in many States to obtain those benefits that are provided for citizens generally in the separate States, when the veteran makes an application he has to have a special consideration under the present set-up in many States. That is not true of all of them. I could name you a few States where the cooperation has been achieved.

Senator CLARK. I know a good deal about that from personal experience before I came to the Senate.

Mr. STUBBLEFIELD. That is true. In those States where we get good cooperation as a rule you find a pretty good veteran at the head of that vocational set-up in the State who has some knowledge and some sympathy toward the veterans as a group, but the tendency has always been to give the veteran separate consideration, and he has been referred back to the Veterans' Administration.

The same thing is true in relief programs. We have that difficulty constantly. Of course, one does not have to get around very much in Washington to pick up rumors daily that the Federal Security Agency is eventually going to absorb all these things. I can take you into the rumor factories around town here where any number of rumors have been current now for some months that the Veterans' Administration will be absorbed into the Federal Security Agency as a part of the over-all Government set-up. Naturally, we are very apprehensive about that, and we do not want to favor any legislation that will have a tendency to lend some credence, at least, to those rumors. I think that is all I have.

Senator CLARK. They would have been absorbed already if Congress had not seen fit to put a specific provision into the reorganiza-

tion bill exempting the Veterans' Bureau from inclusion under the reorganization bill; would they not?

Mr. STUBBLEFIELD. I would not be surprised.

Senator CLARK. Are there any further questions of Mr. Stubblefield?

Senator WALSH. No.

Senator CLARK. Now, Mr. Sullivan, do you have any views to submit to the committee on S. 230, the hospitalization bill?

Mr. SULLIVAN. Yes, Senator Clark. We hope this bill, too, will be immediately reported and passed by the Senate. Some horrible examples have been reported to the American Legion of young men being discharged on medical discharges, especially the so-called NP cases, and in two or three States held in local jails until provision was made for them by the local community, usually in State institutions. The chairman of this committee, who is a practicing attorney in Manchester, N. H., Mr. Maurice Devine, has in his possession a rather brutal seven- or eight-line letter. Some father received it from Camp Devins, and in effect it told the father to come and get his son who had been serving in the Army or the boy would be placed in a public institution.

Now, as Mr. Ketchum pointed out, the term "nonservice hospitalization" was used frequently here last Friday. The Army or Navy may hold that the disability was not incurred in line of duty, and yet I believe the Veterans' Administration will tell you in a number of instances they have reversed that finding and that the disability was found to be service connected. Of course, we might say if they are going to provide for physical restoration for civilians, then why need we be concerned about nonservice hospitalization or service-connected hospitalization for veterans? Therefore, we think this is an emergency measure.

Senator CLARK. It is true, is it not, Mr. Sullivan, particularly in the field of mental cases and to a lesser degree in tubercular cases and other cases, but particularly in the field of mental cases, it is very difficult to determine right off the reel whether they are service-connected cases or not?

Mr. SULLIVAN. It certainly is.

Senator CLARK. Particularly mental cases?

Mr. SULLIVAN. It certainly is. In every instance each one of those boys passed two physical examinations: By his draft board and then upon his entrance into the Army camp or the Navy base. So while it is difficult to determine that condition, yet there is a presumption that he was physically and mentally all right when he went in. The Federal Government ought to assume some responsibility for accepting him at that time. Then, again, there are high-strung fellows that crack in a very short time under the rigors of military life.

Senator CLARK. Mr. Sullivan, do you think there would be any justification for Congress delaying a matter of this sort, such as taking care of these men, simply because we waited 5½ years after the last war before we determined the policy?

Mr. SULLIVAN. No, sir; I do not think so.

Senator CLARK. That is about the only objection against this bill today.

Mr. SULLIVAN. We urge that this hospital bill be reported immediately and passed by the Senate immediately.

I might add that there is a bill on the House side which has been favorably reported and is on the Unanimous Consent Calendar. It is a companion bill, and it would speed matters if the Senate took immediate action on S. 230.

Senator LA FOLLETTE. Do you favor the amendments that have been incorporated in the House bill?

Mr. SULLIVAN. Yes, sir.

Senator CLARK. What are those amendments, Mr. Sullivan? Do you have them with you?

Mr. SULLIVAN. H. R. 1749 is really the same as S. 230, and the only amendment is that it includes the women. This is the language to be substituted: "any officer, enlisted man, or woman".

The phrase "or woman" is all that is added to S. 230.

I can leave a copy of H. R. 1749 with you.

Senator CLARK. Senator Walsh, does that meet the suggestion you were making here?

Senator WALSH. I was under the impression that there was a distinction in the rights of women in the WAVES and WAAC's when they become veterans. I am clear on the point that the WAVES have only the rights, in and out of service, that civil-service employees have.

Mr. SULLIVAN. Senator, we have always had the impression that the WAVES were part of the Navy and were entitled to all the rights of the officers and enlisted men, depending upon the grade they had, but that the WAAC's are in the Army and not of the Army, they are not entitled to such rights.

Senator WALSH. That is true. But in regard to the WAVES there is a special provision that their compensation for injuries and diseases contracted shall be given the same treatment as civil-service employees.

Senator LA FOLLETTE. It was on the theory that the WAVES were entitled to all the benefits accruing to men who served in similar rank and position that the Senate last week passed a bill, reported from the Senator Military Affairs Committee, to extend the same privileges to the WAAC's and the statement was made on the floor at that time that this was to equalize the benefits and bring the WAAC's up to the same level of benefits that were enjoyed by the WAVES.

Senator WALSH. I thought the distinction was made because the WAAC's are subject to foreign service and the WAVES are not. That is true, is it not?

Senator CLARK. That is true.

Mr. SULLIVAN. Yes, sir, that is true.

Mr. ODOM. Mr. Chairman, I could clarify that, but perhaps I better wait. I had something else in connection with that, which I would like to be heard on.

Senator CLARK. Is there anything further, Mr. Sullivan?

Mr. SULLIVAN. I do not have anything further, Senator.

Senator CLARK. Are there any other questions?

Senator WALSH. No.

Senator CLARK. Thank you, Mr. Sullivan.

Captain Bradley.

STATEMENT OF KENNETH C. BRADLEY, NATIONAL SERVICE OFFICER, DISABLED AMERICAN VETERANS

Senator CLARK. Captain, you are the national service officer of the Disabled American Veterans, are you not?

Mr. BRADLEY. Yes, sir, Mr. Chairman. I am at the present time representing our director, Mr. Rice, who was called out of town to appear before the Iowa State Legislature on a problem that is peculiar to that State.

Mr. Chairman and members of the committee: It would only be repetitious for me to speak at length regarding the various topics that have been discussed this morning. I might say, however, as was stated by Mr. Ketchum and Mr. Sullivan, that the Disabled American Veterans definitely are in agreement with those two organizations, as evidenced by the statements of those gentlemen. We do have, however, two particular features regarding the separate bill, S. 786, which are incorporated in S. 622 and which, while we do not particularly wish to urge that as a means of blowing up the legislation, I believe should be at least considered and spoken about.

I refer first to the question of limiting dates. S. 622 would limit the dates as to when or where a service-connected disability may have been acquired. It is our opinion that regardless of where a service-connected disability may be acquired or when it may have been acquired, the obligation of the Federal Government remains the same toward that particular individual who is disabled, whether it be in World War I or World War II, or some other service. So long as the disability arose out of service, the same obligations attach.

Senator LA FOLLETTE. In other words, as I understand your position, you are in favor of broadening the coverage?

Mr. BRADLEY. Broadening the coverage.

Senator LA FOLLETTE. To include World War I and the Regular Establishment of service in peace or war time?

Mr. BRADLEY. All service-connected disabilities, that is right. It is our opinion as to World War I veterans—I believe previous testimony before these committees will bear that out—a great number, by reason of mistakes or omissions or oversights, were prevented from taking advantage of the then rehabilitation program. Some of those, and I imagine a very few, may still be rehabilitated, and so long as they can be, we believe they should be given the opportunity. All rehabilitation is a personal gain just as it is an economic gain to this country, and anyone rehabilitated, be he a civilian or a soldier, would, in our opinion, be adding to the economic advantages of the country.

The second point was discussed last week before this committee. That is regarding the portion dealing with assumptions on the part of the Federal Government of any added risks which may accrue in hiring a disabled person who may have been rehabilitated. General Hines opposed this particular feature on the basis that because of the varied State compensation laws it would be an entirely unworkable program, or, to say the least, would be rather difficult to administer. We do not have that apprehension, and the reason we do not have the apprehension is because we believe—and this is based on years of experience—I personally have been interested in the placement of disabled veterans since 1929 and for 4 years was employed by the

U. S. Employment Service here in the District of Columbia in connection with the handicap service, and I found one of the greatest barriers to employing disabled veterans or disabled individuals was the statement by the employer that insurance companies would not accept them because the hazard on account of the disability raised the insurance rates, or the insurance companies would deny the insurance because of the hazard.

Senator CLARK. You mean it is a greater insurance hazard for a handicapped man to be operating a machine than a man entirely normal?

Mr. BRADLEY. That is right. Personally we believe that to be only an excuse on the part of most employers, because in past years the supply of labor has been much greater than the actual demand. There has to be a screening out process, and so when they can get able-bodied persons they will screen out the disabled and use the able-bodied in preference to them.

Senator LAFOLETTE. That is not so true now, though, is it?

Mr. BRADLEY. It is not true now, but of course now the supply of labor is short and the demand is great, and as a result of that that question does not come up now, and probably will not so long as industry is operating at its present pitch.

By some method whereby this excuse is done away with, we feel that barrier can be removed. It is of no value to rehabilitate a man if after having rehabilitated him the employer says, "I cannot use him," and I believe one of the greatest influences in that regard is probably our own United States Government. In normal times the Civil Service Commission's limitations as to disabilities precluded literally thousands of our rehabilitated World War I veterans from taking Government jobs.

I do not mean to say none of them were hired, but the handicap to many was great.

Senator WALSH. The Civil Service has established a minimum percentage of disabilities for certain jobs, have they not?

Mr. BRADLEY. Not necessarily, Senator.

Senator WALSH. I think in the case of the postal employees it is 20 percent.

Mr. BRADLEY. It is hardly that arbitrary. At times the civil-service limitations are put on by reason not of the actual disability at the time, but the potential disability. For instance, certain organic disabilities are considered as uniformly disqualifying the individual, not because that person cannot do the job but because if that disability increases he will become a retirement risk. That is the main objection.

Senator CLARK. The Veterans' Placement Unit of the Department of Labor turned down an old sergeant of mine who had his leg shot off in the Argonne, who is now in charge of the bond sales of the Treasury Department.

Mr. BRADLEY. Of course, under the present war-service regulations of the Commission they have reversed the approach, and now the gage is, Can the individual do the job? But of course all appointments being for the duration, they take no obligation as to the retirement fund, and therefore the situation is not so bad at the present time. I expect after the war is over they will again return to the question of the limiting clauses and bars on account of certain disabilities.

Senator CLARK. It probably is going to be very much greater after this war than after the last war, is it not, Captain?

Mr. BRADLEY. I do not think there is any question about it. We, the Disabled Veterans, believe, as do the other veterans' organizations, that the Federal Government owes an obligation to service-connected disabilities, to as nearly as possible place the person back to where he was prior to entering the service, if that person received the disability and was handicapped by reason of some incident of service. I think everyone agrees on that particular point.

We do not agree, however, that the two problems of the disabled veterans and civilians should be mixed; and right here I believe I might cite a few reasons why we are apprehensive regarding the mixing of the two problems. Last fall, prior to Pearl Harbor, a bill was prepared—I do not believe it ever got to the introduction stage—by interested individuals that attempted to set up a program for the rehabilitation of the disabled. In that particular draft no mention whatever was made as to the distinction between the service-disabled and the civilians. Probably that is the most significant point that led us to believe an attempt was being made to merge it all into one service.

Senator LA FOLLETTE. I might say at this point that I never saw any such draft.

Mr. BRADLEY. I do not believe it ever came to that stage, because that accounted for our opposition in the beginning. Now, as has been previously stated by other witnesses and as has been well known for years, at least for the last 2 years, attempts were made to break down the set-up of independent offices. The Veterans' Administration came in for its share of that, in an attempt to levelize it into one all-around central service organization. Those attempts of course have been defeated. What I am trying to point out now is the reason for our opposition to this attempt at this time. We believe this is a possible attempt—without any reflection whatever on Senator La Follette, we know his record, we know it well—it is a back-door attempt to approach the problem in another way. If they cannot do it wholesale they will do it piecemeal. Maybe we are right and maybe we are wrong, but we do not believe in taking any chances.

Senator LA FOLLETTE. I would like also to briefly interrupt and say for the record that in all the discussions I entered into with representatives and persons connected with the various departments of the Government that are concerned with this problem, I have never seen any evidence of that desire.

Mr. BRADLEY. I believe it will not be evident, Senator.

Senator LA FOLLETTE. I mean I have not seen anything that would substantiate that contention.

Mr. BRADLEY. I quite agree that there does not appear to be any on the surface. We only are apprehensive because of past performance. We do not know that the same individuals who are considering it now will be present when amendments come up there. We do not know that General Hines will be at the head of the Veterans' Administration, and Mr. McNutt will be at the head of the Federal Security Agency. We must approach it in an objective sense. We thoroughly trust the integrity of General Hines and Governor McNutt, but what will happen in the future—whether individuals will get there with the way laid open for them, we are not quite so certain.

Another instance that might be used as an indication of this trend is taken from a speech made by the Chairman of the Social Security Board, Mr. Altmeyer, at a meeting of the Allied Veterans' Council sometime back. Briefly, he, in his speech, indicated there will necessarily be a need for a leveling off of various Federal benefits, and specifically did he mention veterans' benefits, citing the extreme case of one who may have been employed by the Government and became eligible to civil-service retirement and at the time was also drawing disability benefit from the Government on account of military service-connected disability, and thirdly had sufficient employment in private industry to build up an account with the Social Security Board. Now that probably would be a rare case, but, nevertheless, it was an indication to us that the leveling off process was in the minds of the individuals connected with the social program. Probably that particular citation may have been all right, but our apprehension as to the leveling off process is that it is only the beginning, it is an attempt to do just what we do not want to do in the case of the mixing of these two programs.

SENATOR LA FOLLETTE. Of course, I have never discussed this matter with Mr. Altmeyer, because I do not see where he has any connection with this problem. I do not know what his attitude is.

MR. BRADLEY. As I said, it is one of the many things that probably made us more apprehensive than we might otherwise have been.

SENATOR CLARK. Captain, let me ask you this: Are the disabled veterans of the present war eligible to membership in the Disabled Veterans organization?

MR. BRADLEY. Yes.

SENATOR CLARK. I forgot to ask Mr. Sullivan that. I know it to be a fact. The American Legion has also amended its charter to make veterans of the present war eligible for membership. Is that correct, Mr. Sullivan?

MR. SULLIVAN. Yes. I might add to that that at the present time there are between 150,000 and 200,000 Legionnaires in World War II, and that nearly 400,000 from our organization, a junior organization known as the Sons of the Legion, are serving with the armed forces at the present time.

MR. BRADLEY. The Disabled American Veterans in the last session of Congress had their charter amended by Congress, so as to include all wartime service-connected disabilities as eligible to our organization. We now have, believe it or not, a Civil War veteran, some 96 years old, and a boy disabled in World War II, 17 years old—rather impressive ages now as compared with what it was.

I believe, Mr. Chairman and members of the committee, that except for an over-all endorsement of the sentiment expressed by Messrs Sullivan and Ketchum, there is little I can add.

SENATOR CLARK. Are there any questions, Senator La Follette?

SENATOR LA FOLLETTE. No.

SENATOR CLARK. Captain, is there anything you wish to say about Senate bill 230, the hospitalization bill?

MR. BRADLEY. No more than that we, like the rest, would like very much to see that bill enacted as soon as possible. If I may, I would just like to cite an individual case as to what can happen under the present set-up.

This particular case was one that was given to me individually to handle. A young chap served in the Civilian Conservation Corps for 9 months with an excellent record. He left the Civilian Conservation Corps in October of 1940 to join the Wisconsin National Guard then being mobilized for war training. After some 2 months of service his folks heard no more from him. They had been in the habit of hearing from him every week. After 5 weeks had elapsed they got a little bit concerned, and his sister went to Camp Beauregard, La. When she got there they told her he had been transferred to the State insane asylum in Louisiana. When she approached the Army authorities they said he had broken down mentally and the best they could do was for them to come and get him and they would send him home, which they eventually did. They went to an enormous expense, failing to get him to go to a public institution, to provide for him additional hospitalization in a private institution. The Army, of course, stated that the disability existed prior to enlistment and therefore the Veterans' Administration, under present laws, could not assume the hospital obligation.

Very recently, after a long and drawn-out investigation and the procuring of evidence, I was successful in convincing the Veterans' Administration that the man's disability arose from service. The family background was one of a simple carpenter, a hard-working carpenter, a family of seven or eight, I do not remember which. The family physician who had brought this boy into the world and had known him every day testified to the fact that he had seen no abnormalities in this boy all during the 20 years, and still, notwithstanding the fact that the boy was examined very thoroughly at the time he entered, with a background of that kind, the Army held it was not a service-connected disability. That case is being repeated over and over again. That boy is now being taken care of by the Veterans' Administration.

If S. 786 had been in force at the time this boy left the service—
Senator CLARK (interposing). You mean S. 230?

Mr. BRADLEY. I mean S. 230.

If it had been in effect at that time he would have been in a Veterans' Administration hospital from the beginning and the family would have saved a great deal of expense and grief. Obviously the community is in arms, the small community from which he comes I know are up in arms very much about that deal. I think that is repeated thousands of times over—possibly not that many, but many times over around the country and I think it only serves to show, as one example, the need for this particular legislation.

Senator CLARK. Are there any questions?

Senator LA FOLLETTE. No.

Senator CLARK. Thank you very much, Captain. Mr. Odom do you have a further statement?

Mr. ODOM. There is a point I wish to make on S. 230, the hospitalization bill. What General Hines had in mind with respect to non-service-connected disabilities requiring hospitalization were disabilities arising after a man leaves the service and having no connection with the service whatsoever. General Hines has recommended that these cases with record in service but not in line of duty, that have been brought to your attention should be taken care of by being put

in Veterans' Administration hospitals, which will require a change in the law, which he has recommended.

He felt, however, that at this time that is as far as it should go, and that because of the known needs we will have for the service cases, both those service connected and nonservice connected, in the sense that they existed prior to enlistment but were noted in service. This would be in lieu of hospitalizing everybody that leaves the service maybe without disability—take the men who are being discharged now over 38 with no disability—if one of the men walking down the street is injured by an automobile, or if he gets pneumonia—under the bill without the amendment—he would be immediately entitled, if he could not afford his own hospitalization, to go into the Veterans' Administration hospital. The general thought is perhaps we ought to at this time confine this additional hospitalization to disabilities occurring during service, whether they are service connected or otherwise.

Senator CLARK. Mr. Odom, I do not think anybody has any doubt as to the policy that Congress will ultimately adopt. It will adopt the same policy as after World War I. It seems to me there ought not to be any unnecessary delay in Congress in determining the policy, if conditions are such that additional facilities can be provided. If some of these people cannot be taken care of immediately, that is a bridge that we have to cross when we come to it. It does seem to me that Congress owes an obligation to these men whom they have put in the armed forces, and the sooner we determine the policy, instead of waiting 5½ years as we did after the last war, the better it will be for all concerned.

Mr. ODOM, I appreciate that.

Senator CLARK. I want to make my position clear on the matter. I think I speak for a good many of the Senators on that point, and I could certainly speak for the veterans' organizations in the matter.

Senator WALSH. As I understand the position of the Veterans' Administration, they would favor the amendment which would provide that a veteran who does not develop a disability within one year, let us say, or two years, after discharge should not have the benefits of this bill.

Mr. ODOM. At this time.

Senator WALSH. At this time, unless he is able to show service connection of some kind,

Mr. ODOM. That is correct.

Senator WALSH. The purpose is to give preference to those whose disabilities are known to arise while in the service.

Mr. ODOM. That is correct.

Senator WALSH. Not as the result of the service but while in the service.

Mr. ODOM. Not necessarily as the result of service, but while they are in the service.

Speaking to the point—and this is what I really wanted to mention, Senator—the amendment to S. 230, or the companion bill in the House. The companion bill in the House was amended, that is H. R. 1749, and is now reported by the World War Veterans' Committee. This has to do with the point which Senator Walsh was interested in. The amendment was as follows:

"Any officer, enlisted man, or woman"—instead of "any officer, enlisted man, member" and so on. It was the desire of that committee, as I understood it, to include in this bill, eligibility for all of those auxiliaries of the various services, the Women's Reserve of the Army, the Women's Reserve of the Navy, and Women's Reserves of the Coast Guard and Marines. In my rather feeble way I tried to point out to them that the language they employed would not, in my judgment, accomplish that purpose.

Senator CLARK. What do you mean by that?

Mr. ODOM. It reads, "any officer, enlisted man, or woman." An officer is either a man or woman, and they only say "enlisted man or woman." That is the first thing, but that is a technical matter. We suggested, that is, the Veterans' Administration suggested, that since this is an amendment to Veterans Regulation 10—and that is true of this bill, S. 230—and since Regulation 10 defines the meaning of a person who served, that that is the term that ought to be used in this bill.

Senator CLARK. What is that Regulation 10?

Mr. ODOM. That reads this way—that is paragraph III of Veterans Regulation 10—

The term "person who served" shall mean a person, whether male or female and whether commissioned, enlisted, enrolled or drafted, who is finally accepted for active service in the military or naval forces of the United States.

Senator LA FOLLETTE. If it is an amendment of that regulation you would not have to repeat that language.

Mr. ODOM. No. If we just use the term "person who served" it would then read this way, Mr. Chairman—

Senator CLARK (interposing). You mean any person who served would necessarily refer to Regulation No. 10?

Mr. ODOM. It is an amendment to Regulation No. 10.

Senator CLARK. I understand. That is all you need to say, is "any person who served"?

Mr. ODOM. That is all.

Senator CLARK. I think that makes good sense.

Mr. ODOM. There would be no necessity for mentioning, as this bill does, the Army Nurse Corps and the Navy Nurse Corps. Mr. Chairman, historically there was a time when it was necessary to mention those, because they were not components of the Army and Navy, but they are now. There is no necessity for naming them in this bill at all.

Senator LA FOLLETTE. Then, as I understand it, if this bill were amended to read, "any person who served in the active military or naval service of the United States on or after December 7, 1941, before the termination of hostilities," that would cover it?

Mr. ODOM. That is correct.

Senator CLARK. What do you say about that, Mr. Ketchum?

Mr. KETCHUM. This is the first time this has been brought to my attention, Mr. Chairman. It was my impression, when we left the World War Veterans Committee, that the change which they had made had been more or less approved. I was under the impression it was approved by General Hines and by the Veterans' Administration until Mr. Odom notified me this morning that there was some doubt about it.

Senator CLARK. What do you say, Mr. Sullivan?

Mr. SULLIVAN. That is the exact impression I had. Chairman Rankin asked General Hines if in his opinion the addition of the words "or women" would include the women members of the service, and General Hines answered that in the administration he would include women members of the service, and, as Mr. Ketchum says, this is the first time we hear of the additional language or substitute language that is necessary.

Mr. ODOM. I do not believe you gentlemen were present the following morning, were you?

Senator CLARK. What do you say, Captain Bradley?

Mr. BRADLEY. Mr. Chairman, I believe that basically neither one of them will accomplish what appears to be the desire, and that is to bring in the WAVES, WAAC's, SPARS, et cetera. It seems to me the basic law that created those organizations precludes that. I do not know. There has been considerable question as to whether the WAVES have a full military status, military service; the WAAC's I know do not have, they have specifically been ruled out. As to the others I am not certain, because I do not know the law which created them. The mere statement that they served in the active service would require an interpretation of what is active service. So it seems to me to include the WAAC's and WAVES, and so forth, it would be necessary to change the basic law to specifically include the WAVES, WAAC's and the other women's auxiliary organizations. Maybe I am wrong in that.

Mr. ODOM. The gentleman is correct, Mr. Chairman. He beat me to that point. I wanted to take one step at a time.

Senator CLARK. Go ahead, Mr. Odom.

Mr. ODOM. The legislatively artistic way to word this was to use the term "person who served." I then wanted to get to the next step, which the captain has mentioned, and that is that the act, Public Law 689, Seventy-seventh Congress, creating the Women Reserve Corps of the Navy, in section 508 specifically provides that they shall not be entitled to the benefits that others in the active military service are entitled to with respect to compensation, pension, and hospitalization, but that instead they will have the benefits of civilian employees. This applies to the Women's Reserve of the Marine Corps. The same thing is true with respect to the act which created the Womens Reserve of the Coast Guard, Public Law 773, Seventy-seventh Congress. The Womens Army Auxiliary Corps, I understand, by pending bills which are in accord with the program of the President would be brought into the active service and that section of their act repealed which prevents them from having the benefits that others in the active service have, so that they will be on a parity not with the WAVES and SPARS but with the men and women in the active military service.

It still will be a fact that these laws which I mention, they are not, by those statutes permitted to have the hospitalization, pension, and other benefits that those in active service have. So at the hearing, which I do not believe any of these gentlemen attended, before the World War Veterans Committee I urged not only that this language be changed but that they specifically say that they were repealing those portions of those laws which deprive these people of the benefits. The committee did not desire to do that, because they said that was

not their prerogative, that was a matter that should go before the Naval and Military Affairs committees of the two Houses. Therefore, they simply changed the language and expressed the hope that we would construe that as accomplishing that purpose. Frankly, gentlemen, I believe in the Congress saying what it means rather than leaving it up to me, or some other administrative officer, to say what they mean.

Senator MILLIKIN. I do not believe you would have a right to construe it.

Mr. ODOM. I may know what they want, but I would like them to say so in so many words.

I am not saying that critically at all. It is just the expression I have used before committees, that I think we ought frankly to put into the law exactly what we mean.

Senator LA FOLLETTE. Mr. Odom is more involved in the repeal of those sections than the extension of hospital benefits?

Mr. ODOM. Yes, sir; there would be.

Senator LA FOLLETTE. And may they not have been fearful that if they took in the whole field they might jeopardize the legislation? Suppose this committee wants to extend hospitalization and simply treat with that problem alone and not bring up the other field, although I personally would favor putting them all in the same place, but in order to avoid that and pare this down to something that might not be so cumbersome in the legislative sense, what language would you recommend that this committee adopt in just giving them hospitalization?

Mr. ODOM. I will give that to you, Senator. I would amend Senate 230 as indicated, by striking out in lines 6 and 7 "officer, enlisted man, member of the Army Nurse Corps, member of the Navy Nurse Corps"—strike that all out and in place of it put in "persons who serve," and at the end of line 10 you strike the period and quotation marks and insert after the word "war" the following:

Provided, That the term "active military or naval service" as used herein shall include active duty as a member of the Women's Army Auxiliary Corps, Women's Reserve of the Navy and Marine Corps and Women's Reserve of the Coast Guard.

And that would have the effect of bringing them within the law.

Senator CLARK. Have you got a copy of that?

Mr. ODOM. Yes; I will give it to you. That would clearly bring them within this bill for the purpose of hospitalization, burial, and flag.

Senator MILLIKIN. Does that omit any other women's auxiliary?

Mr. ODOM. It mentions just those four, Senator, the Army, the Navy, the Coast Guard, and Marine Corps.

Senator MILLIKIN. That is all there are?

Mr. ODOM. That is all there are.

Senator WALSH. Of course the difficulty with this problem is that these WAVES are working side by side with Civil Service employees, they are doing the same kind of work.

Senator CLARK. That is true of the Army.

Senator WALSH. A woman cannot leave the Civil Service to join the WAVES under the regulations. I am afraid we are going to have difficulty in distinguishing between the women who are doing the work, that happen to be in the women's organization, and the other civil service employees.

Senator CLARK. We have Army and Navy officers working side by side with civil service employees, doing the same work.

Senator WALSH. Then there is the question of overseas duty. They can join the Navy without agreeing to go on ship and serve in countries, if necessary.

Senator LA FOLLETTE. On the other hand, the women's auxiliary in the Army is subject to overseas duty. They have gone overseas. I have seen pictures of them being rescued from vessels that were torpedoed, I have seen pictures of them in lifeboats. They are in the armed personnel, they are serving in north Africa, and I do not know where, anywhere else.

Senator WALSH. I do not indicate an opposition, but I do want to point out that there is this large number of other women who are under civil service, doing identically the same work, and they cannot join the WAVES if they want to, and the only difference is one is subject to naval discipline and the other is not, the one can resign and the other cannot.

Mr. ODOM. They are subject to longer hours, too, Senator, as well as military discipline and orders.

Senator WALSH. Yes; I think that is quite true.

Mr. ODOM. A peculiar thing, that I thought I ought to just mention, because of the manner in which the laws were enacted, and that is since all of these auxiliary organizations, except the Women's Army Auxiliary Corps, are in the active service, and since their laws do not preclude them from getting the benefits of insurance, contrary to what they have with respect to compensation, pensions, and hospitalization, they all are entitled to apply for insurance except the WAAC's, and they have not yet been put into the active service.

Senator WALSH. I think an amendment is desirable.

Senator CLARK. I do not think this committee has jurisdiction on that, but I do think the laws in regard to WAAC's should be changed.

Mr. ODOM. There is a bill that has a clearance from the Bureau of the Budget which will do that, Senator. It is pending now.

Senator CLARK. Are there any other questions, Senator Walsh?

Senator WALSH. No.

Senator CLARK. Thank you very much, Mr. Odom.

If there are no further witnesses, the committee will go into executive session.

(Whereupon, at 11:50 a. m., the committee retired into executive session.)

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