

INCREASING THE RATES OF COMPENSATION OR PENSION FOR SERVICE-INCURRED DISABILITIES IN EXCESS OF TOTAL DISABILITY

JULY 26 (legislative day, JULY 9), 1945.—Ordered to be printed

Mr. JOHNSON of Colorado, from the Committee on Finance, submitted the following

REPORT

[To accompany H. R. 3644]

The Committee on Finance, to whom was referred the bill (H. R. 3644) to amend the Veterans Regulations to provide additional rates of compensation or pension and remedy inequalities as to specific service-incurred disabilities in excess of total disability, having considered the same, report favorably thereon with an amendment in the nature of a substitute and recommend that the bill as amended do pass.

The proposed legislation would provide rates of pension for specific service-incurred disabilities under Veterans Regulation No. 1 (a), as amended, on a parity with the rates payable for similar disabilities under the World War Veterans' Act, 1924, as amended, and remove certain inequalities which now exist, particularly as between veterans of World War I and World War II. It would also recognize the great difference existing between double amputations at various levels and provide a more flexible scale for the authorization of monetary benefits to the most severely disabled veterans.

The rates of compensation payable to veterans of World War I under Public Law 141, Seventy-third Congress, March 28, 1934, which reenacted, with limitations, certain provisions of the World War Veterans' Act, 1924, as amended, which had been repealed by the Economy Act (Public Law No. 2, 73d Cong.), are the rates provided by the World War Veterans' Act, 1924, as amended, or 75 percent of these rates if the disability is connected with service by virtue of statutory presumptions. The rates of pension payable for specific service-incurred disabilities to persons who meet the requirement of Public Law 2, Seventy-third Congress, March 20, 1933, as amended, are governed by Veterans Regulation No. 1 (a), as amended. Part I of the regulation prescribes the rates payable for wartime service for

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veterans of the Spanish-American War, including the Philippine Insurrection and Boxer Rebellion, World War I and World War II, and part II prescribes the rates payable for persons who served in active military or naval service other than during a period of war as defined in part I. The rates provided for peacetime service on or after April 21, 1898, under part II of the regulation are approximately 75 percent of the rates provided for wartime service under part I.

The rates of pension for wartime service under part I of Veterans Regulation No. 1 (a), as amended, have been extended to persons entitled to pension for service-incurred disabilities under the general pension law (Civil War and Indian war veterans) and to persons whose disabilities resulted from extra hazardous peacetime service and who are now eligible for pension under the general pension law or part II of Veterans Regulation No. 1 (a), as amended. Likewise, the rates of pension for peacetime service-incurred disabilities under part II of the regulation have been extended to persons who served in time of peace prior to April 21, 1898, and who are entitled to pension under the general pension law. Thus it will be noted that numerous groups are affected by the rates provided in part I and part II of Veterans Regulation No. 1 (a), as amended.

Under part I of Veterans Regulation No. 1 (a), as amended, an additional allowance of \$35 monthly is provided for certain minor anatomical losses or loss of use and payable where there is a ratable disability of 10 percent to total in degree in addition to the rates provided therefor which range from \$11.50 to \$115 per month. Such additional allowance is not payable where such anatomical losses or loss of use are present with more severe anatomical losses or loss of use, blindness, helplessness, etc., for which specific rates are authorized. The bill, as reported, would retain this provision and authorize payment of the additional allowance where such minor anatomical losses or loss of use are present and entitlement is shown for a specific rate for one or more of the more severe anatomical losses or loss of use, blindness, helplessness, etc., subject to a limitation of \$300 on the maximum amount payable. Also, the bill would increase the specific rates for the more specific anatomical losses or loss of use, blindness, helplessness, etc., and limit the maximum amount payable to \$300 monthly.

Existing law provides but one specific rate for blindness in both eyes having only light perception. The bill, as reported, would provide specific rates for three grades of blindness, (1) with 5/200 visual acuity or less; (2) requiring regular aid and attendance; and (3) anatomical loss. The first two grades of blindness correspond with the provisions of the World War Veterans' Act, 1924, as amended, and the third, which is total darkness, is a new and higher rate.

The bill recognizes the necessity for differentiation in the rates for specific disabilities among amputations at different levels. The rate provided for loss of two extremities will more nearly conform to the rate provided in World War I cases.

Section 2 of the committee amendment provides rates for service-connected peacetime disabilities at approximately 75 percent of the rates provided for service-connected wartime disabilities under section 1.

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The committee amendment is substantially identical with the bill as it passed the House except that in most cases the rates provided under the committee amendment are higher than those contained in the House bill. Also, the committee amendment combines in one subparagraph (m), the disabling conditions covered in subparagraphs (m) and (n) in the bill as it passed the House. In addition, the committee amendment includes a number of minor changes of a clerical nature.

